

**Wulustuk Times Wulustuk** -aboriginal name for St. John River. This publication produced monthly at Tobique, NB, Canada, E7H 5K3 Item of the Month: The Border File For eons, Native freedom to travel freely has been a right, a lifestyle and an indigenous custom. In modern times that freedom has been recognized, protected and guaranteed under the 1794 Jay Treaty. This Aboriginal right shall Prevail!



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- "Hands" Newsletter now called "Wulustuk Times" Each month we try to gather and publish the latest, most current and relevant native news events and top stories for our readership. Proceeding with this concept, we feel that a well informed person is better able to see, relate with, analyze and grasp a situation more effectively when equipped with the right tools. Through the stories we present our aim is to provide easy understanding, comprehension and a good background behind a story. This is the format we try to follow for all our material. Web access: Not only our local readership is serviced with this format of news production, but the Internet audience can benefit as well. A talented and seemingly tireless worker, Sharon Green, from Ontario helps us to reach an audience around the world by putting up our Wulustuk Times newsletter on her web site each month. Just click on Gathering Place First Nations and in there find our newsletter, Wulustuk Times.

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### **NEW NAME FOR NEWSLETTER - "WULUSTUK TIMES"**

In the interest of progress and also for redressing this newsletter into a general, objective and an independent news medium for our audience, we have decided to rename it to Wulustuk Times" effective March 1, 2007. The aboriginal name of the river Wulustuk (St. John river) will be kept to identify the geographical area of our home community in New Brunswick. In general, everything else relating to the newsletter's contents, features, style and news stories, etc. will be the same as always. And our contact codes and addresses will not change. So in the meantime, we request your kind patience while this change is taking place and please keep reading and enjoying our monthly visits with you. Thanks, Editor and Staff

### **INQUIRY ORDERED IN BC FOR 1998 DEATH OF NB NATIVE**

Reversing an earlier decision, the British Columbia government has announced a public inquiry will be held in the case of a native man who died of exposure after police left him in a Vancouver alley. "I've discussed the matter with the premier and he and I have decided a public inquiry is in order," Solicitor General John Les told a news conference on Thursday. Frank Paul died in 1998 after police removed him from a jail cell and left him in a lane, intoxicated. The inquiry is being held in light of new information CBC News reported earlier this week about a corrections officer who claims the internal police investigation was a sham. Greg Firlotte told CBC News he helped drag Paul to a police van in December 1998. Paul, a Mi'kmaq man from New Brunswick, was later found in an alley. An internal police review concluded that a police van driver dumped Paul, 47, in the alley. The van driver was suspended for a day. Firlotte said the Vancouver Police Department didn't want to find the truth. "I've never been interviewed by the VPD," he told CBC News on Monday. "How can you have somebody die who was in the custody of the VPD ..... and I'm one of the principals, and I've never been interviewed?" "I think they did what they felt they had to do to protect the department's reputation." Speaking Thursday, Les said there were many unanswered questions surrounding Paul's death. "The news reports of the last week or so [are] clearly raising again the spectre of unanswered questions, evidence not considered, testimony not obtained," he said. The inquiry, to be conducted by police complaint commissioner Dirk Ryneveld, is expected to begin within two months. Ryneveld recommended a public inquiry into the case three years ago, but his recommendation was rejected by the provincial government.

### **PASSPORT UNDERMINES ANCIENT 1794 JAY TREAT**

-By p.paul. Before the coming of Europeans to this continent in 1492, the rules of travel for native people were very simple, basic, non-demanding or threatening. All a native traveler had to do was step into his canoe and paddle away to his destination without the bother of borders, customs, immigration quotas, gates or fences, etc. But sadly and dramatically, at this critical time in history and especially after the awesome 9/11 incident that shattered freedom all to hell, everything has all changed radically to utter confusion turning conventional rights and freedoms up-side-down, over-and-under to a point of chaos as the deadline approaches. The rules and rights we knew and lived by for centuries may never, ever resurface again. That is the world today according to Bush law of Disorder. According to the latest wires out of Homeland Security, the only ones who don't have to worry about border rules are kids. They are exempt for the time being but will face the same shock of overt rejection and scrutiny as they come of age. And as

understood the rest of the population should get in line applying for their passports if they hope to cross the border by car after January 23, 2008. The imposition of this strict order at the border in reality, and in legal terms, violates, if not destroys the true nature and spirit of the 1794 Jay Treaty which has legally protected and exempted Indians in every possible way of all impediments, restrictions or molestation when crossing the border. For over two hundred years this native right and freedom to pass and repass the border at will has been sanctioned and respected by border officials of both countries, and we, the aboriginal peoples of this land, demand that these legal indigenous rights, identities and provisions now endorsed in law, be upheld and honored forever. Native people of this land are not foreigners, aliens or immigrants from other continents like our neighbours and our fellow inhabitants. As a result of this close association with the land we recognize ourselves to be a part of the natural elements like the roots, the grass, the rocks and the rivers and mountains of this land. In nature therefore, these natural elements combine together to form every piece of the continent from the micron to the mountain, and as such, we being a part this massive organism, represent an extension of the physical and spiritual being of the land. This sacred bond cannot be broken.

