

OUR
INDIAN WORLD

"THE CHOICE IS OURS"



\$1.00

JANUARY, 1980

UBCIC

NEWS

EDITORIAL

A little blond-haired freckle-faced kid about nine or ten years old was throwing rock and sticks at a jelly fish close to shore. I watched the kid for a while before I really noticed the look of fear on his face. My companion remarked how kids these days are getting to be so violent. Here was a little kid, obviously from the city, who had never seen a jelly fish before and had never been taught to respect that living thing. "Hey kid," she said, nicely, "the jelly fish won't hurt you, why don't you leave it alone?" But the kid kept trying to kill it.

Sitting in the comfortable chambers of Ft. St. John's city hall, I am reminded of that little kid who feared, and tried to destroy what he didn't know and didn't love. I am here in Ft. St. John to watch yet another hearing, this time about the Alaska Highway Gas Pipeline and the terms and conditions of its construction. Watching the participants and the spectators here in the last few days, it hits me as never before the enormous gap between Indian values and white values: those who know and love our mother earth and those who only use her. Ft. St. John is a red-neck town in the midst of an oil and gas boom. This hearing has a goodly share of red neck racists who simply don't give a shit about what happens to the land or the Indians. Sitting here in the town council's meeting room, I'm not angry, just sad. I remember another incident:

We were on our way back from Saskatchewan and we stopped at a public picnic place for lunch. Next to us were two little old ladies, one with a red wig and the other with a blond wig. They must have been in their seventies and their car licence plates showed they were from Florida. They set out their lunch: ready-made, plastic-wrapped and bottled food and drink, paper plates, paper cups, paper table cloth, paper napkins, plastic knives and forks. And when they were all ready to eat, the plastic taken off their food, the bottles uncorked and poured, their plates full and ready—they sprayed the entire table, their benches, and the earth beneath them, with Raid "House and Garden Bug Killer." My mother, who was about to swallow a fresh sip of tea, gasped, choked, and threw a cloth over my children's food. My father picked up his plate and hid it under his shirt: "You're killing yourselves!" he exclaimed. "Oh, no," the ladies replied, "we're killing the bugs." "That's the stupidest thing I've ever seen," I said.

Up here in Ft. St. John, it becomes very clear to me what we're fighting every time we go up against governments and big business who rape our mother earth time and time again. It is the ignorance and violence of men who lost their love and understanding of living things, too many years ago. And those of us who feel our mother weep, have a responsibility as never before to protect her or she will die of grief.

The Editor

OUR COVER: The children of Halfway Reserve greatly enjoyed the bustle as friends from neighbouring Bands and the UBCIC came to support their community during the Pipeline Terms and Conditions Hearings.

UBCIC NEWS

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Editor: Beth Cuthand

The UBCIC NEWS is the official voice of the Union of British Columbia Indian Chiefs.

It is dedicated to building a strong foundation for Indian Government by providing an awareness of the political and social issues affecting the Indians of British Columbia.

Signed articles and opinions are the views of the individuals concerned and not necessarily those of the UBCIC.

Assistant Editor: Pauline Douglas

Written contributions: Mary Thomas, Frank Isaac, George Manuel, Joyce Bourassa, Violet Birdstone, Darrell Ned, Angela Matilpi, Val Dudoward, Della Wilson, Julie Newman, Derek Wilson, Bess Brown, Darryl Watts, Louise Mandel, Loretta Todd, Maxine Pape, James Harper, Martin Weinstein, Linda Jordan, Barbara Kuhne, John Rogers, Willard Martin, Lillian Basil, Norman Raven, and Robert Manuel.

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Typesetting: Mary Schendlinger and Penny Goldsmith.

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For now, they live with hope.

KOMIASKET, a member of the Okanagan Band

This land belongs to my Chief, and anything that is on top of the earth is his, therefore I tell you that this land is mine, therefore I will not sell it; and I don't want to have my land cut up. You can see that it is from my land that I am good and strong and big.

On December 28, 1979, eight Bands filed a Statement of Claim to recover approximately 13,660 acres of Indian land which had been forcibly cut off from their reserve lands by the McKenna-McBride Royal Commission in 1916. For sixty years, the Bands fought a conspiracy of silence between the Provincial and Federal Governments. Neither could hide the fact that these lands had been cut off without the consent of the Indian people, contrary to the Terms of Union, the BNA Act, the Indian Act and the terms of the McKenna-McBride Agreement itself.

Now the descendants of those Band members who had refused to accept the cut-offs made by the Commission have prepared a Statement of Claim for the Federal Court of Canada. It took about twelve years for them to research their claim and work out the negotiation strategies. Both Governments continued to bicker over ownership and blamed each other for their misdeeds.

The action is brought on their own behalf and on behalf of their Band members by Joe Mathias and Squamish Indian Band; Mary Stump, Alexandria; Arthur Peters, Ohiat; Murray Alexis, Okanagan; George Leighton, Metlakatla; Donald Sankey, Port Simpson; Ron Derrickson, Westbank and Stephen Sampson Jr. and the Chemainus Indian Band.

The action is brought against the Queen, represented by the Department of Indian Affairs. Here is yet

CUT-OFF LANDS DIA CHARGED

This time it's Breach of Trust, Mismanagement, Fraud, Negligence, Improper Purpose and Bad Faith

another case where the Department has to answer to charges of Breach of Trust, Mismanagement, Fraud, Negligence, Improper Purpose and Bad Faith.

SAM PIERRE of the Okanagan Band

This land, it is true, is my parents, and if it was not for my land here, I would not be so good and alive; therefore I cannot sell the land.

The Okanagan Band lost a further 246 acres.

This is all part of the larger issue of Land Claims. Outside of the Treaty areas, we have never surrendered, given away or sold our title to any B.C. lands and resources. When the first governor of the colony of B.C. set aside Indian reserves, he recognised Aboriginal Rights and Bands chose their lands.

The Cut-off Lands issue involves twenty-three Bands and approximately 33,000 acres of Indian lands that were cut off from the reserve lands by the McKenna-McBride Commission. More Bands will be joining the action of the original eight Bands.

The Statement of Claim gives the legal history of approximately 13,660 acres of Indian land and the struggle over these lands: Squamish Band—132 acres, Alexandria—260 acres, Ohiat—588 acres, Okanagan

Band—196 acres, Shoowahtlans—16.63 acres, Port Simpson and Metlakatla—11,662.34 acres, Westbank—896.10 acres and Chemainus Band—109 acres.

FOR 60 YEARS, GOVERNMENTS REFUSED INFORMATION ON CUT-OFFS.

Before 1871, these lands had been set aside as Indian lands by the colony of B.C. B.C. joined Confederation in 1871, and under the Terms of Union and Section 91(24) of the British North Act, the Federal Government had charge and trusteeship of Indian lands.

Almost immediately, differences arose between the two governments about Indian lands.

In 1912, the McKenna-McBride Agreement established a Royal Commission to look into the matter. The Commission had the power to cut off lands from existing reserves—**with the consent of the Indians, as required by the Indian act**—in those cases where they considered the Bands had more land than they needed. The actions of the Royal Commission were subject to approval by both the Federal and Provincial Governments.

INDIANS TRICKED INTO HEARINGS

Between 1913 and 1915, the Commission held hearings with Bands, and several non-Indian groups. By making it clear that no land could be taken from reserves without Band consent, the Commission was able to get the cooperation and participation of Indian people in the hearings.

(continued on page 6)

PRESIDENT'S MESSAGE

The Alaska Highway Gas Pipeline will be the biggest construction project in history. It will cost over \$15 billion to build. For 439 miles it will run through northeast British Columbia; for 105 miles through southeast B.C.

Every one of those miles of pipeline will go through lands used by Indians for hunting, trapping and food gathering. And every mile will bring more disruption to Indian livelihoods.

Meanwhile, with all its billions, pipeline development will bring a dramatic change for all levels of white society in Canada and in the United States. A range of programmes will be developed to make sure this industrialization happens. These will include Manpower training, management of huge flows of capital, feasibility studies for new industry, development of new infrastructure, etc.

Already the energy and construction boom is enriching the lives of the business community around Fort St. John and Fort Nelson. But the real beneficiaries of multi-billion dollar pipeline development will be the New York bankers on Wall Street, the money men in Toronto and Vancouver, and the Energy Corporations that will produce the gas in Alaska, move it south and sell out in the United States.

The Westcoast Transmission Company will build the pipeline in the northeast. It will also own part of the pipeline in the southeast. Their president is E.C. Phillips. In 1979, according to published information, Phillips was paid \$148,088. That's not to mention about \$45 million in profits his company clears every year.

Just compare these figures with the average Indian hunting and trapping income of \$3,000 a year and you'll see what I'm talking about.

Pipeline development will not bring dramatic improvements to the people of the northeast and southeast: it will bring destructive change in terms of Indian land use.

For example, the miles and miles of access roads built in and around the pipeline route will open up new areas to thousands of big-city hunters from Canada, the United States and other countries. Our badly needed wildlife resources, fish and food gathering territories will surely decrease and may even be totally destroyed by southern hunters, fishermen and tourists.

Our country provided wealth to our cultural, social, economic and political institutions before it was invaded



Indians in South America have long been victims of extreme colonialisation and oppression. Now the Indians in northeastern B.C. are fighting their own battle to survive.

and ruled by the Europeans now known as Canadians. There was no rich person or group of persons who had exclusive claim to the ownership of the land. Land was the property of all the Indian people. Those who used it did not do so because it was their property. They used it because they needed it. It was their responsibility to use it carefully and hand it over in *grand condition* for use by *future generations*.

Life was good, strong—our people had pride in the values of our civilization. It was possible for a man to live with his family and relatives because wealth belonged to the family as a whole; every member of a family had the right to use family property. No one used wealth for the purposes of dominating others. This is how we lived as a nation of people. This is how we want to live. This is what we mean when we talk about having our own Indian Governments.

We want to recover and rebuild the Indian lands and institutions that are being systematically stolen from us in blatant acts of genocide by the bankers, the energy corporations, and the Provincial and Federal Governments.

We know our Indian people's traditional land use base is going to be destroyed by the pipeline. We also know that political activity, through acceptable channels, is no longer effective—or is minimal at best. The public relations form of demonstrations has become totally useless. We must examine other alternatives that will ensure co-operation from the corporations and governments who promote the construction of this pipeline.

Yours in struggle,

George Manuel

(from page 4)

Minutes of each hearing were recorded by the Commission but DIA has lost many of the transcripts.

In 1916, the Commissioners recommended that certain lands be cut off from existing reserves. After this report had been received, the DIA agreed that it must, and it intended to, get the consent of the Indian people for the cut-offs. According to the B.C. Government's Indian Affairs Settlement Act of 1919, B.C. agreed to carry on those negotiations with Canada or the Indian people. In 1920, however, the Federal Government passed the British Columbia Indian Lands Settlement Act, which authorized the cut-offs without Indian consent in spite of the Indian Act, and a settlement with the Provincial Government. In 1923 and 1924, each of the governments approved the Royal Commission's report as the final settlement of Indian lands in B.C.

Chief Joseph of Port Simpson Band said:

"We are sorry that we expected to go more fully into the land question with the Commission thinking that they had power to deal with the larger land question, but seeing that they are not empowered to do so, it would be useless... to say more."

yet the McKenna-McBride Commission made four cut-offs totaling over 11,000 acres.

GOVERNMENTS FIGHT OVER INDIAN LANDS

Canada provided no compensation for the lands and has never given formal notice of the cut-offs. Between 1925 and 1966, the Bands were never able to get information on the status of their cut-off lands. Finally, in 1967, the Squamish Band got hold of detailed information about the McKenna-McBride hearings. When representatives of the Squamish Band brought this information to the attention of the

Minister of DIA in 1969, his reaction was that the action of Canada and B.C. in cutting off these lands was "the worst example of improper taking of Indian lands he had ever heard of." He asked that further research and documentation be sent to him as Canada "had an obligation to right this wrong." The B.C. Government was informed that the Squamish Band had a claim to the unused areas of the lands cut from Capilano #5. A meeting was arranged between the three parties in 1970; the Squamish Band was offered 50% of the cut-off land in return for the release of their entire cut-off lands. They refused.

In 1971, the Commissioner of Indian Clams was told to look into the Capilano cut-offs. He recommended Canada start negotiating with the Squamish Band and to leave other claims alone until the Bands presented their own claims. The DIA stated it was going ahead to get the lands cut off from Capilano back from B.C. Nothing happened.

Four years later, representatives from the eight Bands involved in this action agreed to sit on a joint Indian-B.C. Government committee to look into the cut-offs question. They were also asked to make recommendations on what cut-off lands should be returned and what compensation should be made. On September 11, 1975, the Bands were promised, in writing, that the B.C. Government was ready to restore 114 acres, as a symbolic gesture of good faith.

Three months later, the government changed hands. The Bands never received any of the 114 acres, and in fact the Socred Government cut off the joint Indian-B.C. Government hearings into the cut-off lands. They said they first had to get the Federal Government's formal commitment to a settlement and their formal commitment to bear the brunt of compensation. One year later, in March 1977, the Bands were told that three-way negotiations were to be started, to work out how the land would be returned, and what

other land and monies were to be paid to the Bands for a full and final settlement of the cut-offs question. Negotiations started, but neither of the governments was really prepared to deal with their major obligations in satisfying the Bands' cut-off claims.

The eight Bands claim that the actions of the DIA under the British Columbia Indian Lands Settlement Act, were not within its jurisdiction in that they were in breach of Canada's constitutional obligations. They say that the DIA, by its inaction in not informing the people, and in not getting back the land or compensation since 1916, continues to be in breach of its trust. The DIA first failed to get title from B.C. for the land, then failed to protect the rights of Indian people to their lands; failed to protect sub-surface rights, failed to get Indian consent to surrender the lands, failed to ensure any compensation, failed to evaluate the land, failed to keep proper accounts of the transactions, failed to tell the people what had happened until 1960, failed to tell the people of any way recovering land and compensation. When DIA officials finally agreed that lands and compensation should be returned, they didn't do anything about it. The Bands claim that the British Columbia Indian Land Settlement Act of 1920, S3 is null and void regarding the cut-off lands.

Having failed to get any satisfactory action from the governments, the Bands took the issue to Court. They want the Court to restore those cut-off lands and where the land cannot be returned, to order compensation of an amount that will enable each to replace this land; to order compensation for the loss of the use of the lands over the years; interest, damages and costs, and a declaration that the Province should hand over the title, management and control of all these lands to the individual Bands. The Bands are now awaiting the government's response.

Because of a recent court decision, Indians living on reserves in B.C. no longer have to pay the provincial Social Service tax for electricity purchased from B.C. Hydro.

This victory came after Lillian Brown, an Elder of the Skidgate Band on the Queen Charlotte Islands, sued B.C. Hydro and the Attorney General in a class action which challenged the right of B.C. Hydro to charge her a tax on the electricity delivered to her home on the reserve. The action began when she said that Hydro had no right to charge her a \$4.38 sales tax on a \$66.88 bill late in 1976. She brought the case to court on her own behalf and that of all B.C. Indians living on reserves in B.C. Her defence was Section 87 of the Indian Act which states that neither Indians nor Bands have to pay taxes on personal property.

Lillian Brown lost the case in the B.C. Supreme Court, May 3, 1978. However, she appealed the decision to the Court of Appeal and won the case December 4, 1979. In his decision in the B.C. Supreme Court, the judge said that although electricity in a person's own home is a personal property, it isn't the kind suggested in Section 87 of the Indian Act. However, the judge presiding over the appeal court found this decision incorrect. He stated that in this day and age electricity should be considered as personal property and that it should therefore come under the jurisdiction of the Indian Act.

Another argument given was that because the tax had been imposed after the creation of a Provincial Tax Act, Section 87 of the Indian Act should take second position to the provincial legislation. The court decided that the Indian Act should take precedence over provincial law.

Although the case can still be appealed to the Supreme Court, as of press time there had been no move in this direction. Therefore, says a UBCIC lawyer, the decision is now the law of the land. The new law is that Indian people on reserves in the province need not pay the sales tax on their electricity bills.

ELECTRICITY TAX ILLEGAL ON-RESERVE



Lillian Brown won her battle in the courts to prove that B.C. Hydro had no right to charge tax on electricity bills to on-reserve Indians.

George Manuel, President of the UBCIC, said the Union has sent a letter to B.C. Hydro to begin calculating the money it owes them. Hydro said it has passed the letter on to the Attorney General.

Manuel said that if the case isn't appealed, B.C. Indians may take one of two actions. One is that the Union, Districts, Bands or individuals may claim back-taxes from B.C. Hydro, dating back to the 1940s. The other way Indian people may go is to request that the back-taxes be put into a trust fund which would be used for social development of Indians across the province. Manuel added that should the provincial government recognize Aboriginal Rights, the Union would be prepared to drop the claim for back-taxes.

"If the B.C. government refuses to cooperate with us, the other alternative will be to sue it for the illegal taxes they've taken from

Indian people. We'll demand that the courts prosecute the provincial government or impose a fine."

He said the Union would like direction from the Bands on what steps they would like taken. There have been hundreds of phone calls concerning the case, so the Union will be sending information sheets to Bands. By not paying the sales tax on electricity bills, Indians will be lending political support to the case.

B.C. Hydro has stated that because of their system of computers used to calculate bills, the sales tax will still be included in electricity bills. However, they have been instructed not to take action against those refusing to pay the illegal tax.

George Manuel urges all Indian people to send a letter of appreciation to Lillian Brown, c/o the Skidegate Indian Band, Queen Charlotte Islands.

NEWS NEWS NEWS

FORT NELSON GAS AGREEMENT

On January 7, 1980, an agreement was signed by the Federal Indian Affairs Minister and Attorney General of B.C. which gives the Fort Nelson Indian Band half the revenue from natural gas found beneath Fort Nelson's reserve land. This is the first revenue sharing deal of its kind in B.C. and compensates for gas drilled since 1961. The Band has received \$12.5 million to compensate for revenue they should have received twenty years ago and they are expected to earn about \$300,000 a month while their wells continue to produce.

The money will come in handy to pay off old bills and pave the roads on the reserve. Chief George Behn says his priority for the Band is a new water supply system to replace the wells used by thirty five families. The Band also wants to install a new sewage system, build more houses and provide indoor plumbing to the twelve to fifteen houses that don't have it. The Band already owns 30% of Tackama Forest Products in Fort Nelson.

As trustees of Indian land, the DIA now has to get this agreement ratified in Parliament within the next two years.

TAX EXEMPTION THREATENED

Correspondence dated October 12, 1979, between the Secretary of State who is also Chairman of the Cabinet of Native and Social Affairs, the Minister of Indian Affairs and the Minister of National Revenue, shows the Conservatives will not recognize tax exemption for people under the Indian Act, even if that income is earned on reserve. They will eliminate our Aboriginal or Treaty tax exemption rights that we have had under every Federal Government since Confederation. The Conservatives were ready to terminate tax exemption from December 31, 1979.

THE YOUNGEST TRUCKER

Addie Williams from Mt. Currie is the youngest person in Canada to have received her Class 1 driver's license to drive 18 wheeler trucks and buses. She turned 19 on December 23, 1979 and received her license on January 2, 1980. Now she's looking for a job.

Lisa Nelson, Faye Nelson and Elvin Nelson from Mt. Currie also received their Class 1 driver's license. They all took driving lessons at McKinley Driving School in December.

ALASKA OIL: VIA NORTHERN TIER

The All American Northern Tier Tanker/Pipeline proposal priced at \$1.23 billion has been approved by President Jimmy Carter.

The Tier plan involves moving oil by tanker from Alaska down our B.C. coast to Port Angeles, Washington. The process carries on by land-pipeline from Port Angeles to Clearbrook, Minnesota.

Supertankers are already carrying Alaskan oil down the coast to U.S. west coast ports. One change is that tankers now headed to the Panama Canal will come into the Strait of Juan de Fuca and unload oil at Port Angeles. This causes a great risk of an oil spill to our B.C. coastal water and, most importantly, threatens marine life.

