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Free-Peltier campaign fails

By Paul Barnsley
Windspeaker Staff Writer

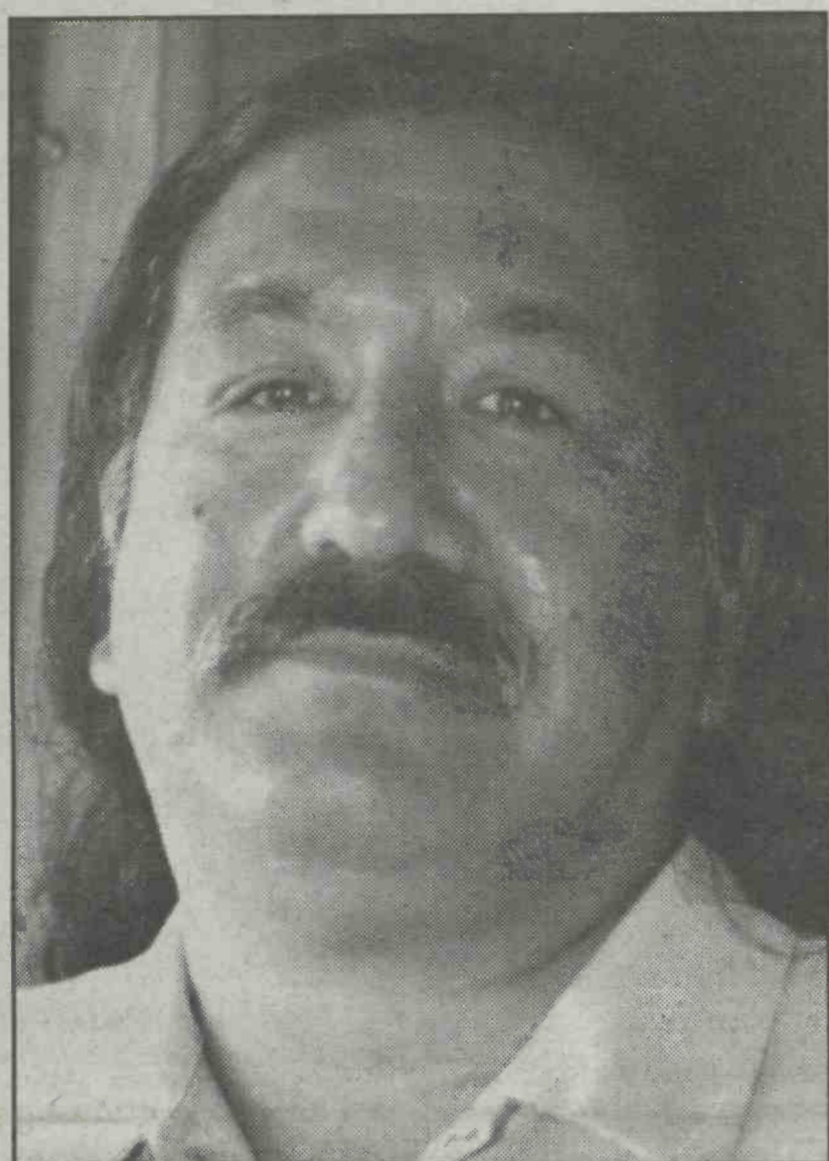
WASHINGTON, D.C.

Leonard Peltier's name was not on the final list of people who were granted executive clemency by out-going President Bill Clinton. Peltier has been imprisoned, some insist wrongly, for the killing of two FBI agents in the 1970s, shot during the desperate days of violence on the Pine Ridge Reservation in South Dakota.

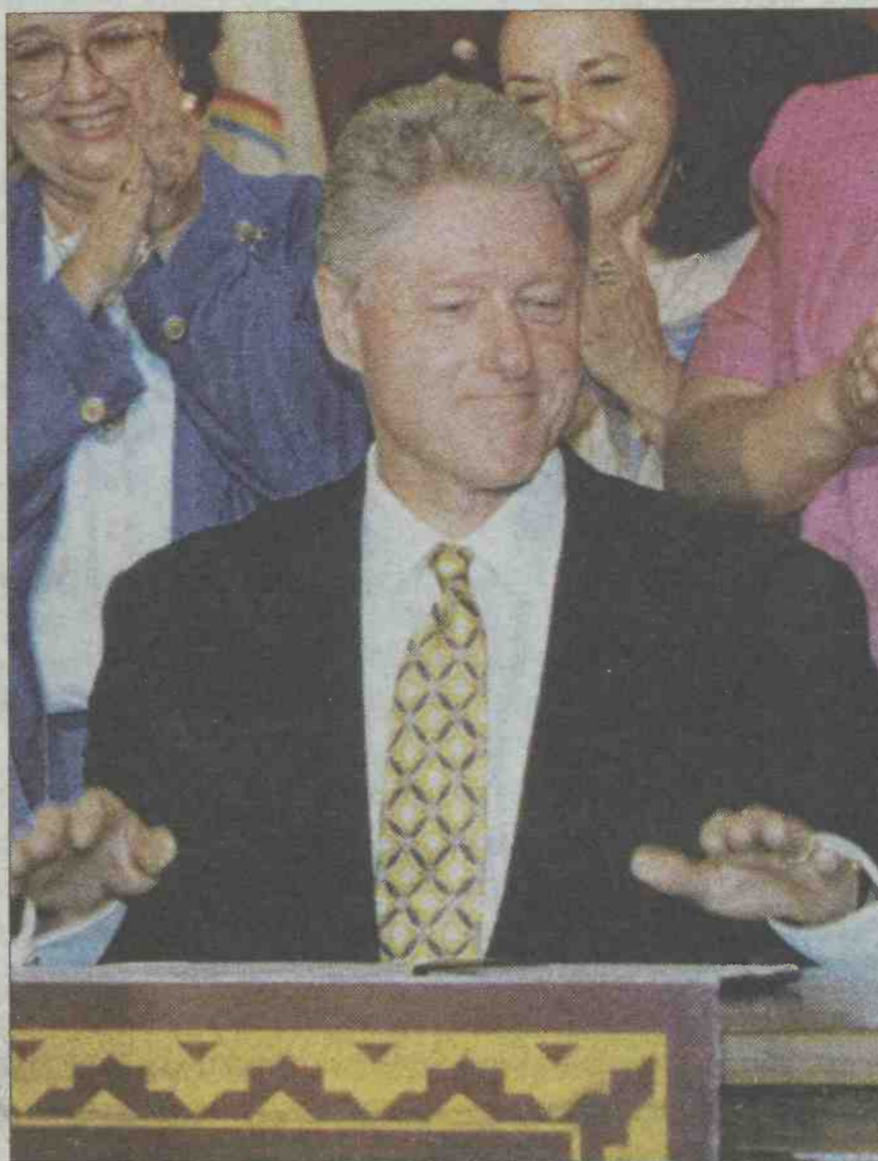
In all, Clinton announced 140 pardons and 36 commutations on Jan. 19, the last full day of his presidency. Included on the list were Clinton's personal and business associates and his half-brother Roger.

Supporters of the jailed American Indian Movement activist have, for more than a year, been focusing their efforts on persuading Clinton to let Peltier out of jail. It was generally accepted that a Republican, especially new President George W. Bush, would not be receptive to pleas on Peltier's behalf and that Clinton offered the best hope for clemency.

Harvey Arden, the editor of Leonard Peltier's biography, has been active in the free-Peltier movement and had scathing words for the former president, who had just days before admitted to making misleading statements while under



AIM activist Leonard Peltier



Former US President Bill Clinton

oath as a condition of a deal that would see him free from prosecution in regard to the Monica Lewinsky affair and Paula Jones sexual impropriety case.

"Clinton did nothing... freed his own brother and political cohorts... saved his own hind end... and left Leonard to rot. No doubt he was intimidated and rather than do the right thing, the courageous thing, the holy thing, he showed us for all time that he has all the spine of a chocolate éclair," Arden said. "I can only

pity him. His last day in office was the most dishonorable of his emphatically dishonorable administration."

Arden told *Windspeaker* of a phone conversation he had with Peltier in the days following the Jan. 19 announcement.

"I told [Peltier] the struggle resumes tomorrow and will continue larger than ever until he's free," Arden said. "He says, 'Tell everyone I was down for a couple of days there, but now I'm up. Tell them we may have lost a bat-

tle but we will win the war. Tell them to get together and stay together and work together. Don't stop now, we're stronger than ever.'"

Frank Dreaver, international representative for the Leonard Peltier Defense Committee, Canada, admitted he was greatly disappointed that Peltier was not pardoned.

"We've been devastated, of course. We really put everything in it."
(see Clinton back page.)

'Interim' overhaul of Indian Act planned

By Paul Barnsley
Windspeaker Staff Writer

OTTAWA

Robert Nault, the minister of Indian and Northern Affairs, let it be known in mid-January that an idea he has been pondering since his appointment 18 months ago has now been moved onto the front burner.

"This last week I announced that we are now, as a department, in full blown review of the Indian Act with the intention of bringing in a First Nations governance act as quickly as we can and hopefully we would have a working document by as early as this summer with the intention of seeing something formally put in place or put into the House or, at least, a draft put out to communities by this fall," Nault said during a phone interview on Jan. 19. "That will allow us, in the interim to have a piece of legis-

lation, a working relationship, that meets our modern needs as we work our way towards self government."

He said the new act will be an interim piece of legislation that will eliminate some of the most harmful legal problems posed by the Indian Act. His vision is that the First Nations governance act will allow First Nations to function more effectively until self government agreements are reached with all First Nations.

"Self government, of course, is a policy we've had as the government of Canada working with First Nations for a number of years. It's not moving very quickly and because of that we can't wait for self government agreements across the country to replace the Indian Act, which is what self government agreements do. That, in fact, we need to put in place an interim process of a modernized Indian Act as we work our way to-



Minister of Indian Affairs Robert Nault.

wards self government so we can have those stable governments seized with the abilities to deliver services but at the same time spend more of their energies on building their economies and less of their energies on internal issues because of the weaknesses or the lack of the abilities of the In-

dian Act to give them the tools they need."

Nault emphasized that his department has a unique challenge: the department must function as part of the federal government and at the same time show respect for First Nations' right to self government.

"I'm sure that all of you understand that the department of Indian Affairs and Northern Development has a very unique role to play in the relationship with First Nations people as the lead on our fiduciary obligation. These things don't move as quickly as they might in other departments," he said.

Because any heavy handed decrees from Ottawa would be seen as disrespectful and would provoke opposition and political stalemate, Nault will lead a consultation process designed to get input from all First Nations people in the coming months.

(see Consultation page 3.)

WHAT'S INSIDE

CONFUSION

New law made during a land claims dispute in Ontario may complicate the process for First Nations across Canada. Was the Royal Proclamation of 1763, a central piece of colonial law that provides important legal protection to Indigenous rights in Canada, replaced by the Quebec Act of 1774? And if so, what does that mean for land claims across the country?

.....Page 2.

FOR THE CHILDREN

Windspeaker continues its look at the issues plaguing the children of Aboriginal communities—suicide, solvent abuse, the bleakness of an uncertain future—and provides a flicker of hope for youth with the story of a young role model who has overcome his desperate circumstances to achieve.

.....Pages 6 and 7.

FINANCE

Windspeaker's special focus on financial matters delivers news and information from saving for a child's education to keep the tax man at bay.

.....Pages 23 to 27.

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New take on law could undermine land claims

By Paul Barnsley
Windspeaker Staff Writer

TORONTO

An Ontario Court of Appeals decision, with potentially far-reaching implications for land claim lawsuits in all parts of the country, will be appealed to the Supreme Court of Canada.

The five-member Ontario appeals court ruled the Chippewas of Sarnia are not the legal owners of land that is now part of the city of Sarnia, despite the fact the Chippewas never surrendered the land.

Many lawyers who represent First Nations believe no Canadian court will ever displace third parties that hold title to disputed land, but the Chippewas of Sarnia and their lawyer, Earl Cherniak of Toronto, still believe they can persuade a court their title to the city land is valid.

"We haven't so far, but we expect to be able to. We're certainly going to try to be able to in the Supreme Court of Canada," Cherniak told *Windspeaker*.

The Ontario court broke new legal ground in its decision by applying the law of equity to a Native land claim. The law of equity originally evolved to balance the power of common citizens when they were involved in a dispute with the much more powerful Crown. The Court of Equity, in past centuries, was called the "king's conscience." If, for example, the law called for a thief to have his hands cut off in punishment for the crime, a man convicted of stealing one loaf of bread to feed his starving family could ask the Court of Equity to rule the Crown should not impose such a harsh penalty. Equity, in the modern

setting, refers to the court's discretion in deviating from the strict letter of the law if there are unusual circumstances.

The Ontario appeals court ruled that the 10,000 non-Native people who live on the disputed Sarnia lands should not be forced to move off of the land because an error was made by Indian Affairs in 1861. The land in question was believed to have been properly surrendered at that time, but it was later discovered that no surrender was ever formalized. The Chippewas argue that, since no transfer of title was ever made, they still own the land.

Cherniak noted that both the trial judge and the appeals court examined the Sarnia band's research and concluded there had been no legal surrender. Trial Judge Archie Campbell made new law when he reasoned the laws of equity suggest that a 60-year limitation period should apply to the sale of the land. Since the Chippewas had not launched a legal action by Aug. 21, 1921 (60 years after the letters patents — or land deeds — were granted to the non-Native land owners), Campbell ruled the Chippewas had no case against the present title holders. Both Campbell and the appeal court ruled the Chippewas still have a valid claim for monetary compensation from the Crown for its error in not securing a proper surrender.

"The trial judge gave us a declaration that there was never any surrender and that the letters patent were invalid. He came up with what he called an equitable limitations period. He created that," Cherniak said. "The court of appeal disagreed with him. We actually won on that point. We didn't agree with

that limitation period. Then the court of appeal agreed there was no surrender, the court of appeal agreed that we were dealing with unsurrendered Aboriginal title, but then they said that equitable reasons denied us the right to a declaration — and the lands. We say the court of appeal's wrong."

Laws of equity also included statutes of limitations but those laws have not been applied when Native people are involved in litigation because Native people had few civil or legal rights under Canadian law until well into the 20th century. Cherniak also argued that Canadian law is very specific about how Native land surrenders must be handled.

"The court of appeal, in effect, applied equitable considerations when the courts have said that unsurrendered land can only be extinguished by the specific intent of the legislature," he said. "This whole idea that Aboriginal title, unsurrendered Aboriginal land, especially unsurrendered Aboriginal land subject to a treaty, can be extinguished by the operation of equitable principles when the legislature itself — Parliament itself — couldn't extinguish it before 1982 unless it specifically pointed to that land... well, that's new."

Another issue of great interest to many First Nation people was raised during the hearings. The appeal court held that the Royal Proclamation of 1763, a central piece of colonial law that provides important legal protection to Indigenous rights in Canada, was no longer the law of the land because it had been replaced by the Quebec Act of 1774. Cherniak said fighting to preserve the legal force of the proclamation,

Trial decisions

- The land that makes up much of what is currently the city of Sarnia was not surrendered by the Chippewas of Sarnia.
- Laws of equity suggest that a 60-year limitation period should apply to the sale of the land so, because the Chippewas didn't dispute the sale by 1921, the claim against title holders is negated.
- Chippewas have a valid claim for monetary compensation from the Crown.

Appeal decisions

- The Royal Proclamation of 1763 was no longer valid because it was replaced by the Quebec Act of 1774.
- The land at Sarnia was not surrendered, but the Chippewas are not the legal owners of the land.
- The people who live on the disputed Sarnia land should not be forced to move because an error was made by Indian Affairs in 1861.
- A 60-year limitation period should not be applied to the sale of the land.
- Chippewas have a valid claim for monetary compensation from the Crown.

while it's not crucial to winning the case at hand, is an important aspect of the case.

"The Royal Proclamation isn't important on the surrender issue. It's important on issues as to whether the land is still constitutionally protected because of the Constitution Act in 1982 which said that the Royal Pro-

clamation is part of the Constitution of Canada," he said.

The leave application asking the Supreme Court of Canada to hear the case will be ready sometime in March. The Supreme Court justices have unlimited discretion about which cases they will hear and they do not have to explain their decisions.

Courts flip-flop to serve third party interests

By Paul Barnsley
Windspeaker Staff Writer

TORONTO

While admitting that part of the city of Sarnia is on land improperly carved away from the Chippewas of Sarnia's reserve, the Ontario court of appeals still rejected the First Nation's claim that it still holds title to the land.

Legal observers say the final decision was not much in question in that case, even before the trial that produced the appeal. Everyone was certain the court would not tell the 10,000 non-Native people residing on the disputed land they didn't own it. The only question was how the court would justify reaching that decision.

"The main message of Sarnia is: Don't go after landowners. You're not going to succeed. Go after the Crown. And after 150 years, your chances of taking possession of the land are minimal," said Paul Williams, a well known lawyer in Eastern Canada with extensive knowledge of treaties and the history of land surrenders. He represents the traditional Iroquois Confederacy Council, as well as many First Nations with claims against the Crown.

The trial decision, he said, and

the appeal court decision, have made a few strides forward in clarifying a very muddled area of law, but not without adding more uncertainty in other areas.

"What the trial court did is it said there is no surrender, therefore all the patents (land deeds) are invalid. However, these people are innocent purchasers for value. They've been on the land for 150 years. They got the land in good faith from a government they had no reason to think was unable to patent the land."

At the trial level, Judge Archie Campbell said he was going to invent something — after 60 years, people get an equitable possessory title to land that is good against the Aboriginal title holders. That was overturned at appeal.

"The appeal court said there is no surrender [of the land], but the Sarnia Chippewas knew about the transaction, behaved as if it was real, demanded the money, never attacked it and only 140 years later noticed that there was no valid surrender. So, therefore, [the appeal court judges] are going to say that [the Chippewas] intended to dispose of the land whether or not the formal requirements were complied with and therefore the patents are valid. That's quite



Lawyer Paul Williams see good and bad news for land claims in Sarnia decision.

different from saying the patents aren't valid, but after 60 years you get possessory title. The trial decision is about equitable possessory title and the court of appeal said that doesn't exist."

Equity law has never been applied to a land claim before. It is a part of the law that, in previous centuries, balanced the power of the Crown in disputes with commoners.

In the Sarnia case, Canada

and Ontario asked the court to quickly dispose of the band's claim, arguing that all the facts were before the court and a trial was unnecessary. Judge Campbell granted the motion, reviewed the evidence and returned with a decision that was very critical of the Crown. Campbell went to great lengths and broke new legal ground to justify not issuing an order that would recognize the Chippewas held legal title to the disputed land. Yet parts of his ruling strengthened the Chippewas claim for compensation.

Williams intervened on behalf of three neighboring bands at the appeal. He noted that Judge Campbell's decision conflicted with a previous Ontario Court of Appeal ruling. Campbell ruled the Royal Proclamation of 1763, a key piece of law that serves as the basis for many Native land claims, is the law in Ontario. Judge Steel in the Temagami case ruled the Royal Proclamation had been replaced by the Quebec Act of 1774.

Campbell said the Royal Proclamation determines that Indian land can't be sold without a surrender. He also affirmed that technical defenses such as statutes of limitations are no good against Indian title claimants be-

cause they had limited civil and legal rights at the time many of the land surrenders occurred.

The court of appeal rejected Campbell's reasoning regarding the Royal Proclamation, saying it was rendered obsolete by the Quebec Act. That is an issue that will be raised if the Supreme Court of Canada agrees to hear the Sarnia band's appeal, said band lawyer Earl Cherniak.

Other First Nations could see their claims effected by the Sarnia decision. One of Williams' clients is the Chippewas of the Thames First Nation. They claim their Bear Creek reserve was sold by mistake and there was no surrender.

The Chippewas of the Thames intervened in the Sarnia case because part of Campbell's decision, if left unchallenged, would have threatened all Native land claims.

"Right near the end of his judgment, [Campbell] said possessory title means Aboriginal title is extinguished and if you can't use the land then you don't have Aboriginal title because Aboriginal title means use of the land. If somebody else has use and occupation then goodbye Aboriginal title," he explained.

(see Confusion page 11.)

Consultation begun,

(Continued from page 1.)

"If I was in charge of plans and trucks I could probably move agendas relatively fast. But in order to be successful in our relationships that exist to that we're trying places like British Columbia is a consultant with the local communities and

"One of the things the leadership of the last year-and-a-half now in the information way we consultations is probably we did it 50 years high time we come solutions using teleconferencing video conferencing self and the process elaborate, to understand of tions governance ernization of would look like

But the minister forgotten that his colleagues have power in any level

"I can be very It's not my intention three-, four-year process costing of dollars," he said the world we can get right into

if we put the relations structure doubt on your that every attempt to make change or any other point to improve performance improve our relationship gone very well consultation undertaken. So see that improve individual First their homes with about this process themselves

He said he had a lot of time on consultation

"In order for you that this doesn't blue somewhere

you back to produce day that I was minister of Indian Northern Development year, I spent a time visiting consulted over 100 year. In those years main reasons much time visited was I wanted to view from the local community

whether they thought, as I did that we needed to change our relationship by, first of all, starting off with certain understandings that what we had in place today, as much as has defined us and our relationship, won't get us to where we want to go in the future," he said

"Over that time I continually talked about modernizing the Indian Act and building a First Nation economy. Over the last year-and-a-half I've spend quite a bit of time internally with the officials looking at different parts

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Confusion page 11.)

Consultation has begun, says Nault

(Continued from page 1.)

"If I was in charge of planes, trains and trucks I could probably move agendas relatively fast. But in order to be respectful of our relationship and the treaties that exist today and the ones that we're trying to arrive at in places like British Columbia, a consultation is extremely important with the leadership and the communities at large," he said. "One of the things I have asked the leadership over and over in the last year-and-a-half is, we are now in the information age. The way we consult with First Nations is probably the same way we did it 50 years ago and it's high time we come up with some solutions using the internet, using telecommunications, using video conferencing, using TV itself and the printed media to elaborate, to work with each other, to come up with our understanding of what a First Nations governance act and a modernization of the Indian Act would look like."

But the minister has clearly not forgotten that he and his Cabinet colleagues have the ultimate power in any legislative process.

"I can be very blunt about this. It's not my intention to have a three-, four-year consultation process costing tens of millions of dollars," he said. "I know, in the world we live in today, we can get right into every First Nation household relatively quickly if we put the right communications structure in place. It's no doubt on your minds and mine that every attempt we have had to make change to the Indian Act or any other policy perspective to improve people's lives and improve our relationship has not gone very well because of the consultation process that we've undertaken. So I'm very eager to see that improve in order that individual First Nation people in their homes will know as much about this process as the leadership themselves."

He said he has already spent a lot of time conducting an informal consultation process.

"In order for you to get a sense that this doesn't come out of the blue somewhere, I wanted to take you back to practically the first day that I was appointed the minister of Indian Affairs and Northern Development. Last year, I spent a large part of my time visiting communities. We visited over 100 First Nations last year. In those visits, one of the main reasons why I spent so much time visiting communities was I wanted to get a first hand view from the leadership and the community members as to whether they thought, as I did, that we needed to change our relationship by, first of all, starting off with certain understandings that what we had in place today, as much as it has defined us and our relationship, won't get us to where we want to go in the future," he said. "Over that time I continually talked about modernizing the Indian Act and building a First Nation economy. Over the last year-and-a-half I've spend quite a bit of time internally with the officials looking at different parts

"I can be very blunt about this. It's not my intention to have a three-, four-year consultation process costing tens of millions of dollars."

—Minister Robert Nault

and areas of the department of Indian Affairs, our relationship with the communities, our contribution agreements, our financial accountability structure, where we are today versus where we think we need to go. So obviously you've now been made aware that I'm starting to move with what I have coined, on a number of occasions, a two-track approach."

The first track of Nault's plan is economy building.

"This department started to re-structure itself to be extremely involved in First Nations economy building. We are now fleshing out and have moved with a regional partnership strategy, working closely with First Nations, First Nations business, the private sector in general and, of course, the provincial governments, to talk less about jurisdiction and more about practical ways of building a First Nation economy," he explained. "Which includes, of course, our need to recognize that you can't build an economy if you just focus strictly on reserve. You have to think a lot broader. And that is why this department and this minister has started to fund projects off reserve in partnership with the provincial governments and the First Nations because that economic infrastructure is so important to put people on an equal footing in order for them to compete."

The second track involves adding legislative supports that will create more stable governments on First Nations.

"In order to be successful you need a stable government. Stable governments, in a modern context, obviously have accountability structures, have abilities to raise revenue through taxing of their constituents, have abilities to put businesses in the communities that are agreeable to Native and non-Native business people," he said. "Those structures have to be in place in order for us to build a legitimate relationship with not only the private sector and province but obviously the Crown, the federal government."



Indian Affairs Minister Robert Nault signs two agreements in principle that will guide self government negotiations for nations of the Meadow Lake Tribal Council.

Meadow Lake negotiations model for self government

By Cheryl Petten
Windspeaker Staff Writer

FLYING DUST NATION,
Sask.