**ANCIENT TREATIES SHOULD NEUTRALIZE PASSPORT REQUIREMENT FOR NATIVES** re: 1760 Treaty (below) Treaty of Peace and Friendship concluded with the Delegates of the St. Johns and Passamaquoddy Tribes of Indians at Halifax, February 1760. Whereas Articles of Submission and Agreement were made and concluded at Boston in New England in the Year of Our Lord 1725 by Sauguaaram alias Loron Arexus Xavier and Meganumbe, Delegates from the Tribes of Penobscott Naridgwalk St. Johns and other tribes inhabiting His Majesty's Territories of Nova Scotia and New England, in manner and form following Vizn. Articles of Submission and Agreement at Boston in New England by Sauguaaram als Loron Arexus Francois Xavier and Meganumbe Delegates from the Tribes of Penobscot Naridgwalk St. Johns Cape Sable and other Tribes of the Indians inhabiting within His Majesty's Territories of Nova Scotia and New England. Whereas His Majesty King George by the Concession of the most Christian King made at the Treaty of Utrecht is become the Rightfull possessor of the Province of Nova Scotia or Accadie according to its ancient Boundaries We the said Saugaaram als Loron Arexus Francois Xavier and Meganumbe Delegates from the said Tribes of Penobscot Naridgwalk St. Johns, Cape Sables and other Tribes inhabiting within His Majesty's said Territories of Nova Scotia or Accadie and New England So in the Name and behalf of the said Tribes we represent acknowledge his Said Majesty King Georges Jurisdiction and Dominion over the Territories of said Province of Nova Scotia or Accadie and make our Submission to his Said Majesty in as ample a manner as We have formerly done to the Most Christian King. And we further promise in behalf of the said Tribes we represent that the Indians shall not molest any of His Majesty's Subjects or their Dependants in their Settlements already or lawfully to be made or in their carrying on their Trade and other affairs within said Province. That if there happens any Robbery, or outrage Committed by any of the Indians the Tribe or Tribes they belong to shall cause Satisfaction and Restitution to be made to the Parties injured. That the Indians shall not help to convey away any Soldiers belonging to His Majesty's Forts, but on the contrary shall bring back any soldier they find endeavouring to run away. That, in case of any misunderstanding Quarrel or Injury between the English and the Indians no private Revenge shall be taken but application shall be made for Redress according to his Majesty's laws. That is the Indians have made any Prisoners belonging to the Government of Nova Scotia or Accadie during the course of the War they shall be released at or before the Ratification of the Treaty. That this Treaty shall be Ratified at Annapolis Royal. Dated at the Council Chamber at Boston in New England this fifteenth day of December An Dom, one thousand Seven hundred