SALMON EXCHANGE

Nineteen Indian Bands on Vancouver Island received 30,000 coho, 1,475 chinook and 950 chum salmon from the big Qualicum River salmon enhancement project near Qualicum Beach last year. The Qualicum Band collects the salmon which are not required for brood stock and distributes them to South Vancouver Island Bands. In exchange the Bands forego their traditional rights to fish their own traditional fishing streams.

The spawning channel incubation unit in the rearing channels at the big Qualicum Project produces millions of young salmon every year, and regularly more spawners return to the facilities than are required to produce the next generation. The Indian traditional river, on the other hand, produces smaller numbers of fry and a higher percentage of these natural traditional salmon runs are fished by commercial fishermen. The agreement to use big Qualicum fish in exchange for Indian food fisheries on nearby Indian traditional fishing rivers works to maintain the natural stocks of salmon for commercial fisheries.

LATE FLASH! HEARINGS DON'T STOP PIPELINE

While the north-east Terms and Conditions Hearings continue, Foothills Pipe Lines has announced that it will begin initial work on part of the Alaska Highway natural gas pipeline without regulatory approval for the project. This work in southeastern B.C. and southern Alberta will involve purchase of equipment and obtaining rights-of-way.

In November, 1979 the Federal Court of Canada, Trial Division, came to a Decision in the case of *Baker Lake*. The Inuit people sued the Federal Government and six Canadian and foreign mining companies. They were asking the court for a declaration that they had Aboriginal Title to lands in the Northwest Territories of Canada, including approximately 75,000 square kilometers around the Community of Baker Lake. Certain mining companies joined in the action with governments.

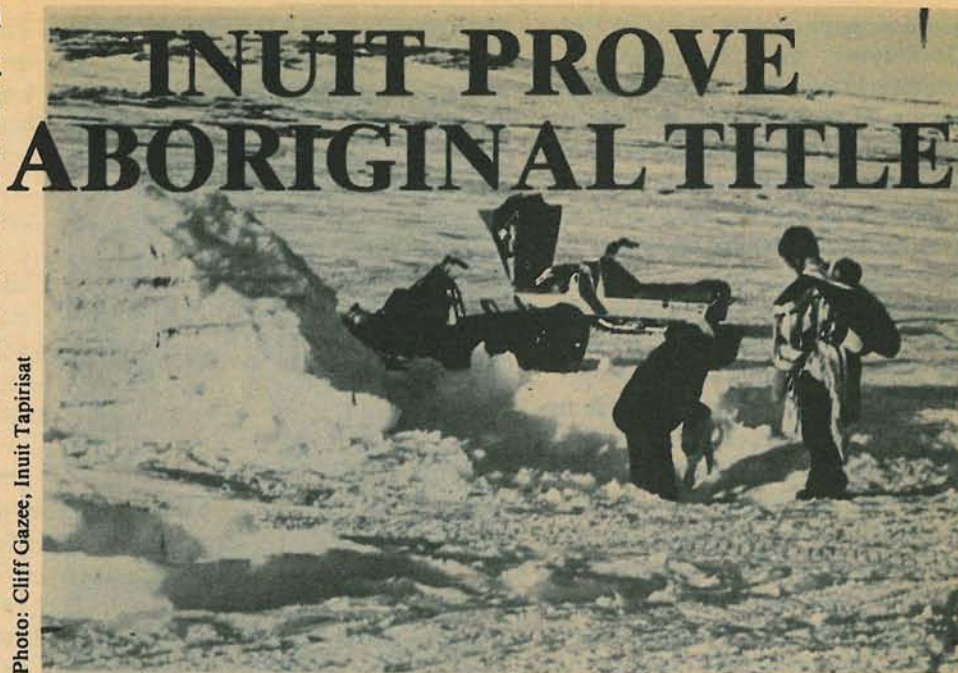
Earlier the Inuit had been successful in getting the court to grant an interim injunction against the Mining exploration: they now brought the action to permanently stop the mining exploration in the Baker Lake area. They claimed that the mining operation was depleting the caribou herd which they relied on for their food.

The Court also had to decide whether or not the Inuit people had Aboriginal Title to the Land. If they did not have any title to the Land then the Court would have no legal basis upon which to grant the injunction.

The Courts have said that in order to establish Aboriginal Title in a Court of Law, the Inuit people must establish that they and their ancestors were members of an organized society. They must establish that they occupied a specific territory over which they assert Aboriginal Title. They must establish that they occupied their territory exclusively and that they were in fact occupying that territory at the time sovereignty was asserted by England.

To prove Aboriginal rights, the Inuit brought to the Court an enormous amount of evidence to establish that they were the original people in the area. They had a particularly difficult time because there was very little archeological evidence: snow houses leave no ruins and... most of their tools and weapons were made of local materials.

Photo: Cliff Gazez, Inuit Tapirisat



Ice-Home on the outskirts of Baker Lake

Old maps, documents, journals and Treaties were admitted in evidence, revealing how non-Indians coming into the area in early settlement times saw the Inuit.

Inuit witnesses recalled life before non-Indian settlement came into the area. Elders told the Court how the Inuit had hunted caribou in small camps of two or three families. They told the Court that the Eskimo people did not claim or recognize exclusive rights over a particular territory. They all used the land for survival and because the land was so harsh

IT'S HARD TO PROVE THE EFFECT OF MINING ON ANIMALS

A very important part of the case involved the Inuit people being able to prove that the mining exploration hurt the caribou herd. The Inuit people put their best witnesses on the stand to establish the stress that the mining operations have caused and they demanded a great helpfulness towards each other. The Court was also told about the caribou. The caribou provided the necessities of life—food and clothing, and shelter in the summer.

The Court was told that the people's entire life centred around the movement of the caribou.

ABORIGINAL RIGHTS TO TERRITORY PROVED

The most crucial findings of the Court were findings that the Inuit people had Aboriginal Rights to their territory. The Federal court sided with the Judgement in the *Calder* Case which recognized Aboriginal Rights and went on to recognize the Aboriginal Rights of the Inuit in the area. The Judge also found that the would cause to the caribou herds. However, scientific knowledge was lacking to conclusively show that the mining operation endangered the species. The court concluded "the harrassments that may arise from mining activity beyond their exploration stage might well be sufficiently sustained to result in behavioural changes detrimental to the hunt. But the evidences simply does not submit a meaningful finding on this point." This finding by the Judge was a crucial one. Because the Court could not say for sure that the herds would be damaged by the Mining exploration, the Courts denied the Inuit their injunction. The Mining companies could continue to explore so long as they did not endanger the herd. At the point when the herds were endangered, and the Inuit could prove it, the Court would look at the

question again.

Government had not passed legislation which extinguished Aboriginal Rights. He concluded "the plaintiffs are entitled to a Declaration that the lands described and used by the Inuit as subject to the Aboriginal Right and Title of the Inuits to hunt and fish thereon."

JUST AS KEEN AS COMPANIES TO PREVENT RECOGNITION OF ABORIGINAL TITLE

It is interesting to notice that in the Baker Lake Case, the Inuit people had to sue the Department of Indian Affairs for the Declaration. In fact, the Government of Canada played a more active role than the mining companies in trying to persuade the Court not to recognize Aboriginal Rights. Before the trial had begun, the Government admitted that the Inuit and their ancestors had occupied and used the Baker Lake area since time immemorial. Once the trial proceeded and the Government saw that the admission was important for the Court to determine Aboriginal Rights, they tried to withdraw that admission at the close of the evidence.

LIMITING ABORIGINAL RIGHTS?

Last week the Mining companies brought an application the the Courts, trying to get the Court to limit the Courts recognition of the Aboriginal Rights. The Mining companies had been given a licence to explore and they were worried that once they found minerals they would not be able to mine because the Inuit people's Aboriginal Title would block that development.

MINING COMPANIES REFUSED "IN" TO INUIT LANDS

They went back to the Court to try and get the Court to say in its order that Indian people had Aboriginal Title "without prejudice to the Mining Companies". The Department of Indian Affairs joined with the Mining companies and asked the Court to even go further and rewrite the part of the Decision where the Judge recognized Aboriginal Rights to say that the Aboriginal Rights were



Photo: Cliff Gazez, Inuit Tapirisat

John Killulark depends on caribou for his family.

without prejudice to the mining companies. Judge Mahoney threw out the application of the Government and the mining company.

TITLE ALONE IS NO PROTECTION

Baker Lake is a clear recognition by the Courts that Aboriginal Title to that area exists. It is important though, to remember that the word "Aboriginal Rights" is a non-Indian legal term. Within the legal system, Aboriginal Rights means simply the right to use the land subject to non-Indian encroachment. Aboriginal Rights, as defined by the non-Indian courts, do not recognize the jurisdiction of Indian people to protect their land against encroachment.

Indian people can use the Court's recognition of their Aboriginal Rights to achieve full Indian Government. The Baker Lake Case is a good example. The Inuit people were successful in actually stopping mining operations for a period of time in the North. They have been given a legal hook by the Courts now which allows them to continue to bring applications to Court to possibly stop the

Mining companies in the future. The Inuit now have something which the Government and the mining companies want very badly and that is the freedom to develop this north mining operation without being hindered by the Inuit. The Inuit might take this opportunity now to sit down at the bargaining table and negotiate full Inuit government in exchange for permitting certain mining to take place in their area without objection. •

JUDGE NARROWS HAINES RULING

On January 16, 1980, two hunting cases were heard before Judge Barnett at the Alexis Creek court. The first case was Raymond Bob's of Anaham. He was charged by conservation wild life officers for shooting moose and grouse out of season without a permit.

The wild life officers were apparently tipped off by a telephone call. They left in their patrol car to investigate. Not long after, they stopped a vehicle with three passengers, one identified as Raymond Bob. In the back the wild life officer noticed a hind quarter of meat and later found six grouse. The officers realizing there was just one quarter of the moose meat asked where the other three quarters were and were told "It's still in the bush."

The conversation took place where Raymond was stopped.

The officers had given him no warning as to what his rights were. A person should be told they don't have to give a statement to an officer, but this was not the case for Raymond. Upon the conclusion of the questioning between Raymond and the wild life officers. The moose meat and grouse were removed from Raymond's possession. The wild life officers told Raymond he could pick up the meat at the office.



Raymond Bob was hunting on reserve: his case is held over while wildlife lawyers figure out the charges.

The wild life officers could have easily cut the small piece of meat they needed for evidence right at the scene but *no*, they used the time Raymond had on that Sunday to get a sworn statement from him.

In the court the UBCIC advisor argued that the wildlife officers had used the promise that Raymond would get his meat back to get his statement on the scene.

There is in existence a new policy regarding hunting regulations which is now somewhat changed from the old one. The old policy was still in use in the Haine's case. It was just recently that the new policy was introduced.

On January 8, 1980 the new policy was explained to eighteen Band councillors in the Williams Lake area.

On January 14, 1980, hunting permits were issued: of the twenty-seven, only one was known to be given in the area of Alexis Creek/Anaham. It seems that this area had been ignored during the giving out of hunting permits.

The Judge asked the officer "The old policy was that nobody in the area was given a permit, is that correct?" The officer replied: "I don't know. I wasn't in the area at the time." But Officer Madley had been stationed in the Alexis Creek area for the past two years.

As it turned out, it was discovered that the moose and grouse had been shot on Indian Land. This was only discovered after Raymond had pointed out on the map the location of the shooting, near Stum Lake.

It was quite evident that Raymond Bob is a hunter and has been one most of his life.

The crown was surprised that the area the moose and grouse were shot on Reserve Land and they asked for more time to study the fact that it was on Indian land and to argue the point. The decision was put over to March 24, 1980 to give the lawyers more time to put their arguments in writing. Oh! by the way the wildlife officers offered to return the six grouse which should have been returned the same time as the moose meat: Raymond Bob had already left.

The second case heard Donald Haller of Nehemiah Valley Reserve. He was charged for shooting moose out of season. On September 13, 1979 wild life officer Madley was on patrol when he came across the camp of Donald Haller where he found a raw bull moose hanging on a rack. He approached a lady, asking the whereabouts of the owner. Donald was

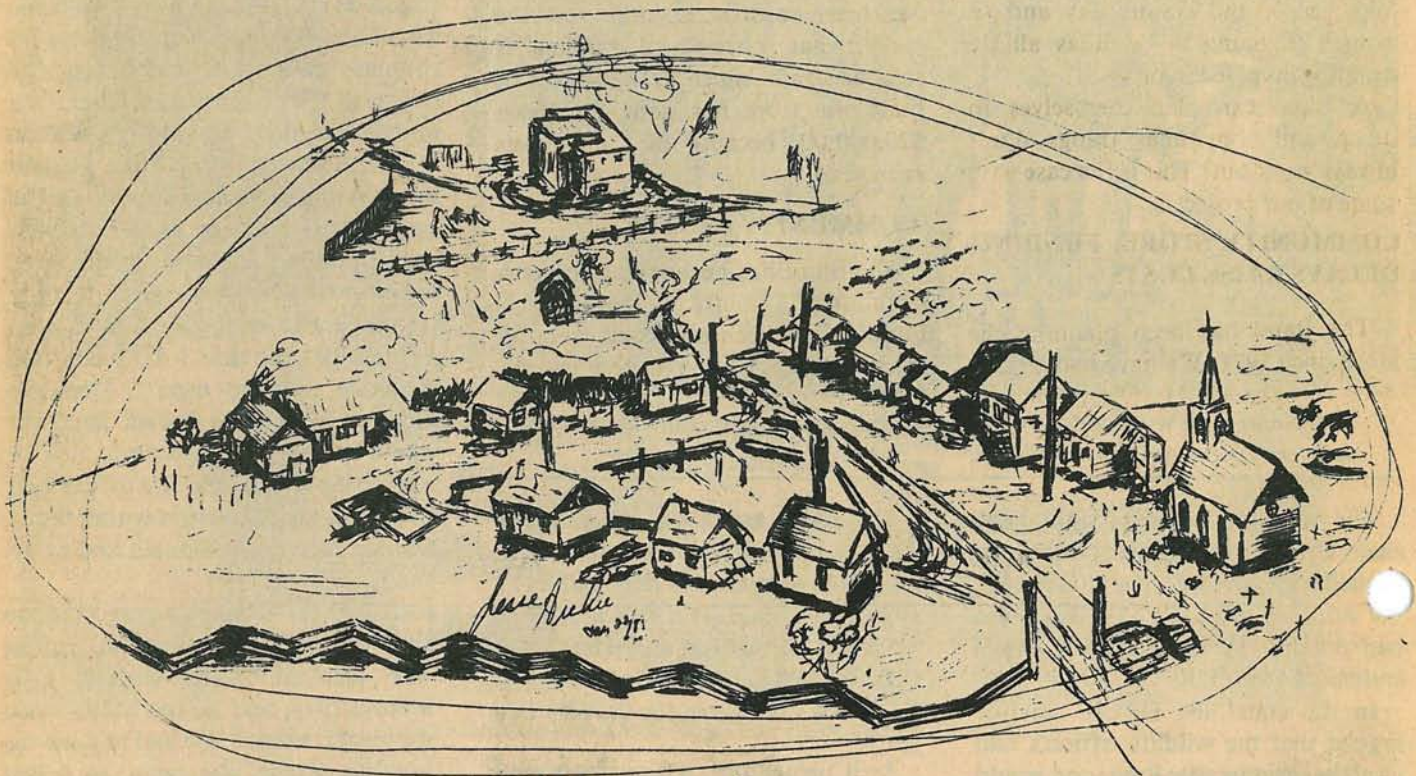
found down the road away with his son chopping wood. Donald was told to come back to his camp with the officers, who then asked where the moose was shot. Donald replied: on the north side of Tsinsh Lake. He had thought it was opening season, and he had shot the moose because of the high price of store beef. Also, at the time, they were in need of the meat. "I only see the time to hunt when I am in need of meat. At the time I did have food available, but no meat." Donald's camp is located on Indian land but where he shot the moose was not on reserve land. The wild life officer had given him the rules and regulations of hunting, a booklet Donald had never

seen before. Donald commented on why he had gone hunting that day he was charged. "My stepfather is around fifty, and he too hunts when the meat is needed. He had told me the hunting season was open, so I just went ahead."

The UBCIC lawyer brought up the Francis Haines case: "Indians have the right to hunt anytime of the year according to the Haines case." Judge Barnett explained the reason of the Haines case saying "The Haines case cannot be used for every situation where an Indian is charged with an offence under the Wild Life Act." In the Haines case he was doing something he has done all his life, and he had the rights to hunt." He goes on to say on Donald Haller's case "The fact is, he says his camp is on Reserve Land but he's charged for possession of moose without a permit off Reserve." The Judge held the fact that Haller thought it was open season was no defence. He was fined \$25.00 •

THE TRIBULATIONS OF CANIM LAKE

by Mary Thomas, Band Planner



Main Village at Canim Lake

The Canim Lake Indian Band consists of 318 people of the Shuswap Nation. The main village is located approximately 20 miles east of 100 Mile House in the Southern Cariboo. During the past few years the Band Council has made great strides to take over the planning and management of our own affairs. The Band Council has placed an emphasis on involving Band members in the programs and services of the Band.

Band members have always been employed by the forest industry in the past. When the sawmills in the area closed, a lot of our Band members

became unemployed. There have been a few logging contractors around our area but these contracts are only short term. Trapping was also important in the past. With conventional logging, a few of the traplines were ruined.

MAKE-WORK PROGRAMS

The Band has had to resort to short term 'make work' programs. A lot of our Band members have lost their pride and self-respect, which has led to social problems such as alcoholism, disinterest, lack of initiative, despair, etc. It appears to

be a dim picture, but our people are slowly pulling ourselves together.

Our major problems are in the areas of economic development, education, housing, recreation and our Indian culture.

BAND CONTROLLED PROJECTS

The Canim Lake Band has clearly stated a long-range goal of making greater our community self-reliance and economic independence through full and meaningful employment in projects controlled by the Band.

To reach this goal the Band has set up the following objectives:

1. Continue and expand our own forestry operation to provide for a total of 80 jobs by 1984;
2. Carry out an integrated resource management program within certain lands close to the reserves;
3. Vary our economic base into other resource related activities.

Our Band plans to go into such economic development as: agriculture, guiding, trail rides and tourist development, co-op store, community centre and community and resource planning, as well as all the training involved in projects.

A Band can plan themselves to death and sometimes things don't always work out! This is the case with some of our projects.

COMMUNITY STORE: FUNDING DELAYS RAISE COSTS

The Band has been planning the store since 1977. We have had serious delays with the funding sources. While we were waiting for a decision from Special Arda, the Canada Works funds ran out. Then because of government policies the Band cannot have a post office in the store.

Our Member of Parliament has been trying to do something about this but now there is delay because of the upcoming elections. Special Arda has stopped funding until we secure the post office or until we can show that the store will be profitable without the post office. First Citizens finally reviewed our application on September 11, 1979 after it was sent to them during the month of October, 1978. The foundation for the store has been constructed and now the project has stopped til funding is secured again. Since 1977 the cost to build the store has gone up about \$20,000.00, because of rising costs each year.

COMMUNITY CENTRE

The Band has been trying to get a community centre since 1974. Funding has been approved from all of the funding sources except the B.C. Recreation Facilities Assistance Program. The working drawings were near completion. B.C. Recreation told us in April 1979 that our application was going before the review board and that we should have



Band control of Education is a critical issue right now.

A Band Planner's headache: juggling several funding proposals to complete one project so that the right money comes through at the right time.



a decision the second week in April 1979. About every week or so we kept in touch with them directly or through our MLA to find out if they had reached a decision.

Finally in December 1979 we received a notice from them that our application was rejected, but they would consider funding a smaller facility. The architect rushed to finish the foundation drawings so the foundation could be complete before the freeze as we have such a short building period when the weather is suitable. Meanwhile the Band hired a cat to excavate for the foundation. Because our application was rejected the Band has gone to a considerable expense for nothing. What are we going to do with a \$5,000.00 hole in the ground? At a previous Band meeting the Band members were all in favour of going ahead with the project. How do you think they feel now? We have to start all over again.



Chief Roy Christopher discusses Band forestry developments that would mean jobs for Band members.