Two newly signed agreements in principle (AIP) negotiated between Meadow Lake Tribal Council in northwestern Saskatchewan and the federal and provincial governments are examples of the direction Indian Affairs Minister Robert Nault wants to take Native nations with the development of a new First Nations governance act.

"We can't wait until everyone gets into a separate process to get themselves out from under an act that really cannot deal with the issues that we want to deal with today, which is a modern governance structure, ability to create an economy, ability to make decisions that will have long term effects, Nault said following the signing of the AIPs on Jan. 22.

"We presently do most of our work through the Indian Act — the majority of it — and it's not a very effective way. And I'm quite amazed that the Meadow Lake Tribal Council was this successful using the present day Indian Act, when in fact it is basically trying to do business with both hands tied behind your back," he said.

The agreements, a decade in the making, set out the frame-

work for the three parties, a basis for negotiations toward self government for the Meadow Lake Tribal Council and the nine First Nations it represents.

The comprehensive agreement-in-principle will allow for negotiation on such issues as governance, jurisdiction, application of laws, fiscal relationship and financial arrangements, intergovernmental relations and dispute resolution, as well as outlining the requirements for approval of a Final Agreement once it is reached. The tripartite agreement-in-principle outlines some of the elements that will be recognized by Saskatchewan when the comprehensive and tripartite final agreements are reached.

Both documents also outline the current state of negotiations, and outline which areas will require little in terms of further negotiations, and which require additional and more detailed negotiations.

"The process is to give jurisdiction in certain areas which — it runs concurrent with federal and provincial jurisdiction, within the constitutional family that we are accustomed to, obviously, where things like the Charter will apply, the Criminal Code will apply — but at the same time it will be a modern governance structure that will allow people to make those kinds of decisions that they

should make rightfully on their own, and not have the Department of Indian Affairs, or any other government, tell them how it should be structured," Nault explained.

Representatives from the three signatories characterized the AIP signing as a positive move toward self government for the Meadow Lake Tribal Council and its member First Nations, but all three also repeatedly stressed the signing marked the beginning of the process rather than the end.

"It's going to be a long row to hoe, but to put it simply, this is a legal and political healing process that has to happen between all the three parties. And I think that once we achieve that process, and achieve final agreement, we will have a future that will give us more certainty and clarity in terms of our relationship so that we can better serve our people, and that we can achieve a quality of life for our people that's comparable to all of the rest of society in Canada," said Oneill Gladue, vice-chief of the Meadow Lake Tribal Council.

"Nothing is final, nothing is legally binding, until the people vote, and that's quite a ways away yet."

The parties have set a two-year window for reaching a final agreement.

New plan reminiscent of Irwin

By Paul Barnsley
Windspeaker Staff Writer

OTTAWA

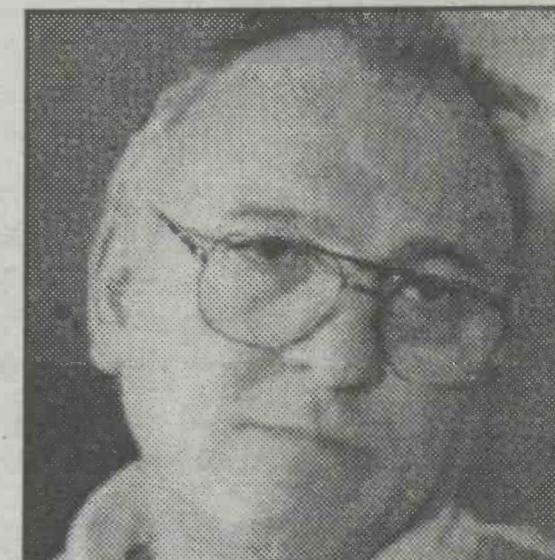
Indian Affairs Minister Robert Nault has announced that he will push for a new law to help fill in some of the legislative gaps in the Indian Act and push his department to pursue an unprecedented consultation process that reaches out to all First Nations people.

A similar process, initiated by former minister Ron Irwin in 1996, died on the order pa-

per when the 1997 federal election was called. At that time, Irwin was criticized for imposing his vision on the chiefs. Former National Chief Ovide Mercredi strongly opposed the process and Irwin left him out, going directly to the member chiefs of the Assembly of First Nations.

Irwin claimed he had the support of many chiefs but declined to name even one, saying the chiefs would suffer politically for supporting the federal government.

(see Indian Act page 9.)



Former Indian Affairs minister Ron Irwin was criticized for imposing his vision on First Nations.



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Time to think outside the box

Since it appears we're never going to see an Aboriginal minister of Indian Affairs, maybe the best we'll ever get is a guy like Bob Nault. Not previously a hard-core Ottawa insider type, he's that most rare of politicians — a non-lawyer with a labor background from a northern riding that includes 51 First Nations. Our sources even tell us Mr. Nault got a lot of help in the last federal election from First Nations chiefs to get him re-elected.

We remember the faxes from his constituency office when Brian Mulroney was PM, when Nault was an Opposition backbencher. Nault was something of an Indian rights activist in those days.

Yet with all of those things in his favor, the best he can offer is more of the same old thing: no talk of sovereignty, but lots of talk about delegated authority with — surprise, surprise — the federal Cabinet at the very top of the pyramid delegating down.

Lest anyone say they've been blind-sided by the announcement of the proposed First Nations governance act, let us remind them that Gordon Shanks

and Cal Hegge, a couple of high-ranking DIAND bureaucrats, media-toured the country almost a year ago predicting the minister was keen on the Indian Act overhaul. There was a story about it in *Windspeaker*. The only real news to come out of Nault's recent announcement is that the idea has now been moved to the front burner.

And that's too bad.

It would have been nice if there'd been an original idea introduced to the fray, instead of one recycled from two ministers ago. Heaven knows, a fresh idea is what is needed.

Bill Wilson and Sen. Len Marchand have new ideas. They're pragmatic, compromise-oriented ideas that look outside the box, as they say. Unfortunately, these new ideas will probably be ignored because they suggest a change in the balance of power — something Mr. Nault is not prepared to consider.

We can only hope that the Throne Speech (scheduled for Jan. 30, five days after this edition goes to press) contains some creative approaches to Aboriginal concerns. We're ea-

gerly looking forward to hearing what Mr. Chretien will propose to make sure he can deliver on his post-election promise to target social problems in Native communities.

During a month when the U.S. State Department decided for the first time to recognize the concept of Indigenous peoples' right to self determination, Canada is serving up the same stale bread.

The U.S. coup was achieved by National Chief Matthew Coon Come who persuaded outgoing President Bill Clinton to sign an executive memorandum recognizing the Indigenous right. Maybe the national chief can work his magic on the minister when the two meet at the end of January to discuss the consultation process on the governance plan.

A sign that those who hold the levers of power in this country are prepared to bend just a little bit (as the U.S. did) could turn this process from a destined-to-fail, Irwin Indian Act reform, Part II, into something new and exciting. It will be interesting to see if Minister Nault soars or stalls with this initiative.

Métis hunt for justice and rights recognition

By Christi Belcourt
 Guest Columnist

In the upcoming weeks and months you may be hearing a lot about the Métis, as a landmark court case known as R v. Powley was heard by the Ontario Court of Appeal, Jan. 10 to 12.

The facts in the case are clear: two Métis hunters, Steve and Roddy Powley (father and son), shot a bull moose for their winter harvest near Sault Ste Marie in October 1993. The Powleys tagged their catch with a card indicating they were Métis. With the card, they attached a note saying: "Harvesting my meat for winter." The Powleys were charged with unlawfully hunting moose and unlawful possession of moose meat.

To make a long story short, this is the third time this case is being heard before the courts. The Ontario government has previously lost the case two times and has chosen in both instances to appeal. Upon the ruling of the Ontario Court of Appeal, if the case is appealed again, it will end up in the Supreme Court of Canada. Many observers of the case speculate this is likely to happen.

What is not clear, however, is why the government of Ontario continues to appeal this case. After the second resounding loss, you would think that Ontario would stop wasting tens of thousands of taxpayers' money to keep this going in the courts. Why do they disregard the judgment and the advice of the trial judge, Justice Vaillancourt, who clearly stated that the solution to the conflict between Métis hunters and conserva-

tion officers is not to found in the courts?

The offer to negotiate has consistently been put forward by the Métis Nation of Ontario. The Ontario government has consistently refused the offer. Evidence in court has proven that the Métis pose no threat whatsoever to conservation. So one has to wonder why the government of Ontario can't see that it is in the best interests of everyone, and of conservation, to sit down with the Métis and come to an agreeable solution.

One answer to this question may lay in a long history of prejudice and racism in Ontario. And as Jean Teillet, a Métis lawyer and legal counsel for the Powleys, puts it, "Métis history, and specifically Métis history in the province of Ontario, has been put on trial."

In 1891, an Ontario government report demanded that "French half-breeds and other breeds of like fecundity and longevity" be removed from treaties. And Métis were subsequently removed. Métis ended up without a land base, a forgotten people. As both courts recognized — "an invisible entity within the general population, an invisibility caused by shame, ostracism, and prejudice."

Ontario has a history of discrimination towards the Métis. Yet, we as Métis have remained patient. We've avoided confrontation and have been silent. We've been more than fair and reasonable. We've tried to no avail to negotiate. We continue to advocate for negotiation over litigation. Yet we are harassed and denied our right to hunt and fish for food, a fundamen-

tal aspect of our way of life.

The Powley case is being watched closely by everyone across Canada with an interest in Métis rights, no doubt by other provincial governments and Métis alike outside the province of Ontario.

But it's not only the provincial governments that should have their eye on this one. The federal government as well should be preparing for the eventual outcome of the Powley case. No one wants to see a situation like last summer when they were 'caught with their pants down,' so to speak, on the ruling in R v. Marshall.

For too long the Métis have had to be pawned off between the provincial and federal governments as a "political football." Neither have had the fortitude or moral fibre to take responsibility for a just and swift resolution to the questions surrounding our issues and rights.

Frankly, both levels of government have waited too long, hoping the Métis and our issues would disappear. Soon federal and provincial governments will have no option but to come to terms with the recognition of Métis rights and come to the table with us to set out a plan for the implementation of our rights.

Whether or not the Powley case makes it to the Supreme Court of Canada, we have already won. Our rights have been found to exist in court. This fact cannot be overturned. All that remains is that everyone must now come to grips with how to deal with it.

Christi Belcourt is a Métis artist, freelance writer and director of communications of the Métis National Council in Ottawa.

Missing

Dear Editor:

In response to the "identity" question posed in your December 2000 issue by Dr. Hayden Taylor:

I think it's as important for Natives not to judge each other as it is in any other community of human beings.

Ultimately, every so-called "Indian" knows themselves best. We all know to what degree we understand traditional culture, but I'm not sure that what defines being a "Real Indian." Traditionalism is sometimes dangerously close to "stereotypism," and the closer one gets to the postcard Indian does not deem that person a liar than another.

I think that it's up to every "Indian" to be as open as possible to really dropping some of the more-Indian-than-thou egotism! That attitude b

A week

Monday, July 3, 2000, in the Bella Coola Valley.

This valley is a flawless middle ground between sea and sky. It must have been this way along the coast before these valleys were logged off or cheeped up for the tourists. I spend most of this first morning staring at the mountains and out at water, in slack-jawed awe of surroundings.

My wife told me to go searching around for some food, because I'm the sociable one. So I went over to the Co-op Store. I bought some bread and meats, but couldn't find any fish (strange, a fishing town, I thought, in this city boy logic). Being the sociable one, I started talking with one of the ladies working at the Co-op. She asked me what I was doing in town, and I told her that my wife Rose was the new doctor at the hospital and that we'd be here for the summer.

"You'll recognise her when you go down there, she's a Native one who looks about 20 years old."

She smiled and said she thought it was real good that there was a Native doctor in town. So I asked my friend what this being a grocery store, they didn't sell fish?

"You like fish?" she said. "I'll give you some."

I told her that I would be home from her, but she just waved me off and asked where I lived, and when I explained where the house was, she said that she would bring some fish around for me at about 10 o'clock.

Round about 10 o'clock, there was a knock on the door, and there was a guy standing there wanting to know if "this is where the doctor lives."

Funny, he didn't look like Welcome Wagon... but after the second I realized that my friend had sent her husband to deliver a bucket filled with one giant spring salmon and two extra large tails fresh from the river. Later that night, after two hours of cutting and freezer-bagging, Rose and I agreed that even though I was, as she liked to p

the box

Looking forward to hearing that Mr. Chretien will promise to make sure he can deliver on his post-election promise to solve social problems in Native communities.

During a month when the Justice Department decided for the first time to recognize the rights of Indigenous peoples' to self-determination, the government is serving up the same old, same old.

The U.S. coup was achieved by Chief Justice Matthew Coon Come who persuaded outgoing President Bill Clinton to sign a executive memorandum recognizing the Indigenous right. The national chief can do his magic on the minister when the two meet at the end of the year to discuss the consultation process on the government.

It is clear that those who hold the reins of power in this country are prepared to bend just a little (the U.S. did) could turn the process from a destined-to-win Indian Act reform, into something new and better. It will be interesting to see Minister Nault soars or with this initiative.

Justice
Initiation

Aspect of our way of life.

The Powley case is being followed closely by everyone in Canada with an interest in Métis rights, no doubt over provincial government and Métis alike outside the province of Ontario.

It's not only the provincial governments that should have an eye on this one. The federal government as well should be looking for the eventual outcome of the Powley case. No one wants to see a situation like last year when they were 'caught with their pants down,' so to speak, on the ruling in R v. Powley.

Too long the Métis have been pawned off between provincial and federal governments as a "political football." Neither have had the fortitude or moral fibre to take responsibility for a just and swift resolution to the questions surrounding our identity and rights.

Quickly, both levels of government have waited too long, letting the Métis and our issues would disappear. Soon provincial and provincial governments will have no option but to come to terms with the recognition of Métis rights and to the table with us to set a plan for the implementation of our rights.

Whether or not the Powley case makes it to the Supreme Court of Canada, we have already won. Our rights have been found to exist in court. The fact cannot be overruled. All that remains is that someone must now come to grips with how to deal with it. *Christi Belcourt is a Métis artist, journalist and director of communications of the Métis National Council in Ottawa.*

Missing out on good blood

Dear Editor:

In response to the "identity" question posed in your December 2000 issue by Drew Hayden Taylor:

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Ultimately, every so-called "Indian" knows themselves best. We all know to what degree we understand traditional culture, but I'm not sure that's what defines being a "Real Indian." Traditionalism is sometimes dangerously close to "stereotypism," and the closer one gets to the postcard Indian does not deem that person holier than another.

I think that it's up to each "Indian" to be as open as possible to really dropping some of the more-Indian-than-thou egotism! That attitude both

prevents us from having a respectful understanding of each other, while at the same time forces others (and ourselves) into the narrow box of what Indian-ness is. This is what makes Hollywood money. This is what makes kids and adults lonely. Our cultures are growing, changing, mixing. Maybe it's giving ourselves more honor to recognize our diversity, which extends beyond full-blooded, card-flaunting purists! Maybe a "100 per cent Indian" person is just different than a mixed-blood Indian. Maybe a skateboarding Indian is just as valid as a hoop dancer.

An example I want to offer is the Oka situation. I was living in Kingston at that time. As a person who is "part Mohawk" (all the best parts too, I must say) I obviously have an allegiance to the Mohawk Nation. I was as

actively involved as I could be. I urged my father to become involved, too. He is my Mohawk bloodline. But he wouldn't, and he cannot even today, because he felt he wasn't a "Real Indian."

So let's count all the valuable Native Canadians like him who sit on the periphery of the "Indian elite" and who won't self-identify or join in the struggle of creating a strong healthy people simply because they fear judgment from some "club Indian" committee. If we do the math, we'll come up with thousands of bright minds, hearts, opinions, convictions, talents and skills that are missing from the picture. So what type of Indian gets to draw the picture?

With respect,
Kinnie Starr

The politics
of children

Drew Hayden
Taylor

I'm a 37-year-old man, a single child of a single parent, who at the time of this writing has no children (though there's that summer of '87 that I can't seem to account for) and what's the one job that comes to mind that I would be completely unsuited for, other than an aerobics instructor (though I do look good in spandex, if the lighting is low enough)?

I am talking about my recent splurge of writing specifically for children in television and on the stage. And let me tell you Mr. Matthew Coon Come, running the Assembly of First Nations with more than 600 squabbling and arguing chiefs and vice-chiefs is nothing compared to the trials and tribulations of pleasing networks and producers in the fast-paced and bizarre world of entertaining and educating the little ones.

I have had some experience. I've written at least four plays for young audiences (maybe more—as I said, the summer of '87 is a little foggy). My first was a rather surprising hit called *Toronto At Dreamer's Rock* which, 10 years later, is still being produced and published. I affectionately refer to it as my retirement fund.

But more recently I have been engaged in the lucrative, though frustrating, world of children's television programming. Specifically, I have written three scripts for a Native-themed show involving animals, which are in production. I had a lot of fun and everybody was really nice to me . . . until the rules came down from somewhere above about what you can and cannot do on children's television. Sort of the television Ten Commandments. And some of them are bizarre. As a writer, I was only privileged to snippets of reasoning. Basically, anything beyond "don't do that" or "nice try but you can't do that with a turtle at 11 o'clock in the morning" was kept confidential. The television executive's mind works in mysterious ways.

Abbreviating the commandments, I was frequently told that you cannot have any violence, even a kick in the shin or a push. Now that kind of stuff you can almost understand. But did you know, you cannot have one character kiss another on the nose as I attempted to write in one script? It might corrupt the Aboriginal (and non-Aboriginal youth) of tomorrow. There might be rampant nose-kissing across the nation. The courts would be clogged with nasal assault cases.

Other no-nos imparted to me included the fact that you cannot have one character call another character "weird" in an effort to explore self-image problems. Not even if you show the potential consequences of such action. It seems it's better to avoid the whole situation completely. Yet, its okay to have a male animal tug on the tail of a female animal. Am I the only one that sees some subversive subtext here?

Luckily in theatre it's a little easier. Actually a lot easier. I can safely say that, other than the normal dramaturgical process of developing the play, I never really received any flack or limiting directives from a higher up. I even began my favorite play, *Girl Who Loved Her Horses*, with one of the main characters uttering a single word in astonishment: "Jesus!" Try that with the Teletubbies at 8:30 on Tuesday morning.

Granted, you still have to keep your audience in mind and what you are trying to say. Artistic freedom is artistic freedom, but spending 50 minutes of school time having characters swearing like a chief who's been caught hiring relatives or wasting time exploring the wonders of bestiality would not be advisable. That's just common sense. Most recently, I have been working on a new young people's play titled *The Boy In The Tree House*, which will be seen in Winnipeg, Toronto, Saskatoon and Regina. It deals with identity, parental longing, trying to honor relatives, and vision quests. I was tempted to put in some tail-pulling but somehow it did not seem appropriate.

I had not written a children's play in about five years and wasn't sure if I could capture that state of mind again. Writing for children is a unique and special talent. But as my girlfriend constantly tells me, I have nothing to worry about when it comes to thinking like a child. Oddly enough, I don't think she was the first girlfriend to tell me that.

In the play, a young boy must deal with the anniversary of the death of his Native mother by trying to embrace her culture. He does this by fasting in a tree house. His non-Native father tries to be supportive, but watching your kid starve himself up a tree tests a man's patience. In this piece, I got to explore concepts that many youths deal with. And as always, I was told the sky was the limit.

(see Touring page 21.)

A week in paradise

Monday, July 3, 2000, in the Bella Coola Valley.

This valley is a flawless middle ground between sea and sky. It must have been this way all along the coast before these valleys were logged off or cheesed up for the tourists. I spend most of this first morning staring up at the mountains and out at the water, in slack-jawed awe of my surroundings.

My wife told me to go scout around for some food, because I'm the sociable one. So I went over to the Co-op Store. I bought some bread and meats, but couldn't find any fish (strange for a fishing town, I thought, in true city boy logic). Being the sociable one, I started talking with one of the ladies working at the Co-op. She asked me what I was doing in town, and I told her that my wife Rose was the new doctor at the hospital and that we'd be here for the summer.

"You'll recognise her when you go down there, she's the Native one who looks about 15 years old."

She smiled and said she thought it was real good that there was a Native doctor in town. So I asked my friend why, this being a grocery store, they didn't sell fish?

"You like fish?" she said. "I'll give you some."

I told her that I would buy some from her, but she just waved me off and asked me where I lived, and when I explained where the house was, she said that she would bring some fish around for me at about six o'clock.

Round about 10 o'clock, there was a knock on the door, and there was a guy standing there wanting to know if "this is where the doctor lives."

Funny, he didn't look like the Welcome Wagon . . . but after a second I realized that my friend had sent her husband to deliver a bucket filled with one giant spring salmon and two extra large tails fresh from the river. Later that night, after two hours of cutting and freezer-bagging, Rose and I agreed that even though I was, as she liked to put



Taiaiake
Alfred

it, a Mohawk city boy, I still had some powerful hunter-gatherer skills. Hard to argue that with 40 lbs of spring salmon sitting in the fridge after only one day's "work."

Tuesday, July 4

Checked in at the Co-op for some tarter sauce. I'll be eating lots of "fiss" (which is the proper pronunciation) this summer.

Wednesday, July 5

I drove out to the Welcome Wagon couple's place to return the bucket. We got talking about politics, since my new friend is on the band council. He also works for Interfor, the logging company, but he doesn't depend on them, like some others do, so he's known as a bit of a troublemaker. Now he's got me interested. He told me about one time when he was falling trees and he found some CMTs (culturally modified trees), and how he told the boss about them and the boss told him to keep working. So he took his hard-hat off and said, now I'm talking to you as a band councillor and you need to go report these to the chief of the band. Good one.

Anyway, some racist loggers cut the trees down on purpose and tore them up doing it. So the band has taken legal action to shut down logging in this area for a while. They have started to negotiate a solution, he said, and it looks like maybe the company will donate the logs and some money for the band to build a new Bighouse on the reserve.

I said that if the company were really smart, they would just make him the boss and not have to worry about him being a troublemaker! He said that they already tried to get him to keep quiet once by offering him a salary position. He turned it down,

but some other Native guy took the job. The white guys he works with don't like the whole idea of land claims; they're worried that the "Indians are going to get control of the valley" and that their jobs will disappear. My friend said he eases their minds by telling them that they're not going to lose their jobs, they're just going to have to start working for him! A few years from now, he'll be standing there

giving them orders. His favourite line is, "So where you moving to next?"

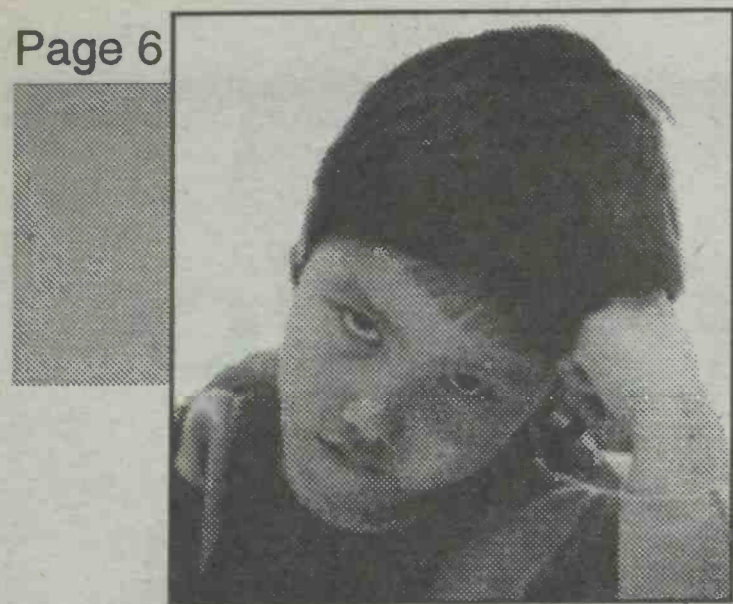
Some of the white guys don't find that too funny. But me and my new friends had a real good laugh over that one. I dropped off the bucket, left with another fresh fish and one half-smoked.

Thursday, July 6

In the evening, Rose and I ran six miles along the road that heads out of Bella Coola toward the valley. It's glorious scenery. The road descends into a lush valley and crosses every couple of miles by a fast moving creek, some with back eddies that form perfect beaches for swimming.

Mountains frame the valley on all sides, so that when it's cloudy you feel as if you are living in a bowl of cold green soup. But when it's clear, it can be 30 degrees down below and you look up to see the mountaintops seemingly straight up and close enough to touch, with their glaciers and snow covered peaks hovering over your head.

It's a good thing the scene is distractingly beautiful. The people here are so generous, I can see that I'll have to be running lots of miles this summer to stave off bringing home a lasting souvenir of their hospitality: my very own "salmon belly."



FOR THE CHILDREN

Troubled youth come home

By Cheryl Petten
Windspeaker Staff Writer

MUSKOWEKWAN FIRST NATION, Sask.