and twenty five Annog R.R. Georgy Mag Britan and Duodecimo. Which Articles of Submission and Agreement were renewed and confirmed at Halifax in Nova Scotia in the Year of Our Lord 1749 by Joannes Pedousaghugh Chief of the Tribe of Chignecto Indians and Francois Aroudourvish, Simon Sactarvino and Jean Baptiste Maddouanhook, Deputies from the Chiefs of the St. Johns Indians in manner and form following VIZ. I Johannes Pedoudaghugh Chief of the Tribe of Chignecto Indians for myself and in behalf of my Tribe my Heirs and their heirs for ever and We Francois Aroudorvish, Simon Sactarvino and Jean Baptiste Maddouanhook Deputies from the Chiefs of the St. Johns (Maliseet) Indians and invested by them with full powers for that purpose Do in the most solemn manner renew the above Articles of Agreement and Submission and every Article thereof with His Excellency Edward Cornwallis Esq. Captain General and Governor in Chief in and over His Majesty's Province of Nova Scotia or Accadie Vice admiral of the Same Colonel in His Majesty's Service and one of his bed Chamber in Witness whereof I the said Johannes Pedousaghugh have Subscribed this Treaty and affixed by Seal and We the said Francois Aroudorvisah Simon Sactarvino and Jean Baptiste Maddouanhook in behalf of the Chiefs of the Indian Tribes we Represent have Subscribed and affixed our Seals t the Same and engage that the said Chiefs shall Ratify this Treaty at St. Johns. Done in Chibucto Harbour the fifteenth of August One Thousand Seven hundred and forty-nine (1749). In Presence of P. Hopson, Mascarence, Robt ellison, Iam T. mercer, Chas. Lawrence, Edn How, Edm. Gorham, Benj. Green, John Salusbury, Hugh Davidson, William Steele (Members of the Council for Nova Scotia) And the same was according Ratified at St. Johns in manner and form following VIZ. The Articles of Peace on the other Side Concluded at Chibucto to the fifteenth of August One Thousand Seven hundred and forty nine (1749) with His Excellency Edward Cornwallis Esq. r Cap. t Gen. Gov. r & Commander in Chief of His Majesty's Province of Nova scotia or Accadie and Signed by our Deputies having been communicated to Us by Edward How esq. r One of His Majesty's Council for Said province, and faithfully Interpreted to Us by Madam DeBelliste inhabitant of this River nominated by Us for that purpose We the Chiefs and Captains of the River St. John and places adjacent do for ourselves and our different tribes Confirm and Ratify the same to all Intents and purposes. Given under our Hands at the River St. Johns the fourth day of September One Thousand Seven hundred and forty nine n presence of the under written Witnesses Ed. d Hon. One of His Majesty's Council And We the said Mitchel Neptune and Ballomy Glode, for ourselves and in the name and behalf of the said Tribes of Passamaquody and St. Johns Indians Do respectively further promise and engage that no person or persons belonging to the said Tribes shall at any time hereafter aid or Assist any of the Enemies of His most Sacred Majesty King George the Second or of his Heirs and successors nor shall hold any Correspondence or Commerce with any such His Majesty's Enemies in any way or manner whatsoever and that, for the more effectually preventing any such Correspondence and Commerce with any of His Majesty's Enemies the said Tribes shall at all times hereafter Traffic and barter and exchange Commodities with the Managers of such Truckhouses as shall be established for that purpose by his Majesty's Governors of this Province at Fort Frederick or elsewhere within the Said Province and at no other place without permission from his Majesty's Government of the said Province. And We do in like manner further promise and engage that for the more effectually securing and due performance of this Treaty and every part thereof a certain Number, which shall not be less than Three from each of the aforesaid tribes, shall from and after the ratification hereof constantly reside in Fort Frederick at St. Johns or at such other place or places within the Province as shall and at no other place without permission from His Majesty's Government of the said Province. And We do in the manner further promise and engage that for the more effectually securing and due performance of this Treaty and every part thereof a certain Number, which shall not be less than Three from each of the aforesaid tribes,

shall from and after the Ratification hereof constantly reside in Fort Frederick at St. Johns or at such other place or places within the Province as shall be appointed for that purpose by His Majestys Governors of the said Province as Hostages, which Hostages shall be exchanged for a like Number of others or of the said Tribes when requested. And We do further promise and engage that this Treaty and every part thereof shall be ratified by the Chiefs and Captains and other principal persons of the said Tribes at Fort Frederick aforesaid on or before the 20th May next. In Faith and Testimony whereof We have Signed these Presents and caused the Seal of the Province to be hereunto affixed, and the said Michel Neptune and Ballomy Glode have hereunto put their Marks and Seals in the Council Chamber at Halifax in Nova Scotia the Twenty third Day of February in the Year of our Lord One Thousand Seven hundred and sixty (1760) and in the Thirty third Year of His Majesty's Reign. A true Copy. By His Excellys Comm Rich.d Bulkeley, Sec.y

### **PASSPORT, A BAD IDEA SAYS NY LEGISLATOR – CPWASHINGTON**

- Canada is getting caught in the crossfire of U.S. security plans that are too onerous, says a key American legislator. New York Representative Louise Slaughter, who chairs the powerful House rules committee, said in an interview with The Canadian Press that plans to require passports at land borders are a prime example of bad anti-terrorism policy. "I don't think they really appreciate the damage that they're doing," said Slaughter. "It's disconcerting." They have no reason in the world to believe that Canada's not as secure and they can't do as good a job as we do." Slaughter, whose district includes Buffalo and Niagara Falls, N.Y., introduced legislation last week that would force U.S. officials to consider allowing Canadians and Americans to use high-technology driver's licences in lieu of passports. She backs Canada's position that U.S. officials must take all the extra time Congress gave them, until June 2009, to implement the passport plan or risk devastating trade and tourism. But State and Homeland Security department officials say they'll get it going by the beginning of 2008, well before a two-year pilot project using driver's licences at several crossings in southern British Columbia and northwest Washington state is finished. "We just can't let this happen," said Slaughter, who is hoping to make her case next month at a hearing of the House homeland security committee. "But they are very difficult to move. They seem to be wanting to put enormous pressure on the Canadian government to do things they can't do," she said. "The biggest issue we've got is to try to get them to think differently about our border and the Mexican border" where illegal immigration is a huge problem. About 40 per cent of Canadians already have passports, and just 27 per cent of Americans do. The United States is also developing a passport card that will be cheaper but still contain citizenship information. However, officials are telling state leaders that while they can have the cards ready by the beginning of next year, the machines to read the cards won't be in place by then. Business groups on both sides of the border are complaining that all the uncertainty is already hurting cross-border travel. "A lot of people aren't going to go to Florida from Canada," said Slaughter. "It is going to have an impact on that economy down there. We just perhaps might want to get the Florida delegation riled up about that." As well, said Slaughter, Vancouver is hosting the Winter Olympics in 2010. "We've got to make sure people can smoothly cross our borders. You're going to need a crowd from the United States." Ambassador Michael Wilson, who calls the passport plan the "single most pressing" problem for Canada right now, has been lobbying hard for a delay. Four premiers, from Ontario, Quebec, Manitoba and New Brunswick are planning to argue Canada's case in a visit to Washington later this month. "This isn't a discussion about security," Wilson said last week. "This is implementation, how we address and get that right balance between security and the legitimate flow of goods, services and people that go across the border." That balance is very important. "Slaughter and others in the U.S. are as concerned as Canadian officials because