NO WATER FOR SIX MONTHS

The Department had suggested that a 10" well be drilled at the base of the mountain and water pumped up to the lower reservoir (to provide fire protection). Also a relay pump was needed in the village to provide pressure to the Band Office, store, etc. In the meantime the Band was to keep the dam clean twice a week. The pumps and pipes didn't arrive.

The Band houses were out of water most of the time from July to November 1979. The Department had been down and looked at the situation. A project authorization had been approved by District for major repairs to community water systems as required. The water problems were to be rectified in early September 1979.

Our MP said that had he known about our problem he could have taken action. After weeks of consulting with the Department a contract was made with a hydrologist and a well driller. The pump was

installed, the pipes put in place and the Band got water on December 9, 1979.

We will continue to pursue our plans for community self-reliance and economic independence through full and meaningful employment in projects controlled by the Band. Hopefully everything will work out better in the future. The main thing is that we have not given up just because a few challenges were thrown at us.

DIA WAITS FOR WATER CRISIS BEFORE ACTING

The Band has been needing a new dam at our only water source for quite a few years. A design has been awaiting approval from the Water Right Branch for two years now. We have also made requests to our District Office to have studies done on the existing water system and a future water system, whereby our Band could prevent future problems. The Band waited and waited and nothing was done until the problem

became so critical where we were actually out of water and at least half of our population were getting sick from the water sources they had to resort to.

The Band members had to get water from Bridge Creek which is polluted. Serious health dangers in cooking, in the drinking water, housekeeping, bathrooms, and disease (Shégalla) resulted. It was an enormous inconvenience to the handicapped, the sick, the Elders and the children and babies at the reserve. It was an inconvenience to those who rely on garden products for winter food. It resulted in higher living costs because the people had to start buying prepared foods, and bringing their laundry to town. Businesses were affected, such as the medical trailer, foster home (six children), daycare centre, and the Band office. Our new projects were affected, like the new housing and the new school. The Band had no fire protection at all.

UP-DATE

HEALTH INQUIRY

The health problems facing Indian communities such as Alert Bay are not new. The Federal Government is responsible for delivering health care to Indian people in B.C. for many years but tuberculosis is still ten times that of non-Indians. Infant mortality is more than double.

Why do the problems and such terrible figures persist? The people of Alert Bay have finally got funding for an inquiry to study these questions. The UBCIC Health Portfolio will be carrying out an in depth research project into health statistics dating from 1921.

The Kwawkwalth District Council will also be doing their own report on existing health services. Their most accessible data will be presented on the 5th, 6th, and 7th of February, 1980 in Campbell River, B.C.

The Co-ordinator, Ernie Willie, said: "What we want when it comes down to an inquiry is not only to look at what's happening in Alert Bay. What is hoped for is a better delivery of health services generally. Ultimately what I would dream of coming out of the inquiry would be a better appreciation of what health care should be available to our people.

"... We also have to look at the other areas, such as mental health and how people are affected by the environment."

The Alert Bay region will be doing their own community profile report on existing health services available to them.

The first meeting in Campbell River will be to discuss the terms of reference report with appointed commissioner, Dr. Gary Goldthorp, and to lay out the plans for the inquiry. The terms of reference will cover the state of Indian Health in the regions, the root causes of health problems, the development of an Indian health policy in the Province, and the future direction of that policy.

The people of Gold River, Alert Bay, and assessible North Island areas hope to hold inquiries in each of their communities. They want as many people as possible to appear before the inquiry and make their own presentations on health care services.

The Kwawkwalth District Council should be receiving consultation funds through National Health and Welfare for the Health Inquiry. Dr. Goldthorp will hear all the evidence given in the inquiry to determine and prepare a report for the Kwawkwalth District Council.

Letters will be going out to the Bands to give exact dates of the hearings.

LOCAL SERVICES AGREEMENT WORKSHOPS

Since early November, the Union staff assigned to negotiate the Local Services Agreement with DIA have started in our turn to relay all the necessary information to the Bands. We are doing this through workshops.

Various portfolios have also contributed to an information booklet on the LSA which is becoming an item in large demand. We have already conducted with shops with eight Bands and the whole effort seems to be fruitful and timely, giving the Bands a better insight into the Agreement itself.

The whole question of the LSA seems to make Bands feel rather uneasy, mainly because the DIA staff don't seem to have shared information vital to the exercise. Rather they have chosen to threaten Bands into signing an Agreement that would obviously not serve the interests of the Band members. It is also clear that the smaller and supposedly unsophisticated Bands are helped by outside support. However, this is for the individual Band Councils to decide.

The workshops that we have held so far have given us a clear indication of the spirit in which DIA will enter into negotiation any Agreement. Bands are cautioned to be very aware, and deliberate on issues or programs that the Band Council thinks is right.

At the time of publishing we will have held more workshops at Canim Lake, Lytton and Fort St. John. Negotiating the LSA is vital to the process of gaining local self-government and all Bands are urged to exert limitless effort towards getting the best Agreement possible.

BAND TRAINING PROJECT

The Socio-Economic Development Portfolio has undertaken the task of reviewing various studies and recommendations relative to the above. It is proposed that a three phased program would be adopted. Preparations have been made to develop the first phase.

This phase would provide basic management and administrative skills to band organizations. It is anticipated that such training would be a better facility for the maintenance of the newly introduced Local Service Agreement. More detail of the project shall be forwarded to individual Bands shortly.

UP-DATE

FREEDOM OF RELIGION

Charlie Case

Freedom of religion for Indian People is still an unresolved issue in the courts of B.C.

In May, 1978, George Charlie and Anderson Jack, members of the Saanich Band, shot a deer needed for a religious ceremony. The burning was to feed a dead relative. However, the men were charged for hunting out of season. After going to court in Victoria during the summer, the two were found guilty.

On January 24, they were again in court, to appeal the decision to the B.C. Court of Appeal.

The defence again gave two basic arguments—freedom of religion and impairment of Indian status. Because burnings are actual religious rituals, and because religion falls under the realm of the Federal Government, the B.C. Wildlife Act shouldn't apply in this case. A hunting case in Alaska was given as an example: Carlos Frank, an Athabaskan Indian, was charged with hunting out of season. Because the moose he shot was to be used for a funeral potlatch, a religious ceremony, he won the case on the grounds of freedom of religion.

UBCIC lawyers argued that although most provincial laws apply to Indians, this is only so if they don't impair the status or character of Indian people. Because religion is a major part of the Saanich people's lives, in this case, in this case the provincial laws are an impairment and therefore should not apply.

The Crown will make its argument on January 30 in Victoria.

Spotted Lake

A meeting has been set for February 14, 1980 with Bill Vander Zalm in Victoria, B.C. Tribal spokespeople from Spotted Lake will be making their presentations to Vander Zalm to halt the building of a health spa on Spotted Lake.

ANGUS DAVIS CASE

An examination for discovery on the Angus Davis trial will be heard in Vancouver February 11, 1980. The Majestic Wiley Construction Company, acting for Westcoast Transmission Co. Ltd., started the construction of a pipeline in February, 1978, without a permit from the National Energy Board. The pipeline construction ruined the traplines of Angus Davis near the Fort St. John area. Angus and the UBCIC Legal Team took action against the company.

MUSQUEAM

The Musqueam Band are suing the Department of Indian Affairs for breach of trust and mismanagement in their leasing band land on conditions to which the Band had never agreed. The Judge's decision in the case was expected in early January but to date there has been no word.

FISHING CASES:

Ralph George's case was won in Chilliwack court March 13, 1979. Often, Fisheries officers will seize fish under the Fisheries Act and if found guilty, there is no return of the fish. However, even if found not guilty, the judge won't order the return of confiscated fish. This is what happened in Ralph George's case where 68 fish were seized from him. The UBCIC Legal Team on his behalf has started an action against the Federal Fisheries Department, alleging negligence in the case. This will be a test case.

December 16, 1979

McKay Jr. from Lillooet B.C. was charged for unlawful possession of fish. His case has been held over from December 16, 1979 until sometime in March, 1980.

HUNTING CASES:

January 8, 1980

Noeh Shotnanna from the Grasmere Band was charged for possessing an elk on September 26, 1979 near Jaffary B.C. The charges against him were dropped in court January 8, 1980.

February 4, 1980

Peter Gregoir, Josephine Gregoir, John Camoose and Martin Tony were charged with hunting out of season, possession of game and not having a license to carry fire-arms on August 15, 1979 near Vernon B.C. The case will be heard at Vernon.

February 5, 6, 1980

John Alexander, Frank Joseph Robbins, Gabriel Robbins, Arthur Andrew Dick and Louis John Wycott were charged with possession of deer during a closed season on February 9, 1979. The case will be heard at Alkali Lake.

FISHING CHARGES DROPPED FOR HOPE ELDER P.D. PETERS

Peter Dennis Peters, an Elder from the Hope Indian Band, was charged with two counts of fishing contrary to the Federal Fisheries Act. His family needed food, so on a hot day last summer, he went fishing on one of the reserves belonging to the Hope Indian Band along the Fraser River. Fisheries Officers stopped his car on the Katz Indian Reserve, seized the fish and charged P.D. Peters with a fishing offence.

At Court on January 22nd, we heard the Fishing Officers ream off facts to the Court. They told of the fact that Mr. Peters had been stopped on Highway No. 7 near Flood.

They did not seem too concerned when we pointed out in cross-examination that Flood was on Highway No. 1 and not on Highway No. 7. They pointed out Mr. Peters and described that it was he who had been driving the car and who had clearly been fishing on an off day. Prosecutor's case rested.

P.D. Peters took the stand in his own defence. He began telling the Court how he was fishing on that day in order to help his daughter who had broken her leg. In the middle of telling the Court this, he became very emotional. Throughout the Court proceedings, everyone felt how undignified it was and how inhumane that Mr. Peters, an Elder, should have to come to Court and justify why he fished for food on a Reserve in order to feed his family who needed food that day. The Judge understood P.D. Peters' emotion. He adjourned the Court.

But Fisheries still say his fishing was illegal

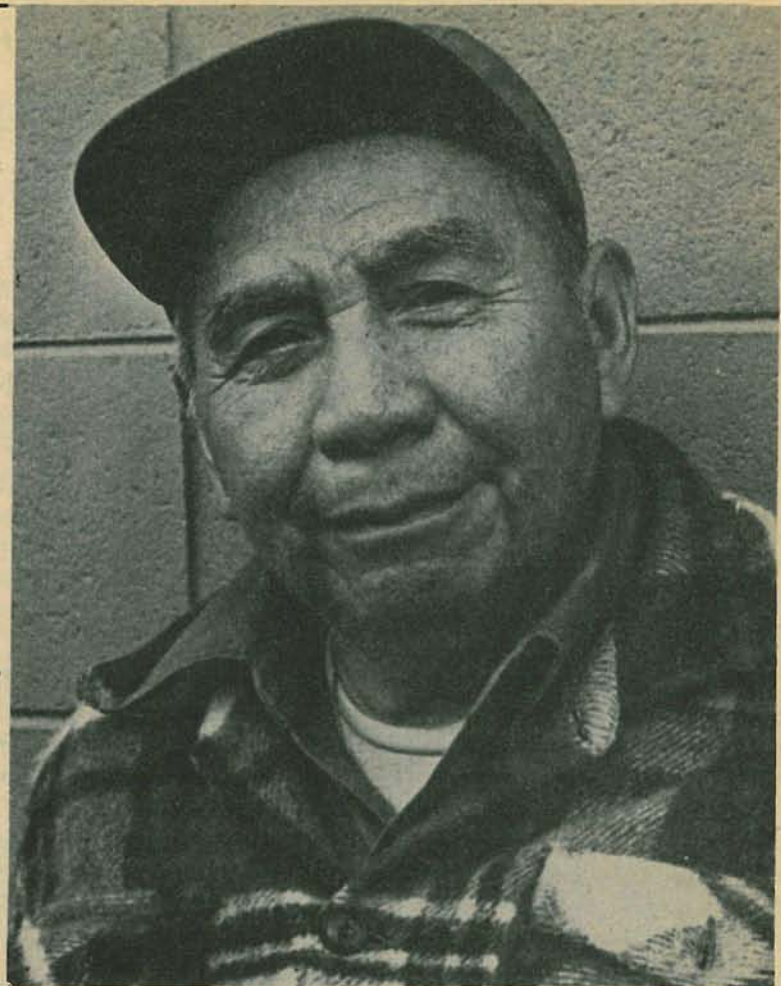


photo: Coqualeetza

The Judge spoke with the lawyer and the Prosecutor privately in his Chambers. He made it quite clear that he felt Fisheries should not press charges under the circumstances. The Prosecutor went to talk to Fisheries and came back and talked to P.D. Peters. He said to Mr. Peters "we are willing to drop the charges this time, if you understand not to break the law in the future." P.D. Peters replied "I am willing to go through with the case today." The Prosecutor then indicated that he would be dropping the charges. A motion was made to the Court to do so. The charges on both counts were dropped.

It seemed interesting that even Judges could not see the justice of bringing certain fishing charges to trial. The practical difficulty though, is that the law still makes illegal the fishing which P.D. Peters did that summer day. As a general rule, the Courts will continue to enforce that law against Indian people.

An example of this problem was revealed the very same day in the Hope Provincial Court. A young boy, Gilbert Ewen, appeared in Court that same day charged with an offence of failing to mark fish. After a trial, the Judge found him guilty and sentenced him to a \$25 fine. Although the fine was a very small amount, it marks the change in punishment which the Courts are now leaning against Indian fishermen. Only last year it was our experience that when an Indian food fisherman was found guilty of a fishing offence, the Courts would give that person a discharge. With a discharge, Indian people would have to pay no fine, nor would they have a criminal record. By the levying of the fine, it appears that the trend in the Court is towards imposing a penalty and establishing criminal records.

The people at Court felt that the Judge was giving to one Indian person that which he took from another Indian person.

THE RIGHT TO GROW UP INDIAN

Since the emergence of the white culture there have been many practices imposed upon our people which have had an innumerable amount of negative effects. One of these has been the practice of allowing our children to be taken away and adopted by non-Indians. By forfeiting a responsibility which should be ours, in allowing Indian children to be removed from Indian communities, we have not only committed a great injustice towards them but we have also served to weaken our own communities as well.

At one time the welfare of a child was the concern of everyone in an Indian community and the rearing of a child was a very important responsibility. The children were the future, they carried on the names, the traditions and the teachings of the Elders so they would continue to grow strong and never die.

In most instances Indian children had many grandparents and numerous aunts and uncles, who were not all related by blood, but related nonetheless by a strong tie or bond. It was through these relationships that a strong foundation of responsibility and trust was formed within each community. It is evident today that these ties and this foundation does not exist in most communities. It is time that we stand up for our children and our future once again by shrugging off the attitudes of carelessness and irresponsibility that has been taught to us. Children who have been removed from their own communities to be raised by non-Indians have been deprived the rights to their own heritages and they have been deprived of their identity as an Indian people. Only after we begin to take back our responsibilities can we begin to build a better future for our children.

Last fall we learned that the Department of Indian Affairs planned to conduct a Child Welfare Study in British Columbia.

We met with DIA at that point and informed them that not only was the study long overdue and necessary but that we expected to be involved in the design and carrying out of the study.

In December we met with DIA and the other Indian organizations and began working out a joint strategy for carrying the study through. We felt that the study is so serious and important to our people that there is no room for politics.

The UBCIC was given the responsibility of hiring a co-ordinator to compile the terms of reference for the study from all the Indian organizations. We are now in the process of hiring the co-ordinator.

One difficulty that still has not been resolved is what role the Provincial Government will play in the Child Welfare Study.

The representative from the Programs Evaluation Branch of the Federal Government felt they should be a full partner in the study. We are worried that the Province may have certain biases which could make the study ineffective. In Ontario, the Provincial Government participated in a similar study and now the Bands have to negotiate the implementation of the study with the Province.

We feel that our goal is to improve child care by strengthening Indian government and its ability to deal with child welfare problems.

The preliminary work that we have done and the study itself will lay the foundation for a definite and comprehensive plan for Indian Government control of child care.

Ultimately these findings will provide the basis for legislation resting jurisdiction for Indian child care with Indian Governments.

At our next meeting in February, the role of the Province in the study will be defined.

During the month of February, the Co-ordinator will be contacting all Provincial Organizations, District Councils, and any Band that informs us they have a high rate of child apprehensions and wants to participate.

Please share your information and ideas with us; the responsibility of our children lies only with us.

ALCOHOL

GOVERNMENT PROGRAM DOESN'T WORK

The National Native Alcohol Abuse Program (NNAAP) has been in existence since 1975 beginning as a three year pilot program to test various approaches to Indian alcohol problems. In 1978 the Treasury Board agreed to extend NNAAP's budget for another three years on condition that it go through an organizational review.

The management counselling firm of Hickling and Johnston was hired for the job. Last July they submitted their report to the government calling for an almost complete reworking of NNAAP to make it a more efficient administrative machine from the government's point of view.

REVIEW LACKS INDIAN INPUT

At the last National Indian Brotherhood PTO Health meeting, the lack of Indian involvement in the review was shown in many of its recommendations. This was especially obvious in the lack of provisions for future Indian involvement, particularly at the decision-making levels. For example, although Hickling and Johnston recognized the need for program staff to be of native ancestry, they did so only as a long range goal; for the short term they recommended that "the importance of native participation in program exists primarily at the point where personnel are in frequent contact with natives. In their description of the Regional Co-ordinators they state that "it is not essential for this individual to be of native ancestry", although it will be this individual's responsibility to co-ordinate, implement, monitor and evaluate all regional programs which will in effect, give him a lot of authority. When you look at the job description you can see that all the major decision-making authority is within National Health and Welfare, and the only opportunity for Indian people to take part in the development of program materials would be through consultation.

NIB INSISTS ON BAND INPUT FIRST

The Health Portfolios did not totally reject the report as it does contain some useful suggestions, such as making the program a permanent feature within NHW, eliminating some of the uncertain nature of project funding. Hickling and Johnston had recommended terminating NNAAP on March 31, 1980, and phasing in their own revised program. NIB has advised NHW to postpone any further action involving NNAAP until all provincial and territorial organizations have the opportunity to study this review and prepare their own recommendations on the future of NNAAP. The deadline for this was given as

March 31, 1980. Over the next two months the Health and Social Development Portfolio will be contacting NNAAP project staff and others involved in alcohol treatment in B.C. for their reactions to the proposed NNAAP changes.

Band input is important to this review, something Hickling and Johnston ignored. If you have any suggestions on the future of NNAAP or questions or requests for research material please send them to the Health and Social Development Portfolio at the UBCIC office.

The Health and Social Development Portfolio feel that the only way the unique cultural and social needs of our people can be represented in the development, co-ordination, implementation and evaluation of an alcohol program is if there is direct Indian involvement and control of the program right from the start. Only under these circumstances can the program be truly successful.

P.C. DISTRUST STALLS TALKS

The National Commission Inquiry on Indian Health was formed in October, 1977. It consists of the N.I.B. Health Co-ordinator and a delegate from each provincial/territorial organization. Support staff include a Doctor as Medical Consultant, and other health researchers from Indian organizations. Monthly meetings are held to investigate the fundamental issues in Indian health, including Indian rights to health care. It is examining the present status of Indian health in the broadest possible context, to include the historical, social and political factors involved in the continuing decline in Indian health. At the October, 1979 meeting, the most important issues discussed were the future of the consultation process between the Indian Communities and the Federal Government, mechanisms for on-going consultation, and use of the funds earmarked for this purpose. The funds included \$475,000 for this fiscal year with \$950,000 per year thereafter.

CONSULTATION MONEY UNCERTAIN

The Conservative Health Minister's office decided an arbitrary third party for the distribution of the consultation money was necessary. The N.I.B., after much discussion, decided on Justice Berger's Commission to submit the recommendations necessary for the distribution or retention of the \$475,000 consultations money for this fiscal year.

Justice Berger had intended to submit his recommendations to the Commission and Minister Crombie's office by mid-January, 1980. To date he has not submitted this document, but he will be meeting with the Health Portfolios in early February, 1980. At this meeting he wants to discuss further recommendations, having had the opportunity to review all the Health Portfolio's proposals. Therefore, it is uncertain at this stage if the \$475,000 is still available for the community health consultations.