A new facility has opened up in the old residential school on the Muskowekwan First Nation, designed to address behavioural problems of troubled kids and get them back on track.

The Four Directions Child and Family Services Inc. Stabilization and Assessment Centre had its grand opening Dec. 21, although the first two children were placed at the centre the first week of November.

Milton McKay is general manager of the Stabilization and Assessment Centre.

"The development of this facility was primarily by the four agencies that are involved in the Treaty Four area, that are operational in the Treaty Four area - Qu'Appelle Child and Family Services, File Hill Child and Family Services Inc., Yorkton Tribal Council Child and Family Services, and

Touchwood Family Services," McKay said.

The purpose of the facility, McKay explained is, as its name suggests, assessing children and stabilizing their behavior.

"The function is to stabilize their behaviors and get them functioning normally again. I suppose, in terms of all their physical needs - their rest and nutrition, things like that - and then going through the process of assessing the complexity of problems they may have, or the particular issues that are causing them to be in the circumstances that they're in," McKay said.

As part of the assessment process, centre staff gather any information they can about the child - where they've been, any previous assessments that have been done, summaries from workers - and then work in conjunction with the referring agencies to develop a treatment plan for the child.

During the assessment process, staff first deal with medical or physical-related issues to ensure behavioral problems aren't being caused by health problems

or allergies," McKay said.

"Once we kind of rule those sorts of things out, then we start working on, I guess, the more personal or developmental issues with the child, trying to determine what it is that has been causing them to result in the places where they've ended up," McKay said.

Many of the children referred to the centre are currently in trouble with the law, or have been in the past, while others are referred because their behavioral problems make it difficult to place them in foster care.

"It's a process of getting at some of the key issues, stabilizing their behavior so they can function more normally in the regular school systems and everywhere else, and giving the people that take the child from this point on the tools or the information that they're going to need to make sure that things are more successful down the road," McKay said.

Children coming to the centre stay for between four to six months, or longer if necessary.

Generally children referred to the centre are categorized as high risk care children.

The centre currently can accommodate up to 18 children between the ages of 12 and 16. According to McKay, consideration is being given to expanding the centre in the next few months to accommodate children aged eight to 12.

"There's a high demand for that," McKay said. "We've been getting a lot of referrals for children under the age of 12, and we simply don't have the capacity right now to handle that. But we're looking at the possibility of developing that capacity, which is really just a matter of increasing our staff load and adjusting our programming for younger children."

McKay said he eventually would like to see the centre expand even further, adding some addictions abuse treatment for youth to its mandate.

"To some degree it would be great to have that as a subsidiary service to what we do here, because a lot of our kids come in with that problem to begin

with, compounding with all their other problems that they have. There's also the reality of a lot of drug usage and a lot of alcoholism. You see it in kids, they go through a process of re-adjustment when they come here, and you do get some detoxification and those sorts of things happening with them. And it would be nice to have the capacity to provide detox and solvent and alcohol abuse and drug abuse programming at the same time," he said.

The centre currently employs 24 full time staff and four casual staff, including eight full time and four casual child care workers, two child care supervisors, a program director, engineering staff, security staff, cleaning and maintenance personnel and two full-time cooks.

The centre's board of directors is made up of executive directors from the four child and family services agencies involved, along with the chairpersons of each of their board. An Elder from the Treaty 4 area, and one representative of Treaty 4 itself also sit on the board.

Change will happen when women get involved

By Paul Barnsley
Windspeaker Staff Writer

VANCOUVER

A four-day workshop at Simon Fraser University's downtown Harbour Centre, held Jan. 25, helped women with an interest in politics to learn the tricks of the trade.

Chief Sophie Pierre of the St. Mary's First Nation, B.C. was the keynote speaker at the opening reception. Viola Thomas, the first woman elected president of the United Native Nations, British Columbia, was among the list of scheduled presenters.

It's the third year for the Women's Campaign School, only the second non-partisan school of its kind in North America. Charlene Brisson, the president of the Canadian

Women Voters Congress (the group that operates the school in partnership with the university) attended the non-partisan school at Yale University four years ago. She returned to Canada on a mission to give Canadian women the chance to improve their participation rate in politics.

Joanne Silver, the school chair, said women are still not fully participating in the various political processes across the country.

"Women are 52 per cent of the population and, I haven't got the stats from the last election, but prior to that, 21 per cent of all federal, provincial and municipal politics were women. And, as Viola [Thomas] pointed out to me, the First Nations women have an even bigger place to go," Silver said. "When the gender

balance is there it will change the shape of politics."

Silver said the school is actively encouraging First Nations women to get involved for the first time this year.

"We address provincial, municipal and federal, but the part that was missing was the First Nations," she said. "So we talked to some women and invited them in and got our eyes opened. First Nations government is another segment of government in this land that is a player. So when these women come to the campaign school they're from all parties, from Reform to NDP. They're learning the same skills. They're creating a dialogue, so when they're elected they know each other. That, in addition to all of the skills."

Aboriginal women who attended the school found they

could learn lessons from those with experience in mainstream politics that they can apply in First Nation politics.

"It's about mainstream politics but some of the same issues that women face in mainstream politics are faced by women trying to be elected within First Nations' governments," Silver explained.

Women believe they can change the face of established political processes by removing some of the confrontational attitudes, something Silver sees as a male approach.

"As we move forward in this century with land claims and self government, women who have networked together in learning campaign skills will be sitting across the table from each other doing land claims and doing respectful government - our government, your

government. My vision is, by bringing First Nations government into our curriculum, the basis will be laid there for non-confrontational discussions as we go forward," Silver said.

"It's about changing the game. At our opening, the very first school, [Senator] Pat Carney spoke. One of the things she said is that when the percentage of women, which I didn't know, but when the percentage of women within a room at a meeting gets to be over 36 per cent, gender stops being an issue," she said.

"Even though there's that conflict that happens in the House, outside of the House, on committees, on boards, on working groups, women across parties just got together and got things done," she said. Campaign school adds Aboriginal component

Pavin

By Abby Cote
Windspeaker Contributor

TOR

Standing six-foot-three, weighing 230 pounds, Doxtator, 23, is the super weight world gold medalist in pankration, the gladiator sport of the Olympics.

Doxtator, a member of the Oneida Nation from the Chippewas of the reserve near London, Ontario, has a lot of strength from his traditional beliefs.

"The turtle represents earth, the root of all life. The turtle is old, wise and respected, and teaches patience, confidence, solidarity and, of all, strength. They call me 'the Fighting Spirit' because I am especially filled with spiritual strength. I was given to me by my uncle in life. I fight using the virtues and gifts the Creator



Albert Doxtator fights for the "little brown children" that fill him with a good spirit.

Photo by Morris Lamont.

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FOR THE CHILDREN

Paving the way with gold

By Abby Cote
Windspeaker Contributor

TORONTO

Standing six-foot-three and weighing 230 pounds, Albert Doxtator, 23, is the super heavyweight world gold medal champion in pankration, the original gladiator sport of the Olympics.

Doxtator, a member of the turtle clan of the Oneida Nation and from the Chippewas of Thames reserve near London, Ont., gets a lot of strength from his traditional beliefs.

"The turtle represents the earth, the root of all life. The turtle is old, wise and well respected, and teaches patience, confidence, solidarity and, most of all, strength. They call me Albert 'the Fighting Spirit' Doxtator. They call me 'the Fighting Spirit' because I am emotionally filled with spirituality that was given to me by my upbringing in life. I fight using the attributes and gifts the Creator

gave me to pave a positive path for the next generation, but I'm paving this path in gold. Literally with gold medals and gold awards given to me from people around the world in places that I go to fight," Doxtator said.

He believes competition turns him

from an ordinary individual into a gifted fighter.

"My spirituality comes out. It's the fighting spirit that I truly possess and that possesses me at times when I fight. I pray every day to the Creator and when I go to fight he takes care of me.

I believe in my spirituality and he's not going to let anything happen to me. If anything, he's the one who made me what I am, gave me my gift."

Doxtator began boxing and karate training at the age of four and wrestled competitively in high school.

"I won the gold medal at the 1997 North American In-

digenous Games in Victoria, and now I've won the world gold medal in my sport, pankration."

Pankration dates back to the first days of the Olympics in Greece although the sport has not been seen at the Olympic Games since 640AD. Pankration, it's said, was invented by Theseus, the mythical Greek king and hero of Athens, who, after combining boxing and wrestling, defeated the Minotaur. Ancient pankration involved boxing, wrestling, punching and head butting until one opponent submitted, became unconscious or died.

Modern day pankration is a combination of wrestling, jiu jitsu, muay thai, kickboxing and boxing. Athletes in ancient Greece fought barehanded. Today's pankrathletes must wear hand pads, mouthpieces and groin protection and compete in a gi (karate or judo uniform). The contest area, called a palestra, is circular, measuring 28 to 33 feet in diameter. Adult matches are five minutes in length and can be won by the fighter that achieves the greatest number of points, by achieving 25 more points than one's opponent, by disqualification, by forfeit or by submitting.

"I look forward to being a positive role model for those children although I'm competing in a violent sport, but it's controlled. We're not there to kill each other. We shake hands after we're done competing against each other and walk away as gentlemen rather than enemies. The training for my sport prepares you to have physical and mental control at all times. Prepares you for the real world and what it has to offer," said Doxtator.

Although pankration is gaining in popularity, it's not a big enough sport yet to be officially recognized by Sport Canada, the governing body of amateur athletes in Canada. Doxtator does not qualify for the financial support available to most amateur athletes from the federal government. That may change in the future as the Greek ministry of sport is lobbying the international Olympic committee to have the pankration added to the

list of medal events for the 2004 summer games in Athens.

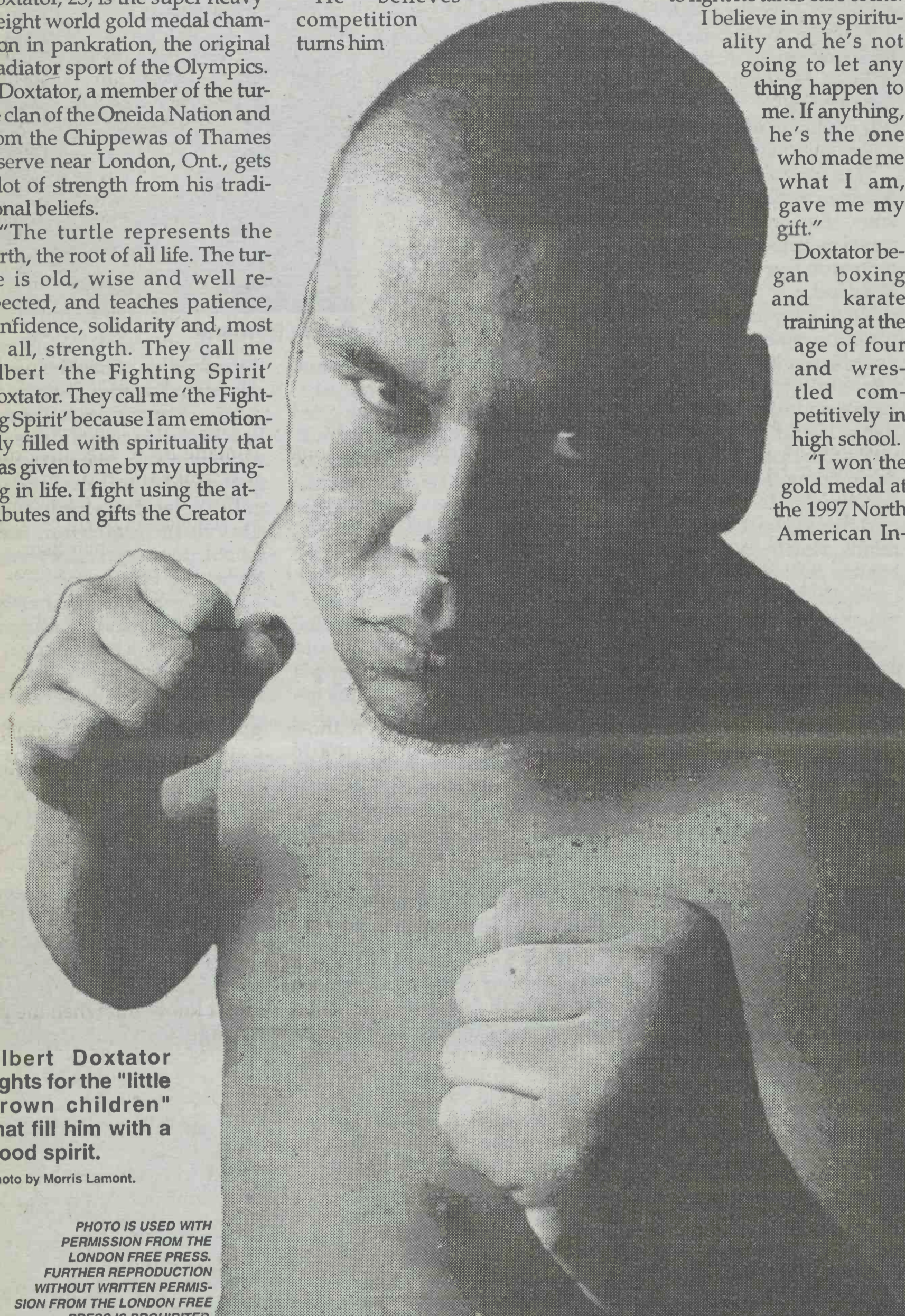
On Aug. 26, 2000, Doxtator, then the Canadian heavyweight pankration champion, became the U.S. heavyweight champion after winning all three of his bouts at the U.S.A. Federation Pankration Athlima Grand Nationals championships in Kansas City, Mo.

In November 2000, Doxtator went to Greece as the North American heavyweight pankration champion. On Nov. 11 and 12, he won the gold medal at the pankration championship in Lamia, Greece, defeating an Israeli competitor in the final round of competition to win the 115-kilogram (heavyweight) world title. He helped lead the Canadian contingent to the overall team title.

He trains as many as 45 hours a week. At times he finds work as an iron worker in Windsor, but for the most part he is unemployed. He also does not have a full-time coach or a sponsor or expensive equipment.

"I captured world gold for Team Canada, and for all Native people around the world. The biggest thing for me as an Aboriginal person right now is holding the world title. We're known for our warriors. We're known for standing firm and holding our ground for our people. Well, this is one more thing that we are using that strength for, our warrior and our fighting spirit. It's for me to conquer these athletes in a sport that is now ours. Playing rough is nothing new to me. Our people have gone through tougher obstacles of war and combat that have helped make us the people that we are today, which is true individuals. And I am a true individual, staying true to sobriety and pushing that to the next generation. There are thousands of little brown kids that encourage me, and not only the young generation, but also the old generation, the grandmothers and the grandfathers that fill me with good spirituality and good spirit thoughts and prayer to go and get 'em. And I do."

(see Doxtator page 31.)



Albert Doxtator fights for the "little brown children" that fill him with a good spirit.

Photo by Morris Lamont.

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Compounding with all other problems that they face there's also the reality of drug usage and a lot of stress. You see it in kids, through a process of resentment when they come and you do get some decision and those sorts of things happening with them. It would be nice to have the ability to provide detox and treatment and alcohol abuse and drug programming at the centre," he said.

The centre currently employs 15 staff and four casual employees including eight full time and four casual child care workers, four child care supervisors, a program director, engineering and security staff, cleaning and maintenance personnel and two cooks.

The centre's board of directors is made up of executive directors from the four child and youth services agencies in addition to the chairperson of each of their boards. An elected representative of Treaty 4 also sits on the board.

red

ment. My vision is, by bringing First Nations government into our curriculum, the curriculum will be laid there for non-consultational discussions as we move forward," Silver said.

about changing the curriculum at our opening, the very first school, [Senator] Pat Carney spoke. One of the things that he said is that when the perspective of women, which I understand now, but when the perspective of women within a community at a meeting gets to be 50 per cent, gender stops being an issue," she said.

Even though there's that resistance that happens in the community outside of the House of Commons committees, on boards, on advisory groups, women's parties just got together and got things done," she said. The campaign school adds another important component

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Liaison speaks for Aboriginal families in school system

By Pamela Sexsmith
Windspeaker Staff Writer

LLOYDMINSTER

She doesn't see her job as window dressing.

As one of two Aboriginal liaisons in Lloydminster's Catholic school system, Teresa Rowland's primary job is to create a buffer zone, a safe place for Cree and Métis students in the cultural minefield of a white, urban society.

It is a job in which a little empathy goes a long way.

"The Cree and Métis families see me primarily as a comfort zone, someone who will listen, translate and most important, who won't get it wrong," said Rowland.

"It is very easy to make a wrong assumption based on your own cultural expectations. I am a bridge between the Aboriginal and non-Aboriginal students, families and teaching staff, a clearinghouse for misunderstanding, fear and anxiety," said Rowland.

Métis on both sides of her family, Rowland grew up in a big family, the youngest of thirteen children, sharing traditional Métis lifestyle and food. Her grandparents spoke Cree and French, her parents a smattering of both, along with working English.

Language issues are familiar territory for Rowland.

"If your first language is Cree, there can be a real communication gap between parents and

teachers. One of my jobs is to sit in on parent/teacher interviews and act as a translator, to iron out wrong assumptions on both sides," she said.

She works out of Father Gorman Elementary School on the Saskatchewan side of the border city, with a Native student population that ranges from 25 to 35 percent.

"There are lots of transient Native students in a city that is close to many big reserves. Lloydminster is transient, as a whole. Two factors that really affect Native people are the seasonal fluctuation in the oil industry, and the nature of the extended tribal family in close proximity to reserves, kids moving back and forth between parents, grandparents and other caregivers," said Rowland.

Part of her job includes home visits.

"Many Native families are not comfortable airing personal situations. I go in and find out what is happening during a home visit. A big part of my job is confidentiality. The families are more comfortable coming to school after I've been to their homes and had coffee with them. Working one on one, I help them to understand that



Teresa Rowland

their children are not being discriminated against," she said.

As Aboriginal liaison, Rowland also co-ordinates cultural programs, Native arts and crafts, field trips to the Syncrude gallery and Sacred Heart Church in Edmonton, inter-school powwows, storytelling circles and Elders visits.

Rowland, who got her feet wet as a classroom volunteer, became a full time liaison in 1996.

"The first four years have gone fast, in a job that throws new curves and challenges on a daily basis. Our Aboriginal families know where they can find me and that I am here to speak for them," said Rowland.

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Indian

(Continued from page 3.)

Many First Nation members are leery of changing the Indian Act because, even though it was designed to eliminate and assimilate Native people and absorb them into the mainstream body politic, and extinguish Aboriginal rights, it is still the source of legal protection for many of those rights.

Nault said he will consult the present national chief and AFN member chiefs plus roots band members. Some remarks in published reports suggest the minister believes interests of the chiefs are sometimes contrary to the interests of grassroots people.

The proposed First Nations governance act will, if the minister gets his way, include provisions to turn the administration of First Nation elections over to Elections Canada officials. Nault admitted that Indian Act, which conducts the elections now, is not seen as impartial.

Nault also wants to improve protection for band administrators who frequently lose their jobs when a new chief is elected. That, he said, interferes with the development of a professional First Nations public service that prevents any sense of continuity.

"Government should be made to let the public service do their job," he said.

Conflict of interest guidelines should also be enshrined in the act so that abuses and the suspension of those who are minimized.

"There'll always be situations in communities—Native and non-Native—where people will be charged with crimes or will be accused of certain things," Nault said. "It happens the same way in the Native world as it does in the non-Native world. I'm not naive enough to believe that this process will change completely, but it will certainly define the role between the political system and the interaction with the public service."

Nault said a more stable public service will improve the abilities for "people to work together and to build a community and an economy that's what this is about."

Nault admitted he is motivated to introduce the new act because the Indian Act is legally inequitable and under attack in the courts.

"One of the major preoccupations of why we need to modify the Indian Act is there's 200 cases in court today on issues relating to the Indian Act because of the belief of those who are before the courts that [the act does not] meet the test of the Charter [it's] not effectively meeting the needs of the individual people of the community," he said.

based on that, we can either still and let the courts go through those 200 cases or more, there's more coming in every year and re-define our relationship through that process, which did in Corbiere, or we need to come down as governments, as individuals who have been given the responsibility of building this relationship, and improve or re-define the Indian Act in one way or another.

"We don't have a lot of time before the courts start to rule

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Indian Act restricts First Nations' economies

(Continued from page 3.)

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Conflict of interest guidelines should also be enshrined in law so that abuses and the suspicion that abuses are occurring can be minimized.

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Nault admitted he is motivated to introduce the new act because the Indian Act is legally inadequate and under attack in the courts.

"One of the major preoccupations of why we need to modernize the Indian Act is there's over 200 cases in court today on issues relating to the Indian Act because of the belief of those who are in the courts that [the act doesn't] meet the test of the Charter or [it's] not effectively meeting the needs of the individual people in the community," he said. "So, based on that, we can either sit still and let the courts go through those 200 cases or more, and there's more coming in every day, and re-define our relationship through that process, which they did in Corbiere, or we need to sit down as governments, as leaders who have been given the responsibility of building this relationship, and improve or modernize the Indian Act in one form or another.

"We don't have a lot of time before the courts start to rule on

"We're starting on the right track, I think, but there's always people who oppose anything that the government does. But the thing is, we have to proceed to do things for ourselves and if there's a door open, we have to take advantage of that and not be scared."



Elijah Harper

major pieces of the Indian Act for us and I do not want to re-live Corbiere, in the sense that it forces the government of Canada through a legal ruling of the Supreme Court to implement certain changes without a lot of consultation."

The minister believes there's already extensive evidence that the changes he proposes are required and are desired by First Nation people.

"I'm looking for a very aggressive consultation process. It's not about the resources that are necessary to do this, it's about . . . you know, we've been talking about this, we've been studying ourselves to death for years and years. We've had the Royal Commission do an extensive report on the fact that we need to change our governance structures and we need to do this now. We can't afford, with the fastest growing population, the youngest population in Canada, to spend years talking to each other when we already have a consensus," he said.

Nault said preliminary discussions with the AFN lead him to believe he can work with the national chiefs' organization.

"I have had discussions with the AFN leadership. My understanding, and it was confirmed to me a couple of Friday's ago in a luncheon meeting I had with Vice-Chief Charles Fox, is he will be the lead on this particular initiative on behalf of the AFN. We sat and talked extensively about how consultation would work based on the fact that the AFN, as far as I can tell so far, is very interested and does have the same view that I do that we need to make some structural changes to the Indian Act, to modernize it, to bring some accountability structures and a governance process that makes more sense to not only the individual people in the community, but the leadership themselves because it's very difficult to be a politician in First Nation country as far as I can tell," he said.

"It's hard because there's no set rules of engagement, at least as it's played out in the Indian Act. It's fairly silent on things like conflict of interest, things that relate to honorariums, salary, travel. All these things are being left to the device of individual First Nations and at this point we're a long way away from a structure that meets the needs of the interaction between First Nations politicians and their constituents."

But he wouldn't guarantee the AFN will be an equal partner in the process.

"You're asking me if we will be consulting with the national leadership and the answer to that is I would hope so. I can't give you detail of what the strategy would be at this point because the national chief and I are set to meet within the next couple of weeks but that hasn't been done yet. Our discussion will occur sometime around the end of this month," he said. "I don't think we're on a different wave-length, but I do want to commit myself, and to others who are going to be following this very closely, that I will expect that we will

discussion paper or even a draft piece of legislation — you can get permission from the government to use that to go out and consult with to get the views and refine even further before you bring it into the House. And then let the Standing Committee on Aboriginal Affairs go out again with a mandate to look at it in its entirety to make improvements until it finally gets to second and third reading.

Windspeaker asked why the minister wouldn't let the AFN take over the consultation process and then pass on its findings to him.

"I want to be very straight up about this. It's extremely important. One of the issues that I think everyone is aware of is that any minister of the Crown does not work in a vacuum. Any major piece of legislation and/or change in direction whether it be policy and/or treaty making for a self government negotiation that go right through framework to an agreement-in-principle to conclusion of an agreement, goes to Cabinet. I've always found this to be extremely interesting that the process that we've entered into is one that we would let the AFN or any other organization have the lead on a particular issue and then give it to the minister and say, 'Well, there you go. That's what we want,' without me, at least at first at the early stage of the development of our process, getting certain clarifica-

has been mixed. Some sources wonder how it fits in with the Prime Minister's campaign announcement that he will make social conditions on First Nations a priority during this mandate.

Elijah Harper, a former Liberal MP and Native rights icon, said he was looking forward to the Jan. 30 Throne Speech to see what the Prime Minister plans to do. He predicts there will be opposition to Nault's plan.

"The Indian Act is pretty hard to change sometime," he said. "Some people don't want to change it at all, even our own people."

But Harper agrees the Indian Act needs some help.

"You need to get rid of it, anyway. You need to put something into place," he added. "But you have to retain the government responsibility. Not in terms of being responsible and controlling our lives but in terms of being responsible for meeting our physical needs, all these things that the government should provide based on our treaties and their obligation."