they understand the potential impact on casual crossings that are a way of life, said Wilson. "The border to them isn't a border. It's a place they have to cross to get to the other side but they don't see it as something that should become a barrier." Slaughter, who noted she's been listening to CBC radio for 20 years, said there are a lot of families in her district who own property on both sides. "It's like one country with a river through it," she said. "We're more than friends. We all know each other. And count on each other, frankly." The Buffalo Bills require Canadians to come, as do the Sabres.

### **HITTING THE NAIL ON THE HEAD REGARDING THE BORDER ISSUE**

A Call For Awareness: The issue of our boundaries is being breached by illegal methods. Note: (This article was submitted by a concerned aboriginal mother from Tobique FN). This will not be an article on "homeland security" "terrorism" or the right to bear arms. The only people who are the rightful homeland security are our people. A foreign power, which has neither conquered us or we surrendered to, does not have authority in our homeland. We the people are the sovereign rightful authority over our land. We have a territory that extends from the Bay of Fundy to the St. Lawrence River. It also extends from the St. John River over to the St. Croix River. I communicate these significant points in english for those of us who have had our language torn from our mouths but not from our minds or our hearts. Many of us in this situation would become fluent speakers if we had the opportunity to do so. We need to acknowledge for the sake of our youth that every inch of our territory has a name identified in our language. Our language shows us that we are connected to every part of our territory and the resources bestowed upon us by the Creator for our generations to come. In return for these gifts, we have a responsibility to protect what was given to us and to share with all who seek shelter in our land - this does not mean we allow exploitation. We did not impose borders on each other for we respected the boundaries delineated to us in our territory. Since we were Nations long before the immigrants to our shores, we have long-standing protocol and etiquette as to how we may pass another Nations boundaries and what we need to do to pass respectfully. When the immigrants began imposing boundaries on us and in turn, us on each other, it amounted to a declaration of war and much bloodshed ensued. This is not our war and yet once again we are left in the no man's land with it being our land. For the sake of our children, we need to confront this war and the effect it is going to have on our people for generations to come. No one is more concerned about "terrorism" than our people. We know all about "terrorism" because we have been enduring terroristic tactics since our land and we were "discovered". We have endured physical, emotional, mental, spiritual, chemical and biological warfare; we have survived torture, imprisonment and "salvation". Feudalism, imperialism, colonialism, capitalism and one world-ism have meant death and destruction to our peoples and our land. We now know after the salmon has been killed in our rivers from mercury, after our air has been polluted from oil and forest emissions and after our animals have been displaced due to twinning of highways and building of natural gas pipelines, that the supposed superiority of the white man's world is quickly coming to an end. If so superior to others, and us why do they wait in fear of the next "homeland" catastrophe? Why do they need a big brother society where fear and suspicion reigns? Why is it that what they touch, create and pursue leads to the death of innocent millions and now is putting the entire global atmosphere at the brink of implosion? That my friends is not superiority, that is stupidity. We all know that we only have one planet to call home - would you keep crapping in your own home, and allow others to do the same, and say that it is all okay since that is the price of progress? Some have noted that we are in a process of coming full circle - that once they had killed us for telling the truth and being who we were and now that they need some of our traditional knowledge to help keep them alive. Our medicine, our ways and our