EDUCATION

Over the past decade we talked about non-Indian education and their policies and programs, with many of our good people working to make that school system better.

In our meetings over the past year we have been talking about our own ways as Indian people. We have had many of our Elders take part in these meetings. What they have to tell us helps us to be stronger in what we are working towards for our children.

YOUNG PEOPLE: Many of us do not speak our own language. As Able Joe said at a recent meeting:

"We know now that you want to learn to talk in our language, it is not your fault that you can't talk. We thought that the reason young people don't talk out language is because this is part of learning the ways of the non-Indians around us, and Indian language has not part of these ways.

"For each of you young people, don't blame yourself, don't think that you are not an Indian. You were born an Indian, and you will always be an Indian."

Indian language is one of the first parts of our work in preparing for Indian education: this is one of the first things that we want to put into "Indian-controlled schools." There are many cultural centres that have started putting our languages in schools already.

PARENTS

Many of us find it hard to get involved in the education of our children, because we don't know what it is that they are supposed to be learning in school. We know that we are not trained like teachers in the school. We know that we don't like what we see happening to our children, but we don't know what we can do about it.

"These are our children. Our children are Indians. We want more than anything that they will learn our values, so that they will continue the teachings of our people, even after we are gone. Our children cannot learn about these things in school."

Jeanette Bonneau has said, "When we send our children to school we cannot expect them to learn the ways of our people. Where is the wisdom of Indian people in the schools? It isn't there. Just because we send out children to school doesn't mean they are not with us in the evening or the morning and on the week-ends. That is out time. This is the time that they have and we have to give examples of our ways."

These concerns are the ones that we have talked about in our education meetings. Helping our children know why they need an education, an Indian education and formal school education.

What some parents talked about at one of our large Indian education workshops was that we need training

for parents. As a mother from Fraser Lake said,

"We spent many years in the school system. We don't know if we can teach our children in our own ways. Especially if we can't speak our language."

How do we do this? The answer comes from you. It's worth starting by talking to other parents about how they feel. Together you will know who from your reserve can talk about this with you. We think we are all alone, but really we all want the same help.

Indian learning and teaching is full of drama. We learn from stories. In our meetings this is how we talk about Indian education. Everyone tells the story of what is happening in their reserve. Everyone says why they are doing their work. Everyone talks about their own children.

There are many things that we say to each other that are very hard for us. But we have to get these things out to really know where we are going. When we have our Elders at these meetings, they can talk to us in our own language, and that is when we know that we are in the right place, talking with the right people about the right thing.

We can see from our own children that they love everything. They love to learn about everything, they are so open. We can learn from our own children about how to be open and how to learn.

We have a built-in learning system, to un-do a lot of negative things that we picked up. We have some children who are going through some hard times, let's help them, and help each other, and we will begin helping ourselves as well.

NATIONAL INDIAN EDUCATION CONFERENCE

"Indian Control of Indian Education: Practical Applications"

The University Centre
University of Manitoba
Winnipeg, Manitoba*
May 12-15, 1980*

For further information contact:

Your provincial/territorial Indian organizations
or
THE NATIONAL INDIAN BROTHERHOOD
EDUCATION PROGRAM
102 Bank Street
Ottawa, Ontario K1P 5N4
(613) 236-0673

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ALASKA HIGHWAY GAS PIPELINE

SPECIAL SUPPLEMENT



Clarence Apsassin: We did a lot of trapping. What kind of compensation can you give us? Maybe you can give us a few bucks, but that isn't going to support us for the rest of our lives, like the traplines. If the pipeline is going to be put through our traplines, why don't they set a piece of land where nothing would be able to affect us? We want a big piece of hunting area some place where nobody else can get in but us.

Stan Point: Our way of life here is very simple. We live off the land—that means our way of life. We are the original people, we should be respected as the original people. We should have been consulted before this pipeline even existed. How long are Canadians going to patronize the United States at the expense of the Indian people?



Cindy Pierre: When I go hunting with my grandma, we drive for miles and do not see any wild animals to shoot. All we see is fences, trees cut down and "no trespassing" signs, "no hunting" signs, "private property" signs.



Mary Basil: What are my sons going to say when they take a gun to go hunting and there is nothing left to hunt or fish, or to make use of that land in any way? What am I going to tell them and what is the parents of these other children going to tell them?



PIPELINE POLITICS

In the early seventies, it was clear that a pipeline would have to be built to take natural gas from the Beaufort Sea to the United States. The first proposal was to build a pipeline down the Mackenzie Valley in the North West Territories through Alberta to the United States. Very strong protest by the Dene and Inuit of the North imagination and sense of fair play of thousands of ordinary Canadians.

the land. The Mackenzie Valley Pipeline Hearings captured the interest of the southern media and the

The Government accepted Berger's recommendations and killed the pipeline. But for B.C. Indians, it meant a new problem. In September 1977, the governments of Canada and the United States signed an agreement on the construction of the Alaska Highway Gas Pipeline. The new route

The success of the Berger Inquiry in the North West Territories in the name of the Dene and Inuit interests, reinforced by the impact of the West Coast Oil Ports Inquiry here in B.C. made the Federal Government more than a little leery of Inquiries.

Our call for an Independent Judicial Inquiry on September 30, 1977 was met with a lot of opposition by both Governments and by the oil and gas industry. But a preliminary study based on inadequate and out of date data submitted by Foothills Pipeline Company as part of their application to build the B.C. portion of the pipeline, proved the need for a thorough study. At one point in the study, the question of northeast Indian reserves which would be affected by the pipeline construction was raised. An air recognizance was carried out and an Indian reserve which no longer existed was identified and the seven Indian reserves which *did* exist were missed! those people completing the report.

THOROUGH STUDY CLEARLY NEEDED

The interests of the Kootenay Indians of South East were dismissed as irrelevant and of no importance. After all, the area had been impacted by the building an earlier pipeline. Nobody complained then, why should they complain now?

We knew from experience that the word of the Indian people alone would not be listened to and would have little credibility in the neo-colonialist minds of government and big business. We would have to fight them using their own scientific methods of research and investigation. We would have to continually monitor new developments in the oil and gas industry, as well as the political wheeling and dealing taking place between Canada and the United States. And we would have to lobby for funding and an inquiry, continually, in whatever areas of government was open to hear us.

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The people in the northeast couldn't believe that non-Indians didn't believe they really live with the land.

Berger's final report to Government recommended that a new route be found unless land claims were settled in the Northwest Territories and the pipeline's construction could be proven safe for the environment and the people.

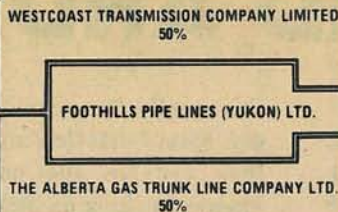
West Territories and by numerous environmental groups, forced the minority Liberal Government to call an independent Judicial Inquiry into the whole issue. It was headed by Justice Tom Berger. He travelled to every major village, town and settlement in the territories and was won over by the obvious sincerity and deep feeling that the Inuit and Dene felt for

would cut right through 439 miles of North East hunting and trapping territory and 105 miles of Kootenay traditional lands.

The position of the North East Slave, Beaver and Cree was firm and decisive: no pipeline until the impacts can be assessed and the people's concerns are heard through an inquiry "like Berger's." In the Southeast, the Kootenays' position was also clear: no pipeline until land claims are settled. The Kootenays supported North East demands for an inquiry, as well as a study of the impact that such a mammoth construction project would have on the land and the people.

THE ALASKA HIGHWAY GAS PIPELINE PROJECT OWNERSHIP

NORTHWEST ALASKAN PIPELINE COMPANY



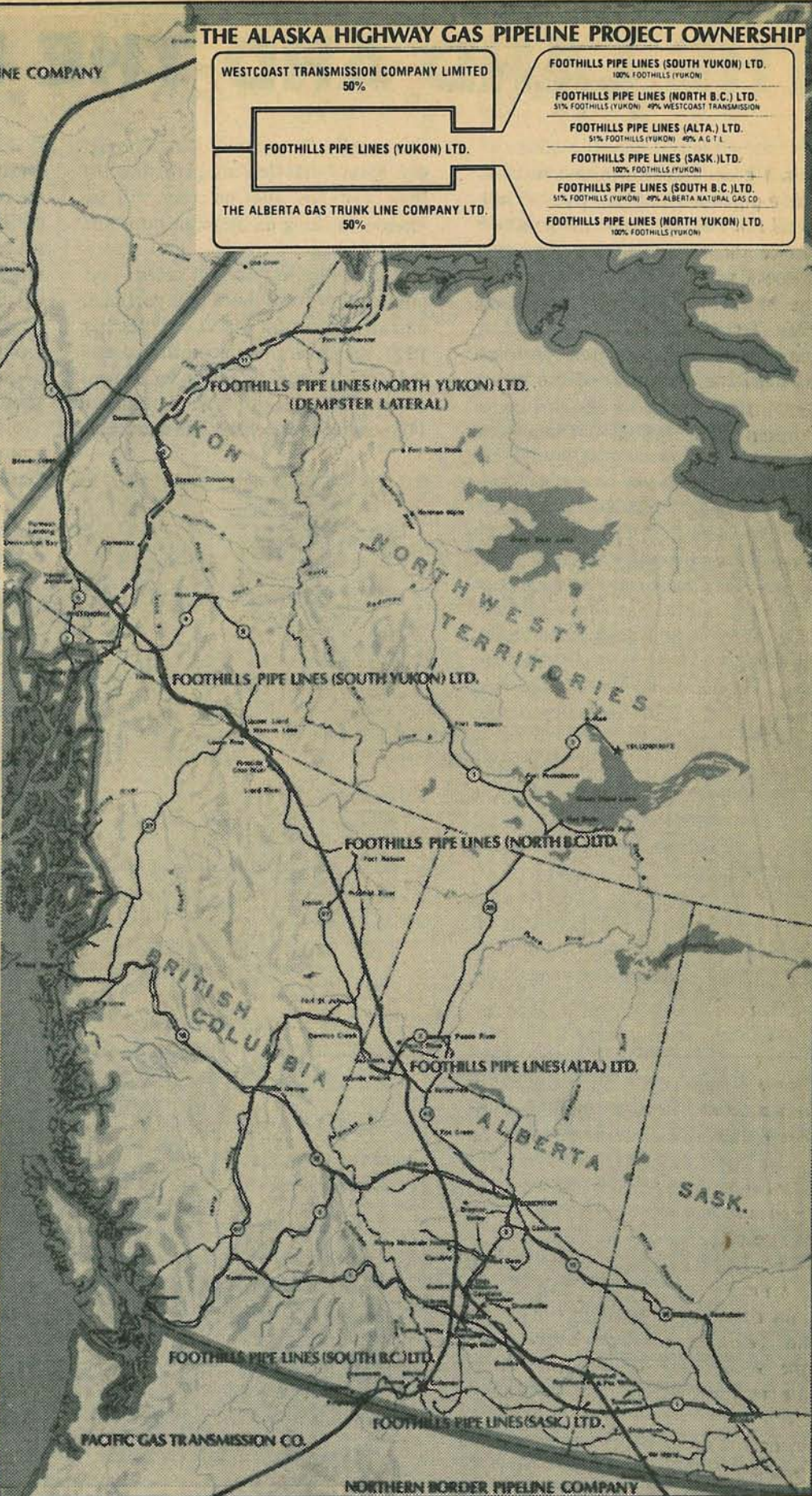
- FOOTHILLS PIPE LINES (SOUTH YUKON) LTD.
100% FOOTHILLS (YUKON)
- FOOTHILLS PIPE LINES (NORTH B.C.) LTD.
51% FOOTHILLS (YUKON) 49% WESTCOAST TRANSMISSION
- FOOTHILLS PIPE LINES (ALTA.) LTD.
51% FOOTHILLS (YUKON) 49% A.G.T.L.
- FOOTHILLS PIPE LINES (SASK.) LTD.
100% FOOTHILLS (YUKON)
- FOOTHILLS PIPE LINES (SOUTH B.C.) LTD.
51% FOOTHILLS (YUKON) 49% ALBERTA NATURAL GAS CO.
- FOOTHILLS PIPE LINES (NORTH YUKON) LTD.
100% FOOTHILLS (YUKON)

In September 1977, the Canadian and American governments officially signed an agreement to co-operate in the construction of the \$10 billion Alaska Highway Gas Pipeline to be finished by 1983.

Foothills Pipelines Ltd., the owners of the line have had problems with its financing. Under the terms of Canada's Northern Pipeline Act, Foothills must have money to build the whole line before they can start construction.

However, Foothills announced in late January they intend to go ahead and build the south-west leg of the line "in a couple of months." The early completion of the "pre-build" would have gas flowing from central Alberta, through Kootenay Territory in S.E. on through the States to California by late 1981. Revenues from the sales of that gas would help finance the rest of the line.

With the financial difficulties as well as American regulatory delays, the starting date for construction of the main line has been pushed farther and farther back. For the moment, construction in the N.E. is scheduled to begin in 1982 for completion by 1984. Completion of the entire line is expected by 1985.



THE LAND AND THE PEOPLE

Slavey, Cree and Beaver Nations of the northeast know their land and it is the foundation of their lives. They hunt to provide meat for their families as their fathers and grandfathers have done before them. They trap to get cash to buy some other food, clothes and gas for the truck if they have one. They keep a few head of horses to get around in the bush.

They hunt in the territory of their Band and they respect its boundary. They know which animals are plentiful and which animals must be left alone for awhile to regenerate. They know where and how to find them because they have been taught since they were babies, the ways of their land. They have a deep and abiding respect for mother earth and they do not cheat her or manipulate her into giving up more of her animals and fish than she allows.

Working for wages is not their favorite way of living but sometimes, in the off season, they take slashing jobs. Sometimes they go guiding for the white people who come to hunt for trophies. Of all the intrusions on their land, sports hunters make them the angriest. But at least when they guide for them, they can make sure the sports hunters don't kill one another with their carelessness and they can direct them to the animal to kill. But when they're out in the bush hunting for their families and they see that sports hunters have been around, they move on to another area of their territory. The sports hunters' intrusion on the land is an insult: like a hard slap on the face, it is an indignity.

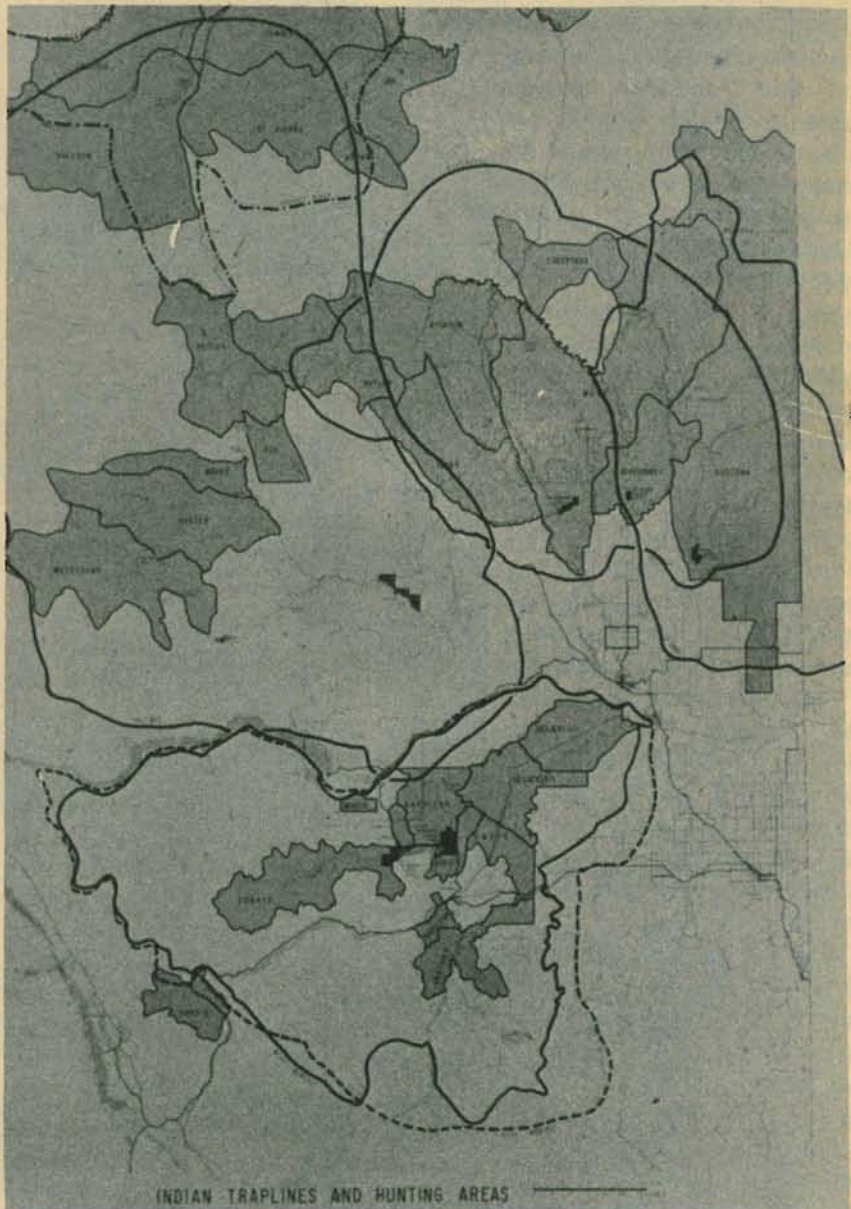
But when they're out in the bush, out of the sight and sound of non-Indian development they have the freedom and the skills to do what they know and love. All the bush knowledge that they have carried on from one generation to another serves

them well. They can enjoy the quiet confidence that they are providing for their families and no one will go hungry, as long as they can hunt and trap in peace.

But to hunt and trap in peace is becoming more and more of a problem. In the recent past it was not uncommon for hunters to go into an area they hadn't hunted for three or four weeks and to find a road punched through to some new development.

It's only been recently due to the efforts of UBCIC legal staff, that developers must give seven days notice if a road is to be built through trapping territory. And every road, seismic cut and pipeline right-of-way has made Indian hunting territory more accessible to sports hunters and more development.

Until recently, most white people in the area had no idea or understanding
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Documenting how they used the land

made the people aware of the power of their land base.

ALIEN INVASIONS

More than a dozen maps covered the walls of the meeting room. Some showed all the land where Indian people have had hunting and trapping territories. Other maps showed how each of those territories had been taken over, first by white settlement, and then by the oil and gas industry, by the forestry companies, access roads and highways.

Altogether, the maps made very clear how every time that happened, the people were forced to move aside, to see their territories shrink and their way of life put under even greater pressure.

The maps prepared by the community mappers to show Indian land use and occupancy reflect an understanding that makes both the people and the land strong and generous and whole.

But there is another story that has to be told about the very same land.



Consultants were hired to document this side of the picture which are shown by dark and black areas on map.

The change of the Indian way of life started with the fur trade. The first of the traders came through in 1793 and eight years later, the first fur-trade posts in the interior were opened, at Fort St. John and Hudson Hope.

As Indian started trading, they had to change their ways of hunting, looking mostly for fur-bearing animals, which resulted in a need of the traders for some of the hunting and trapping tools.

By the 1830's, the once-plentiful northern buffalo were few. Starvation in 1810 and conflicts with traders led to killings in 1812, and in 1821 the decision to shut down remote trading posts, such as Fort St. John and Hudson Hope, led to more killings.

The Hudson Bay posts only opened again when a minor gold rush on the Peace and Parsnip Rivers brought trade in the 1860's. In the 1870's surveyors came to look at possible routes for the Trans-Canada Railway across the Rockies. They sent back glowing reports of great farming country.

GOLD BRINGS PROSPECTORS

The Klondike gold rush in the 1890's brought even more prospectors through the country, each trying to find the fastest way to the Yukon. Many stole from Indian food and equipment caches, and stole Indian horses. This provoked the Fort St. John Indians to push wagons and carts back into the Peace River Valley. Fear of more violence led the Federal Government to bring Treaty 8 to this area. The Indian people understood that this was a peace treaty.