Anything that will empower First Nations governments to do a more effective job is a good thing, he added.

"What they need to do is provide the resources. Most of the problems that we have should be solved by our own people, only if they had the resources. Part of the problem is we're always under-financed. We don't have the resources to address true basic needs like homes with running water," Harper said. "We're starting on the right track, I think, but there's always people who oppose anything that the government does. But the thing is, we have to proceed to do things for ourselves and if there's a door open, we have to take advantage of that and not be scared."

Bill Wilson, a leader of British Columbia's First Nations Summit, has proposed his own ideas for improving the efficiency of First Nations government. But his ideas call for changing the way the federal government does business.

"We're making efforts out here to have the Department of Indian Affairs removed from the federal treaty office," he said. "The federal treaty office is run by the department of Indian Affairs. Now, why would you engage in a process that's supposed to be liberating, run by the same oppressors that have kept us down for 75 years? We think we can achieve a process with an independent funding agency that's separate from the department of Indian Affairs."

The national chief is waiting to hear directly from the minister before making any comment on the governance act process.

"The national chief has expressed some concerns to the minister and they will be meeting shortly," Jean Larose, communications director of the AFN, said. "The national chief will raise his concerns about the minister's comments related to the Indian Act because, as far as we know, there has been no consultation and we certainly hope that the minister would follow up with his statement that he wants to consult with First Nations."

"The national chief will raise his concerns about the minister's comments related to the Indian Act because, as far as we know, there has been no consultation. . ."

— Jean LaRose, AFN communications director

communicate much more to the grassroots than any minister has ever attempted to do in the past, because I like to think that First Nations citizens are as sophisticated as any other citizenry and can understand the issues that we're dealing with and have some input and make sure that that input flows to their leadership as we work this through in the next number of months."

He will, however, ask National Chief Matthew Coon Come for his opinions on how the consultation should be conducted.

"That will be the discussion I have with the national chief in the next couple of weeks, as to how we see this all rolling out and how the consultation process will work. But my view is that if we can get a draft prepared between ourselves and the AFN and consultation with the communities in the next number of months, then there are two options. One, of course, is if we could get permission, which you can do — it's either through a

tions and agreements with my Cabinet colleagues so that we'd at least know what the parameters of the discussion will be," he said.

"So I have been very clear with the First Nation leadership since I became the minister that I will do what the AFN does itself, work internally with my colleagues to get a sense of what the parameters of what I could do are and then to come up with that to sit down and discuss this and then go and consult with the First Nation leadership and the community members right across the country."

The joint AFN/Indian Affairs working group that was struck to come up with a plan for an independent claims body, which failed to produce something Cabinet could live with, is a perfect example of why that process won't work, the minister said.

"Other departments and other members of Cabinet have a right to be in the loop," he added.

Reaction to Nault's initiative

Banishment ruled illegal, despite good intentions

By Paul Barnsley
Windspeaker Staff Writer

WINNIPEG

The northern Manitoba Norway House Cree Nation council passed a band council resolution adopting a no-tolerance attitude towards illegal drug and alcohol use on their territory, but the Federal Court shot them down the first time the council tried to enforce it.

Federal Court Justice Francis Muldoon ruled on Dec. 18 that the band did not have the authority to banish Tron Gamblin and his common-law spouse Angela Monias, a member of Cross Lake First Nation. Gamblin was banished from the reserve after he was charged — not convicted — with possession of marijuana in March 1999. Once he was banished, Monias was told to leave because she wasn't a band member. Gamblin later pleaded guilty to the charge and received a small fine and probation.

Ken Albert, special assistant to Norway House Chief Ron Evans, said council will now look at passing a band bylaw to allow for banishment for illegal activities on reserve.

"When chief and council want

to deal with issues of bootlegging and drugs being brought into a reserve, it's difficult to take action. Something has to be done. What is there that can be done?" he queried.

The tone of the court decision indicates that banishment, a traditional form of punishment that is present in many, if not most, Indigenous cultures, will never be upheld by a Canadian court.

Michael Paluk, a legal aid lawyer with Winnipeg's Aboriginal Centre Law Office, represented Gamblin and Monias at the Federal Court. After the decision was handed down, he sent out a press release announcing the decision, saying many Native people are "BCR'd" off the reserve—told to leave by council—and they leave, even though band councils have now been proven not to have the legal authority to banish them.

"I think it's questionable whether or not a band council can actually banish a member from reserve lands," he said.

Albert said the chief and council feel their ability to govern their community as they see fit, using tools their people's leaders have used since the distant past, has been limited by federal law.

"That's what raises questions now. It's not only Norway House

that has problems in this area. Most of the reserves, probably, have problems in this area. At least the leadership of Norway House tried to do something about it," Albert said. "We have very good leadership in the community; they're trying to do as best they can with problems that exist through these kind of areas. They're difficult to deal with."

But Paluk doesn't believe the issue is a self government issue. He believes it has more to do with protecting people from the tyranny of a government with unlimited power.

"People go around using the expression, 'I've been BCR'd from the reserve,'" said Paluk. "It happens here in Manitoba a lot. If the band council decides they don't want someone on the reserve for one reason or another, because they think they're unsavory, they pass a resolution and the person's told, 'You've been BCR'd and you have to leave.' People leave. They accept it."

At trial, Paluk attacked the process council used in expressing its no-tolerance policy.

"Our point was that a resolution of the council is just that. It's a vote taken at a meeting by the band council. They can vote on all sorts of resolutions. It's not

any kind of legislation by any means. The Indian Act sets out that the council has some bylaw-making authority and there may be other law-making authority that the band council derives from other areas," he said.

He suggested council should have created a bylaw to support its policy, something that Sections 81 and 85.1 of the Indian Act allow. But he suggested the minister of Indian Affairs would not have been able to approve such a bylaw because it exceeds the penalties specified for band council bylaw infringements.

"With a bylaw they have to send it to the minister for approval and I would assume the minister would check it for compliance with other legislation, the Charter and that sort of thing. I don't think the minister would ever approve a bylaw with the kind of sanctions the band council wanted to impose," he said. "They included terminating people's income supports like social allowances. It seems to me there'd be a major conflict with other federal legislation."

Paluk based his strategy on the idea that the council must use the available Canadian law to enforce its policies.

"If they decide that this is a

policy that they want to implement then they have to do it through whatever means are available to them. If in fact those means are available to them. They may or may not be," he said. "The judge, in his reasons, suggested that they try and write a bylaw. I know that the lawyer for the band council seems to think that that's some kind of vindication and in fact the judge called the policy objectives admirable. But he said they didn't go about it properly. That's all we're saying."

Instead, Gamblin and Monias were evicted from their home on the reserve.

"There's always been a question on the Indian Act. It prevents communities trying to move towards self government to deal with issues that exist in their areas. It's difficult, at times, to do anything when other people become involved," Albert said. "Something will be put in there. Something will come out of it. The leadership... they don't like doing these kinds of things, but something's got to be done. There's tremendous responsibilities on leaderships on reserves to address many needs, never mind the problems they have to deal with at the same time."

Confusion in land court

(Continued from page 2.)

Williams argued that a original title should not be easy to dispense with. He suggested to the court that even if the court was unwilling to rule that non-Native land owners should not have their land taken away, it should cause an error by the Crown had not ensured that the original inhabitants were properly given up their ownership of the land, the Native title should still exist in some form.

"What we tried to say is that extinguishment is something you should do very reluctantly and in this situation it's more appropriate to say the possessory title on top of Aboriginal title which remains dormant as long as the possessory holder is there. But if we [the title holder] out, Aboriginal title merges with the present band title and we don't have to go running to Ottawa and ask, 'Please please can you make it into a reserve?'"

"It has a certain elegance to it, and as it turned out, when the court of appeal did what it didn't mention whether a valid patent extinguishes Aboriginal title. So we didn't win, didn't lose, they didn't say."

Williams noted that Ju

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Confusion reigns
in land claim
court decisions

(Continued from page 2.)

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valid patent extinguishes the
Aboriginal title. So we didn't
win, didn't lose, they just
didn't say."

Williams noted that Judge

Campbell seems to have
changed his mind on the
Royal Proclamation issue.

"Archie Campbell was the
deputy attorney general of
Ontario who argued in the
Temagami case that the Royal
Proclamation had been re-
pealed by the Quebec Act in
1774. In the first round of the
Sarnia case, he's the judge
who decides the Royal Pro-
clamation had not been re-
pealed."

The Sarnia situation is an ex-
treme case, Williams added,
and a different court faced
with deciding a dispute over
title that affects fewer third
parties may come up with a
different decision.

And another high court de-
cision is, sooner or later, going
to have to be figured into court
decisions that conclude that
First Nations have to accept
monetary compensation
rather than demanding the re-
moval of settlers and the re-
turn of land to which they can
prove they hold title.

"At some point, some-
body's going to have to say,
'Wait a minute. In
Delgamuukw, the Supreme
Court of Canada said there is
an important non-economic
component to Aboriginal title.
How do we reconcile that with
telling the Aboriginal people
they have to accept money
damages?'" Williams said.

A lot of "we-don't-knows"

By Paul Barnsley
Windspeaker Staff Writer

TORONTO

An Ontario lawyer that spe-
cializes in land claims said the
federal strategy of forcing First
Nations to deal with claims on a
case-by-case basis, has been con-
tradicted by the Supreme Court
of Canada's Musqueam decision.

"There's a double standard
there that nobody picked up on,"
Paul Williams told Windspeaker
on Jan. 19.

"What the majority of the court
said is that it is reasonable that
Indian reserve land should rent
for less than non-Indian reserve
land because of the apprehension
of unrest and the uncertainty that
comes with self government.
Other cases have said that if In-
dians are claiming Aboriginal
title, it has to be on a band-by-
band, land-by-land basis. So just
because you have proved some-
thing on Six Nations, doesn't
mean you have proved it on
Tyendinaga or Akwesasne or
Rama or whatever. You've got to
go case-by-case."

But the Musqueam decision
contradicts this, he said.

"If you're trying to evaluate the
value of Indian land for rental,
then the fact that there may have
been unrest at Gustafsen Lake or
Oka means that it's reasonable to
reduce the rent by 50 per cent
because of an apprehension of
unrest, even if there never has
been any in Musqueam. There
was no evidence there was any
unrest at all in Musqueam. The
idea is that it's fair to reduce rent
on a global basis because of the
apprehension of unrest and the
uncertainty of self government,

but when it's Indians trying to
prove something about land,
they've got to do it on a case-by-
case basis."

Williams and other lawyers
have noted the courts frequently
struggle when forced to deal with
decisions involving compensa-
tion for mistakes and illegal ac-
tions taken by government dur-
ing the colonial era. Most lawyers
will admit privately that politi-
cal considerations often find their
way into court decisions, al-
though few will say so on the
record.

Native leaders have long com-
plained the Canadian justice sys-
tem employs double standards.
Leaders say Canadian law is de-
signed to protect the colonial es-
tablishment. When First Nations
seek to use Canadian law to back
up their legal positions, their rea-
sonable demands for compensa-
tion for errors or outright land
theft are often seen by the courts
as problems to be solved through
complex legal maneuvering,
rather than dealt with directly.

This complex and confusing
world is not any easier to under-
stand after the Ontario Court of
Appeals decision regarding a
claim by the Chippewas of
Sarnia. Nor is it straight forward
when a treaty is involved.

As law professor Bruce
Wildsmith told Windspeaker in
the days after his client, Donald
Marshall, Jr., had his treaty right
to fish upheld by Canada's high-
est court, treaty rights are differ-
ent from legal rights because trea-
ties are local issues. Williams said
this further adds to the confusion
because the law varies from band
to band and case to case.

"The court of appeal says the
Royal Proclamation was re-

"If the Crown
violates the treaty
... Does it in-
validate the trans-
action or merely
give rise to more
claims for dam-
ages?"

— Paul Williams

pealed by the Quebec Act, how-
ever, the Crown obligation to
purchase land fairly in open
council was part of the Treaty of
Niagara obligations in 1764,"
Williams explained. "Now there
were 24 nations at Niagara in
1764. They get the treaty right,
which covers the same turf as the
Royal Proclamation. Other peo-
ple may not. That gets messy be-
cause there were really no surren-
der rules in place until the 1850s
and 60s. If you surrendered land
between 1774 and the 1850s and
you don't have Niagara Treaty
protection or the equivalent, then
there may be no rules binding the
Crown. The other thing is, if the
Crown violates the treaty, we
don't know at this point what
violating the treaty means. Does
it invalidate the transaction or
merely give rise to more claims
for damages? So there are a lot of
'we-don't-knows' here."

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original Youth
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Report shows discrimination in job market

By David Wiwchar
Windspeaker Contributor

OTTAWA

A new study released by the Canadian Race Relations Foundation reports that hidden discrimination and "polite racism" prevent First Nations people from gaining equal access to jobs.

The study, *Unequal Access: A Canadian Profile of Racial Differences in Education, Employment and Income* written by Jean Lock Kunz, Anne Milan, and Sylvia Schetagne from the Canadian Council on Social Development, is based on recent statistics and focus group discussions with visible minorities and Aboriginal peoples across Canada.

"Clearly the talents of Aboriginal peoples are being under-utilized or wasted as a result of systemic discrimination," said Dr. Kunz. "This is not good for the productivity of the Canadian economy and the cohesion of our society."

On the West Coast of Vancouver Island, First Nations account for more than 3.5 per cent of the total population, higher than the B.C. average of 2.5 per cent, yet few Nuu-chah-nulth people are employed in Port Alberni, Tofino, Ucluelet, and Gold River, except in the offices of First Nations governments or First Nation's businesses.

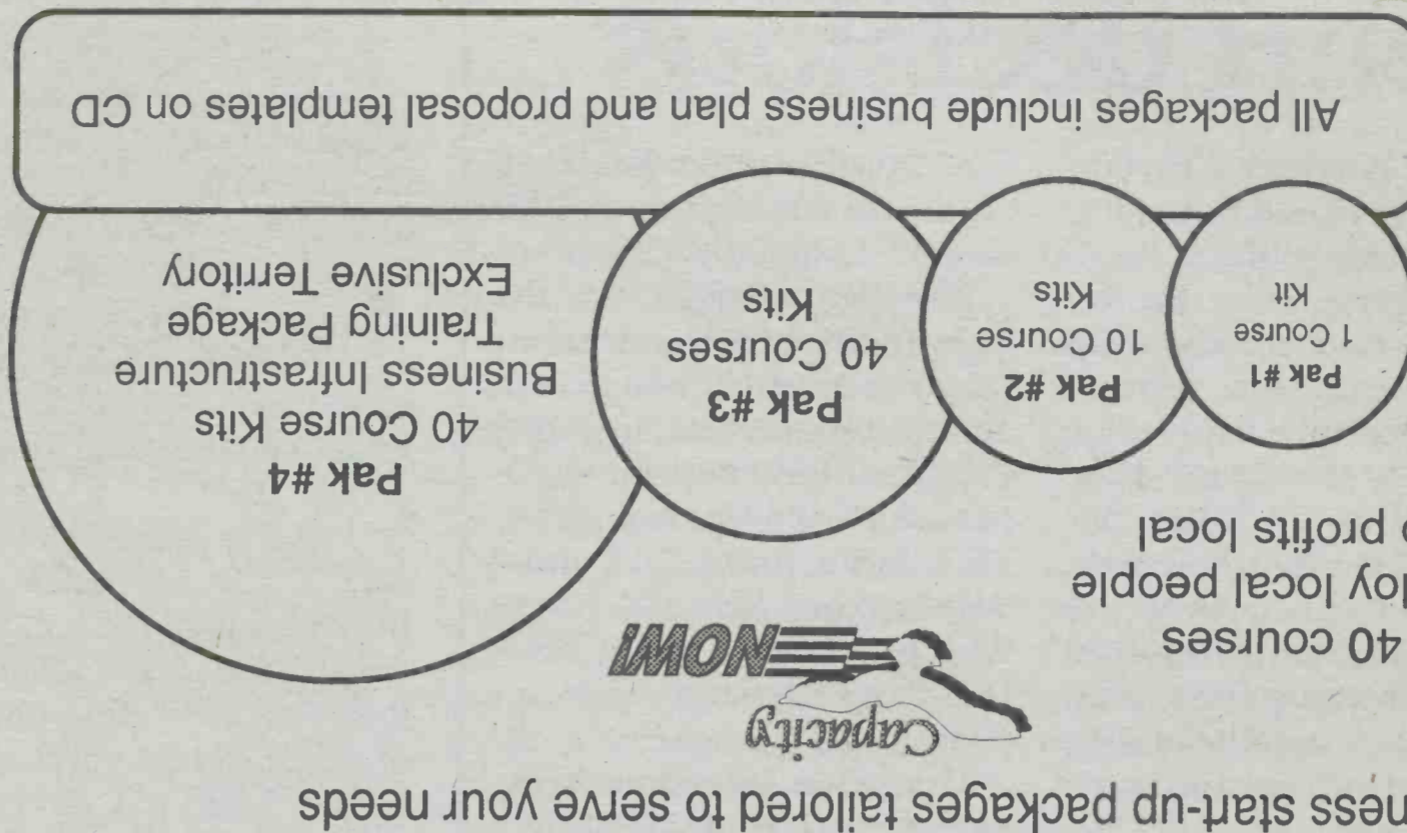
"Out of all the people here who live in Tsaxana, a Mowachaht / Muchalaht community on the outskirts of Gold River, I'm one of only five Native people who

The study reveals that despite higher levels of education attained by visible minorities compared to that of white Canadians, they still suffer from lower levels of employment and income.

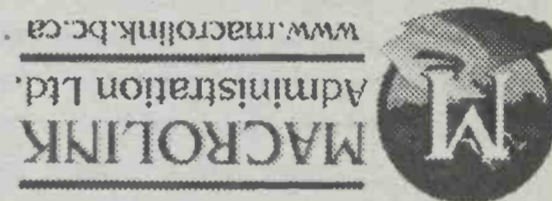
has ever worked in the town of Gold River," said Colleen Jack. "Even though we're a very important part of Gold River as a whole, there's something happening in the non-Native business community that seems to prevent us from getting jobs outside those we create for ourselves."

The study reveals that despite higher levels of education attained by visible minorities compared to that of white Canadians, they still suffer from lower levels of employment and income. The study also found that Aboriginal people, visible minorities and immigrants to Canada have more difficulty than others in finding employment in all regions of Canada.

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Something

By Joan Taillon
Windspeaker Staff Writer

TORONTO

Toronto city council may have quashed a deal to dump 200,000 tons worth of its garbage in a northern lake, but not everyone is persuaded the controversial plan won't be resurrected.

In October, contract negotiations broke down between the city and

Rail Cycle North, a consortium of five companies headed by Gordon McGuinty's North Bay Development of North Bay. The consortium wanted to ship a million tons a year of Toronto's trash by rail to the former Adams site south of Kirkland Lake, where it had been dumped for 20 years. If leachate escaped, it could contaminate the river between central and south Timiskaming for 1,000 years, but waste recycling was only going to be



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Something still smells in northeastern Ontario

By Joan Taillon
Windspeaker Staff Writer

TORONTO

Toronto city council may have quashed a deal to dump 20 years' worth of its garbage in a pristine northern lake, but not everyone is persuaded the controversial plan won't be resurrected.

In October, contract negotiations broke down between the city and

Rail Cycle North, a consortium of five companies headed by Gordon McGuinty's Notre Development of North Bay. The proponents wanted to ship a million tons a year of Toronto's trash by rail to the former Adams Mine site south of Kirkland Lake, Ont., for 20 years. If leachate escaped it could contaminate the rivers of central and south Timiskaming for 1,000 years, but waste monitoring was only going to be done

for 100.

Now Timiskaming First Nation and others opposed to McGuinty, including some Toronto city council members, are questioning whether the deal is on again. McGuinty attended a meeting of Toronto's works committee Jan. 10 and on CBC radio Jan. 17 said Kirkland Lake supports his proposal, as proved by the town's municipal election.

Councillor Anne Johnston (Ward 22 North Toronto) wasn't present when McGuinty made his most recent appearance, but "the works committee members were suitably disturbed and the mayor (Mel Lastman) reiterated 'it's dead,' . . . in his inimitable way," said Johnston.

"But you know, I've always thought that it'll come back in some form or another, and we've had a garbage spill on the (highway) 401—not one of our trucks but attributed to our trucks—and

the mayors of the cities along the 401 are all getting upset. So you know, McGuinty is stirring up the you-know-what, I think, to suit his game."

Terry Graves, spokesman for the Against the Adams Mine Coalition, based in New Liskeard in central Timiskaming, said they were watching the situation and were holding a public meeting Jan. 28.

"We're still here, we're still active. I've been on the phone most of the morning with my MPP and with a number of people who are involved in it . . . we haven't taken our eyes off Mr. McGuinty for a second."

"McGuinty was on CBC radio this morning in Northern Ontario saying that the Kirkland Lake municipal election really proved that there's great support for the Adams mine, but throughout that campaign (new mayor) Bill Enouye and the other councillors

who were pro-garbage were going around saying 'the Adams mine is dead; let's get on with economic development.' And then the minute they win an election, they're saying this was a referendum on the Adams mine."

Timiskaming First Nation on the Quebec-Ontario border is the only First Nation downriver from the mine, but all the Timiskaming bands as well as the Chiefs of Ontario and Nishnawbe-Aski Nation opposed Rail Cycle North and Toronto's plan.


Timiskaming First Nation's general director Mark Hall told Windspeaker Jan. 24 "[Chief Carol McBride] and I attended the coalition meeting last Sunday and we're very much keeping track of it through regular communication with the Ontario side, both Native and non-Native, and we are on a regular, in fact, a daily basis receiving updates from our coalition

members and from the members that in fact supported this in the metro (Toronto) area. . . . I think Carol, our chief, is concerned, as am I, that this thing is a), not dead, and b), may come back." He added the worry was not so much Toronto's mayor, but Ontario premier Mike Harris: "that Mike Harris might well commandeer this entire thing and it could end up on our doorstep again."


When Johnston learned northerners were on alert regarding any moves to reactive plans for the dump, she said they should be.

"The fact Kirkland Lake municipality likes the idea is irrelevant . . . my opinion was based on the geological data, the fact of the fractured rock and all the rest of it. It doesn't matter where it is."


(see Kirkland Lake page 32.)



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Important Information for all Canadians about responsible firearm ownership

An update on licensing

Temporary licences issued to meet demand

To comply with the *Firearms Act* requirement for firearm owners to have a licence as of January 1, 2001, Canadians sent in their licence applications in record numbers. To meet this demand, temporary licences are being issued to eligible firearm owners.

Public safety remains the cornerstone of the firearms program. Temporary licences are only being issued to those who are successfully screened against Canadian Police Information Centre (CPIC) databases. And, like all other firearm licence holders, those with temporary firearms licences will be continuously screened against police databases.

These public safety checks conform to the *Firearms Act* and keep firearms away from those who should not have them.

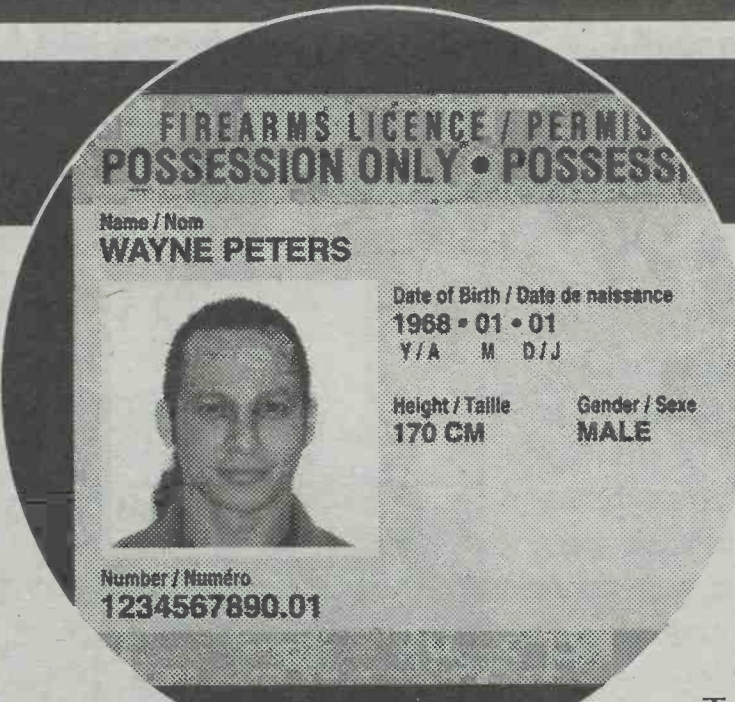
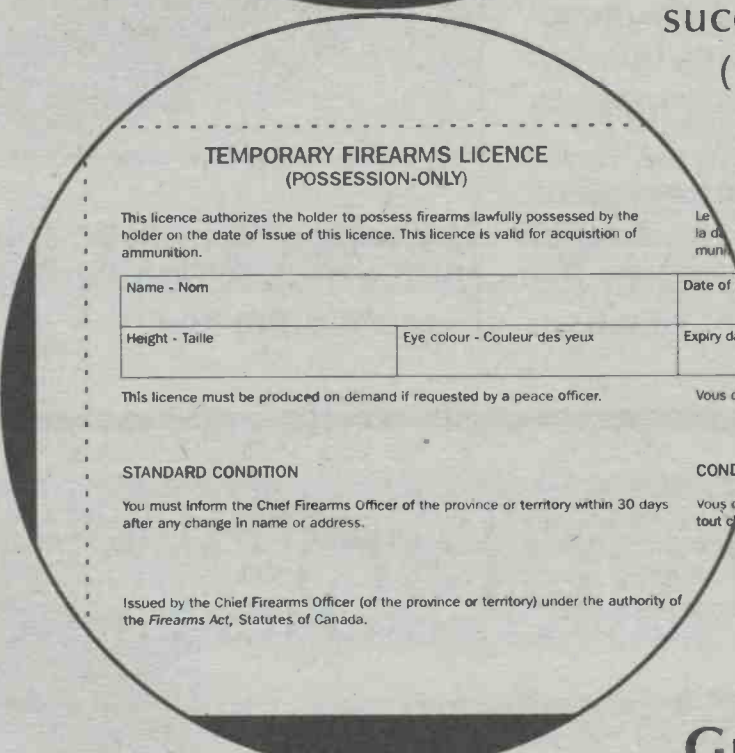
Temporary licence holders are not permitted to acquire firearms. However, they will be in legal possession of their firearms and they will be able to get ammunition. Temporary licences are only valid until June 30, 2001 or until those eligible receive their five-year licence.