spirits are still strong. As such, we need to support each other as another assault against our people is mounting - aggression by bureaucracy, on behalf of a foreign state, to systematically eliminate our sovereignty. This is what the "border issue" is really all about. Now by air and in January 2008, by land, all citizens of the world will be required to have a passport to enter the United States of America. The Canadian government has conceded to our apartheid by using a national Aboriginal organization to impose the regime on to our people. The Assembly of First Nations and its affiliates receive money from the Crown to do the Crown's bidding in our midst. They have been working on a "smart card", which is essentially a tracking device, that will require us to identify primarily as Americans or Canadians, with some secondary reference to tribal affiliation. These cards are an interim measure with the passport regime as the ultimate solution to completely eliminating our identity. The United States has indicated that blood quantum rules will apply to us and that our 2nd and 3rd generations may be completely eliminated according to their rules. Since Indian Act Chiefs and Councils have been debilitated to protect our sovereignty and our identity, it is of no surprise that nothing is being done to protect our people from this new apartheid. We do not have to respect illegal borders in our territory, whether internationally, nationally or provincially. Our people were free to pass and free to identify ourselves as whom we are. Based on our treaties, we are not subject to illegal laws of foreign regimes and as such, we retain our sovereignty as caretakers of our land, our culture, our governance and our economy. Those regimes are not able to take from us that which they have no authority to remove. We will remain in tact and will live to endure another forced separation from family, community and our land for the sake of some boogiemans that they created themselves. These forcible actions go against every human rights law, charter and international covenant on the rights of indigenous peoples. Again, their "freedom" has meant our oppression. We should not be playing ball with Chiefs, Councils, AFNs or any other entity that advocates for the illegal laws and the imposition of those laws on our people. We should be working with other people in our lands and across turtle island to unite and renounce: the illegal imposition of foreign identity on our people, the illegal obstruction of our passage and the immoral and aggressive force being applied to our people to respect the new "Wall of America". Unlike the Berlin Wall and the Great Wall of China, we are not subject to an external regime that does not respect our rights as indigenous peoples to traverse our lands and to restrain our right to exist. As it is unfolding now, we are looking at a systematic genocide of our identity. We are not Canadians, We are not Americans, We are Skijinuk. We have a right to exist. We have a right to be mobile in our territory. We have a right to determine who we are and how we will govern ourselves. These are statements of fact to the world. We must not invite or request the Crown to act on our behalf or to fund anyone supposedly acting in our best interest. We can not be, become or re-birth ourselves to be something we are not. While much time, energy and resources has been spent trying to make us something else, the Creator has protected our spirits to the point that 500+ years after the onslaught of attempts to extinguish us from our land, we continue to exist. We are here, and we are not going anywhere. If we must stand against one the most brutal regimes ever seen in the world, we will and with the help of the Creator, we will overcome another attempt to do away with our people. You may be asking yourself - what can I do? What effect can I have? It is simple - believe. Believe in us and our right to exist. Pray that our people will continue to be protected and support those of us who do the battling on our behalf. You may not agree with whom but we need to agree how. We must stand together on this and we must for the sake of our children. I have seen the power of a few people joining, talking, working, living and doing together - it goes way beyond what you and I could do alone. The one thing we do have on our side is the truth and that is one thing we must not forget. We are not less important than our ancestors and we are not more important than our children. The Creator has placed us

on this land at this time to do something special for the sake of our people. We are not alone and we are important. I offer this awareness to you because I believe in us and in our ability to get something done, especially in times of crisis. This is not about politics, money, position or authority; this is about our hearts and our willingness to follow them. Woliwon for your time and consideration, A concerned Mother.

### **KIDS EXEMPT FROM PASSPORT REGS**

CTV.ca News Staff Children will be exempt from new rules forcing visitors to show a passport at U.S. land or sea borders, American officials announced Thursday. Homeland Security Secretary Michael Chertoff was expected to discuss the relaxation in rules Thursday at speech in Detroit but the department released the details in a written statement instead. The new passport requirements are expected to take effect as soon as January 2008. Children aged 15 or younger, with parental consent, will be allowed to cross the borders at land and sea entry points with certified copies of their birth certificates rather than passports. Those aged 16 through 18 travelling with school, religious, cultural or athletic groups and under adult supervision will also be allowed to travel with only their birth certificates. On Wednesday, a spokeswoman for Public Safety Minister Stockwell Day confirmed that Ottawa had been working with the Americans to negotiate a deal. "The government has been working vigorously with the Americans to have children exempted," said Melisa Leclerc. "We are pleased to see that our efforts have resulted in the Americans agreeing." The announcement will also help to ease fears of a negative economic impact that could occur once the Western Hemisphere Travel Initiative (WHTI) is implemented. Businesses along the U.S. border states and in Canada have complained that the program will stifle tourism and trade because many people do not have passports. Only 40 per cent of Canadians and 27 per cent of Americans have the document. Security consultant Scott Newark says the announcement is a sign that Canadians are continuing to make progress with the Americans on dealing with issues of border security. "They had announced originally this sort of broad-based (WHTI) plan, that everybody had to be part of this specialized program, and since the new government has placed a higher priority, I think, on border security," Newark told CTV Newsnet. "There's a greater recognition on the part of the Americans that there are probably better ways of accomplishing what they want than simply having these all-across-the-board rules, and this is one example of that kind of progress, I think." U.S. State department officials say further announcements -- including an exemption for seniors -- could follow. Under a new U.S. law that took effect Jan. 23, nearly all air travellers entering the U.S. who are citizens of Canada, Mexico, Bermuda or the Caribbean -- as well as returning Americans -- must show a passport when flying to the United States. Children entering the United States by air will still be required to show passports. The rules were mandated by Congress in 2004 after recommendations by the Sept. 11 commission that border security be tightened. Last October, Congress passed an amendment sponsored by Senators Patrick Leahy (D-Vt.) and Ted Stevens (R-Alaska) that would postpone the day the land and sea rules take effect for as long as 17 months, till June 2009, if certain conditions have not been met. One of those conditions was to develop an alternative procedure for groups of children travelling across the border under adult supervision and with parental consent. Chertoff is travelling to Ottawa for meetings Friday with his Mexican and Canadian counterparts.