There were hardly any non-Indians in the northeast in 1900, the year the Bands joined Treaty 8. But then came the settlers.

Rail lines spread westward, stretching their tentacles into northern Alberta.

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'IT'S SIMPLE— WE LIVE OFF



Ricky Apsassin has shot a wild chicken, which will provide a good meal. He's in an exploration line, cut out by oil and gas companies.



Moose-meat is a staple food in the north-east.



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of the extent that Indian people used the land. They had never seen the way they live. The common attitude of the whites has been that Indians are "Saturday trappers" and hunt "for fun."

A SIMPLE TRUTH: THE PIPELINE WOULD DO HARM TO THE LAND

When northeast Indians learned that white governments had decided to build the Alaska Highway Gas Pipeline directly through their territories, they protested. They told the governments a simple honest truth: this development would do great, irreparable, harm to the land, the animals and the people. **IT WOULD BE THE DEATH BLOW ON THEIR WAY OF LIFE.** But nobody believed them and they found that hard to comprehend. Living with the earth makes you honest, so much so that's it's very hard to understand dishonesty.

If their word alone was not enough, how could they get through to the white government? It was decided that the only way to prove the importance of the land to their way of life was to explain it to white people in terms and language they were capable of understanding. Northeast leadership decided to go along with the UBCIC suggestion that a scientific study be done. The Land Use and Occupancy Study began in July 1978 headed by two non-Indian anthropologists who had previous experience in that type of study.

The general feeling amongst the people was: "This is bullshit but if it's the only way we can prove to the white government that we live on the land, we'll go along with it." Needless to say, it was tough going at first. The people had a hard time talking about things that were obvious to them. How can something you do every day, that everybody in your community knows about, be so important that it has to be written down on paper and drawn out on maps?

The study lasted eighteen months and somewhere in those eighteen months the people came to the realization that they had power. They say it was when they saw the enormous bulk of information the anthropologists had gathered together and interpreted into white terms that it became clear they had a powerful base on which to fight.

N.E. BANDS ARE RECOGNIZING ECONOMIC POWER

That power has given them hope, and more interest in their own government. Where once DIA had a stranglehold over N.E. Band councils, four Bands out of seven have taken control of their Band funds and a fifth Band is trying to do so. They realize that they have the power to govern themselves. Now what they need to decide is what things to take over from DIA and how to go about it. People who would never have run for chief before have done so and been elected.

The fact that they were also successful in getting the government to agree to hold community hearings on the Terms and Conditions for the construction of the Alaska Highway Gas Pipeline, further reinforced their power base. The community hearings were held in late October through November in all seven reserves and what the people told Chairman Ralph Mair, the members of the Northern Pipeline Agency, and the oil and gas companies who have an interest in the Pipeline, amounts to a stack of books three feet high.

The results of the Land Use and Occupancy Study were presented in mid-December at the summary hearings... but the sum total of all the information given through the community hearings and the summary hearings didn't come close to fully describing the intricate and efficient systems of land use that the Indians of the northeast have developed over the centuries. But they feel

that more white people appreciate the fact that they live off the land and that their way of life continues to live even under the heavy pressure of development.

Since the hearings, there has been increased pressure on the people to take wage labour. While some have taken this type of work, others who worked full time in wage employment have gone back to the bush to hunt and trap. More education dollars have become available to the Bands and more contracts for slashing etc. have been offered. The old Colonialist trick of: "if you can't destroy them, buy them off" is alive and well in the N.E.

The last twenty years has seen a dramatic increase in non-Indian development projects throughout Indian territories. In the past the way the people coped with these intrusions on their lands was to move out of the way, further into the bush.

SURVIVAL DEPENDS ON WHAT LAND THEY CAN HOLD

The events of the past two years, have made it very clear to the Beaver, Cree and Slavey Nations of the northeast, that their survival as Indian people depends on what land they can save from development. They can't move out of the way. They can't become assimilated into white society through wage employment. They have no choice but to fight the biggest construction in the world, financed and urgently desired by one of its most powerful nations.

In his submission before the summary hearings, George Manuel looked the Chairman in the eye and said:

"Can we get justice as Indian people? Is there such a thing as justice for us?"

The events of the next two or three years will tell the Indian hunters and trappers of the northeast if justice exists for them. For now, they live with hope.

from p. 25

In exchange for the building of the trans-continental railway, the province gave the Federal Government 3,500,000 acres of farmland, the Peace River Block, which was opened for settlement.

To the Beavers and the Cree the northeast was home. To the settlers, it was some of the best agricultural land in Canada, not even touched.

AGRICULTURE ATTRACTS SETTLERS

The first wave came in 1912. At that time, the area was under the exclusive control of the federal government. Land was made available to single men and male family heads for \$10 a quarter-section.

Promises of rail connection from Alberta brought a second wave of settlers in 1916.

In the early part of the century, the northeast Indians suffered from times of starvation because the game was scarce. This was followed by a tragic epidemic of measles in 1910 that killed one out of every three Beaver Indians, and then there was the influenza epidemic in 1918.

After World War I, the Soldiers' Settlement Board helped to set up returning veterans on farms in the Peace River. This, combined with new railways, brought the first major wave of farmers.

The late 1920's saw the price of furs go sky-high, with many of the settlers and prospectors earning their cash through trapping. Fur-bearing animals became scarce and caused the Provincial Government to register exclusive-use traplines in 1926. During this registration many of the traditional trapping areas of the Indian people were officially lost as they were grabbed by white trappers. In many cases, the Indians had none, or very small legitimate trapping areas until the mid-1930's.

By 1930, large areas of the south Peace country were under the plough. Farmers were moving up the river valleys, penetrating Indian territory ever deeper.

In the midst of all this, not before, Indian people were allocated reserves.

Still, they moved around the country, following the game. But the squeeze was on. They knew it.

With the settlers came the first roads, linking settlement centers with each other and with the railway.

In 1931 the railway connection to Dawson Creek from Alberta brought another wave of settlers.

Agriculture was becoming a way of life for non-Indians. And the roads were pushing farther out, as more and more land was taken up.

But no road ever brought with it anything like what followed the Alaska Highway. The Highway was built during World War II. Then, it was thought a military necessity

Much of the Highway was pushed through land where settlers had yet to go. Following the war, there was another major wave of homesteaders into the region. At this time, the 18,000 acre Reserve of the Fort St. John Indian Band was sold by Indian Affairs for the returning veterans. In return, the Band received 613 acres of land, divided into three reserves.

OIL AND GAS BOOM BEGINS

For some time, the oil companies had suspected oil and gas could be found beneath the Peace River area in B.C. In 1950 these suspicions turned into discoveries. The oil and gas boom was on.

In 1952, the highway between Prince George and Dawson Creek was finished, providing a direct road to the rest of B.C. for the petroleum crews.

In 1958, Canada's first major natural gas pipeline was built by Westcoast Transmission to carry northeast gas to the US border. Pipelines were laid all across the land, hooking up commercial oil and gas wells with markets in the south. Trappers would come back to their

lines after a year away only to find a new road punched through. They'd find a drilling rig at the end of it. Every new drilling rig meant another new road. And every new road meant more sports hunters making their way through the bush collecting trophies.

The oil and gas boom is still going. In fact, now it's stronger than ever: over 600 wells drilled in a year. It keeps the northeast going. It means hundreds of millions of dollars to the people and the governments involved.

Then, in 1961, the building of the WAC Bennett Dam on the Peace River was started. In 1968, the Upper Peace, Parsnip and Finlay River Valleys lay under the largest lake in B.C. By 1975, this dam was producing nearly one-third of B.C.'s electricity.

LOGGING COMPANIES MOVE IN

The last 12 years have brought a new pressure on the people in the northeast: logging. Since 1968, the volume of timber cut has increased more than 250%. In some areas, it's even higher than that.

Logging companies have targeted areas where they'll be taking timber in the next several years. Again, that will mean new roads into areas that before were without access for vehicles.

The last ten years has seen the population of Fort St. John double to 15,000 and the area has become the major resource base for B.C. It means Indian hunters and trappers are being pushed harder and harder every year.

You can see the process of development. Wave after wave after wave. In the northeast, it's pretty new yet. For other parts of the province, it's what Indian people have experienced for a long time.

The process continues.

But it doesn't stop there.

"The impact is on the total hunting, trapping, fishing and gathering areas," George Manuel told the pipeline hearings. "It is the Indian way of life and cultural survival that is impacted."

"When you corner a grizzly bear against a rock, you have a fight on your hands," Manuel said. "And I think the Indian people have been backed into that corner."

(from page 22)

In February 1978, a delegation of chiefs from the two areas went to Ottawa and appeared before the Special Senate Committee set up to consider Bill 25 regulating the building of the pipeline in Canada. The Chiefs wanted the Bill set aside until an inquiry could take place and the voices of the people heard.

Despite their reasoned and eloquent presentation, Bill C-25 was passed one month later by the House of Commons and the Senate. The Bill created the Northern Pipeline Agency to oversee the planning and construction of the Pipeline in Canada. The Agency was given unprecedented powers so that the \$10 billion pipeline could "go forward without further delay."



They know which animals are plentiful and which must be left alone for a while to regenerate.

At the UBCIC General Assembly that April, we were given the mandate to continue to oppose this project, until we had enough time and funding to do the necessary research to protect our communities from all possible negative impacts. The Union was also instructed to continue to lobby for an independent public inquiry into the socio-economic impact of the pipeline on our people.

The Bands and the Union had to struggle and lobby for the funding submission every step of the way. We opposed the Government's plan to hold brief public hearings on their Terms and Conditions. The Northern Pipeline Agency has drafted these terms and conditions without any proper consultation with the Indian people. Our demand for participation in pipeline discussions was finally successful. In July 1978, we also signed an official agreement with the Federal government to enable the UBCIC to start our impact research and Occupancy Study, to be done by two anthropologists with previous experience in this kind of research.

We began immediately because the Bands had already worked a detailed

plan on the Land Use and Occupancy Study with us. It was a difficult project because most Indian people in the northeast still live very much in their traditional lifestyle in terms of their reliance on the resources of the land: they could not readily discuss their reliance on the land because they lived it.

The research was very intensive and took hours and hours of discussion

between the Chiefs, the people and the research team about the historic and present day land use for hunting, fishing, trapping, and other aspects of each Band's traditional economy. Mapper interviews from the communities were trained to help the research team. The added an in-depth study of the areas of cultural importance and what the land means to their people. An overview of the non-Indian use of resources was prepared to assess how their potential land use conflicts with Indian utilization of lands and resources.

HEARING ABOUT THE LAND

Bill Mair, Chairman of the Hearings, assured people that the hearings would be to listen to their concerns.

Although we did not get an independent inquiry, we were successful in pressuring the Agency to appoint an independent Chairman. At first they thought everything could be dealt with at the general public meetings, but the Bands demanded hearings in their own communities. The Agency finally agreed, and also arranged to have a hearing in the Kootenays which they hadn't considered up to then.

The Alaska Highway Pipeline Terms and Conditions Hearings were held in November and December.

In every community the Elders and young people spoke their minds with pride and strength.

They tried to make the Chairman understand what they felt about the land and understand how the ways of living and the land should be protected from that kind of experience if the people were going to survive.

On December 13, 14, and 15, the summary hearings of the Terms and Conditions for the building of the Alaska Highway Gas Pipeline were held in the council chamber of Fort St. John's city hall. The purpose of the hearing for the Union of B.C. Indian Chiefs was to sum up the evidence presented through the community hearings and to present technical and scientific information to back up the testimony of North East Slave, Beaver and Cree.

A JUST AND PEACEFUL SOLUTION

There is a serious conflict between the white man's world and the Indian world. A serious conflict. While non-Indians dramatise hunting and fishing as the primitive pastime of primitive people, they spend thousands of dollars and travel hundreds and sometimes thousands of miles to hunt moose and other trophies. Hunting has become a privileged society's relaxation.

It is the basis of the Indian economy and the survival of a valuable but dangerously threatened way of life. In the past, Indian people have coped with development by moving away from it. Logging, agricultural settlement, oil and gas and other forms of development in the northeast, have left the people no place to move on. When you corner a grizzly bear, you have a fight on your hands. The Beaver, Slavey and Cree of

the northeast have been backed into that corner.

The construction of the world's largest pipeline through Indian hunting and trapping territories will be the final blow which will kill forever the Indian way of life. It will be an act of genocide.

If the construction of the Alaska Highway Gas Pipeline is to go ahead, the federal government and the oil and gas industry must come to terms with this shocking reality and take immediate and positive steps *before* construction begins to ensure it doesn't happen. The following demands were placed before Independent Chairman Ralph Mair of the Northern Pipeline Agency's Terms and Conditions hearings on December 14, 1979 by George Manuel, president of the Union of B.C. Indian Chiefs:

-
- The right of Indian governments to exercise authority and control over their lands and resources must be entrenched in the law of Canada.
-
- Guaranteed hunting, trapping, fishing and food gathering territories must be set aside for control and management under the authority of Indian governments (Bands) in the N.E.
-
- Indian governments must be given equal third party participant status in any Federal/ Provincial agreements which affect Indian people.
-
- Indian Governments must have the central authority to control and implement programs to deal with the social upheaval caused by the Alaska Gas Pipeline.
-
- the route of the pipeline must be changed and a new one chosen on the basis of Indian land use and the social impact on Indian people.
-
- Lands, chosen by Indian governments and capable of being turned into *Indian reserve lands*, must be purchased by Foothills Pipeline Ltd., to compensate Indian people for the negative impacts on their way of life.



Robert Dominique: [in his own language]: I've got a lot of grandchildren and I worry about them, and so I want tribal land to go unaffected and the pipeline, to go somewhere else. Why not go close to Fort Saint John, why through Doig? I'm really worried about the pipeline. If the pipeline goes through, it's going to affect all my traplines, hunting, and I've got to go a long way for moose hunting and deer. All the animals will go farther north.



Chief Gerry Attachie: The pipeline will affect all our animals, like deer. Some years ago, take about fifteen years ago, we could go about a mile out of this Reserve, a couple of miles, and get a moose. But since the last few years, we have to go eight, ten miles.

Amy Gauthier: We are going to be here for another hundred years and just everything is going down the drain. We used to live so happy, go out hunting but we have got a trapline that has already been ruined by your pipelines.



Terry Brown: We are an oppressed nation—we are the aboriginal people of this country, and we have never participated in any decision-making.

Terry Elaine Carlick: We don't think the pipeline should go across the river because it might break open, leak and pollute the water for fishing and drinking.



Nora Apsassin: [in her language]: In the winter time we used to use dog teams, no matter how cold it was, and sometimes be gone for five days. We used to have a real good life a long time ago, before the white man came.



“Can we hope for Justice as Indian People? Is there such a thing as Justice for Indian People?”

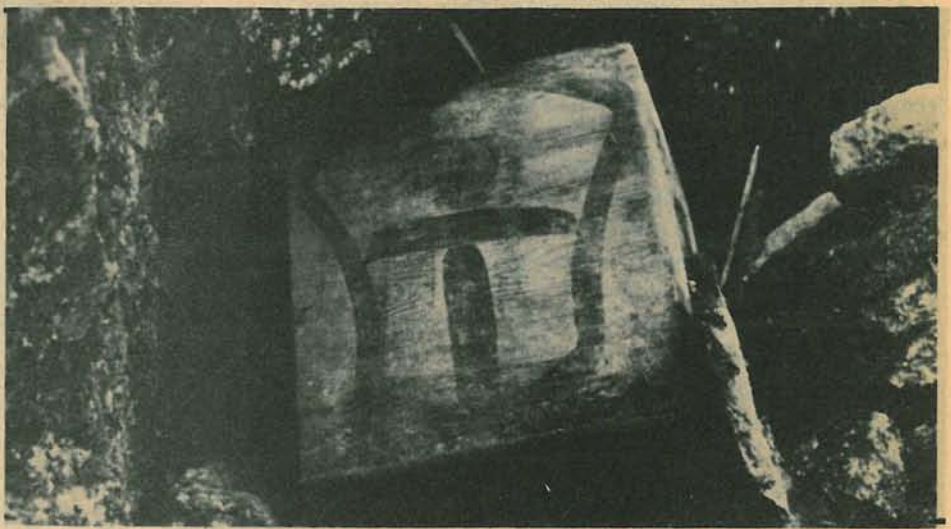
BURIAL GROUNDS ARE SACRED



A long-time bitter issue among Indian people is grave-robbing. There have been many instances in the past in which sacred burial grounds have been dug up without permission, the remains of our ancestors scattered, and their belongings stolen, either for personal greed or for "reasons of science," to be stored in drawers or behind glass cases in museums. For whatever reason, this amounts to theft, desecration of our sacred grounds, and a complete disregard for our way of life and our beliefs. Many Indian people wonder what the reaction would be if we decided to dig up some of the graves of our caucasian brothers and sisters, so that we could study them and their way of life.

This issue has now surfaced in the Bella Coola area, and the Band Council is taking an unrelenting stand against this type of invasion.

Bella Coola's Band Council has said "no" to a request from Crown Zellerbach Co. to remove coffins



Bella Coola Elders want to protect their burial grounds from logging operations.

from the sacred burial grounds at Hole in the Wall on the northeast corner of King Island. Crown Zellerbach's plan is to log out the valley, and that will mean the destruction of burial grounds.

However, Edward Moody, a band councillor speaking for the Bella Coola people, says, "We've seen the desecration of Indian burial grounds in other areas in the past, and we certainly aren't about to give our permission for any further desecration in our own area."

Even though the Band Council is saying no, some of the coffins are reportedly missing from the burial

grounds, and the Council is anxious to protect what is left.

The Band Council points to two pieces of legislation, the Heritage Conservation Act and the Environmental Protection Act, as being supportive of their stand.

Another reason for the Council's opposition to the paper company's request is that until just settlement of land claims involving the Nuxhalk Nation is reached, the Council wants no more logging action on their land.

The Elders, too, say that these burial grounds must be protected at all costs, in order to abide by the laws of the Nuxhalk Nation.

FOR INDIAN GOVERNMENT AT HOME

Dear Mr. President:

The Indian Government Portfolio for the past three years, has been my whole life. I believed in it when I began my involvement and I continue to hold that firm belief. In my opinion, there is no other way to go. The only other alternative to an Indian Government is a corporation, which is absolutely out of the question as far as I am concerned. We have all the essential basics for the development of strong Indian Government, including a land base, resource base and our Chiefs and Councils as governing authority. Though these ingredients need expanding and enhancing, they still remain the foundation on which to build.

For the past three years, the primary focus of the Indian Government Portfolio has been to try to get this point across and to develop amongst our people, and especially among our leaders, an understanding of the concept and philosophy of Indian Government. This work was to establish a focus for all our work whether it be at the Band or Provincial level. And at the same time ensure we maintained a common direction whether we were dealing with land claims, Aboriginal rights, Constitutional, Indian Act, or DIA Program Questions. Indian Government, over the past three years has evolved to provide us with a framework to deal with all matters that affect our lives. In my view, the first phase in our work has been completed, whereby Indian Government has become a real concept in the minds of our leaders.

We are now in the second phase which is to build Indian Government from a concept into a practical reality. This will mean examining the components of our Indian Government Position and developing a detailed implementation plan for each within. What comes to mind are such things as a Constitution,

specific laws covering specific areas of jurisdiction, and detailed strategies on how to implement our position.

Another major area that has come to light because of my own personal experience is the need to mobilize our people, especially our young. I am convinced there is no time to waste. We must take immediate, definite and deliberate steps to overcome the confusion and frustration that push our young to alcohol, drugs and suicide. We must give them something strong and positive to relate to and ensure they are fully involved in the construction of our Indian Governments.

The past five months have seen me concentrating on

organizing the young people in our community and surrounding communities. As a result, I see faith and hope being restored to their very young minds and a belief emerging that may be there is a place in this world for each one of them. The work I have begun here is at a very critical stage and the results could be devastating if left at this time.

It is for these reasons that I submit my resignation to the UBCIC as the head of the Indian Government Portfolio and give my full confidence and support to whomever shall assume the challenging responsibility of leading the work in Indian Government. I will, of

course, be available to the Union, to my successor in the Indian Government Portfolio and to all Indian people and member Bands of the Union, to provide whatever assistance I am able. I look forward to working with you, our staff and all our Indian Governments toward building our dream into concrete reality for our future generations.