Grace period introduced

Firearm owners who applied for their licence before the deadline will not be penalized if they did not receive their licence by January 1, 2001.

This grace period will last until June 30, 2001. It only protects people who applied for a licence before January 1, 2001. Firearm owners and users who did not apply for a licence or who don't have a valid Firearms Acquisition Certificate (FAC) may be subject to penalties under the *Criminal Code*.

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Canada

Nawash in fish fight on Lake Huron

By Roberta Avery
Windspeaker Contributor

MEAFORD, Ont.

Fish wars are in danger of breaking out on Lake Huron with the Native community on one side and the government and sports anglers on the other.

Following the alleged collapse of a much-touted fish co-management agreement, the Ontario Ministry of Natural Resources seized 3,000 pounds of fish caught by Native fishermen who had braved the lake's icy waters to set their nets in the first days of the new year.

"It's hard, dangerous work out there and now we can't pay our crew," said Guy Nadjiwon whose family has fished the waters for generations.

Last June, after the province spent \$14 million buying out the fish quotas of 10 non-Native Bruce Peninsula operations, the area's two Ojibway bands, the provincial natural resources ministry and Indian and Northern Affairs reached a fish co-management agreement.

That agreement was breached, allege the fishermen, when the natural resources ministry failed to share lake-wide fish data as promised.

"So we retaliated by fishing off Meaford," said Guy Nadjiwon from the Chippewas of Nawash Cape Croker reserve on the Bruce Peninsula. His family owns one of two fish tugs at the centre of this latest dispute.

Acting without the permission of the Nawash fishery, the tugs broke through the ice on the harbor to get out onto the lake. The crews, carrying sledgehammers, had to climb onto the outside of the tugs to break off the ice formed when the spray hit below zero temperatures.

"If we don't keep the boat free of ice, it builds up. The boat becomes top heavy and tips over," said Nadjiwon.

A resources ministry map of the agreement shows the waters available to the Ojibway for commercial fishing include almost the entire Bruce Peninsula to an area a few miles west of Meaford.

But Native leaders have insisted an 1836 treaty gives them the right to a commercial fishery in an area as far as Collingwood,



TED SHAW

Angry Meaford residents had to be held back from the dock while a Native tug brought in the catch. The residents are upset that the fishermen broke an agreement to stay out of the waters off Meaford. The fishermen insist the agreement was broken by the Ontario Ministry of Natural Resources when it didn't share lake-wide fish data.

about 20 miles east of Meaford. "So now we're back to where we were before the agreement," said Nadjiwon.

That's not how the natural resources ministry sees it.

Along with the hundreds of pounds of fish seized on Jan. 5, the ministry ordered fish wholesalers not to buy any more fish caught by the Nadjiwon tug and a tug owned by Jay Jones, also of Cape Croker, said John Cooper, spokesperson for the ministry's Lake Huron management unit. "We've determined they have been fishing outside of the agreement area," said Cooper, who disputes Nadjiwon's charge that it was the ministry that breached the agreement first.

The fish seized at a fish wholesaler in Owen Sound represented Jan. 4th's catch by the tugs, he said.

Fish wholesalers who don't follow the order could face fines as high as \$100,000.

By seizing the fish—worth about \$6,000—without first laying charges, the ministry put the Native fishers in an impossible position, said Nadjiwon.

"We want our day in court so we can fight this and prove we are right," he said. There is no

word when or if charges will be brought against the fishermen.

Cooper said the fish were seized as part of an ongoing investigation. The fish will be sold and the money held in trust. If charges are laid and proved in court the money will be forfeited. If not, the funds will be returned to the fishermen, said Cooper.

Although the ministry has ordered fish wholesalers not to buy from them, Jones and Nadjiwon had to go out Jan. 6, their nets set the previous afternoon.

"We've got no-one to sell our fish to, so we'll have to let it rot," said Nadjiwon.

Nawash Chief Ralph Akiwenzie said he wants to keep the situation low key so as not to end up with a repeat of the fish wars of recent years, when thousands of metres of Native nets were destroyed and a Native fishing tug was set afire and then sunk.

"We want to create a climate for dialogue," said Akiwenzie. "The agreement is in its infancy. There are bound to be problems with interpretation."

Nawash bylaw enforcement officers who were at the dock to weigh the fish brought in by the tugs are monitoring the situation,

said Akiwenzie.

The situation escalated when Jones brought in his nets and the Jan. 6 catch. About 50 angry and sometimes jeering non-Native people had to be kept back from the dock by police.

"That's not your fish. You're raping the waters," shouted one man, cheered on by the crowd as Jones and his three-man crew unloaded 26 boxes of whitefish and five boxes of lake trout.

"There's a box of fish. Take it

home with you. It's no good to me," said Jones as he threw a box of lake trout on the dock.

There were no takers.

Following the incident on the Meaford dock, Akiwenzie announced his people would withdraw from Meaford until further talks with the ministry are scheduled.

"Our fishermen have withdrawn from any areas that might be construed as being east of the boundary of the band's traditional waters," said Akiwenzie.

But Akiwenzie charges the ministry failed to follow protocols laid out in the fish co-management agreement.

The agreement calls for the allowable catch for the Native tugs to be mutually agreed upon by the parties, but the ministry set the level unrealistically low without consultation, he said.

Akiwenzie and Saugeen Chief Randy Roote offered to meet with ministry officials before the fish were seized.

"Instead, the MNR ordered local fish buyers to cease purchasing Native-caught fish," said Akiwenzie.

"We feel the agreement should be used in all disputes... We must not return to the old ways of confrontation," said Roote.

The ministry and the two bands have communicated by telephone but no date has been set for a meeting, said Cooper.

Meanwhile the two bands have not said how long the tugs will stand idle.



TED SHAW

The seized fish will be sold and the money held in trust for the Native fishermen, unless a court determines they have breached the law.



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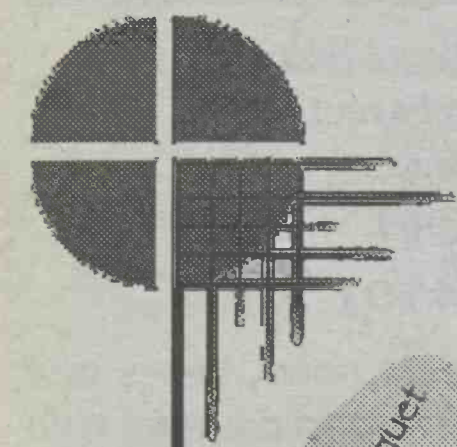
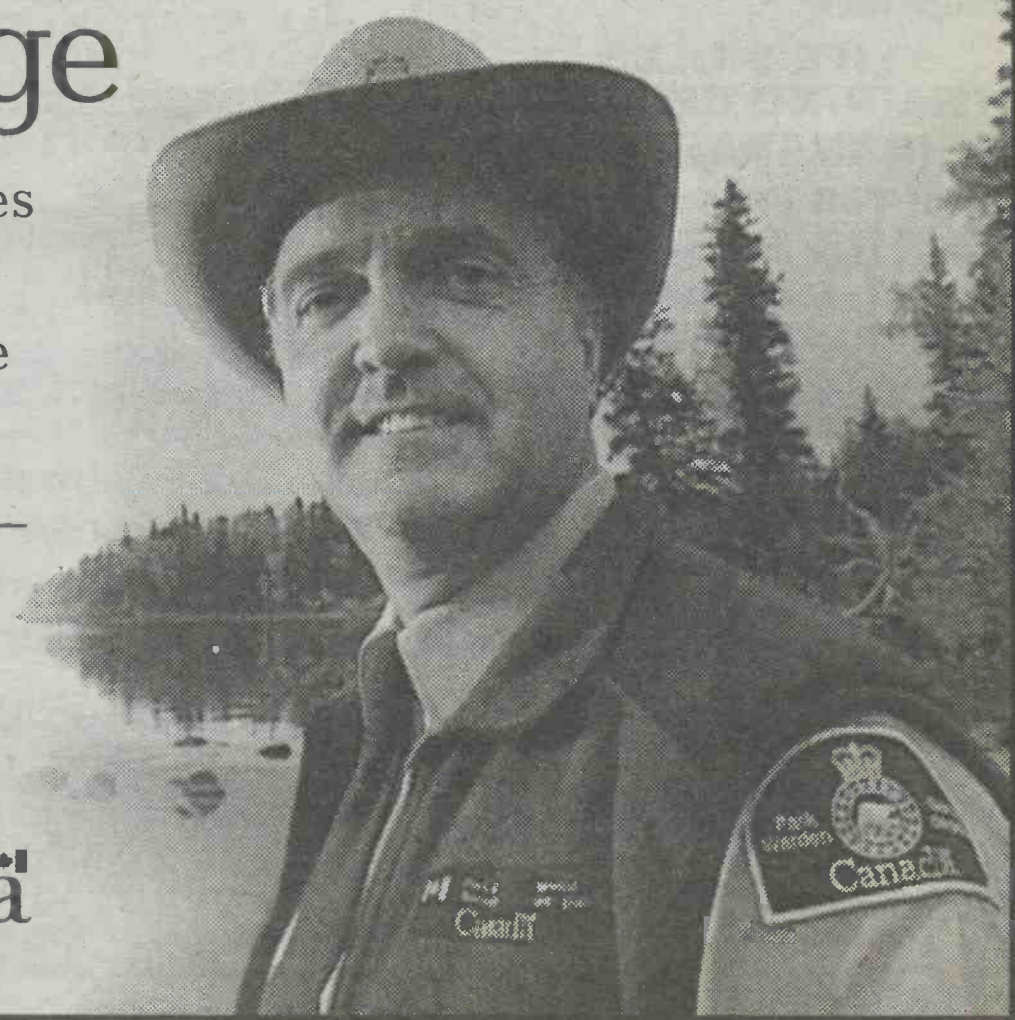
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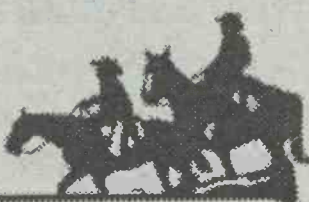
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Final arguments heard in Indian school trial

By David Wiwchar
Windspeaker Contributor

VANCOUVER

After three years, thousands of tears, and immeasurable pain suffered by the complainants, final arguments wrapped up in Vancouver for the seven remaining plaintiffs suing the federal government and United Church of Canada for abuses suffered at the Alberni Indian Residential School (AIRS).

B.C. Supreme Court Justice Donald Brenner has already determined that the defendants were vicariously liable for what happened at AIRS, but has yet to rule on the more important issues of direct liability and damages.

"We did final arguments right up to Dec. 20, and I think it went really well, so all be can do now is wait for Brenner's judgment,"

said lawyer Allan Early. "He hasn't given a judgement on direct liability yet either, so I expect they will come together, and we expect it to come sometime in the early spring, but he might surprise us."

The trial, started in Nanaimo with 31 plaintiffs, is being closely watched across the country as it will set the legal precedent for all future residential school cases.

The only other such cases heard in Canada were in Saskatchewan, which, according to Early, were short trials in a province that is known to provide the lowest compensation awards of any jurisdiction in Canada.

British Columbia, and more specifically Justice Donald Brenner, has a history of offering some of the highest damage awards in sexual assault cases in Canada.

Many of the original plaintiffs in the AIRS case have settled out-of-court for well over \$500,000 each, as the federal government and United Church of Canada have shown an eagerness to negotiate rather than litigate future damage awards.

"We're also doing the final arguments in the St. George's Residential School case before Justice Williamson in Vancouver this month," said Early, whose law firm Hutchins, Soroka and Grant are involved in residential school cases across western Canada.

"One of those two cases will be the first judgments in British Columbia and in Canada that has been argued so vigorously," he said. "Thousands of cases have been launched, so there are a lot of people and a lot of lawyers waiting on this judgment

Plint refused parole again

By David Wiwchar
Windspeaker Contributor

VANCOUVER

Convicted pedophile Arthur Henry Plint has been refused parole for a second time.

The former Alberni Indian Residential School dormitory supervisor who was called a "sexual terrorist" by B.C. Supreme Court Justice Hogarth, has now served more than two-thirds of his 11-year sentence for more than 30 counts of physical and sexual abuse. The 82-year old Plint has been eligible for parole for the past two years.

After his first parole hearing in November 1999, the B.C. Parole Board noted that Plint had refused to participate in sexual offender rehabilitation programs and lacked an understanding of the harm done to his victims. The board concluded "the only change that had occurred was your advancing age."

Plint re-applied in November 2000 for day parole, but after meeting with the elderly offender, parole board members denied the application.



Convicted pedophile Arthur Henry Plint is staying behind bars after a parole board ruling that reports he has no remorse for his offences or desire to participate in programming.

Plint has been identified by the prison system as having a narrow, restricted personality that is power-oriented.

"This, coupled with your racist values, were all well-suited to the residential school sys-

tem," states the parole board report.

A psychological assessment done in 1995 concluded that Plint had "a significant personality dysfunction, with definite psychopathic traits in that you were completely self-centred, self-absorbed, callous and lacking empathy, and had a complete lack of interest in changing or improving your internal or interpersonal functioning."

A psychological report in 1999 stated Plint had not changed and still "deflect[s] responsibility and blame onto your victims, believing that they charged you only for the potential for monetary gain."

In its Dec. 19 decision, the parole board noted that "there has been no change in your lack of insight into your paedophilic sexual offending and you remain an untreated sexual offender. . . you present an undue risk to society due to your not only being an untreated sex offender but also one who believes he has done no harm."

Plint can reapply for parole on an annual basis. His sentence is complete in 2006.

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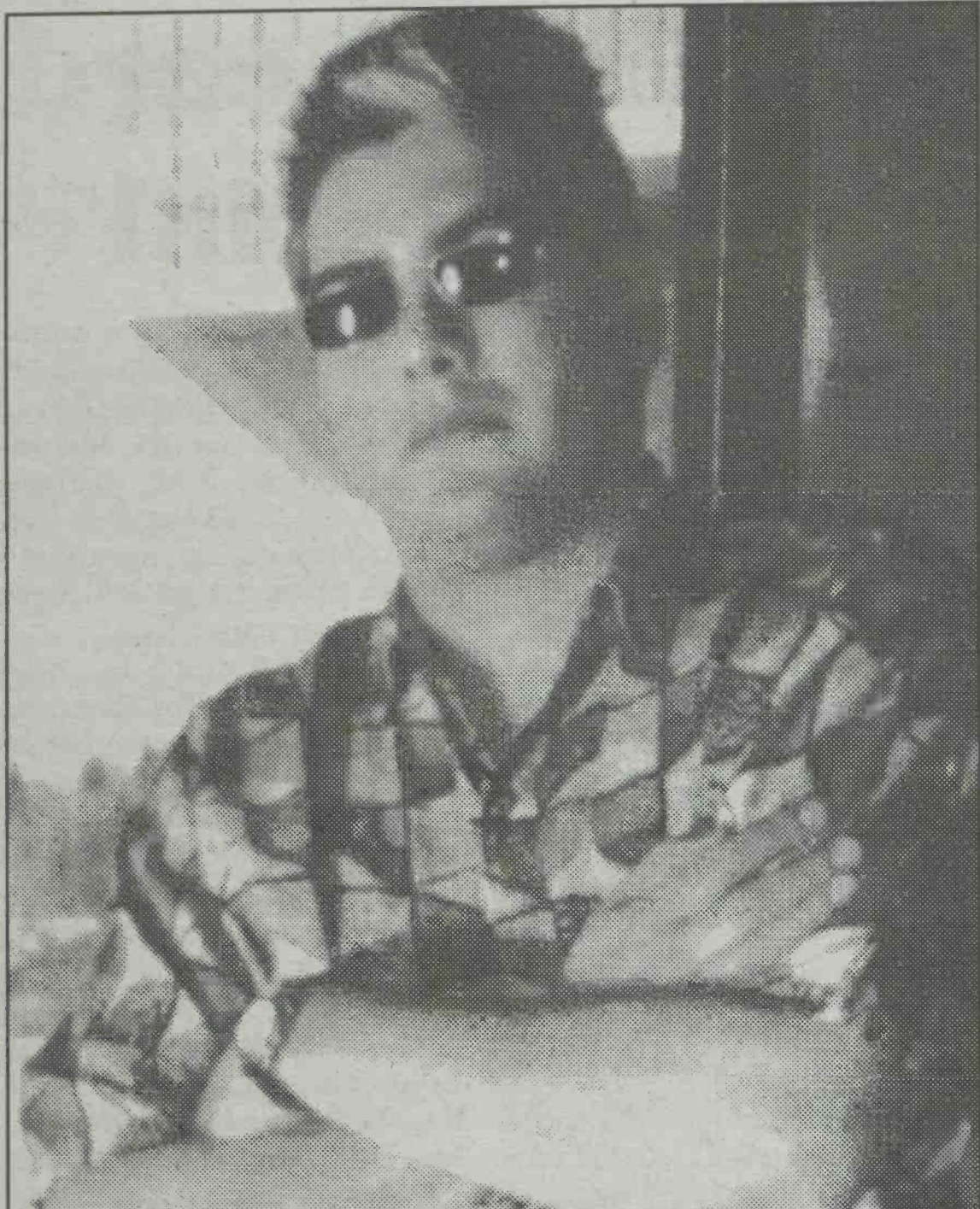
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Poet David Groulx

JOLENE DAVIS

Power in poetry

By Jolene Davis
Windspeaker Contributor

THUNDER BAY, Ont.

Critics return to the adjective "powerful" when talking about the poetry of David Groulx. They also add "stirring, striking and enjoyable." S. Vernon of *Zygoté Magazine* reports, "I like his snarl . . . like a fish knife, gut/gut."

In December, Groulx released his second book of poetry, *The Long Dance*, in Ottawa.

"I am trying to talk openly about racism in my poetry," he said. "I'm looking for clarity, to get to the bones of issues."

The Long Dance is getting Groulx a lot of notice. Book launches, readings and interviews on radio and television, are making him a popular commodity. Shy as a child, he is now enjoying the attention.

"My road is writing. I just have to go with it," he said. Groulx's first book, *Night in the Exude*, was a self-published compilation of poetry and short stories. *The Long Dance*, with its cover depicting a repository for uranium mill tailings, is published by Kegedonce Press.

Like many poets, Groulx draws from life experiences for his poetry. Growing up in Elliot Lake, an almost all white mining town in northeastern Ontario, it was tough to be Métis. With a French Canadian father and Ojibway mother, he didn't fit in either community. Nor was it easy to pursue the writing that gave him such positive feelings.

"There are not a lot of poetry readings in a mining town," he said with a laugh. Lines from his poem, "The Harness," portray some feelings about his hometown.

I have held your uranium/all night long/boiling 10,000 frozen lakes/wrapped around me like razor wire/beaten silent/I am broken/ but/I am angry.

It took a period of youthful substance abuse before Groulx knew he wanted a better life.

"You can't be hung over and want to write," he said. As well as themes for his writing, his troubled youth give him a career direction.

At age 31, he works for Kana-Chi-Hih, a specialized solvent abuse treatment centre in Thunder Bay. After working nights, Groulx writes poems such as "Drunk On This Wine" in the early morning while his family sleeps.

The pain of alcoholism comes through in his words.

I've been bootlegging these broken dreams/with ribbons tangled in my hair/. . . I've been looting hearts in the cemetery of dreams/and fermenting it in good wine.

Pursuing his degree in Native Studies from Lakehead University brought out mixed feelings. Studying political science and history, he felt that Aboriginal viewpoints are still largely ignored or misrepresented. On the other hand, he got a lot of writing awards and encouragement to write. He won the Munro Family Poetry Prize for Outstanding Poetry, the Simon J. Lucan Award for Outstanding Achievement, was awarded a Canada Arts Council Grant and a National Aboriginal Achievement Foundation Award.

At the Enowkin International School of Writing in Penticton, B.C., Groulx broadened his skills to include writing screenplays and fiction. Though critics see his poetry as snarling, political, and somewhat angry, it has a softer side too. In "This Noise Is Life," he laments:

I wish I could see you again old woman/the way you spoke with your clothes/Your smoke/your words/a rendition/of the earth/and its power/. . . Your old grey eyes/going back to the darkness/with history dropping out of your mouth.

David Groulx exudes both power and pain in his poetry.

For information about *The Long Dance*, contact Kegedonce Press (Chippewas of Nawash First Nation) at Voice/Fax:(519) 534-5107 or check with Chapters Book Stores.

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Calgary-based EMMEDIA is an artist-run society providing support and resources to independent video and audio artists since 1980.

Publishing prospects good for Native writers

By Joan Taillon
Windspeaker Staff Writer

WINNIPEG

There is still time, if you are a writer or aspire to be one, to tell your story in one of Canada's most respected literary magazines, *Prairie Fire*, based in Winnipeg.

A call for submissions is out for a project called First Voices, First Words, for material to be published in *Prairie Fire* Press' 200-page First Peoples issue that comes out in September.

Several kinds of submissions in a literary genre are eligible for consideration: fiction and non-fiction up to 5,000 words, as well as poetry between five and 10 pages and plays up to 15 pages. The deadline is 5 p.m. on March 30.

The invitation is out to all Native people in Canada to share their cultures, history and experiences through literature.

"I have no doubt that we'll be swamped with submissions," said managing editor Adris Taskans, who co-founded *Prairie Fire* Press in 1978. "I've had people phoning me from all over the country about it."

Taskans said he expects to publish 20 to 40 writers in the exclusively Native issue, which is being financially supported by the city of Winnipeg; the Manitoba Arts Council; and the Canada Council for the Arts.

"A couple of years ago... the Canada Council, which is one of the funders for our magazine, instituted a millennium arts fund and they were calling for submissions. Now our magazine, our board is a non-profit charitable publication... and one of the things we've done many times over the years is do issues that are coming out of one or the other cultural communities.

"But we'd always wanted to do a First Peoples issue... and so we felt this would be a great opportunity if we could get some money from this fund to

do maybe a larger issue and bring some of the writers to Manitoba [to do readings], and to our delight, the Canada Council people did, in fact, think this was a good idea."

Taskans said they consulted Aboriginal people about the plan.

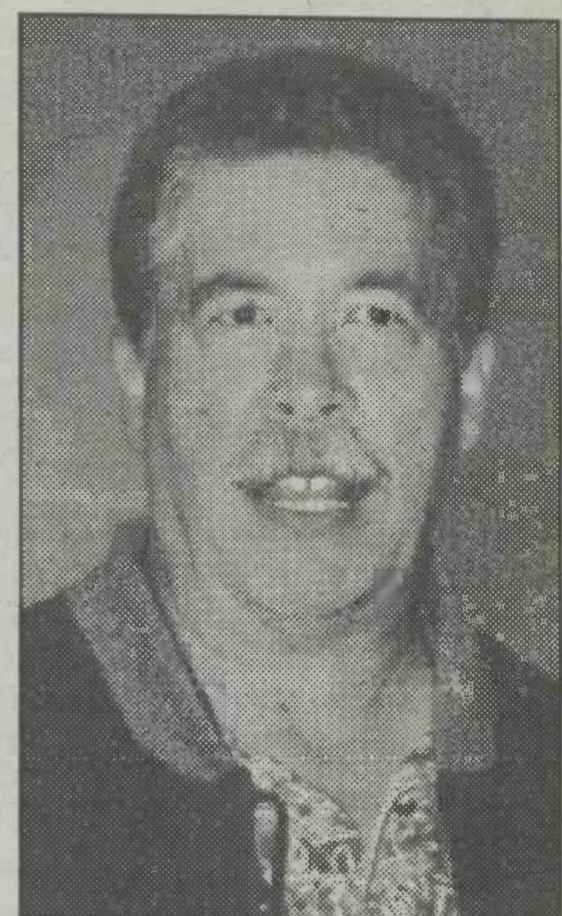
"Doug Nepinak, a local playwright who works for the Manitoba chiefs, and a woman named Cheryl Mackenzie, who used to work for the Aboriginal Human Resource Development here in Winnipeg, gave us some input. So we have had bits of input from lots of individuals, and people who teach and so on gave us some ideas about who we should be talking to and so forth."