**ITS TIME FOR CANADA TO PAY UP**

Gerry St. Germain, Citizen Special First Nations lost land and money over the years through the federal government's mismanagement of their reserve lands and trust funds. About 30 years ago they began to actively document what had occurred in the form of mis administration, fraud and sometimes outright theft of First Nations' assets. The Indian affairs department therefore was forced to come up with a claims policy in an attempt to save First Nations and Canada from having to meet in the courts



over these very issues. More than 400 First Nations (status Indian bands) have submitted roughly 1,300 specific claims to the government of Canada under the Indian affairs department's 1982 Specific Claims Policy. That is a horrifying number, but what is more horrifying is that some 900 of those claims remain unresolved. In our recent report on the Specific Claims Policy and process, *Negotiation or Confrontation: It's Canada's Choice*, the standing Senate committee on aboriginal peoples found the specific claims process is profoundly flawed. The committee has recommended several ways the federal government can take action on specific claims rather than face the dire social and economic consequences of allowing these claims to fester. Some Canadians are understandably fed up with this issue, yet the public is generally unaware of what is involved. They question why any of these claims needs to be resolved at all. They may wonder why First Nations cannot just move on without dwelling on what happened in the past. But those who recognize that the government of Canada has an undeniable responsibility in this area wonder what accounts for government inaction. Every time an Oka, an Ipperwash or a Caledonia flares up around claims, confusing questions arise in the media about who is responsible: the First Nations, the developers, the province, the federal government? Surely there is a way to put an end to these damaging confrontations and to do what is right for all concerned. So, what is right? Simply put, specific claims are legal obligations and contingent liabilities that cannot be deferred and ignored by the government of Canada. To do so is to visit further injustice on the claimants and additional expense on Canadian taxpayers. Where an obligation exists and there is no consideration or compensation, one can expect trouble. It is time to pay up. Recently, letters were written to various newspapers around the country contrasting the timely compensation for Maher Arar with the multi-decade wait for restitution that First Nations experience. Maltreatment and dispossession have impoverished generations of First Nations people for no legitimate reason. This is a blot on Canada's international reputation. The chronic underfunding of the specific claims process demonstrates the failure of successive federal governments to take the matter seriously. It now sets the stage for violent confrontations in the future. Some First Nations youth will not tolerate the injustice the way most of their parents have. Adequate funds are needed for specific claims negotiations. For settlement payments alone, the committee feels no less than \$250 million per year should be set aside. We find it is no longer acceptable to have the government department against whom the claims are being made be the one to decide on their validity and to make reparations to the claimant First Nations. That conflict of interest has to be eliminated. Building a truly independent body dedicated to resolving these kinds of claims is the only way to dispose of the contradictions in the present Specific Claims Policy. The committee therefore recommends the establishment of an independent body within two years that has the capacity to resolve the claims it receives in five years or less. The committee also suggests making all reforms consistent with the principles of fairness (full disclosure and access), inclusion (involvement of claimants and stakeholders), open and honest dialogue, the recognition of regional differences and the uniqueness of individual claims. Under the Constitution, the Indian Act and certain treaties, the federal government assumed responsibility for First Nations' assets on the theory that they would be properly protected. Canada has not been relieved of that duty. Canada may profess to be a great nation, but the very people who welcomed European settlers and who helped these Europeans survive in an unfamiliar environment, these first inhabitants are now being shortchanged. As Canadians, we cannot be proud of this continuing injustice. Gerry St. Germain is chair of the aboriginal peoples committee in the Senate of Canada.