Yours in love and brotherhood,
Chief Robert Manuel



AT HOME BY-LAWS ARE PART OF THE PROCESS

One aspect of the workings of our Indian Governments (Band Councils) that has been relatively little-used up to now is the Band By-law.

Under Section 81 of the Indian Act, provisions have been made under which Band councils may implement By-laws for the overall betterment of the Band. According to the Act, the By-laws may not be "inconsistent with this Act or any other regulations made by the Governor-in-Council or the Minister..." These By-laws may concern many aspects of everyday life on reserves—traffic regulations, trespassing, maintenance of roads, pollution, protection of wildlife, and others.

To have a By-law become law, the Band has to follow certain steps. These are laid out within the Indian Act as well. The Band Council must pass the By-law and either the Council or the Chief must send a copy to the Minister of Indian Affairs within four days after it is passed. Once these steps have been carried through, the responsibility falls on the Minister. If the Minister does not disallow the By-law within 40 days after it has been sent by the Band, it is registered and becomes law. Unless it clashes with an already present law or regulation, the Minister must have extremely "good reason" for disallowing the Band By-law to be registered into law.

The Band is then free to pass some type enforcement for the By-law. However, the power of existing By-laws is vague. To date, no Band By-laws have been contested in the courts of Canada.

Although there are probably more than eighty Band By-laws in existence in B.C., most have been sitting in file cabinets and never practiced. However, during the past few years, Bands have begun to pass more By-laws with intentions of enforcing them.

The Mowachaht Band has recently passed a pollution By-law to protect the health of its residents. The By-law regulates pollution levels allowable by the Tahsis Company pulp mill situated near the reserve. It also regulates noise levels and disposal of waste by residents, leasors and industries other than the Tahsis Co. Failure to comply with the By-law will result in a \$100 fine or 30 days in jail for each day the crime is committed.

The Squamish Band has passed a By-law to provide for the preservation, protection and management of fish on its

reserve. The Nicola and Bella Coola Bands and the Tahltan Tribal Council have passed similar By-laws.

The Songhees Band has a By-law to cover mobile home parks or subdivisions on its land.

The St. Mary's Band has passed a By-law to deal with the trespassing of railway operations on the reserve.

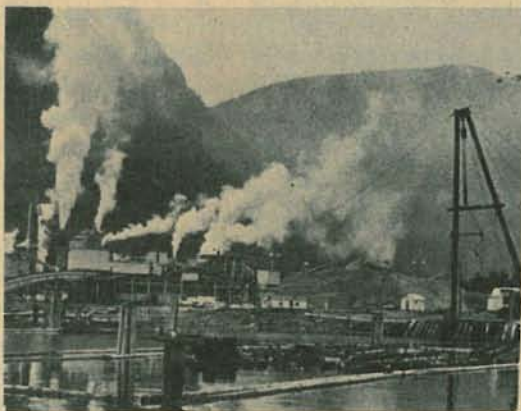
The Lytton Band has developed a By-law to regulate the use of recreational and off-highway vehicles on reserve lands.

The Cape Mudge Band has a By-law to allow taxing on the reserve.

The Gitlakdamix Band has made a By-law to control licencing of and protection from domesticated animals on its land.

The right to pass legislation to govern Bands is a step towards self-determination.

Band By-laws can cover many aspects of life concerning Indians on reserves. The By-laws could be used in building a legal base with which Bands may implement the practice of Indian Government.



Passing Band By-laws to protect the environment and the fish could be a step in the process of implementing Indian Government.

TRIBAL COURTS

George Manuel has repeatedly said that Indian people ought to implement Indian Government by simply **DOING IT**. Bands have been discussing passing bylaws this year, as a way to implement laws within the Indian Reserves. Bylaws are a good means to assert the jurisdiction set aside for Indian people under the **INDIAN ACT**.

Bands are also beginning to consider the establishment of Tribal Courts on the Reserve. Before Christmas, the Neskainlith Indian Band set up a Court and tried a Band Member for theft.

Under the **INDIAN ACT**, Band Councils may pass bylaws for the preservation of law and order on the Reserves. Under this bylaw power, it is possible for Bands to set in place their own system of tribal justice. Perhaps Bands might consider also setting in place, Tribal Courts with enforcement provisions without using the bylaw power of the **INDIAN ACT**.

GITKSAN-CARRIER



GITKSAN-CARRIER DECLARATION

Since time immemorial, we, the Gitksan and Carrier People of Kitwanga, Kitseguecla, Gitanmaax, Sikadoak, Kispiox, Hagwilget and Moricetown, have exercised Sovereignty over our land. We have used and conserved the resources of our land with care and respect. We have governed ourselves. We have governed the land, the waters, the fish, and the animals. This is written on our totem poles. It is recounted in our songs and dances. It is present in our language and in our spiritual beliefs. Our Sovereignty is our Culture.

Our Aboriginal Rights and Title to this Land have never been extinguished by treaty or by any agreement with the Crown. Gitksan and Carrier Sovereignty continue within these tribal areas.

We have suffered many injustices. In the past, the development schemes of public and private enterprise have seriously altered Indian life and culture. These developments have not included, in any meaningful way, our hopes, aspirations and needs.

The future must be different. The way of life of our people must be recognized, protected and fostered by the Governments of Canada and the Laws of Canada. Only then will we be able to participate fully in Canadian society.

We, the Gitksan and Carrier People, will continue to exercise our Sovereignty in the areas of Education, Social and Economic Development, Land Use and Conservation, Local and Regional Government.

We have waited one hundred years. We have been patient. Through serious negotiation, the basis for a meaningful and dignified relationship between the Gitksan and Carrier People and the Governments of Canada and of British Columbia will be determined. These negotiations require mutual and positive participation by the Federal Government and the Provincial Government.

Today, the Governments of Canada and British Columbia undertake a bold new journey to negotiate with the Gitksan and Carrier People. During this journey, we will fulfill the hopes and aspirations of our ancestors and the needs of future generations.

Let us begin negotiations.

Recognize our Sovereignty, recognize our rights, so that we may fully recognize yours.

KISPIOX, B.C.
NOVEMBER 7, 1977

The Gitksan Carrier Tribal Council is an association of seven Bands in the Tribal District and of all Gitksan Carrier people who do not live in any of these villages. Each village is represented on the executive body: Gitwangak, Kitsegukla, Moricetown, Sik-A-Dahk, Gitanmaax, Hagwilget and Kispiox. Kitwancool is closely associated with the Tribal Council. The Tribal Council's aim is self-government. This involves setting up their own administrative office. They hope this office will become the focus for all the work they are doing, and that it will be a place to which all the Gitksan Carrier people will come to question what is going on in the Tribal Council.

This year, the Council held its annual convention in the Kispiox Village. Each year they have a theme. At their first annual convention it was "Getting Stronger"; in 1979 it was

"Learning Today... Leading Tomorrow."

SCHOLARSHIPS

The Tribal Council feels that school education is very important. They plan to start a Gitksan Carrier Tribal Council Scholarship for a Gitksan and a Carrier graduate each year.

Education in the Gitksan Carrier Tribal Council area has gone through some changes. There were no schools in the olden days, the Elders were the teachers. Now Indian people attend regular schools, although you find a few Indian day schools being used more and more.

There are a lot of education institutions available to our people, but knowing just how to use them is the problem. Within the last couple of years the number of students attending BTSD (Basic Training and Skills Development) or other special education programs may have increased. Do our young people have to rely on these special programs?

Indian language is another subject that is taught in public schools now. That is the biggest step that the Indian people have taken in my area. Having Indian studies taught by Indian people who know who we are, having Indian teachers aides (better yet,



TRIBAL COUNCIL



Indian teachers), Indian home-school co-ordinators, the whole school system can be redeveloped for Indian people.

UPPER SKEENA COUNSELLING AND LEGAL ASSISTANCE SOCIETY

This also comes under the Tribal Council. The white man's legal system has been around for many years but there has to be an understanding of the Indian people in that legal system. We have several Indian lawyers that will help us understand the political way to set up Indian Jurisdiction. As Indian people we have to develop and enforce our laws from our own perspective.

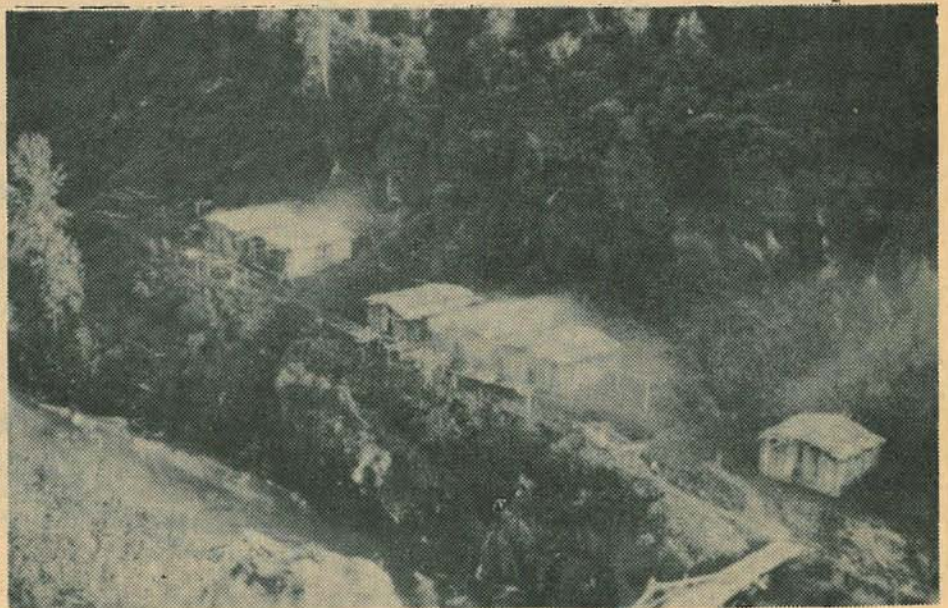
We used to have a complete system of government. We are finally waking up and beginning to assert our own traditional ways.

The main focus of this legal counselling program is to assist our people to use our legal rights by providing us with information workshops dealing with fisheries law, unemployment insurance, rights of Indian women and so on and the education of non-Gitksan Carrier people who live on our land. The people setting it up have insisted on Local Control of the program right from the start.

NATIVE ALCOHOL ABUSE PROGRAM

NAAP has been unsuccessful in developing enough political pressure to get treatment facilities but it has held workshops to help people in our communities understand alcohol problems and to develop a team of local resource people. More involvement from the Elders in terms of support and direction for this program is needed.

OUTREACH



The Outreach Program celebrated their sixth anniversary in July of 1979, and this is indeed something to celebrate because three years is the maximum for Outreach projects. Last year it was about to fade out but was given a last minute reprieve.

The high unemployment, poor economic conditions and social problems in our area led to the Tribal Council taking a firm position that this project should continue.

We have a lot of thinking, listening and researching to do on our past and how those systems functioned and were successful. An Old Indian prophet said a generation of Indian people will finally wake up and begin to assert their own traditional ways of doing things as opposed to being assimilated.

The Gitksan Carrier Tribal District is on the British Columbia map. The work being done in our area on Land Claims and their long term plans would take much space and time to explain. The Gitksan-Carrier land claims office will discuss their work and goals in the next issue of *Our Indian World*.

MASSIVE DAM AND SMELTER PROJECT

The Aluminum Company of Canada (Alcan) announced on December 10, 1979 that it has committed itself to expanding its Kemano power plant. The extra power would supply three new aluminum smelters, one to be located near Terrace and two at other sites in the province.

KEMANO I DESTROYED WILDLIFE, FORESTS AND SALMON RIVERS

In the 1950's Alcan diverted the Nechako River upstream of Fraser Lake at the Kenney Dam and built a powerhouse at Kemano (60 miles southeast of Kitimat) to supply electricity for its aluminum plant in Kitimat. This diversion created a huge 360 square mile reservoir covering most of a vast chain of lakes that lay upstream. This used to be an important area for wildlife; massive amounts of timber were destroyed because the area was not logged before flooding; and the fishery resource was very severely affected.

ALCAN WATER RIGHTS

Alcan already has water rights to the expansion of Kemano because of an agreement signed with the B.C.

Controller of Water Rights in 1950. Under this agreement Alcan has until 1999 to develop the watershed of the Nechako above the Kenney Dam and to divert the water from Nanika and Kidprice Lakes and drainage system into the Nechako Reservoir.

For Kemano II, Alcan wants to build a dam at the outlet of Kidprice Lake and a tunnel of about 13 feet wide from Nanika Lake to the existing Nechako reservoir. Resulting flooding would cover approximately seven square miles. A second 10-mile, 28-foot wide tunnel through Mount DuBose would also be needed, together with a new powerhouse alongside the existing powerhouse (see map). The power capacity of Kemano would be nearly doubled.

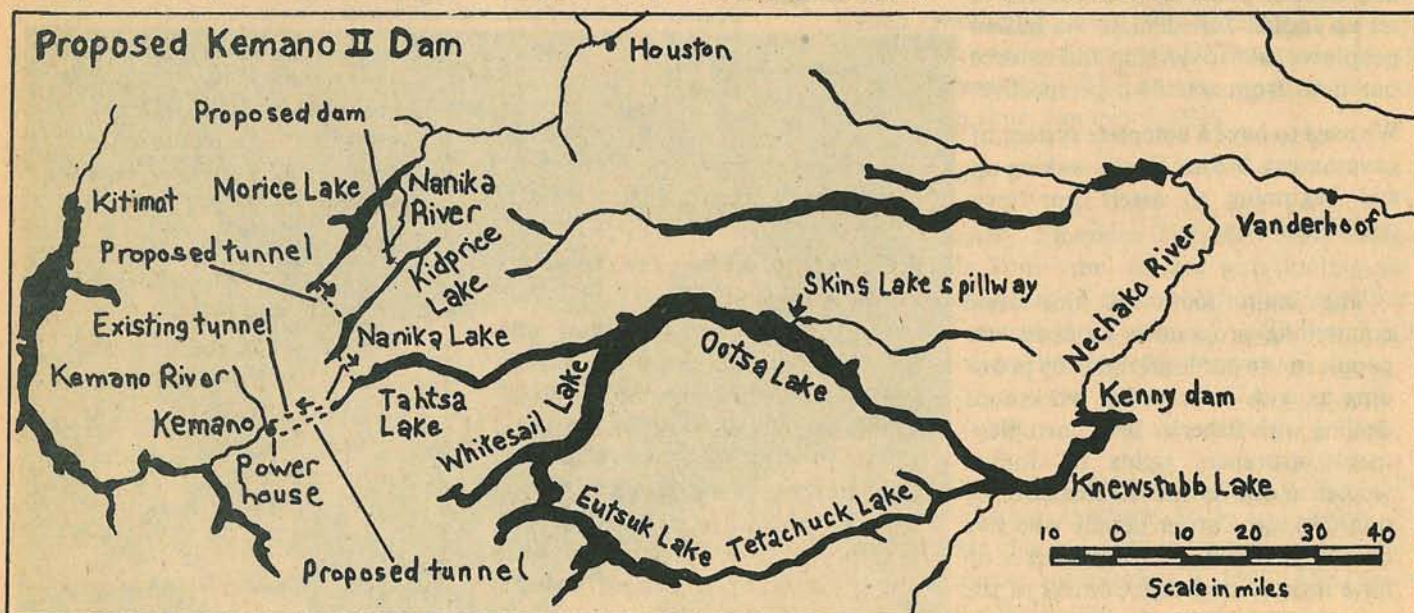
KEMANO II THREATENS SALMON IN SKEENA AND FRASER RIVERS

In 1974 a joint environmental impact study of the Nechako, Morice and Nanika river systems was undertaken by Environment Canada, the Fish and Wildlife Branch and the International Pacific Salmon Fisheries Commission to determine the effects of the proposed Kemano II project. They found a great many

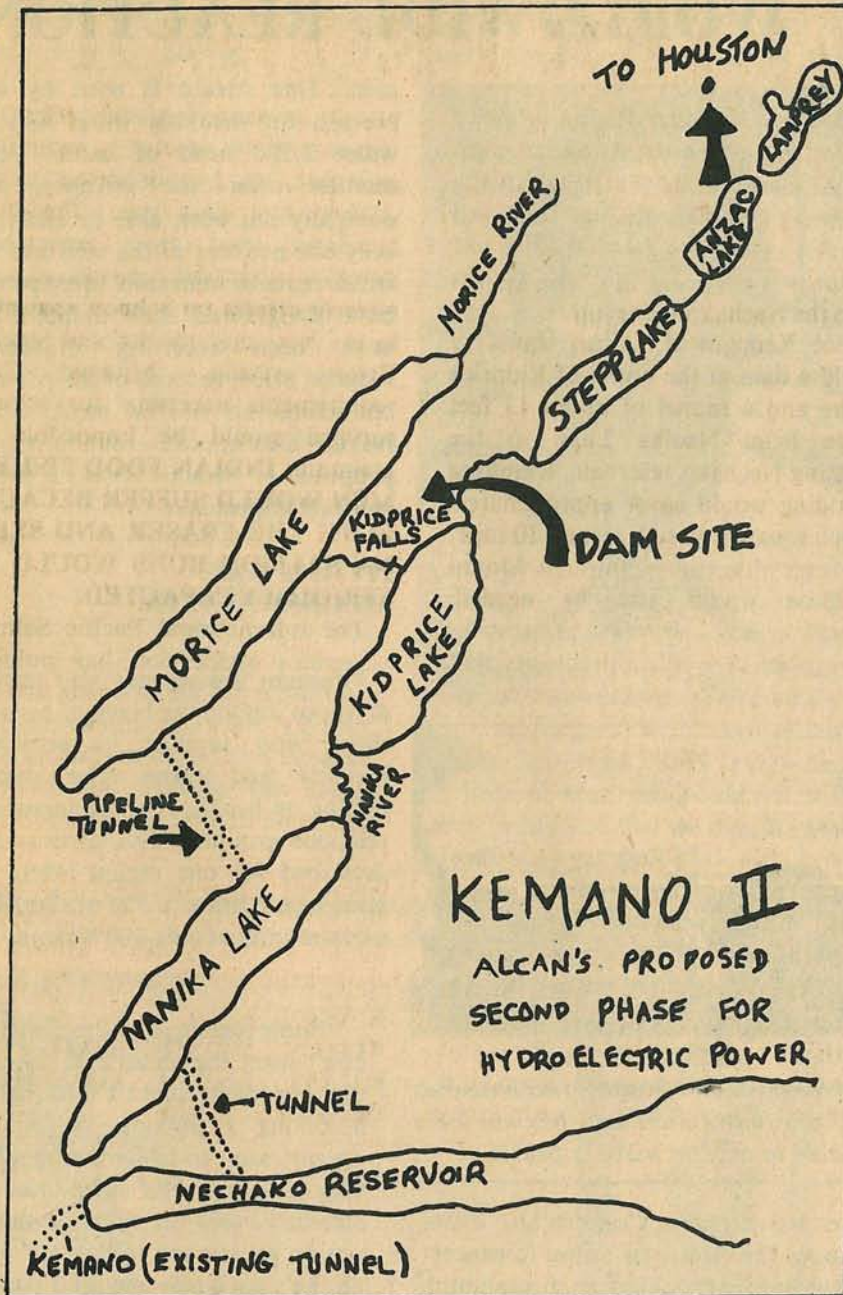
problems because of the effect of reduced flow levels, temperature changes and dissolved gas concentration on salmon. The study concluded that the Kemano II development would have unavoidable adverse effects on salmon spawning in the Nechako, Morice and Nanika River systems. Minimal flow requirements necessary for salmon survival would be impossible to maintain. INDIAN FOOD FISHERMEN WOULD SUFFER BECAUSE BOTH THE FRASER AND SKEENA SALMON RUNS WOULD BE SERIOUSLY IMPACTED.

The International Pacific Salmon Fisheries Commission has publicly opposed the project, warning that the Fraser River sockeye stocks could be reduced by 7.7%. The Commission suggested that instead of diverting more water from the Fraser River system for generating power, Alcan could use their water surplus in such a way as to enhance the development of the sockeye and other salmon resources of the Nechako and Fraser River systems.