Guelph University professor Thomas King is the guest editor of the *First Voices*, *First Words* issue. King is the author of several books, including *Medicine River* and *Green Grass, Running Water*. He has also edited books of Native Canadian literature and he writes for a CBC radio serial that he created, *The Dead Dog Café Comedy Hour*. King teaches Native literature and creative writing.

"It wasn't very difficult to choose Mr. King or have him as our first choice for guest editor, because of his past background as editor elsewhere, and of course his stature as a writer... He then helped work with this office to formulate a call for submissions, and the CBC radio picked it up."

Prairie Fire buys first rights to stories. As with most literary magazines the payout to writers isn't large: up to \$200 for fiction, \$175 for articles and \$125 for poems. Payment depends upon the length and type of writing, Taskans said. A complete breakdown of categories and fees is available from their office, along with writers' submission guidelines. The specific criteria for submitting are also available online at www.prairiefire.mb.ca. Faxed or e-mailed submissions will not be accepted.

Taskans said writers can send



Guest editor, Thomas King

their work directly to King: Thomas King, guest editor c/o *Prairie Fire* Press, Inc. 423-100 Arthur St. Winnipeg, MB R3B 1H3

The deadline for another call for submissions for a 100-page poetry supplement in *Prairie Fire*'s first issue of the year is just past. January 15 was the last date to submit to "Race poetry, eh?" This call was open to all writers.

Taskans said, "The theme there specifically is racism told through poetry... March 21 is world Anti-Racism Day, but it's also... World Poetry Day, and so using some money through the Department of Canadian Heritage, UNESCO is sponsoring some activities on this area and we were able to get a bit of money to do a supplement to our issue. And so we hired Ashok Mathur, a respected writer and poet and editor in Alberta to be our guest editor."

Mathur teaches at the Alberta College of Art and Design in Calgary and is known as an anti-racism activist. His first novel, *Once Upon an Elephant*, was published by Arsenal Pulp Press in 1998.

"Because of the tighter deadline (a month), there wasn't as much time to get the word out," but Taskans estimated they got 50 responses.

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Aboriginal NHL'ers shine in Montreal

By David Wiwchar
Windspeaker Contributor

VANCOUVER

It's a long, hard road to the National Hockey League. And according to Montreal Canadien Sheldon Souray, that road is even longer for players from remote Aboriginal communities.

"I moved from Fishing Lake to Edmonton when I was 13 so I could play in the city league," said the six-foot-four, 235-pound M tis defenceman. "It was really hard to do. As close-knit as Native people and communities are, a lot of kids get really homesick and call it quits. I guess I was lucky because my parents made me endure the separation so I could get to where I am today."

According to Souray, there is a huge amount of hockey talent waiting to be discovered on the frozen ponds and outdoor rinks of Native communities across Canada. Limited numbers of junior hockey scouts means the smaller leagues and rinks are ignored, and Aboriginal players have to relocate to join large city-league teams in order to have their talents properly recognized.

For Sheldon, his road to the NHL included stops in Quesnell, Prince George and Kelowna, B.C., before being drafted by the New Jersey Devils in 1994. He played in 60 games for the Devils in the 1996-97 season, scoring

three goals, including his first NHL goal, a game-winning marker, on Dec. 16, 1997 against the Rangers. During the 1998-99 season, he scored once and added seven assists in 70 games. Sheldon, along with Josh DeWulf and a second-round pick in 2001, was traded to Montr al for Vladimir Malakhov on March 1, 2000.

The path was similar for Montreal's small but feisty M tis centre, Arron Asham, who left his home in Portage La Prairie, Man. for teams in Red Deer, Alta. and Fredericton before being drafted by les Canadiens in 1996.

"You see a lot of good Aboriginal players playing in small communities or in their own leagues on the reservations," said Aaron. "But you don't get any exposure there, so you have play in the highly competitive city leagues."

Asham, who now earns \$350,000, and Souray, who makes \$750,000 per season, recognize that hockey is an expensive sport to play, and the costs can be prohibitive for many parents.

"It's not that easy for the average family to have a hockey son any more," said Souray. "There has to be something done to help out the kids who really want to play, but are unable to because of costs," echoed Asham.

"What it comes down to is the fact that there are a number of Aboriginal players in the NHL proving to our kids that they can

be here living their dream if it's what they want," said the latest addition to the Montreal Canadiens, and arguably one of the most well-known Aboriginal NHL'ers, Gino Odjick.

"There's more than 20 Aboriginal guys in the league now, and the exposure that comes with

being a professional hockey player allows us to encourage the young players, showing them that it's possible," he said.

Odjick, who hails from Maniwaki, Que., was drafted by the Vancouver Canucks in 1990, where he still draws loyal fans even after being traded to the

New York Islanders, the Philadelphia Flyers, and to the Montreal Canadiens.

According to a website dedicated to Native Hockey Players (<http://www.du.edu/~svalerio/native.html>), there are 21 Aboriginal NHL'ers, 16 past Aboriginal NHL legends.

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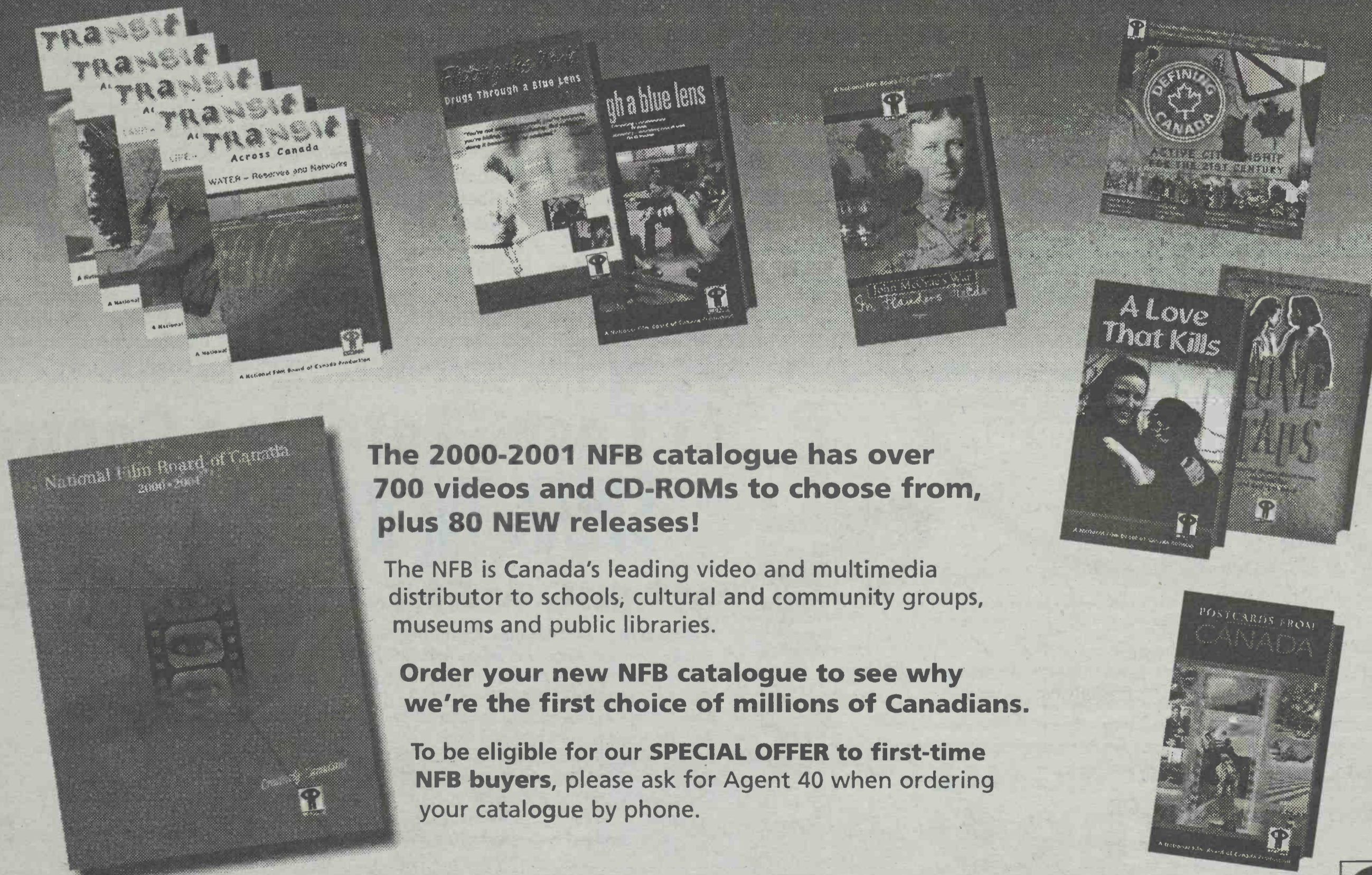
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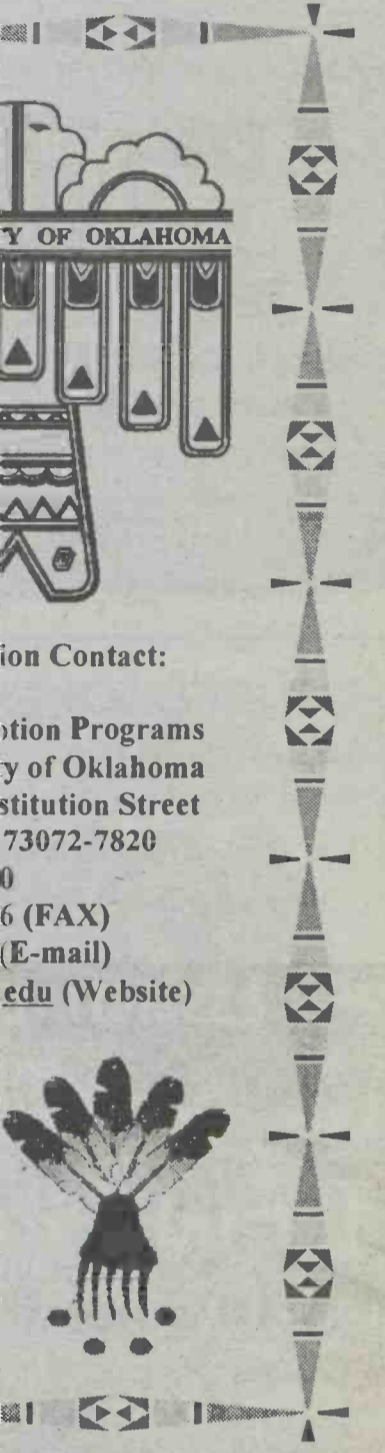
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helps wash away bacteria. During sleep, our saliva flow almost totally shuts off. This allows bacteria to grow in your mouth all night giving you that breath that only a loved one could kiss in the morning. Other causes of a dry mouth are exercise, mouth-breathing, medication side effects, radiotherapy, chemotherapy, fever, dehydration, anxiety, and stress.

Hunger can cause bad breath. People who are dieting or who miss meals often are more likely to have halitosis. Smoking causes halitosis. It's no surprise that foods like onion, garlic, pstrami, peppers, strong cheeses, and alcohol help cause bad breath.

Chronic infection of the sinuses, some vitamin and mineral deficiencies, diabetes, kidney failure, liver and gallbladder diseases, and cancers in the gut, throat, and mouth are less common causes of breath odors. Some disorders of the stomach cause halitosis by allowing partially digested stomach contents and their odors to be pushed back toward the throat.

Smell my breath

Anyone can make the diagnosis of halitosis. Blowing into a cupped hand and then sniffing does not work. Breathe on someone and ask them to comment on your breath. Doctors and dentists have some tests to measure halitosis.

Special breath clinics like Dr. Ken Hamin's Anti-Halitosis

Clinic in Winnipeg have been very effective in treating bad breath. Dr. Hamin uses four tests, including a halimeter machine, to best plan treatment. A halimeter measures the levels of smelly compounds and where they are coming from.

The world smells better

Treatment should start with simple measures. Brush your teeth regularly during the day and after every meal. Use dental floss daily. Gargling with mouth washes will mask the smell, not get rid of it. Brushing the back of the tongue and the sides of the mouth at night may cut down the morning breath.

Don't miss meals. Chew fresh parsley or use breath mints if you eat smell-inducing foods. Increase your saliva flow in the day (and avoid dry mouth) by drinking water, chewing gum, sucking hard candies, or eating healthy vegetable snacks. Stop smoking.

Visit your dentist for a dental exam and cleaning and see your doctor if the smell persists.

This column is for reference and education only and is not intended to be a substitute for the advice of an appropriate health care professional. The author assumes no responsibility or liability arising from any outdated information, errors, omissions, claims, demands, damages, actions, or causes of actions from the use of any of the above.

Dr. Pinette is a Métis family physician in Manitoba and host of APTN's Medicine Chest. Contact Dr. Pinette at pinette@home.com.

Dental Causes

Dental problems are the most common cause of bad breath. Bacteria in the mouth cause little bits of food or plaque that get stuck in between the teeth, around the gums, or on the tongue to rot and smell. Dentures, braces, bridges and other mouth appliances also trap food debris. Any inflammation in the mouth such as gum disease (gingivitis) can also cause this smell.

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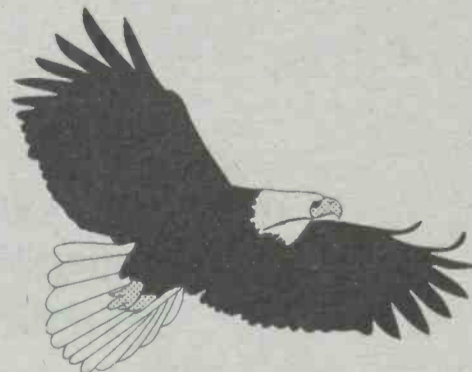
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Girls get the FACTs

By Cheryl Petten
Windspeaker Staff Writer

BALGONIE, Sask.

Over 350 girls in Grades 7 to 10 will gather at Greenall high school in Balgonie next month to learn about career opportunities in math, science and technology-related fields.

The girls will be taking part in the FACT conference — Females Accessing Careers in Technology — organized by Qu'Appelle Valley Shared Services.

Gloria Antifaiff is technology coordinator for Qu'Appelle Valley Shared Services.

"What we're trying to do is encourage young women to pursue educational opportunities and careers in math, sci-

ence and technology," Antifaiff said. "And what we're hoping to do is to introduce students to positive role models in these fields."

Among the session topics planned as part of the conference are radio broadcasting, engineering, video production, medicine, digital music composing, computer programming, DNA profiling, conservation biology, robotics, and careers in the trades.

Antifaiff said girls were invited to attend the conference from the three school divisions served by Qu'Appelle Valley Shared Services — the Buffalo Plains, Cupar and Indian Head school divisions — as well as from the band schools in the area, and from surrounding school divisions.

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Tax exemption blamed for hiring problems

By Pamela Sexsmith
Windspeaker Contributor

LLOYDMINSTER, Sask.

Cree speaking teachers are rare birds in small urban schools. The Lloydminster public and Catholic school divisions have hit real roadblocks trying to recruit professional Cree-speaking staff.

Located near more than a dozen reserves, many Lloydminster schools boast a 20- to 30-per cent Native student population, with numbers on the rise.

"There are genuine problems associated with attracting qualified, fully bilingual, Cree-speaking teachers to a small urban center like Lloydminster, said Dr. Donald Duncan, director of education, Lloydminster public school division. "Many teachers who take their training in a larger urban centre like Edmonton or Saskatoon want to stay in that environment and take advantage of the big city lifestyle. Others want to go home and work on their reserve, with the obvious advantage of living within their own cultural, family and community lifestyle."

There are currently four female staff members working at the Jack Kemp elementary public school, located on the Saskatchewan side of the bordertown, two teachers, an aid and Aboriginal liaison officer, that are fluent Cree speakers. In addition, there are a number of staff members of Métis descent in the elementary, junior, LEAP and high school

programs.

"One of the criteria for hiring Native teachers and our Aboriginal liaison was full fluency in Cree," said Duncan. "It is extremely important that our Native liaison officer, Mary Brock, is fluent in Cree and English, quite frankly, to facilitate communication between home and school among Aboriginal families. We would be delighted to receive more applications from Native people with that ability. We need more positive role models, qualified teachers who would surprise those with stereotypical views of Aboriginal people," said Duncan.

The Lloydminster Catholic school division has not had the good fortune to engage the services of any Cree speaking staff members in the 2000/2001 school year.

The issue of 'off reserve income tax' has made recruitment very difficult for the Catholic school division, explained director of education, Vince Mokolky. "We have an excellent Native co-ordinator, Mel Gervais, a Saskatchewan Métis, working within the high school who does not speak Cree, but we were lucky to get him. We practically had to beg, borrow, steal and cajole to get him here. It wasn't easy for him to turn down a good teaching position in Prince Albert, Sask., which has a large Native population and cultural base," said Mokolky.

Trying to find Native teaching staff that fit the template of 'Cree speaking, Catholic, with a grounding in Native spirituality, with full professional teach-

ers' qualifications in place, has been next to impossible for the division.

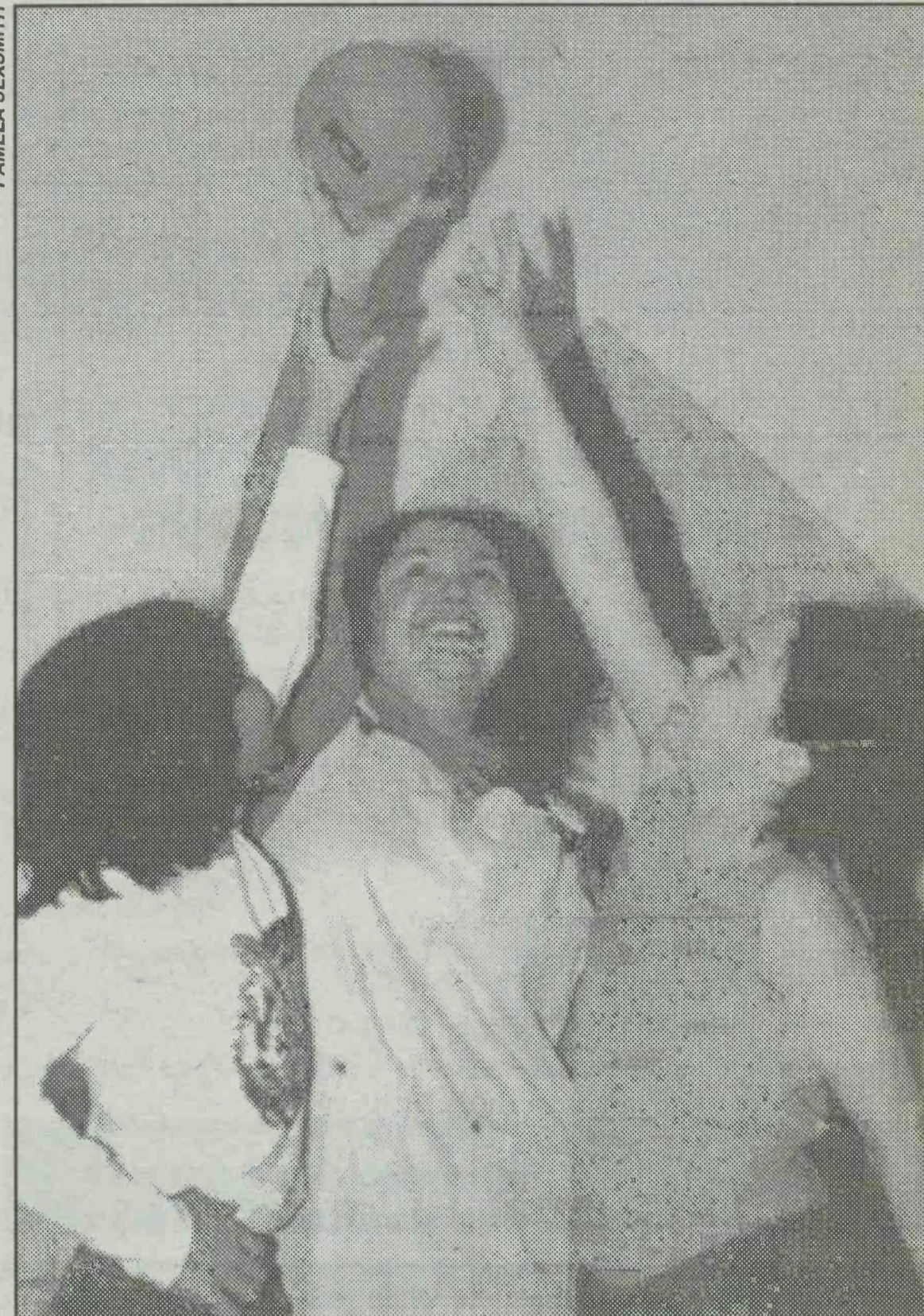
"When we tried to staff our Cree language program with qualified teachers, we had a difficult time trying to find qualified teachers with a B.Ed. When we advertised provincially, it did not yield anyone interested in the position. We networked with bands and universities to find interested people.

"It was not only a supply and demand problem. It was also an economic one. It didn't take candidates long to realize that if they taught in a small town public school, they were off-reserve and would have to pay income tax. If they take a position in a band school, they didn't have to pay income tax, so it becomes a very competitive environment trying to recruit Aboriginal teachers with the skill set for Cree language instruction," said Doug Robertson, superintendent, Catholic school division.

"We have a provincial grid that states very clearly what a new teacher should make, and increments of 10 steps in the grid of what each teacher should be paid. We don't have a whole lot of latitude to make compensation for an Aboriginal teacher," said Robertson.

Additional challenges facing small urban centres is that Native teachers often have a keen desire to return to band controlled schools.

"In the faith component, we have attempted to complement our Catholic faith teachings



(From left to right) Melanie Myo, teacher Angela Johns, and Katerina Thunderchild are each fluent Cree speakers. Urban schools are having difficulties filling the language and cultural needs of their Aboriginal student populations.

with Native spirituality. Our Grade 12 class participates in a feather ceremony that honors the achievements of our Aboriginal students. With the help of Elders, they participate in

sweatlodges. We hope to have our administrative staff participate in a sweat, to develop more empathy between Catholic and Native spirituality and help celebrate both," said Robertson.

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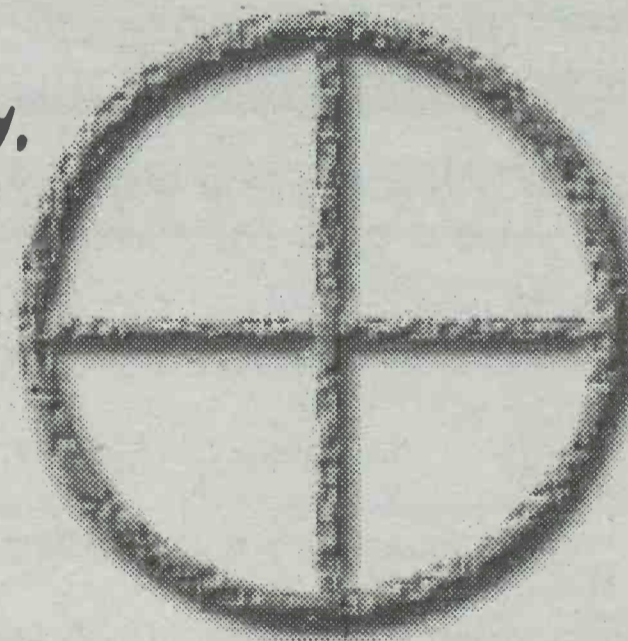
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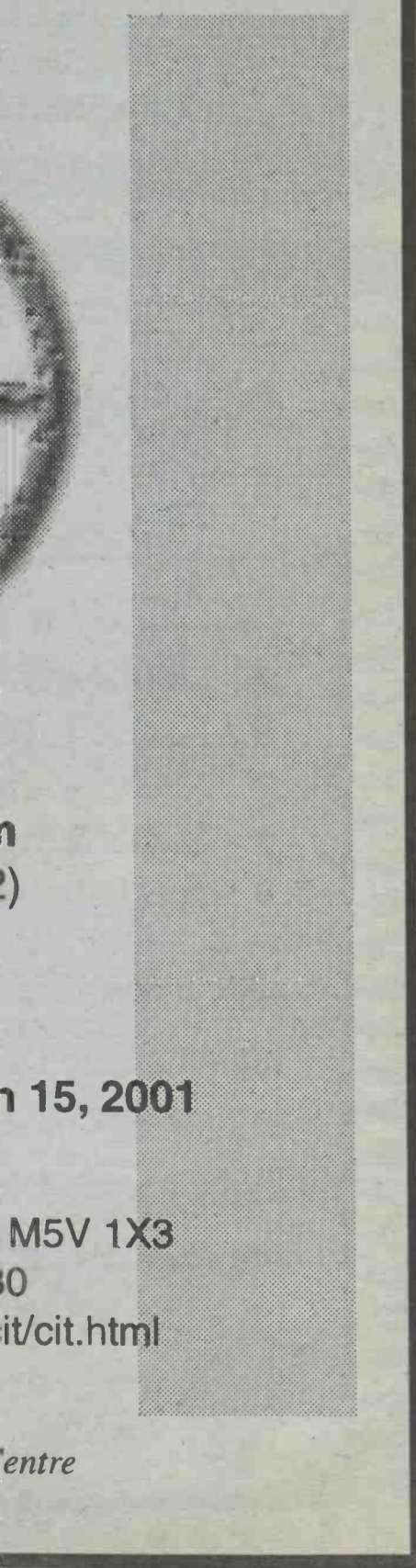
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...her Angela Johns, and ... Cree speakers. Urban ... the language and cultural ... ulations.