**LETTERS TO THE EDITOR:** The U.S. Government Announces that it will break a 200 year old Indian Treaty. An article in the Feb. 3, 2007, Watertown Times (Watertown, N.Y.), was brought to my attention in which the U.S. Government declares new regulations made without

negotiating with the indigenous peoples who will be effected, and breaks a treaty with sovereign nations. Article III of the 1794 Jay's Treaty states that, " It is agreed that [the border] shall at all times be free to His Majesty's subjects and to the citizens of the United States, and also to the Indians dwelling on either side of the said boundary line, freely to pass and repass by land or inland navigation, in respective territories and counties of the two parties on the continent of America..."This is a flagrant misuse of U.S. law because it conflicts with a Treaty that is over 200 years old. The Treaty should be stronger than conflicting laws and over ride them. In the case of the border Indian reserves, there are family members who reside on both sides of the border. Often there are family emergencies that require swift assistance from other family members on the other side of the border. In the case of the St. Regis Mohawk, their ambulance is housed on one side of the border, but it serves both sides. The Cornwall Hotel Dieu hospital is popular for people on both sides of the border. The delays for checking of passports for those being rushed to hospital and ambulance attendants could make a difference between life and death. The cost of the passport will be a burden to many families. The Mission Records kept by the missionaries of Ft. La Presentation at Ogdensburg, N.Y., from 1749-1759 noted that Indians were residing at the site now known as St. Regis before 1750. They continued living there after the fall of Quebec in 1760. On May 30 , 1797, New York recognized by Treaty the Mohawks rights to the St. Regis lands where they had been residing. Canada also recognized and respected the Mohawk lands on the north side of the St. Lawrence. The St. Regis Mohawk church was built on the Canadian side served by Canadian Jesuits. The passport regulation for tho original people residing on reserves, that have been intersected by borders of more recent vintage, should not be molested or abused by foolish and callous regulations. If the U.S. is not willing to modify the law to a more realistic and humane approach to the problem, the U.N. Human Rights Committee should be asked to investigate this situation. American Indians should not be forced to become involved in a long drawn out fund-draining court case. The Jay Treaty is very explicit in its language: "It is agreed that [the border] shall at all times be free...to the Indians dwelling on either side of the said boundary line, freely to pass and repass by land or inland navigation, into the respective territories and countries of the two parties on the continent of America..." Nicholas Smith

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WOW! BRAVO!

Your surpassed yourself Pat!

The whole newsletter is like a bright spring morning sun announcing revival and hopes.

A remarkable wake up call!

Congratulations to all participants.

Best regards,

Yvon

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Pat,

I thoroughly enjoy this exercise with you of designing symbolic graphics to convey messages and themes, and I am humbled that you include me in your project when there could be someone from your own community who would be much more appropriate for doing it. It is very rewarding and educational for me because you are so willing to discuss ideas and share thoughts and opinions in a positive and constructive fashion. The world needs more cooperative and constructive understanding like that between all cultures. It just doesn't work that way unfortunately.

I think what you are doing is very important. It is like writing a book of knowledge, an encyclopedia, over many years. Your newsletters contain valuable information, not the type of news you just throw in the trash can, but the type that one can refer back to over and over. They need to be kept in a library for future reference.

As for your comments about the pre-contact period of no borders and what my thoughts are. Based on what little I have researched and read in the early journals of the first contacts I would say you are absolutely right when comparing the European pilferers (in the name of God and the King) with their writing and "signature" based culture, and the non-writing culture of the "non-human" savages they discovered here. However, I believe that this is the general picture most often portrayed, but there are exceptions that get no attention. I have found journals of writers who showed great respect for these inhabitants and considered them as equal, if not better, morally and socially than their own Christian brothers and sisters. There are some of these white settlers who became very attached to the native people, learned from them, and married them and raised families. So, there are good stories to tell, but they are always overlooked by the social elite and bureaucrats who must protect their status and power as a dominant society. The "Me" based society has a lot to fear from the aggregate power of the communal society that might be poor, but looks out for each other. That has become quite apparent in South Africa in the past couple of years.