ALCAN WON'T WAIT FOR SOCIAL AND ENVIRONMENT IMPACT STUDIES



PLANNED FOR HAISLA LANDS



It seems, however, that Alcan has no such intentions. While the company says that independent environmental and social impact studies, being conducted by the Vancouver firm of Envirocon Ltd., will not be ready until the summer of 1980, commitments have already been made to go ahead with the project. Recently leaked documents originally sent to the B.C. Department of Economic Development show that Alcan intends to start

building Kemano II in 1980.

B.C. HYDRO ALREADY HAS POWER TO EXPORT

Alcan already has a contract with B.C. Hydro to sell surplus power for export. Up to 700 megawatts per year will be surplus to Alcan's needs until all of the three new aluminum smelters come into production several years down the line. Meanwhile B.C. Hydro can already generate more power than the province needs and is

LANDS

applying to the National Energy Board to export its own surplus to the U.S. Opposition to Kemano II is growing daily. The Native Brotherhood of B.C. has recently called for a repeal of Alcan's water licence and a full scale inquiry into the province's hydro needs before they start building. The Haisla Indian Council, whose lands would be affected, has demanded a moratorium on all new projects within their traditional tribal lands until their land claims have been settled. Environmental groups, too, have stepped up their opposition, calling on the company to make all its reports public and on the government to conduct public hearings into all aspects of the proposal.

At stake is one of the most beautiful and productive waterways in the province.

The Kemano I project of the 1950's was destructive to the timber and fishery resources affected by the Nechako River diversion.

Since then, a 1974 environmental impact study has concluded that Indian food fishermen would suffer from the Kemano II project planned by Alcan.

More flooding and construction of a new dam will begin this year says Alcan, ignoring the protests and not waiting for impact studies to be completed.

URANIUM: INDIGENOUS PEOPLE'S WORLDWIDE REACTION

The price of uranium has risen sharply in recent years, with the result that the big uranium mining companies have greatly increased their worldwide search for the mineral. This "uranium rush" is often concentrated in areas of the world where the indigenous people of that region maintain a traditional lifestyle at odds with the values and hazards associated with uranium mining.

ABORIGINAL PEOPLE IN OTHER AREAS GIVE EVIDENCE

Now uranium mining is proposed in B.C. the Union of B.C. Indian Chiefs is a major participant before the Bates' Royal Commission Into Uranium Mining, which is to make recommendations whether uranium mining should go ahead, and if so, under what conditions. In the past two months, the Commission has heard evidence from three areas of the world where Aboriginal People have already had to deal with the issues surrounding uranium mining, New Mexico, Saskatchewan, and Australia.

POISONING THE NAVAJO PEOPLE

The effect of uranium mining on the Navajo people of New Mexico was described by an environmental consultant who has worked extensively with the Indian tribes of the U.S. Southwest. New Mexico produces half of the total uranium mined in the U.S. and much of this uranium is located on the Navajo reservation. Five mines currently operate on Indian reserve land and another fifteen are proposed. The Navajos who oppose uranium mining identify three major areas of concern: health, environmental pollution, and conflict with spiritual values.

Twenty-five Navajo miners have died from lung cancer caused from working underground in poorly



Betty Yazzie, a Navajo widow, has lost two husbands from lung cancer and has not been able to get her widow's pension.

ventilated mines. Concern also exists about the release of radon (a cancer-causing gas produced from uranium) to the air and the potential contamination to drinking water supplies from tailings ponds which represent a hazard for thousands of years.

Contamination of water is also the major environmental concern of many Navajo people. A witness described the failure of a uranium tailings dam at Church Rock which resulted in the spill of 100 million gallons of waste water containing radioactive contaminants and other pollutants into the only stream in the

area. This stream is used by 450 Navajo for drinking water and to water 2,500 head of cattle. Four months after the collapse, the company has been able to clean up only one per cent of the spill and the water remains unusable. Most people have slaughtered their animals but have been receiving drastically reduced prices because of the possible contamination of the meat. Some Navajo also oppose uranium mining proposed on Mount Taylor, a site of spiritual importance.

PITTING JOBS AGAINST HEALTH

Uranium mining has also created divisions among the Navajo, between those who support its economic benefits and those who oppose mining on health, environmental and religious grounds. This division was described for one region where the mine would bring in 550 workers into a community of only 300 Navajo.

"Some members of the community don't want the mine. Ella Bates, the vice-president, doesn't want her land becoming a parking lot, and she doesn't want to triple the population with outsiders. Her sister-in-law, the secretary, sees the mine as the only way to get her son to live in the area. So she's got a new pickup truck and is in favour of the mine. And we've got families breaking apart, and fighting with each other, as a result of these problems. The community passed a resolution opposing uranium mining in the area, then the mining company hired an organizer out of the community to try and get that vote turned the other way, and then the legal services on the Navajo reservation hired another organizer out of the community to try and organize against the company organizer."

INDIANS ENCOURAGED TO WORK MINES IN SASKATCHEWAN

During the past few years, another area of North America, Northern Saskatchewan, has been the focus of intense uranium exploration and development. Both the government of Saskatchewan and the uranium mining companies have made extensive attempts to gain the support of the people of Indian ancestry who make up 80% of the population of the region. One witness, Gulf Oil, which operates a uranium mine at Rabbit Lake, outlined the program it has initiated to promote the support of Indian people. The program includes:

(1) The establishment of a mine on a commuter model. This means that employees work 7 days at the mine site and then have 7 days off. Workers are flown to the mine every week from their homes across the North. The company claims that this permits Indian people to maintain their traditional land uses of hunting and trapping and also minimizes the impact of development on Indian communities.

(2) Preferential hiring of Indian and Metis. Gulf states that 35% of its employees are of Indian ancestry and that these people are employed at all levels. The company states that it is also committed to upgrading and training programs.

However, in order to mine, the company had to drain Rabbit Lake and there is also a registered trapline in the area. The company admitted that no compensation was considered for either of these interferences with traditional land uses. In its defence, the company claimed that its activities have the support of the Indian people of Saskatchewan. In the near future, the Union of B.C. Indian Chiefs plans to send a field worker to the region to investigate the validity of this claim.



The radioactive dust covers the land and nothing will grow for years and years.

IMPACT OF LARGE SCALE EXPLOITATION ON ABORIGINAL PEOPLE OF AUSTRALIA

Testimony was also given by Dr. Charles Kerr, a member of a Royal Commission which investigated the question of whether uranium mining should proceed in the Northern Territory of Australia. He testified that his Commission had recognized the distinct and special interests of the Aboriginal people of the Northern Territory and that the recommendations of his Commission had been an attempt to minimize the impact of uranium mining on those interests. After hearing evidence from the Aboriginal people of the area and their supporters, the Australian Royal Commission concluded that the potential social impact of large scale development posed even a greater threat to Aboriginal culture than the health and environmental problems associated with uranium mining.

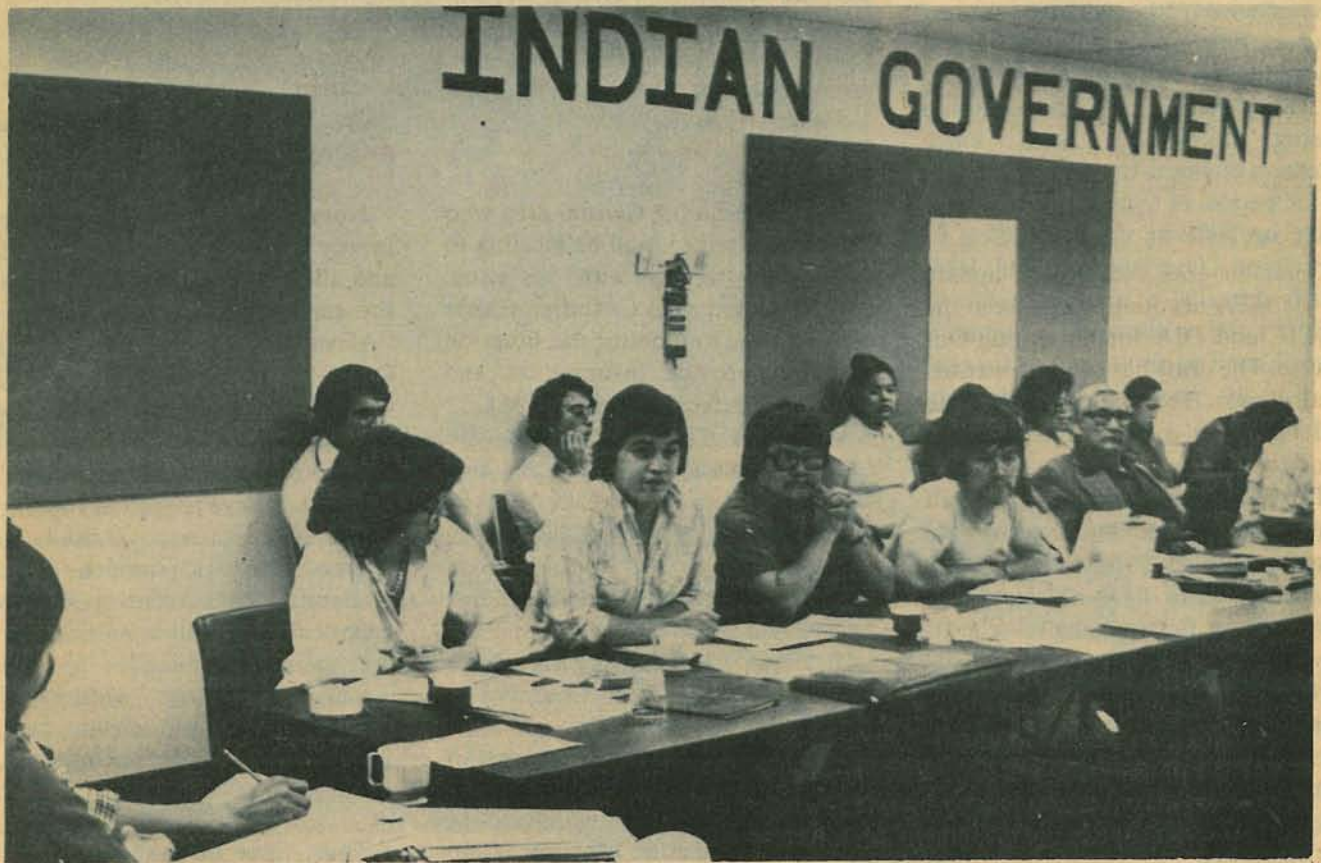
The settlement of Aboriginal land rights was seen as a "crucial precondition" to any uranium mining. The

Commission also decided that any increased employment to Aboriginal people from uranium mining was not a sufficient benefit to justify uranium mining without the settlement of land claims and the protection of Aboriginal interests.

Thus, three different areas of the world have experienced three quite distinct responses to the issues surrounding uranium mining and its impact on indigenous people. However, none of these approaches may be applicable to the B.C. situation and the testimony is provided only for information on how other people have dealt with the issue.

In this province, the Union of B.C. Indian Chiefs has resolved that uranium mining should not occur **because no development should take place without the settlement of Aboriginal Rights and because any possible benefits to our people are far outweighed by environmental and health risks. No development should take place without the approval of those who have the most to lose.** •

CHIEFS COUNCIL



Chief Archie Pootlass (second from left) was given responsibility for the Indian Government Portfolio

CHIEFS COUNCIL

Chiefs Council first session of 1980 took place January 22 and 23, followed by the Secretariat on the 24th at the UBCIC office.

INDIAN GOVERNMENT

Robert Manuel, Chief of the Neskainlith Band in Chase, resigned as Portfolio Head, Indian Government (see page 34?).

Chief Archie Pootlass, recently elected vice-president of the Coastal Region, has been assigned the Indian Government Portfolio. Since the Aboriginal Rights Position Paper was endorsed, work is beginning implementing Indian Government. Field-work will begin in the near future.

FISHING PORTFOLIO

Indian people, through their Indian governments, shall decide what strategy will be used to exercise our freedom to fish without hindrance or prejudice as our ancestors did in the past. Representatives from each district will be attending a meeting in early March in Vancouver. Washington state Tribal Governments will also be invited to share in their knowledge and expertise.

POLLUTION IN THE FRASER RIVER—PUBLIC INQUIRY

Our brief to the Inquiry is now complete after several months of work. An information package has gone out to all Bands in B.C. The dates are February 18, 19 and 20th in Vancouver. Call UBCIC for further

information.

PIPELINE HEARINGS

The Kootenay Area Indian Council has endorsed a resolution directed to the Pipeline Agency, with copies to local MLAs, MPs, DIA and the Provincial Government, urging settlement of all Aboriginal Claims of Indians in B.C. the Chiefs Council will be taking this resolution back to their areas for refinement and endorsement.

MOSES vs. THE QUEEN (1036)

Chiefs Council reviewed the case of "Moses and others vs. the Queen" where the Provincial Government currently states they have the right to take away up to 1/20th of reserve land for road purposes, or other "works of public utility".

Recently, the Lower Nicola Band lost to the B.C. Court of Appeal. The next level of appeal would be the Supreme Court of Canada. Chiefs Council gives their full support to the Lower Nicola Band. The Moses case is the only case before the Courts dealing with the Provincial right to take back reserve land for road purposes. UBCIC lawyers will begin researching and documenting the material necessary to proceed to the Supreme Court of Canada.

EDUCATION

Chiefs Council received an update on the MTA negotiations between the UBCIC and DIA for an Opting-Out Clause. The draft has been forwarded to all Bands. The Opting-Out Clause will be put in place for only those Bands who wish to use it.

The MTA stands in the way of all Bands who are seeking local control over the education of their children in grades 1-12. All special services for Indian students in provincial schools comes under the province, not the Bands, so the Bands need approval from the province for federal money. At the moment, Bands have no control over the education of Indian children in public schools.

The Opting-Out Clause, as it was negotiated, would give our Bands in a legal agreement the same type of control and funding that the Provincial Government presently has under the MTA. This draft of the clause is a preparation for DIA's negotiations with the Provincial Government.

Adult Education

Through the fourteen B.C. Community College programs, the provincial government and DIA Band Training staff have been developing programs and courses contrary to Indian priorities and policies. The Colleges Act says that community colleges are required to offer the courses Bands want (provided there are enough students) without touching federal money. Now that training plans are being developed by the Bands, we are all having problems in getting the funding because DIA

has already spent them on College people and their own DIA staff costs.

Indian control of Indian education applies to all kinds of training. The Education Portfolio would like to attend as many District Council meetings as possible, and is working closely with the Indian Government, Health & Social Development and Socio-Economic Development Portfolios on this matter.

KEMANO II

The Bands in the Coastal area who would be affected, will be meeting to decide how to deal with this issue, and the Union of B.C. Indian Chiefs will continue to monitor the situation and will provide information and assistance on request (see page 38).

NATIONAL ALL-CHIEFS CONFERENCE

An all-chiefs conference will be held in Ottawa on April 28-May 2, coordinated by the National Indian Brotherhood, to discuss the Canadian Constitution, the Indian Act and the NIB constitution. Efforts to change the location closer west have failed. At a Secretariat meeting with DIA, UBCIC staff presented an estimate of expenses for B.C. Chiefs to attend this conference. Fred Walchli has promised a reply within 2 to 3 weeks, so we'll have more information later. If DIA cannot make the funds available, Bands and/or District Councils will have to pay their own way.

SOCIO-ECONOMIC DEVELOPMENT

An update of all socio-economic activities was presented to Chiefs Council. Workshops on agriculture, Special A.R.D.A. and the Local Services Agreement are continuing. The Indian Consulting Group has now been incorporated and has worked on two proposals: a study on tourism potential for Indians, and an evaluation of Special A.R.D.A.

A Forestry Committee has been set up to develop an Indian Forest Management program within the UBCIC. It is open to any more people who are interested in sitting in.

SECRETARIAT—GREASE TRAIL

An agreement for "Recreation and Conservation" is a proposed Federal /Provincial agreement to be signed by the end of March; part of this involves tourism in the Grease Trail. The route will affect at least ten reserves (four Bands of Bella Coola, Kluskus, Anaheim Lake and Ulkatcho). Representatives from the Bands attended the Secretariat meeting and stated their positions.

None of these Bands were involved in any studies that have taken place and all of the Bands strongly oppose the naming of this project as the "Alexander McKenzie Trail". Coastal Indians used this trail when trading with the Interior for hundreds of years before McKenzie ever showed up; the trail is still used. The four Bands have requested funding to examine the project, and the Department agreed to arrange this, taking into consideration studies completed or underway now.

The Provincial/Federal governments were advised again about Indian involvement. Chiefs Council supported the four Bands and George Manuel will be writing to the Minister to ensure full Indian involvement.

SPALLUMCHEEN BAND BUDGET

A financial commitment to provide dollars to the Spallumcheen Band is being reneged on. The Spallumcheen Band believes their 1979/80 budget had been approved and they have been operating on that basis. The department claims there was no such commitment made and therefore supplied less funds, resulting in a deficit to the Band.

Walchli has offered \$30,000 towards Education, and if the Band can substantiate that there was a commitment, Walchli will consider additional funding from the new year; he has promised that this will not affect negotiations for next year's budget and will write a letter to that effect.

WESTERN INDIAN AGRICULTURAL CORPORATION

W.I.A.C. have been busy holding workshops on a regular basis. Many of you may have seen them advertised here each month. We have had about twelve or more attend.

| | | |
|---------|-------------------------|------------------------------------|
| Feb. 1 | Chase | Range Management |
| Feb. 4 | Lillooet | Irrigations |
| Feb. 5 | Lytton | Financial Management |
| Feb. 6 | Kamloops | Financial Management |
| Feb. 7 | Merritt | Financial Management |
| Feb. 11 | Mt. Currie | Cow/calf |
| Feb. 12 | Cranbrook | Books & Fin. Mgt. |
| Feb. 12 | Doig River | Land & Finan. Mgt. |
| Feb. 13 | Ft. St. John | Land & Finan. Mgt. |
| Feb. 14 | | Land & Finan. Mgt. |
| Feb. 15 | Coqualeetza | Veg. Contracts Workshop |
| Feb. 18 | Oliver, Keremeos | Workshop Orchard Development |
| Feb. 20 | B. Hall, Creston | Orchard & Veg. Gardens, Fertilizer |
| Feb. 25 | Lillooet B. Hall | Water Land & Finan. Mgt. |
| Feb. 26 | Halfway | Land & Finan. Mgt. |
| Feb. 27 | Halfway | Land & Finan. Mgt. |
| Mar. 6 | Cranbrook | Mechanical Wkshp. |
| Mar. 7 | Cranbrook | Mechanical Wkshp. |
| Mar. 12 | East Moberly | Land & Finan. Mgt. |
| Mar. 13 | East Moberly | Land & Finan. Mgt. |
| Mar. 14 | Keremeos, Pent., Oliver | Equipment Maintenance |
| Mar. 14 | Lillooet | Tree, Fruit Mgt. |
| May 13 | Ft. St. John | Land Clearing |
| May 14 | Ft. St. John | Land Clearing |
| May 13 | Ft. St. John | Land Clearing |
| May 14 | Ft. St. John | Seed., Garden., Preg. testing |
| Mar. 17 | Lillooet | Organic gardens |
| Mar. 18 | Lytton | Field crop |
| Mar. 19 | Kamloops | Field crop |
| Mar. 20 | Merritt | Field crop |
| Mar. 21 | Chase | Field crop |
| Mar. 28 | Coqualeetza | A.I.? Home Gardens, Land |
| Mar. 28 | Mt. Currie | Farm Bldg. Const. |

HIGHLIGHTS:

- We had a three day workshop with the Ministry of Agriculture regarding our Income Budgeting. Workshops were then conducted for our Fieldworkers.