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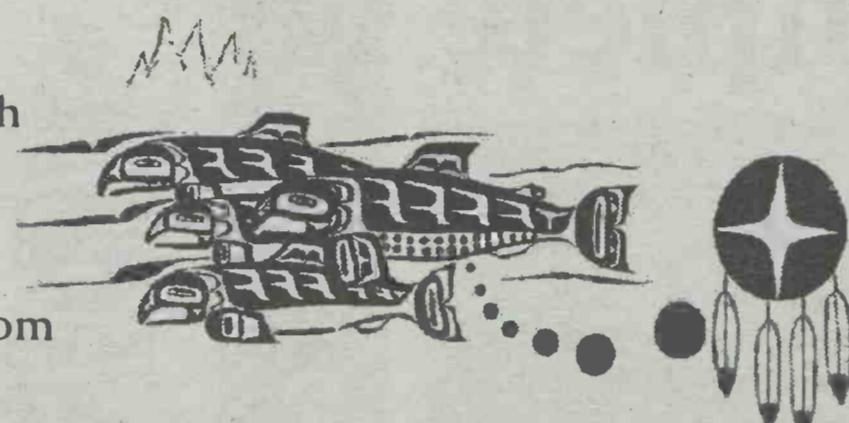
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Touring the play

(Continued from page 5.)

Just the usual limitations when it comes to a touring show: not too many characters and try not to require a full scale castle or naval battle — they're kind of hard to tour. The only real concern I faced with this project was a kind and gentle word of advice from the artistic director informing me that people in certain parts of the Prairies are kind of serious about mention of god or the church. However they neglected to tell me if these people would be upset if the play was pro or anti-church. So in the end I steered clear of the whole thing.

But perhaps the most bizarre limitation that I was informed of did not come from any network executive or artistic director, but from the people who run kindergartens. My girlfriend taught kindergarten for four months a few years back. It was a job she loved, almost as much as she loved the kids. Even if they hugged her first, at no time were

her arms or hands to touch the kids in an affectionate manner. She told me it was the hardest part of her job.

Then a few months later when I was in Labrador, I had the opportunity to tour the schools in a Native community, including a kindergarten. Over coffee, I chatted with

the teachers about my girlfriend's delinma. They informed me they had the same regulations. "But we ignore them" they happily told me. Unfortunately, I was all too aware of the reasoning behind these restrictions, and sympathetic. But another part of me wished my girlfriend could hug all these kids as much as she wanted to.

So remember, anybody out there who is interested in writing or working with kids; under no circumstances should you hug a nose kissing, weird, church-going kid. No telling what trouble you'll get into.

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Seven Aboriginal students were among the graduating class of the Canadian Forces Basic Recruit Training.

Recruit training complete

By Cheryl Petten
Windspeaker Staff Writer

ST. JEAN, Que.

The latest class of graduates from the Canadian Forces Basic Recruit Training (BRT) included seven Aboriginal students from across the country.

The seven, who graduated in December, began their journey toward a military career in September 2000 when they were among 25 Aboriginal candidates that successfully completed the first offering of a new Pre-Recruit Training Course (PRTC), part of the Canadian Forces Aboriginal Entry Program (CFAEP) launched last spring.

The PRTC includes both cross-cultural and military awareness sessions and is designed to let interested Aboriginal candidates experience first hand what a career in the military is like, allowing them to make a decision about pursuing a career in the Canadian Forces before signing up for service. One PRTC is offered each year, with the next course to be held in the fall.

Six of the Aboriginal graduates will continue their training at Canadian Forces Base Borden in Ontario. Private Matthew Keddy, a Mi'kmaq from Middleton, N.S., will continue his military training to become an airforce cook, and Private Tammy Campbell,

originally from the Mistawasis First Nation in Saskatchewan but who now calls Cold Lake, Alta. home, will train to become a resource management support clerk, also with the airforce. Ordinary Seaman Carmel Azak, a Nisga'a from Terrace, B.C., Ordinary Seaman Andrew Cool, originally from White Bear First Nation in Saskatchewan, who lives in Miramichi, N.B., Ordinary Seaman Stephanie Jonah, who is Cree from Waskaganish, Que., and Ordinary Seaman Patricia Picard, Wendat from Wendake, Que., will train as navy stewards.

Private Isaac Petagumskum, who is Cree from Whapmagoostui, Que., will train at the Land Force Central Area Training Centre in Meaford, Ont. to become an infantry soldier in the army.

The number of new Canadian Forces recruits in the past few years has failed to keep up with the number of staff retiring, resulting in current staff shortages in both the regular and reserve forces.

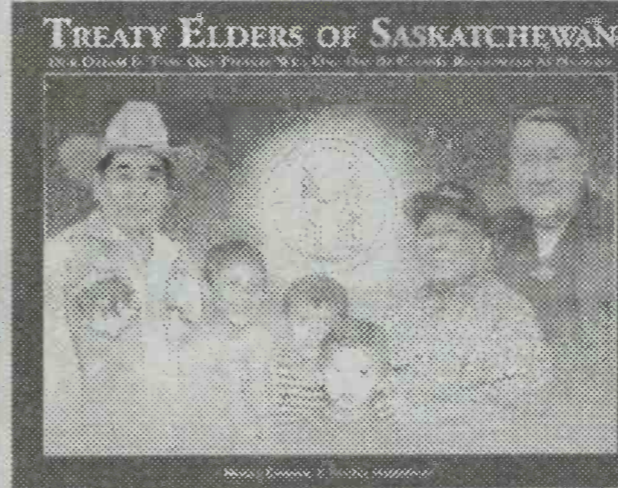
"We're definitely open for business," said Lieut. Vance White, public affairs officer



with Canadian Forces recruiting. "Most of our occupations are open right now."

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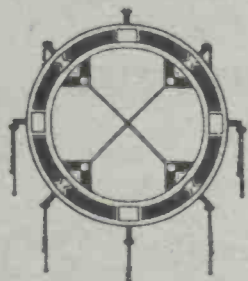
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Help sa

By Cheryl Petten
Windspeaker Staff Writer

If you have young child and are worried about how you're going to pay for their post-secondary education you might want to consider investing in a registered education savings plan (RESP).

RESPs are registered with the federal government and allow contributions to grow tax-free until the beneficiary begins studies at an eligible post-secondary educational institution. Taxes are not paid on the principle or interest until the beneficiary begins their studies.

At that time, taxes are calculated based on the beneficiary's income, which means often little or no taxes are actually paid.

Colette Gentes-Hawn is spokesperson for the Canada Customs and Revenue Agency.

"Let's say that you, as a parent, have put away [not in RESP] \$100 every month for your child's education," Gentes-Hawn said. "And the money grows and it has interest. And that money is in the name of your child, but it remains whatever income earned by that money is your income, because any gift you make to the child, the income of that gift will be yours."

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Help save for your children's education

By Cheryl Petten
Windspeaker Staff Writer

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"Let's say that you, as a parent, have put away [not in a RESP] \$100 every month for your child's education," Gentes-Hawn said. "And that money grows and it has interest. And that money is in the name of your child, but it remains whatever income earned by that money is your income, because any gift you make to the child, the income of that gift will be yours. You

"When you put your money in a Registered Education Savings Plan, you don't have to be taxed on the growth of that money. The child will be taxed on that money when the child uses it."

—Colette Gentes-Hawn

can't transfer property to a child. So you would continue, if the child is a year old, let's say, for 18 years, you would continue to be taxed on whatever growth is in that money. When you put your money in a registered education savings plan, you don't have to be taxed on the growth of that money. The child will be taxed on that money when the child uses it. The attribution rules are not there for an RESP, and they are if you just simply put it in the bank, or whatever."

There are several types of RESP options available: non-family plans, that can have only one beneficiary; family

plans, what can have one or more beneficiaries, although the beneficiaries must be related to the subscriber or subscribers, either through birth or adoption; and group plans, which are usually offered by foundations, which administer each RESP as part of a group.

A maximum of \$4,000 per beneficiary can be contributed each year, with a maximum lifetime contribution set at \$42,000 for each beneficiary.

Contributions can be made for up to 22 years with a non-family plan, and up to the year in which the beneficiary turns 21 in the case of a family plan.

If you're worried about investing in an RESP because you're not sure if your child will actually go onto post-secondary education, there's no need. Changes to RESPs brought in in 1998 have expanded your options.

If the child listed as the beneficiary does not go on to post-secondary education, the RESP can be transferred to another beneficiary. If the plan has been in existence for at least 10 years, and other specific conditions are met, the money can also be paid to the subscriber in the form of accumulated income payments, or can be rolled over into the subscribers RRSP or spousal RRSP.

Another change brought in in 1998 was introduction of the Canadian education savings grant (CESG), a grant from the federal government paid directly into a beneficiary's RESP. With the CESG, beneficiaries will receive a grant equal to 20 per cent of the first \$2,000 in RESP contributions each year, which means a possible grant of up to \$400 per year for each beneficiary.

The accumulated grants will be added onto the principle and interest in the RESP account, and paid out as part of the beneficiaries educational assistance payments during their post-secondary studies.

If the beneficiary does not go on to post-secondary studies, the grants will have to be repaid to the federal government. Some RESP plans do provide provisions that would also allow you to transfer the grants to a younger sibling or other beneficiary.

"That's free money," Gentes-Hawn said of the CESG. "The best growth you can expect from your money is when it comes free from the government."

Want to find out more about setting up an RESP? There are several organizations that act as RESP promoters that start up an RESP for your child. Look in the yellow pages under registered education savings plans, or visit the HRDC website, which lists active RESP promoters whose education savings plans are currently registered with the Canada Customs and Revenue Agency.

"As far as choosing between company A, B or C, look for the one that best suits your personal needs, that makes the kinds of investments that you feel are the best," Gentes-Hawn said.

For more information about RESPs, visit the HRDC website at

<http://www.hrdc-drhc.gc.ca>, or call 1-800-267-3100.

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Loss of tax revenue heats up services dispute

By Cheryl Petten
Windspeaker Staff Writer

BURNS LAKE, B.C.

An ongoing battle between the Burns Lake First Nation and the Village of Burns Lake over service provision has finally come to a head, with the village setting an April 30 deadline for withdrawal of services if an agreement can't be reached.

The village has provided water and sewer services to the band since 1971, when the two parties signed a 40-year service agreement. Another 40-year contract was signed in 1974 for provision of fire protection services. As part of the agreements, which set the price for service provision at cost less 10 per cent, the village received federal infrastructure grants of more than \$330,000 for improvements to water and sewer services.

The service agreements were honored by both parties without incident until 1994, when the band, acting under provisions in Section 83 of the Indian Act, passed bylaws giving it jurisdiction to assess and tax properties on reserve. This included taxation of the lease on the Babine Forest Products mill, located on the band's reserve lands, I.R. #19. From the time it was constructed in 1974, up until the band's assumption of taxation, the mill had paid taxes to the Village of Burns Lake.

Although the mill was located on reserve land 26 km away, the village extended its boundaries in 1975 to take in I.R. # 19, and the mill. During the two decades the mill paid its taxes to the village, those taxes made up 26 per cent of the village's tax base. With that tax base gone following the band's assertion of its right to tax the mill, the village responded by increasing the fees charged to the band for service provision. It required payment equal to the amount band members would pay if they were residents of the village and paying taxes on their properties. This move saw the annual fees charged by the vil-

lage increase to \$156,000 from just over \$4,300.

The village claimed it wasn't bound by the service agreements signed with the band in 1971 and 1974, because it wasn't within the village's authority to enter into the agreements at that time. That argument was supported by a March 2000 decision by the Supreme Court of British Columbia, which ruled the village was within its rights to withdraw provision of services to the band. The court also ruled the fee charged for the services must be at the rate set out in the agreements.

In November 2000, the band offered to increase the fee for services to costs plus 10 per cent, but the offer was rejected by the village. Attempts by the band to pay fees for service at the rate set in the agreements were also rejected by the village each year from 1993 to 2000.

Paul Jean has been mayor of the Village of Burns Lake since 1995. He said the village has refused to accept the band's attempts at payment because taking the cheques would prejudice the village's case.

"Since I've been mayor, we have lost the taxation from our local sawmill, and that's where the tax was coming from," said Jean.

"The sawmill is built on an Indian reserve, so the tax dollars have been there. About 26 per cent of our total tax base was lost, and so what's happening is in the community, the residential people have been picking up the difference. Every year we've had to raise our taxes by about five per cent to eventually bring our taxes up to the standard where we can afford to do the work maintaining the community," Jean said.

"We need that funding to be able to support the community, and supply the rest of the community with the services that they need, whereas right now the band has been getting their services for nothing. They haven't paid anything. And on the reserve, there's a helicopter base, there's a motel, a bus depot, and 12 or 15 homes, I believe, plus the

sawmill. And they're not paying anything towards any part of the community taxation base," Jean said.

"They would like to pay piecemeal, you know. What they would like to pay is just whatever they want to pay, which is just water, sewer and fire protection, are basically the three main ones they would like to have. But if you're a resident of the community, you can't pick and choose the services that you get."

Larry Fast is lawyer for Burns Lake First Nation.

"We still stand at a position where the band has offered cost plus, and the village is saying, 'no, we're going to pretend that the reserve doesn't exist, and you pay as if you were paying taxes to us,'" Fast said.

"They're basically refusing to recognize that the band has a separate government and has its own separate priorities and separate concerns. They really want, at the moment, for the band to be nothing more than a tax collector for the village."

Fast said eventually, things will be sorted out.

"At the moment, I think the village believes that if it threatens the band enough, the band will cave in, or the federal government will cave in, and say, 'whatever they want.' And I don't think either of those things are likely to happen.

"A new relationship is needed, but it's a relationship between governments, and a relationship between equals. And eventually, the village will come around to recognizing that," Fast said.

Toni Timmermans is spokesperson for Indian Affairs, BC region.

"I think its fairly well understood that what the village is really upset about is lost tax dollars," Timmermans said. "I mean, the band has taxation authority, which is not an uncommon thing. A lot of First Nations have taxation authority, and that mill—the Babine Forest Products mill—is located on reserve. So it's quite natural that any property taxes to be paid would be paid to the

band. And apparently the village is upset by that."

Although Timmermans said the department isn't going to get involved in trying to settle the dispute, Indian Affairs will get involved in providing the band access to water and sewer services if an agreement can't be reached by the end of April.

"We do have a responsibility to make sure that the band has access to clean water and to sewer services. If they can't come to an agreement with the village, we have to make sure that, somehow, they're getting those services," Timmermans said.

Scott Miller holds the portfolio of project management and negotiations with the Burns Lake band.

"It's a jurisdiction issue. They [the village] have actually come out in the press and said, 'We are the only sanctioned government in Burns Lake, and as such, we are the only ones that should collect taxes.' So basically, they do not respect or recognize the Aboriginal self government of the Burns Lake band," Miller said.

"They [the band] are the rightful government, and the Indian Act says they are the rightful government, so, as such, and their goal is self-sufficiency through economic activity, so in order to become self-sufficient as a government, one of the things you do is you tax, and you provide services in return, and then you take those taxes and you budget for such things as educational capacity, infrastructure capacity, things like that. So it's one of the steps that all Aboriginal governments must take on the road to self government."

To complicate an already complex situation, the band is also dealing with potentially serious health risks because of the current location of their community.

As Fast explained, the village of Burns Lake zoned the area surrounding the band's reserve lands as industrial, which, he alleges, has led to contamination of the land under the homes of some of the band members.

"The people there have their

homes next to a municipal recycling dump on one side. On the other side is the railway, and the railway had leased part of its land out to Chevron and Esso, so they had big bulk storage tanks, which leaked, and led to the ground underneath some of the people's homes being polluted and contaminated. So it's a pretty sad situation," Fast said.

Just how bad the situation actually is is something the band is in the process of finding out. According to Miller, an environmental impact assessment of the reserve lands is currently underway.

"The first phase of the environmental impact assessment was completed," Miller said, "which confirmed that there are indeed contaminants of a toxic level on reserve."

Miller said the next step from the Indian Affairs perspective is to find out how widespread the contamination is and what health risks are involved. The band however is not waiting for that information before they act.

"From the Burns Lake band government position, as soon as they identified that there were contaminants, that was more than enough evidence to say, 'well, we can't make this an experiment in process, a petri dish. We have to move. We have to act,'" Miller said.

The band has purchased land adjacent to its reserve land on the other side of Burns Lake, and has already begun relocating the community.

"We're already building five houses, and we have a plan to build so many a year," Miller said, adding the band is hoping to have the entire community relocated within two years.

By relocating the community to deal with the contamination issue, the band will also be eliminating the issue of service provision, as the new community will have its own services in place.

In the interim, Miller said, the band is looking at a number of contingency plans for provision of services.

Opportu

By Paul Barnsley
Windspeaker Staff Writer

OTTAWA

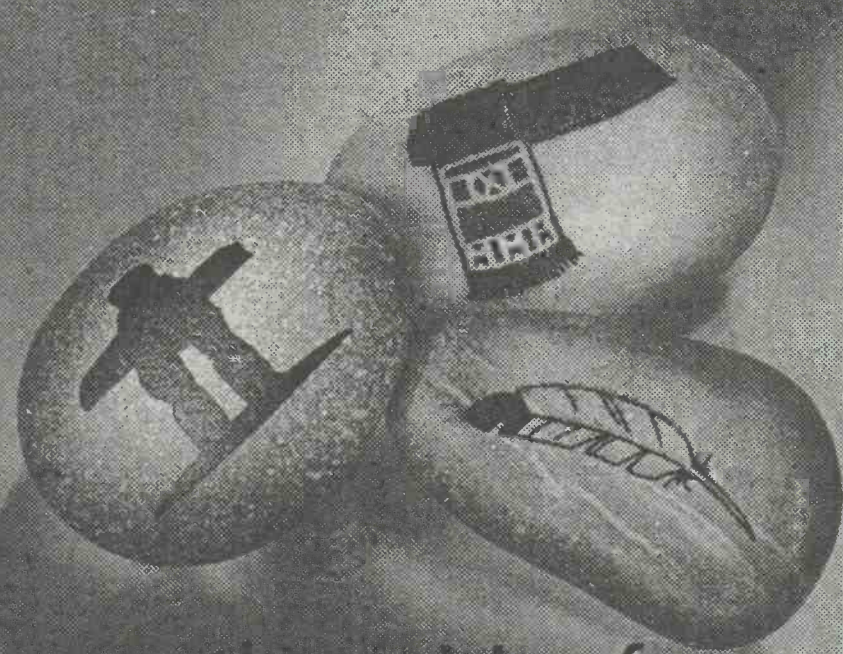
Aboriginal financial managers now have until Dec. 31 to take advantage of a special arrangement that allows them to have their work history taken into account to gain professional designation.

So many people are looking for secure designation as a certified Aboriginal financial manager (CAFM) that the organization that grants that certification, the Aboriginal Financial Officers Association of Canada (AFOA Canada) - has added more time to a grandfather clause that means qualified financial managers can get credit for work experience.

AFOA executive director Daniel Ryan said his organization is growing quickly both in size and influence.

"AFOA Canada was created as a result of the Assembly of First Nations - Certified General Accountants Association to force two years ago," he said.

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Opportunity for financial managers extended

By Paul Barnsley
Windspeaker Staff Writer

OTTAWA

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"AFOA Canada was created as a result of the Assembly of First Nations-Certified General Accountants Association task force two years ago," he said. "It

was identified that there was a need for accountability and capacity development. One of the tools that they felt was required was the creation of a national body that was non-political, membership-driven, that dealt with the issues of Aboriginal financial management, not necessarily in the context of First Nations but overall Aboriginal financial management."

More than 100 people have been accredited since AFOA was incorporated in July 1999.

Ryan said it took time for the organization to get established but it's now on the verge of becoming the most important body in the area of Aboriginal financial management.

The professional designation granted by AFOA is now recognized as a sign that a person is fully qualified to provide top level financial management and has an understanding of Aboriginal culture, history and law.

"It is being recognized. There's been quite a bit of interest and therefore there is a bonus in pursuing the initiative of getting the designation. AFOA

is committed to that and is preparing and developing the tools and researching all aspects and hopes to become, eventually, the leading voice in terms of Aboriginal financial management issues," Ryan said.

"That certainly speaks to the need. A lot of people are hopping onto the bandwagon and, since we've only been in existence physically with a location [for a very short time] and an awareness campaign that we've been doing [was launched]... I would say that the potential in two years is to be up to the 300 to 500 mark for designation."

The special arrangement is by no means a fast-track or Native access-type program, Ryan said. It is just a way to recognize that some people working as financial managers in Aboriginal businesses or communities are already fully qualified. He said the process AFOA uses to ensure that applicants meet the grade has been described as tough.

"You present your portfolio to AFOA Canada, outlining all

of your academic achievements, outlining your work experience.

"We have the competency standards and all of the curriculums from the various colleges and universities so that at any given time someone can submit their portfolio to us, we can refer back and see if it meets the criteria," he said. "We have some people who have submitted their portfolios and we've sent them a letter back saying, 'You meet some of the criteria but these are the courses you need to follow to get up to speed.' So they're becoming students."

AFOA provides courses that will get people up to standard but it also recognizes studies completed in other institutions.

Ryan said having a professional organization means having access to colleagues and peers who can advise managers and allow them to do a more effective job.

The designation is not only for Aboriginal people.

"It's for people who are really interested in Aboriginal finan-

cial management. You don't necessarily have to be Aboriginal," Ryan said.

The organization depends on federal government funding at the moment but the executive director hopes to run without that help in the near future by generating revenue from membership fees, services and special projects.

"In the early days, yes we are being funded by the federal government. We are looking at self sufficiency down the road," he said. "Wanting to be recognized as the voice of Aboriginal financial management, certainly, when you talk about accountability aspects, you want to be arm's length from the government. Down the road we view that as a very high priority item."

Those who have finalized their designation process before Jan. 29 will graduate in a ceremony during the AFAO's annual conference in Vancouver from Feb. 22 to 24.

For more information, visit the website at www.foa.ca or call 1-866-722-2362.

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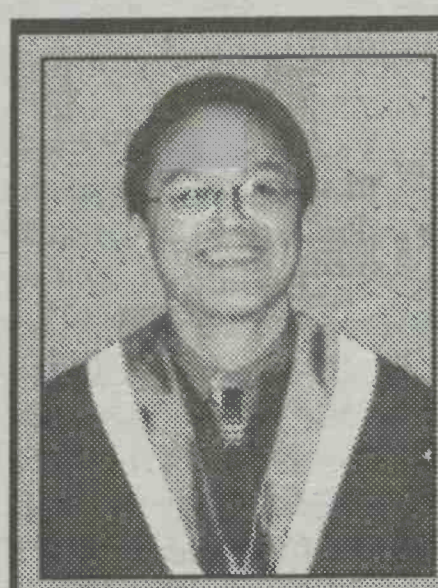


First Nations should take advantage of laws

Income tax time is fast approaching and most Canadians are getting ready to file their returns. Contrary to popular belief, most First Nations people are required to file a return with Revenue Canada. This article will briefly examine the unique features of First Nations taxation, especially in relation to income. It will be shown that First Nations taxation is a continually evolving field.

Not so long ago, most First Nations people had very limited exposure to the taxman. This is because of two main reasons:

1. Our economies were relatively simple, relying upon food gathering and trading with others.



FIRST NATIONS' FINANCE

Andrew Leach

2. The interpretation of First Nations tax laws was relatively simple.

However, over the last generation, in particular, we are finding that both of these factors are rapidly changing. In turn,

deciding when and how First Nation tax laws apply is no longer a simple exercise. So, if you're feeling a bit overwhelmed about filing your taxes this year, rest assured that you're not alone. Things have

gotten fairly complex in a relatively short time.