As for borders, were there not territorial borders between the Maliseets, Mi'kmaqs, Mohawks, Iroquois etc.? I know they were not drawn on paper by surveyors, but they were understood somehow, and sometimes fights would occur when Mohawks came down the Wolustog into Maliseet territory. I'm not familiar with how they determined their territories, but Ganong interviewed many of them and attempted to come up with his famous line between the Maliseets and Mi'kmaqs. Unfortunately that line was only good for an instant because it is my understanding that the territorial boundaries were constantly fluctuating. We should not be using that same line today. As far as the British and American and French borders go, those remind me of the "thematic map" concept from my old job. A thematic map is created by drawing layers of maps themes, one theme on top of another theme. One theme could be rivers, another could be clear cut land, another could be roads, and another could be property lines. Each theme is useful when plotted by itself, but when overlaid on top of another theme it produces new information. In my way of thinking, the Indians had their own territorial boundaries, even though they weren't plotted on paper. The British and French came along and basically plotted their boundaries on paper, which had nothing to do with the Indians' boundaries, but simply reflected some territorial claim between themselves for plundering and pilfering the land. Then the British and Americans established another boundary across the continent, that again did not involve or change the original Indian territorial boundaries, but rather, was plotted on top of them. The Indians' lands were the first "thematic" level. The other boundaries did not change them, but were added on top of them. The Indian's territories represented different things (according to tribe or nation) than did the second level of British and American territories plotted on top. In mapping we have what is called a base map, the first and lowest level of information on top of which all new themes are plotted. It can be an "orthophoto" map which is basically a mosaic of aerial photos. In my way of thinking the Indians had the first thematic level on this base map, and it has not been removed in all these centuries. However, other themes have been plotted on top of it by the invading immigrants. Is there a way to use the white man's own tools, the mapping tools, to draw the current territories of the Indians as a base map and then plot on top of it the imposed boundaries of the white man, the Crown lands and properties, and thereby illustrate the real picture of what

has happened in history. The thing about a base map is that its "attributes" impact all other themes drawn on top of it. If the boundaries of an Indian territorial thematic map represent hunting, fishing and other harvesting rights, or whatever rights, then all other themes plotted on top will be affected in some way. This would be one way of bringing your ancient rights and privileges into the same "paper based" world as the white man and showing how they impact all the other so-called rights or privileges plotted for the white man's world. Do you follow any of what I am saying? It is a complex subject and I have only touched briefly on it.

Daryl / No gee ka dun ked

### **DAN'S CORNER - CROWN LAND IS INDIAN LAND**

The land that has come to be known as Canada is Indian land, our land, and has always been our land.

At some point after contact those transplanted Europeans arrogantly decided that they would begin referring to Indian land as Indian Crown Land. This represents the beginning of the theft of our land. It also represents the beginning of the creation of the legal fiction and political illusion that has come to be known as Canada. This was the eurocanadian means of legitimizing what they knew and still know as the theft of land. Theft of Indian land.

If one reads European history one will discover that the theft of Indian land began much earlier. This was when the Christian church divided North America into portions and gave certain portions to different countries. Along with land grants the church also granted to European whites its go-ahead to conquer and populate Indian lands for in the minds of Church officials the occupiers were/are only sub-human savages. These savages were not civilized, not Christians, were/are not like Europeans for they did not try to conquer and convert "others" and they did not develop the land.

In the minds of Europeans the "permission" from the Christian church was and is the legitimizing force for the act of stealing land that does not rightfully belong to one. After all, the church gave its approval to steal savage land.

The Christian churches "permission" was what began the religious theft process of our land, and the methods that gave it life and sustainability, into the present, was the concept of Indian Crown Land. From there, it was simply a matter of time and eurocanadian chicanery attitudes for it to become simply Crown Land.

In the present day you add to the mix the eurocanadian's deliberate and calculated state of denial with respect to their theft of our land along with their "white is right" and "might is right" attitude and you have a situation where those eurocanadians are more than willing and able to annihilate more of our people in the same manner that they managed to annihilate the Beothuk, so that they may continue holding on to our land.

Maybe the eurocanadians won't annihilate our people in as blatant a manner as they once did but annihilate they will for they will not return our land simply because they know in their hearts that this land is our land. For their individual and collective greed is too great. Greater yet then even their individual and collective guilt for their theft of Indian land.

As Indian people we are duty-bound to do what we must do to continue what the Ancestors have instructed us to do. To honor, respect, nurture and protect our Sacred Earth Mother. And to honor, respect, nurture and protect the Ancestors, the People and the Seventh Generation.  
All My Relations,

### DEAN'S DEN

– "Hands" Two hands that shook in greeting. Just briefly - then unclasp. Two lives of utter difference Reflected in that grasp, One hand was soft as putty Well manicured, and fair. The other, hard and calloused. The effects of work and wear, One hand with winsome fingers To suggest the gracious touch The other's - short and stubby Inept, unapt - and such, One hand implied a lifestyle. That love of money brings. The other had the bearing Of equipment and machines, One hand showed ease and comfort. But - not inevitably weak. For the hand that is extended. Is not the sum critique, One hand - sincere and honest. Put forth with humble heart. The other - of a schemer. Skilled in the scammer's art, One hand might be a poor man's. The other might be rich - The hand the hand is shaking Isn't always ... which is which!  
D.C. Butterfield