Photo: Faron Jones

W.I.A.C. is holding an eight-week Farm Machinery course at Spallumcheen



Photo: Faron Jones

Band farmers will learn how to maintain and repair their farm equipment

- We had a joint meeting of A.R.D.A. staff along with our W.I.A.C. fieldworkers to rectify problems and establish between us a better working relationship.
- We are concluding our Range Study, on the importance of the cattle ranching industry. A booklet that will be supplied for your information. Also an in-depth study will be available by request at the UBCIC office.
- We have bought a Pregnancy Testing Machine which will be used in the field for custom and sale testing.
- The Mount Currie Dyking project is progressing, but at present with some small problems to settle.

So W.I.A.C. is in high gear. The most encouraging thing so far is the amount of response we are receiving from the people who are coming in to our office at the union.

We will have an office that will be of help to people in Williams Lake. It will be opening in February, at the Cariboo Tribal Council office, Williams Lake, B.C. We invite Band members to come in and visit the new office there. Our main office will still be at the UBCIC, 440 West Hastings, Vancouver.



Photo: Faron Jones

• *These farmers will save money by doing their own maintenance work*

HOMES ARE WANTED

The Bcnaparte Family Welfare Committee is seeking adoptive homes with possible financial assistance for the following children:

- nine year old boy who has had problems in his early years requires loving, understanding parents who would be flexible about what they expect from him. It would be good to have brothers and sisters for the boy in this home.

Contact member in charge of this case:

Dianne Morgan 457-6559
Box 669
Cache Creek, B.C.
V0K 1H0

- eight year old boy, ten year old girl, and eleven year old girl, these three children are from one family and must be kept together. All these children are good, well behaved with no major problems except some difficulty in school.

Contact member in charge of this case:

Elaine Herbert 457-6559
Box 669
Cache Creek, B.C.
V0K 1H0

SALMON SURVIVAL POTLATCH

To All concerned Native People
From Cacel'pmac (Fountain People)

A potlatch will be held in Lillooet, B.C. on February 23, 24, 1980. The Potlatch will be put on by the Stl'atl'eim (Lillooet) people but hosted by the Cacel'pmac (Fountain People). The St'eim drummers and singers will be the host drum.

The reason for this Potlatch is to gather our hearts, minds and prayers together in *Respect for the Salmon* in their and our struggle for survival. Anyone interested in attending this Potlatch is welcome.

ABSOLUTELY NO DRUGS OR ALCOHOL.

For further information:

Ginger Alec
Box 1371
Lillooet, B.C. V0K 1V0

I THINK . . .

Joyce Bourassa, originally from The Pas in Manitoba, works very hard for her people, particularly through the American Indian Movement. She is a mother of two young children, and teaches them her beliefs and sets an example by living her beliefs every day. Joyce travels frequently, meeting with Indian people throughout North America. In her own words, here is what she believes:

I have learned that our people's way of life has always been in the way of a circle (the sacred Hoop). Our nations have survived for centuries by living this way. From the day we were born to the day we die we carry this on. We are taught and learned from the young and the old, and always thought for the unborn.

Within our Sacred Hoop are many nations, the Eagle, Bear, Fish and many others who we have respected for a long time; the earth our mother who gives food and water, and the moon and the sun: we are all within the Sacred Hoop. We learned to think of the future, not just years ahead but generations ahead.

The white men came over here a long time ago. They brought the foreign governments that rule this country today. They saw how and why our people survived. They understood this. They knew if we kept our way of life strong that they would not be able to gain control over this land. So they attacked our way of life. First they outlawed our religion because that is our way of life. They broke up our family circle. The young were put in boarding schools and the old in homes. They gave us disease that wiped out communities. Alcohol was made plentiful: they knew it would kill our people. They knew that strong people would be born who would be leaders, so they enforced sterilization on our women. All this has weakened our Sacred Hoop, but it has not broken our Sacred Hoop.

Over the years we have learned what they have done. We have taken what they have given and learned to use it. In schools where our young were once forced to go, we have educated our people to learn and use their ways but to keep our own. Our old are no longer put in

homes. We know what alcohol does so our people set up programs to help the alcoholics. Our religion never died just because they outlawed it. The religion is there and coming back even stronger. As for the foreign governments, we have always had our own governments. Today they do rule this country but we because we understand their system, our forms of government will take their proper place in the future.

The foreign governments that rule today do not think of the future. If they did they would not push for pipelines that tear up our mother earth and take her natural resources. They would not push for nuclear power that endangers all future life. They would not have let the buffalo and wolf nations be slaughtered just because it was a source of food for our people.

Our people have always thought of others. That is why they have survived and in return they wanted us eliminated for the land that we have kept rich and fruitful in its natural state. They came over to this land because their resources were being used up. They needed our land in order for them to survive.

I think of the future. Sometimes it doesn't look so good but I know it's there. Our old people said it would always be there if we thought of our responsibilities as Indian people. I look around and see my people are as they have always been. We still learn and teach from the young and old. Our religion is still there and our Sacred Hoop is still there.

There are many Indian movements that are involved with our future. I am very thankful for them. I look and see their achievements and of that I am proud. •

I THINK is a new page in the UBCIC News devoted to your opinions. If you feel strongly about any topic or issue of Indian concern, write it down and send it in with your name, address and phone number to:

I THINK

c/o Communications, UBCIC

Articles should be no longer than 700 words, and a picture to illustrate your writing would be welcome.

As a child I am a non person,
 Just a property to most,
 To others the ward of parents,
 And of teachers and society.
 In such a state I have no rights.
 For I'm considered to be
 In a limited stage of life
 A claim of authority is placed over me.
 No ultimate destiny have I
 For I'm subject to every
 Conceivable form of oppression.
 Till I can be recognized
 I will not survive.
 Till I'm accepted,
 Cherished, nourished, protected
 and respected,
 Adults will witness my dying
 And wonder where are the children.

By Norman Raven



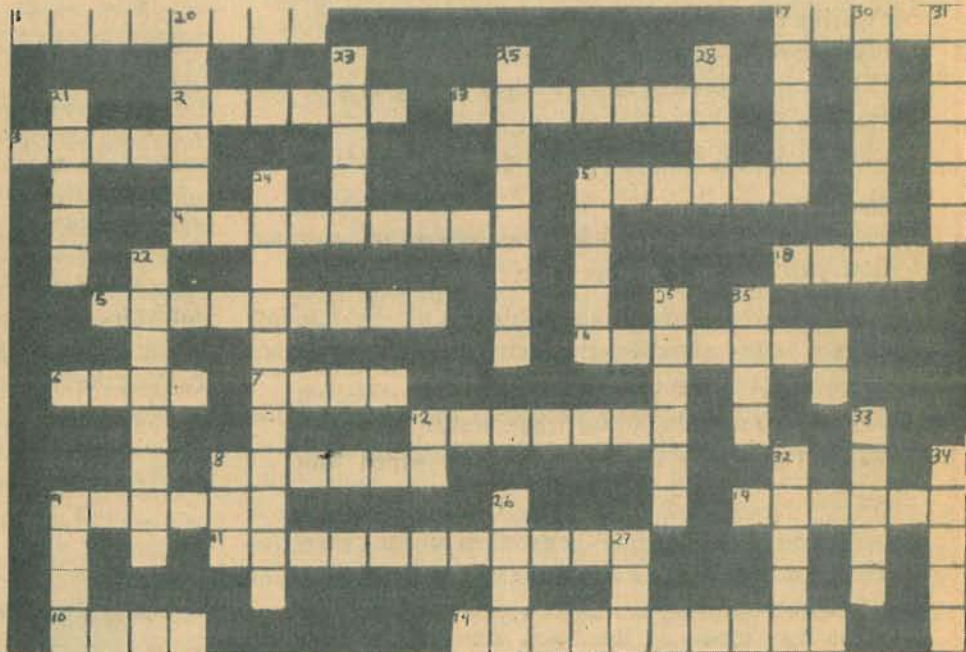
illustrated by Sarain Stump

ACROSS

1. a cure for Indian people when they get sick
2. the original people of this land
3. soaring spirit
4. a way of travelling in deep snow
5. Indian footwear
6. eatable seaweed
7. leather is sometimes made from this animal
8. what babies are carried in
9. bull moose
10. Indian delicacy, it flies and quacks
11. Indian ice cream
12. Indian bread
13. unique identity, history of our people
14. place to smoke fish and hides
15. supernatural being without physical form
16. Salish and Cowichan people make sweaters by this method
17. group of people with the same crest
18. trout, salmon, halibut, sardines
19. large incisor teeth—trademark on totem poles

DOWN

9. winged animals
15. leather shoelaces
17. badge or spiritual symbol of a family
20. Indian leaders
21. means of travelling in water



22. ceremony given by Indian people e.g. life or death
23. carved face impression
24. traditional Indian weapons
25. another name for leather
26. common Indian musical instrument
27. to look
28. protector of twins, shaggy short tailed animal
29. container made of woven grass or wood
30. mammals
31. food fish with pinkish flesh
32. small, round and made of glass, shells or wood
33. messenger of the people
34. device for catching animals
35. Indian summer home

RESOURCE CENTRE

We have had a lot of requests for information on books for children. Here are four favourites.

Jones, Leanne M.

Hanok

Illustrated by Audrey Young Oppel
Red Deer College Press, 1977

Hanok is the story of a young Indian boy who lives by the sea. He spends much of his days gathering foods, such as fish and other resources which are found around the village. During the evenings, one of the elders, Nanis, summons the entire village to hear stories. These stories appear to have two purposes. One is that they were enjoyed very much by the people and the other was that the stories taught the people a lesson in living in harmony with the world around them.

Hanok enjoys hearing these stories very much. One night Nanis tells a story that affects the boy very deeply. It is from hearing this story that Hanok is able to learn a very important lesson in life.

The book is illustrated by Audrey Young Oppel. The illustrations are very colourful and attractive.

Recommended for children from the ages of 5 to 7.

Simeon, Ann

The She-wolf of Tsla-a-Wat: Indian stories for the young
Illustrated by Douglas Tait

This book includes a short history of the Indians' lifestyle before and after the arrival of the white man, plus six short stories.

The introduction is very interesting and useful because the reader is given an idea of how much Indian peoples' lives were affected and changed by the white man. Though the information contained in the introduction is quite general, it would be an excellent starting point for young students to learn about the various cultures of the Indian people.

The six stories of the book are loosely based on traditional legends of various Indian tribes found throughout British Columbia. These stories are presented in such a fashion that they will be very popular among students, regardless of colour or creed.

The book is illustrated by Douglas Tait.

Campbell, Maria

Little Badger and the Fire Spirit

Illustrated by David Maclagan
McClelland and Stewart Limited, 1977

In this story we are told the legend of how humans first acquired the use of fire. We are introduced to a young Indian girl named Ahsinee. The young girl enjoyed very much spending time with her grandparents. Her favourite

part of the visits were when her grandfather would recount old tales and legends which were passed from generation to generation.

Ahsinee would ask her grandfather a question and he would answer by telling a story. On this particular night she inquires about how humans came to use fire. Mooshoom (grandfather) tells her the story of a young boy (Little Badger) and his quest to help the people of the village survive the frigid temperatures of winter. During Little Badger's long journey he faced many obstacles, these were enlarged by the fact that he was blind.

Little Badger and the Fire Spirit was illustrated by David Maclagan.

This book should prove enjoyable to children of all ages.

Holling, Holling Clancy

Paddle-to-the-Sea

Illustrated by the author

Houghton Mifflin Company, Boston 1969

This series of stories concerns a young Indian boy who carves a figure of an Indian in a canoe; he names the figure Paddle-to-the-sea. In the stories we are told of the many adventures Paddle-to-the-sea had during his long and arduous journey, through the Great Lakes to the Atlantic Ocean. By overcoming many obstacles and reaching the Atlantic Ocean he earns the right to be called Paddle-to-the-sea.

The author also illustrates each story. The illustrations usually depict Paddle-to-the-sea during his many exciting



and often dangerous adventures. Also included with many of the stories are maps which show where Paddle-to-the-sea is situated. So the reader gets a lesson in geography, along with extremely interesting stories.

HELP WANTED

ROUND LAKE NATIVE ALCOHOL TREATMENT CENTRE

DIRECTOR-ADMINISTRATOR

Duties:

- To perform duties as outlined by the objectives of the society.
- To plan for and follow policies developed by the board of the society.
- Responsible for the day to day administrative details within the residential treatment program.
- Responsible for developing the program within the facility in consultation with other staff members.
- Responsible for training and staff development.
- Trains and designs ongoing staff development.

QUALIFICATIONS

- Experience in administrative position with demonstrated abilities.
- Supervisory experience in a social or health service setting.
- Knowledge of alcoholism and the treatment process.
- Knowledge of a native tongue and of native Indian culture.

SALARY

\$1,750 per month

CLOSING DATE: February 20, 1980.

Send resume to:

Round Lake Treatment Native Alcohol Treatment
Centre
RR #3, Turner Road
Armstrong, B.C.
VOE 1B0

For more information phone: 546-9213.

ORDER FORM: B.C. Indian Calendar

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(604) 738-2362

INDIAN ARTS AND CRAFTS SOCIETY

The Indian Arts & Crafts Society of B.C. wishes to congratulate Mrs. Sarah Wesley of Terrace, the winner of our recent Society 'One Thousandth Membership' campaign prize. Mrs. Wesley was introduced to the Society by Mildred Roberts, also from Terrace. The President and Directors of our Society wish to thank all those who have participated in this campaign as the strength of our Society can be judged by its membership of those seriously interested in the Indian Arts and Crafts field.

We would also like to announce that our Society has a serious need for finished home tanned hides. Many of our members who have contributions approved are unable to receive their kits as we are awaiting hides. We would of course be paying the current price available from other wholesalers. Enquiries can be forwarded to us at 3309-32nd Avenue, Vernon, B.C., or telephone collect at 545-9330.

NORTHERN FERRY SERVICE DOESN'T SERVE THE PEOPLE

I'd forgotten what public transportation means in the North—time, expense, occasionally danger and often frustration. But a recent trip from Prince Rupert to Port Simpson refreshed my memory. Approximately twenty miles separates the city of Prince Rupert from the village of Port Simpson. There is no road (although various political parties have made election—time promises regarding construction of such a road), so the only ways to travel the distance are by sea or by air.

In its last year of power, the Liberal government cut part of its transportation subsidy to B.C., resulting in the

was servicing both Port Simpson and Kincolith; there are now two ferries, each servicing one village.

LONG WAIT IN THE DARK

Relatives advised me to be at the dock early, because there were often more than the quota of thirty passengers standing in line long before the ferry was due to pull out. We arrived at the dock area just after 6:30 a.m., an hour before the ship was scheduled to leave.

Our taxi could not drive all the way to the wharf, as the road comes to a dead-end beside the railroad tracks some distance away. We had quite a

roof. And there's little lightning on the wharf." But at least it wasn't raining or snowing. It was cold and dark, though. More and more people arrived after us, and I had the feeling not all of us would get on the ferry. After taking a head-count, though, I felt assured that my family would make it.

More cold, more waiting.

At seven o'clock the crew walked past us to the front of the line, people started walking down the gangway toward the ship, and a crew member started counting heads. The cold and the waiting had had their effect on the people around us, and we found ourselves being pushed further back in line. The cut-off point came just as I was about to step off the gangway. There seemed to be a lot of confusion inside and around the boat. Several people who had been counted as passengers were, in fact, only seeing off friends and relatives. I heard that there was room for one more passenger, and my brother told me to go ahead. After taking my seat inside the ferry, I discovered that there were at least three empty seats, because of the miscounting which had occurred.

the ferry pulled out twenty minutes early with less passengers than it could have, and should have, carried. The people who didn't make it on board the ferry were left with the alternative of hitching a ride with somebody who owned a fishing boat or travelling by plane, at a greater cost and on a day with heavy gusting winds.

AND THE FUTURE?

That whole experience—of waiting in the dark and cold, of putting up with no waiting facilities and an inadequate road to the wharf, of being treated like cattle and dealing with an inefficient system—left me feeling very angry. And very sad. Because the people in places like Port Simpson and Kincolith continually have to deal with these inadequacies. Because they are always the victims of federal-provincial haggling over such essential services as northern transportation. And because there aren't enough official complaints and loud voices of objection raised against these inadequate and inconsistent services.



The water brings both boats and small aircraft to north coast villages, but the service is sometimes irregular or expensive or both.

loss of ferry service to northern coastal communities. These communities are still suffering from this federal-provincial fight over transportation responsibility.

However, a 40-foot ferry is now making the run from Prince Rupert to Port Simpson, while a former Canadian Coast Guard vessel, the Canadian III, now services the Nishga community of Kincolith.

The other alternative to ferry service is airplane travel.

On the morning that I was to travel to Port Simpson, the Canadian III

load of luggage and boxes, and struggled with them on a narrow rocky footpath in the dark until we arrived at the wharf. And it was already packed with people! We discovered they had been standing in the cold since four-thirty. They were so anxious to travel by ferry, that they had begun standing in line in the middle of the night in order to make sure they got on. There were many small children and babies, as well as a few Elders. "What if it rained?" I thought. "There isn't any shelter provided for the people, not even a lean-to with a

The Ceremony



In the chapel
I sat cross-legged
Upon the green-tiled floor
Forming a part
Of the circle of people.

We were told before we sat
That prayers might be answered
Some soon
Others not.
That there might be
A test first.

He began
By taking from a can
Some fungus to burn.
It smoldered as he waved it
Over his red-blanket,
That held all his things.

Each piece he purified:
A charm first with smoke,
He did the same
To his white eagle-feather.
He waved his hand about his pouch.
And then into an abalone shell
To smolder its life away.

From his pouch
He took a stem and bowl;
All the while mumbling softly
As his helper drummed rapidly
With head bowed.

With the pipe together
And filled with tobacco and bark
He tamped it with a quill.
There was quiet in the room.
We made no sounds
As he quickly pointed
To the six directions:
To the west: north: east and: south:
To the earth, and: to the sky.

The drum stopped.
And he spoke,
"Creator.
Thank you for my heart."
And I cried inside.

Isaac Frank

FIRST CLASS MAIL

**FROM: UNION OF B.C. INDIAN CHIEFS
440 WEST HASTINGS ST.
VANCOUVER, B.C. V6B 1L1**

TO:

DEBRA HOGGAW
P.O. BOX 69464 STN
VANCOUVER, B.C.
V5K 4W5

THIS MONTH:

At the start of this new decade, **OUR INDIAN WORLD** takes a long look at what is happening in B.C. as a result of world panic over energy supply and transportation. Uranium, coal, gas and oil lie under or near many of our reserve lands. Supertankers, pipelines and trains carrying them pass close or through other Indian lands. In a twelve-page **Alaska Highway Gas Pipeline Supplement** we compare Indian Land Use and Occupancy against the non-Indian land use and occupancy of the same area. The questions that arise from other energy projects like uranium (page 40) and now Kemano II (page 38) expose the same conflicts of attitude toward responsibility for the land. The **Baker Lake** decision (page 9) giving Inuit hunters and land legal protection from resource exploration is a landmark in recognising that the fight for our Aboriginal values is not a hopeless one. We thank the **Inuit Tapirisat** for sending pictures of the Inuit hunters who carried through that victory.

Our strong beliefs in our rights to hunt and fish to feed our families lead to a constant stream of Indians through the Courts of B.C. **Raymond Bob's** hunting case is described on page 11 and he sent in the picture

for the story. Thanks to **Vaughn Jones of Coqualeetza** for sending us the picture of **P. D. Peters**, a respected Elder of the Hope Band whose fishing case is discussed on page 17. The **Bella Coola Band** writes about their stand to protect their lands, and especially their sacred burial grounds, from the insensitivity of a giant logging corporation (page 33).

The struggle to balance our own values on one hand against the need to provide employment and good living conditions for **Canim Lake Band** members through a mass of funding and red tape is written up by **Mary Thomas**, their Band Planner. Jesse Archie did a fine sketch of the village (page 14).

Frustrated attempts to visit the **United Native Club** at Matsqui began to give us an idea of what our brothers go through there. **Frank Isaac** sent us a collection of poems and we publish one on page 51 that shows his inner Indian strength helping him to survive. Survival through childhood is expressed in a moving poem by **Norman Raven**, a visiting Ojibway from Manitoba (page 47).

Thank you to everyone who wrote and sent pictures for the first issue of the 1980 **INDIAN WORLD**.