First, it must be acknowledged that Canadian taxpayers are entitled to arrange their affairs in such a way that it minimizes their tax burden (see Supreme Court, *Neuman v the Minister of National Revenue*). Indeed, so long as you play by the rules, taxpayers should make every effort to minimize their taxes. That's just common sense.

However, it appears that Revenue Canada has had difficulty accepting that this fundamental right applies to First Nations people. They have argued for years that First Nations people should not ar-

range their affairs to take advantage of the relevant tax laws. But in a recent Federal Court of Canada case (1999), *Shilling vs. the Queen*, Justice Sharlow criticized Revenue Canada's position, saying that to penalize First Nations for tax planning "makes no sense."

Second, First Nations taxation, for the most part, is derived from Section 87 (b) of the Indian Act. This section reads "the personal property of an Indian or a band situated on a reserve" is exempt from taxation. This phrase has been the central issue of many First Nations taxation cases and deserves closer analysis.

(see Taxation page 27.)

Taxat

(Continued from page 26.)

Note that Section 87 does not specifically state that an Indian's "personal property" includes his income. Rather, the courts have determined that other non-Indian taxations, that "personal property" includes income.

Also, the phrase "situated on a reserve," has been the subject of much legal debate. The central, contentious issue seems to be: Under what circumstances does a person

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ge their affairs to take advantage of the relevant tax laws. But in a recent Federal Court of Canada case (1999), *Blind vs. the Queen*, Justice Arlow criticized Revenue Canada's position, saying that penalize First Nations for tax planning "makes no sense." Second, First Nations taxation, for the most part, is derived from Section 87 (b) of the Indian Act. This section reads "the personal property of an Indian or a band situated on a reserve" is exempt from taxation. This phrase has been the central issue of many First Nations taxation cases and deserves further analysis.

(See Taxation page 27.)

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Taxation law is always evolving

(Continued from page 26.)

Note that Section 87 does not specifically state that an Indian's "personal property" includes his income. Rather, the courts have determined, in other non-Indian taxation rulings, that "personal property" includes income.

Also, the phrase "situated on a reserve," has been the subject of much legal debate. The central, contentious issue seems to be: Under what circumstances does a person's

property qualify as being "situated on a reserve?" Once again, as our economies have developed, this becomes a more difficult question to answer.

Third, it must be recognized that First Nations tax laws are constantly evolving. The Supreme Court has been especially influential in defining and redefining these laws. How First Nations taxation was interpreted several years ago may not be entirely rel-

evant today. This is why you should get professional advice from a qualified accountant if you have any questions about your circumstances. They will be able to provide you with the most relevant, up-to-date advice.

Finally, it must be emphasized that First Nations tax laws apply only to status First Nations people. They do not apply to other Aboriginals, such as the Métis or Inuit. To learn more about First Nations

taxation, read some of the rulings from Canada's courts, especially the Federal and the Supreme Courts. You can download cases from the web (check out <http://www.fja.gc.ca/en/judges/courts.html>). Also, visit the Canada Customs and Revenue Agency website (www.cra-adrc.gc.ca). At any of these websites use their search engine and key in words like "Indian" or "Indian taxation." After doing this

background work, and you are still unsure about your situation, get professional advice.

Andrew Leach is from the St'at'imc Nation, which is located in central British Columbia. He has a Bachelors and Masters degree in Business Administration and is presently completing his doctorate in management. If you are interested in responding to this article, please email Andrew Leach at andrewleach@home.com.

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Aboriginal Role Model Nomination Form

(Instructions)

The Interprovincial Association on Native Employment Inc. (Alberta Chapter) in partnership with Alberta Human Resources and Employment, Alberta Learning and Children's Services is creating a print Aboriginal Role Model Directory.

The vision of the directory is to provide a tool to Aboriginal Youth to help them establish their own career path. It is our hope that the youth will:

- identify with the Aboriginal Role Models in this directory,
- be inspired by their stories of success,
- gain an understanding of how they overcame obstacles and
- be connected to the resources that might help them along their own career path.

Who can be nominated?

An Aboriginal youth or adult who may have overcome adversity, has set goals and is on a path to achieve them and has made a contribution to their community.

Role Models in the Directory will also be asked if they are willing to participate in a Speaker's Bureau, a database of speakers that will be maintained by the Interprovincial Association on Native Employment Inc. (IANE). The goal of the Speaker's Bureau is to be able to connect schools, agencies and employers with Aboriginal Role Models for the purposes of class presentations.

Deadline: February 28, 2001.

All nominations should be sent to:

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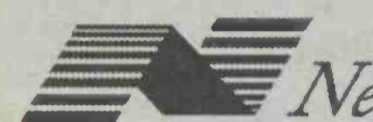
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Pour être admissible, vous devez détenir un baccalauréat en commerce, en économie, en administration des affaires, ou publique, en sciences politiques, en sciences ou génie, ou dans une spécialité liée aux fonctions du poste, ou un agencement acceptable d'études, de formation et d'expérience. Il vous faut également des antécédents professionnels dans la planification, l'élaboration et la mise en oeuvre de programmes au niveau de la haute gestion ou des cadres de la direction; de l'établissement de relations de collaboration et fournir des avis stratégiques aux cadres supérieurs; de la présentation de conseils stratégiques à des cadres supérieurs, y compris des ministres; de la gestion de ressources humaines et financières dans une grande organisation décentralisée ou régionalisée; de la négociation, de la communication et du travail avec les peuples autochtones dans un contexte de développement économique.

La maîtrise de l'anglais et du français est essentielle.

Si ce poste vous intéresse, veuillez postuler en direct ou soumettre votre curriculum vitae et le formulaire de demande d'emploi CFP 3391 (que vous pouvez obtenir à la Commission de la fonction publique du Canada), en indiquant clairement de quelle façon vous répondez aux exigences du poste, en précisant votre citoyenneté et en mentionnant le numéro de référence DUS16485-3, d'ici le 15 février 2001, à Gisèle Lefebvre, Adjointe à l'information des données, Unité centrale de traitement, Programmes des cadres de la direction, Commission de la fonction publique du Canada, 300, avenue Laurier Ouest, 21^{ème} étage, L'Esplanade Laurier, Tour ouest, pièce B2162, Ottawa (Ontario) K1A 0M7. Télécopieur : (613) 995-1099. Courriel : exposter@psc-cfp.gc.ca

* En tant qu'employeur respectueux de l'équité en matière d'emploi, Industrie Canada s'engage à se doter d'un effectif compétent, représentatif de la population canadienne. Par conséquent, ce poste est doté en vertu du Programme d'équité en emploi - Recrutement externe de la Commission de la fonction publique.

Nous remercions tous ceux et celles qui soumettent leur candidature; nous ne communiquerons qu'avec les personnes choisies pour la prochaine étape. La préférence sera accordée aux citoyens et aux citoyens canadiens.

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You can become a Professional Counsellor and help heal the wounds of abuse and addiction. If you are serious about change and willing to help make a difference, we can provide Professional Counsellor training for you in your community. Upon completion, graduates receive a **Certificate of Professional Counselling** and a **Residential School Abuse Counsellor Certificate**, enabling them to offer professional services to the Communities. For more information on bringing this program to your community, on campus or by distance learning, please call **Thomas Majcan** at

Counsellor Training Institute of Canada
1-800-314-2288

FAMILY VIOLENCE SUPPORT COUNSELLOR

Requirements: Counselling experience, a clear understanding of domestic violence and its impact on individuals, families and the community; culturally sensitive; good interpersonal and verbal skills; able to assess clients and develop a case plan; develop and deliver workshops; work with minimal supervision; perform shift work; lead a health lifestyle; possess a valid class 5 driver's license.

Send resume to: Ms. Ernestine Gladue, Executive Director
Family Support Centre/Safe Home
P.O. Box 4413, Hay River, NT X0E 1G3
Fax: (867) 874-3252 E-mail: famenn@seimicro.com



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Calgary Police Service
Recruiting Unit
133 - 6 Ave. S.E.
Calgary Alberta
T2G 4Z1
Tel: (403) 206-8483

9CPS00019

Anticipatory Teacher Staffing for 2001/2002

The Yukon Department of Education is seeking applications from qualified and experienced teachers in anticipation of vacancies occurring for the 2001/2002 school year. Applications remain active for one year. If you are seeking a teaching position in the Yukon, please request our "Teaching in the Yukon" application package (by fax, telephone or e-mail as indicated below) and submit it together with your resume, copies of references/reports, and other pertinent information. Representatives from the Department of Education will be conducting interviews at a number of locations across Canada. If you are interested in being considered for an interview during March or April, your application should be received prior to February 28, 2001. Preferences for interviews will be given to those candidates with appropriate qualifications and experience and who are interested in teaching in a rural setting.

Specific positions are posted, as they occur, at www.educationcanada.com

Teacher Recruitment Officer
Department of Education
P.O. Box 1500
Dawson City, Yukon Y0B 1G0
Telephone: (867) 993-5723
Facsimile: (867) 993-5730
E-mail: education.recruitment@gov.yk.ca



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SASKATCHEWAN INDIAN FEDERATED COLLEGE
FACULTY POSITIONS - Regina Campus

SIFC is a First Nations-controlled University in Canada. We have approximately 1300 students enrolled. Since our inception in 1976, SIFC has earned an international reputation as a visionary academic leader.

DEPARTMENT OF INDIAN STUDIES

SIFC is accepting applications (subject to budgetary approval) for two Permanent track (tenure track) faculty positions at the level of Assistant Professor. The successful candidates must have an ability to teach in two or more of the following areas in Indian Studies: political/legal systems, research methods, Canadian Indian history, Indian economic systems and community development, contemporary issues, international Indigenous issues, as well as introductory Indian Studies.

Successful candidates must possess the knowledge of and experience in First Nations cultures, traditions, and contemporary issues, ability to teach from an interdisciplinary foundation in Indian Studies, proven scholarship and research record, demonstrable experience in community-based research in areas of specialization. Applicants must also have a strong commitment to graduate level instruction and supervision. Positions will commence July 1, 2001. Relocation assistance will be provided if necessary. Salary will be commensurate with experience.

In addition to the above, the applicants should possess a Ph.D. (Masters degree could be considered with a commitment to enter a Ph.D. program). Applicants must be qualified for an academic appointment as a University College Lecturer or Assistant professor. Fluency in a First Nations language is desirable. Preference will be given to First Nation applicants (S.H.R.C.#E-93-13). Please indicate your First Nations status on your covering letter.

Qualified individuals are encouraged to send a letter of application complete with curriculum vitae, transcripts and/or diplomas, and the names and addresses of three referees by March 15, 2001 to:

Dr. R. Wesley Heber, Department Head of Indian Studies
SIFC — Saskatoon Campus
710 Duke Street, Saskatoon, Saskatchewan S7M 0P8
Email: wheber@sifc.edu
Telephone: (306) 931-1814 Facsimile: (306) 652-8823

Lakehead UNIVERSITY

Lakehead University is located at the head of Lake Superior in Thunder Bay, Ontario, a city of 120,000 people. The University offers a comprehensive array of arts, science and professional programs to approximately 6,500 students. One mandate of the University is to serve the vast region of Northwestern Ontario and Aboriginal interests through on-campus and community-based programming, part-time studies and distance education. Lakehead is, however, an international institution and the majority of its students come from outside the region. The University has 260 faculty engaged in teaching and basic and applied research, and a staff of 360. A recently developed Strategic Plan positions Lakehead for future growth and development. For more information on Lakehead University and the Strategic Plan, please visit our web site at www.lakeheadu.ca.

Lakehead University seeks to fill the following position by July 2001:

VICE-PRESIDENT (RESEARCH & DEVELOPMENT)

Reporting to the President, the Vice-President (Research & Development) is responsible for the planning, management and administration of policies and programs related to research and university advancement, and s/he serves as a member of the Administrative Executive Committee. Those reporting to the Vice-President (Research & Development) include the Dean of Research, the Director of Corporate Relations and the Director of Development. The Vice-President (Research & Development) provides support to the Board of Governors through the University Advancement Committee and is the senior administrator responsible for the fund and friend-raising initiatives of the University.

Lakehead University is driven by the objectives in its current Strategic Plan and the Vice-President (Research & Development) is expected to demonstrate a commitment to team-based management in meeting those objectives. The ability to facilitate partnerships, work with government agencies and provide leadership in fostering the research and advancement objectives of the University is an expectation of the position.

The University seeks a seasoned research and development professional with exceptional interpersonal, communication and management skills. A graduate degree is required, with a Ph.D. preferred. Evidence of the ability to promote and support research and advancement initiatives is essential, as is senior business experience, preferably in post-secondary education.

Please submit nominations or applications with curriculum vitae and names and contact information of three references by March 2, 2001, in confidence to:

Dr. Fred Gilbert, President
Chair, Search Committee for Vice-President (Research & Development)
Lakehead University
Thunder Bay, ON
Fax: 807-346-7920
e-mail: fred.gilbert@lakeheadu.ca



Doxt

(Continued from page 7.)

Having overcome a upbringing, drug and abuse, and a weight that saw him balloon to more than 300 pounds during high school days, Doxt knows what he's talking when he advises youth.

"Train hard, stay strong. The obstacle is just some front of you. It can be aside and you can control your journey. Overcome."

DIRECTOR

The Vancouver/Richmond office is responsible for the provision of services to the public.

Reporting to the VP of Operations, the new position of Director will take the lead in the development of the people including recruitment.

You will oversee the Centre and identification services once implemented. You will take the lead in the development of the people including recruitment.

The successful candidate will have work experience but not necessarily management and planning experience. You must have knowledge of abortion and programs, as well as a strong commitment to the work. You will be a team player.

Please submit a resume to:



for information

We wish to thank

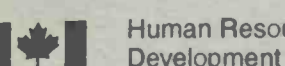
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Doxtator filled with fighting spirit

(Continued from page 7.)

Having overcome a violent upbringing, drug and alcohol abuse, and a weight problem that saw him balloon to more than 300 pounds during his high school days, Doxtator knows what he's talking about when he advises youth.

"Train hard, stay straight. An obstacle is just something in front of you. It can be pushed aside and you can continue on your journey. Overcome those

obstacles, leap them, beat them, do what you have to but overcome them.

"It doesn't matter what happened to you in your life, what matters is what you make of yourself. Whether it's physical or mental attributes that you were given, use what you have and go with them. If you are artistic, if you are athletic, if you are very smart and talented, use those to the best of your knowledge and see what the world

has to offer you. The world is more than just dirt roads, partying and drinking every night. There's more to life than the weed and the booze. There's more to life than babies having babies and one night stands. You have to dedicate yourself to what you want. Dream big man. They come true. I'm a product of that. I'm a big dreamer and I'm making my dreams come true.

"I'm paving the way for other

young Aboriginal people. I'm really glad that I have the attributes that I have and I'm really glad that I did what I set out to do and that was succeed and capture my dream. I'm a dreamer and dreams do come

true. All I can do is implore our youth to strive, strive for what you want—the best. We are the best. We are the original people, and nothing is better, more Canadian or more original than we are. Believe it, believe it."

GRATED COLLEGE

Regina Campus

have approximately 1300 an international reputation

for two Permanent track The successful candidates g areas in Indian Studies: history, Indian economic international Indigenous

experience in First Nations from an interdisciplinary ch record, demonstrable on. Applicants must also supervision. Positions will d if necessary. Salary will

(Masters degree could be tants must be qualified for stant professor. Fluency in to First Nation applicants our covering letter.

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nder Bay, Ontario, a city of s, science and professional iversity is to serve the vast n-campus and community-Lakehead is, however, an n outside the region. The ed research, and a staff of e growth and development. n, please visit our web site

VELOPMENT)

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ategic Plan and the Vice- ommitment to team-based e partnerships, work with e search and advancement

essional with exceptional degree is required, with a e search and advancement post-secondary education.

and names and contact

Research & Development)

DIRECTOR, ABORIGINAL HEALTH SERVICE DEVELOPMENT

The Vancouver/Richmond Health Board and its subsidiary societies with an employee compliment of over 1300 is responsible for the provision of health services for Vancouver and Richmond.

Reporting to the VP of Community Health Services, the V/RHB is seeking a dynamic and energetic person to fill the new position of Director of Aboriginal Health Service Development.

You will oversee the "Healing Ways Plan" which includes: directing the development of plans for a Healing Centre and identification of appropriate partnerships, communications regarding services and evaluation of services once implemented. You will be the key contact for V/RHB for aboriginal issues. As the Director, you will take the lead in the development of policies around the overall awareness, sensitivity and care for Aboriginal people including recruitment of staff sensitive to these needs.

The successful candidate will preferably have a Master's degree in a relevant discipline supplemented with related work experience but consideration would be given to a Bachelor's degree with strong work experience in management and planning. You will also be familiar with Aboriginal health needs, services and issues in BC and have knowledge of aboriginal culture and protocol. You will have the proven ability to manage complex projects and programs, as well as extensive experience in interacting with aboriginal people and aboriginal leadership. You will be a team player and possess superior communication skills.

Please submit a detailed resume by **February 20, 2001**, quoting reference # **WS-E01.001V**



Vancouver/Richmond Health Board

Working Together for Better Health

Human Resources
520 West 6th Avenue, Vancouver, BC, V5Z 4H5
Fax: 604-736-7389, email: abatt@vrhb.bc.ca

Please also visit our site at www.workopolis.com for information on other external vacancies with the Vancouver/Richmond Health Board.

We wish to thank all applicants, however only those under consideration will be contacted.



Summer Jobs IMPORTANT NOTICE To Employers

Summer Career Placements is a wage subsidy program that enables employers to hire students during the summer. Private, public and not-for-profit employers are invited to submit their application by:

March 30, 2001*

As the objective of the program is to provide students with work experience related to their field of study, applications will be evaluated based on the quality of the experience offered and local priorities.

To apply or to find out more about this program, please contact your nearest Human Resources Development Canada office or call 1-800-935-5555.

Internet: www.hrdc-drhc.gc.ca

* Please note that the application deadline for the Northwest Territories and Nunavut is April 6, 2001.



Human Resources / Développement des
Development Canada / ressources humaines Canada

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For more information contact: Anna Lizotte, En'owkin Centre
RR 2, Site 50, Comp 8 / Penticton, BC V2A 6J7

Tel: (250) 493-7181 Fax: 493-5302 Email: enowkin@vip.net

Note: Band funding deadlines March 31. Call about other possibilities.



THE SASKATOON PUBLIC SCHOOL DIVISION NO. 13

Invites applications for

TEACHERS FOR THE 2001-2002 SCHOOL YEAR

It is anticipated that there will be vacancies in all grade levels and subject areas of this K-12 school division. The Saskatoon Public School Division provides a high quality education, through its 2,000 professional and support staff, to 23,000 students in 43 elementary and 8 secondary schools in Saskatoon.

Teachers currently employed by the system as substitute teachers or holding temporary status positions, as well as previous applicants not yet employed, are advised that they are required to submit a new application form every calendar year to ensure their file is complete for regular positions. This should not be confused with separate substitute application forms that are required and available early summer for the following school year. New applicants to the system should obtain an application form and a procedure sheet.

Students and others seeking provincial certification should apply for employment now, anticipating that the certification will be obtained when required. Applications are accepted throughout the year, however to ensure maximum consideration, applications should be obtained and submitted no later than February 16, 2001 to:

Human Resources
Saskatoon Public School Division
405 Third Avenue South, Saskatoon, Saskatchewan S7K 1M7
Phone: (306) 683-8214 • Fax: (306) 683-8207

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LABORATORY INSTRUCTOR Faculty of Engineering

Applications are invited for a tenure track Laboratory Instructor position. The duties of the Laboratory Instructor include laboratory instruction, laboratory development, administration and maintenance of laboratory equipment in support of teaching and research activities of the faculty. The preferred candidates should have the ability and enthusiasm to teach laboratory courses in Petroleum Systems Engineering and the Process Systems area in ISE program as well as to facilitate research activities of the faculty. The successful candidate is expected to play a leadership role in setting up of teaching and research laboratories in support of the above two programs.

Applicants should have a degree in Petroleum/Chemical Engineering, Chemistry or other related disciplines with considerable exposure to research in both academic and industrial environment. Operating and maintenance experience with state-of-the-art teaching and research equipment such as P-V-T cells, core flood apparatus, computer graphics, GC, GC/MS, HPLC, Sulphur Analyzer, etc. is essential. Review of applications will begin on February 15, 2001 and continue until the position is filled. Send application with detailed resume including the names of three references to: Dr. Paitoon (P.T.) Tontiwachwuthikul, P.Eng., Dean, Faculty of Engineering, University of Regina, Regina, Saskatchewan S4S 0A2. Tel. (306) 585-4159, Fax: (306) 585-4556, E-mail: paitoon@uregina.ca. Information about the Faculty of Engineering can be found from our website at: www.uregina.ca/engg/.

In accordance with Canadian Immigration requirements, this advertisement is directed to Canadian citizens and permanent residents. The University of Regina is committed to employment equity.

Clinton rumored to have sacrificed Peltier

(Continued from page 1.)

He said Peltier's lawyers will turn their attention to legal efforts to get his conviction overturned. The first priority will be to seek the release of several thousand FBI documents that have been kept away from the public eye.

"It doesn't look good if we can't come up with something that makes people feel good and it comes to justice. There's no evidence to really prove that this man should be doing the time that he's doing," Dreaver said.

The rumor mill was grinding furiously in the days leading up to Clinton's announcement. It was rumored that Clinton planned to release Peltier, but traded off the activist for a release from prosecution for himself.

"If you want to speculate, it came right down to the last day and, according to rumors, in the evening time [Peltier's] name was on that list and then in the morning of the last day, his name was not on it," Dreaver said. "There was so much resentment and so much lobbying on behalf of the FBI and law enforcement and the levels that they went to. I thought they weren't supposed to be political and I thought they weren't supposed to use the money to take out these political campaigns."

He said there are a lot of cred-

ible people who can't believe the efforts to convince the president to pardon Peltier weren't taken more seriously.

The public relations effort on Peltier's behalf will continue at the international level and within Canada, Dreaver said, adding that he expects the Canadian government to respond to evidence gathered during a recent inquiry conducted by his organization in Toronto.

He called on Justice Minister Anne McLellan to explain how she can continue to defend an internal Justice review that concluded there were no improprieties in the extradition of Peltier from Canada to the U.S. in the 1970s. Myrtle Poor Bear, an extradition witness, claimed she was bullied into signing a false affidavit that the FBI used to convince a Canadian court that Peltier was at the scene of the crime. This resulted in his conviction and sentence of two life terms.

"We've challenged [McLellan's] position very much so. We did in a press conference and everything else with the support of Matthew Coon Come and many others. Yes, we would like to hear a response," Dreaver said. "Leonard was supposed to get a fair trial and you know Amnesty International and many of their



Frank Dreaver

members in Congress believe Leonard didn't get that. Everyone knows all of the holes in this issue."

Dreaver was surprised there was no mainstream news coverage of the decision not to pardon Peltier.

"I was very surprised about that myself and what was covered was covered very lightly. I think there's a lot of shock out there. A lot of great, credible people have studied this and lobbied it and seen it for what it is," he said.

Asked if saw a connection between Clinton's deal and the denial of Peltier's pardon, Dreaver said, "I think Leonard paid the price for it."

Kirkland Lake prepares for fight

(Continued from page 13.)

Johnston attributes the overwhelming support she says she has received on this issue to the public's heightened awareness of water issues as a result of the Walkerton, Ont. water scandal.

"I would say that the public, probably on a scale of seven to three, is appalled at sort of putting garbage into a mine which might leak.

"It was obviously a way of getting the railway fixed up for the North, and I've got a lot of sympathy for those sorts of problems in the North, but I don't see that the people of Toronto should have to come up with a solution to fix those problems." (Ontario Northland may shut down its unprofitable northeastern Ontario rail line.)

The garbage controversy last fall united to an unprecedented degree First Nations, agricultural workers, environmentalists, politicians and many citizens from Toronto to the Arctic watershed to defeat the plan to ship the garbage to what has become a freshwater lake in Algonquin territory.

On Oct. 29, Chief McBride, accompanied by 600 supporters from northeastern Ontario

and Quebec, renamed the lake Mamowedewin, "which means 'coming together,' for that is what has happened in this struggle," she said.

A poll commissioned by Timiskaming-Cochrane MPP David Ramsay showed 77 per cent of the population in his jurisdiction also opposed the project. But when Toronto city council backed off at the last minute the reason they gave was lack of agreement on the issue of who would be responsible for unforeseen costs.

Toronto then signed a five-year contract with Republic Services Inc. of Michigan to ship commercial and industrial waste there. But residential and municipal waste is not part of that deal; the city is still using the Keele Valley landfill, scheduled to close in 2002.

The word now is that Toronto, which said it would expand its recycling programs, has cut a promising pilot composting project. A couple of other garbage pilot projects that had been approved by the previous municipal council were not even started by the works department.

McGuinty has denied he was in Toronto to get the Adams Mine deal back on track, but he said it could happen if the city was interested.

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