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TABLE OF CONTENTS - OCTOBER 2006

CONCEPT OF ABORIGINAL TENURE - Leroy Little Bear, 1986. TOBIQUE 2006 ELECTION SET FOR OCTOBER 23. SKIGIN-O-EE- KOG - (North America). CAUCONA CAVE PROVES ARCHAEOLOGICAL IMPORTANCE. HEALTH PRIORITIES SHOULD INCLUDE 'EXCELLENCE' AND 'PREVENTION'. SHAWN GRAHAM IGNORED NATIVE QUESTIONS DURING CAMPAIGN. TRAVELING AND LEARNING ABOUT THE WULUSTUK (St. John River). DAN'S CORNER - Earth Mother and the People. DEAN'S DEN – Wulustuk. MORE WULUSTUKIEG (Maliseet) WORDS AND PHRASES. WGC Newsletter. Each month we try to gather and publish the latest, most current and relevant native news events and top stories for our membership. A well informed and updated clientele is better able to see, relate with, analyze and grasp their situation more effectively when they have the tools to work with. It is our objective to provide as wide a scope as possible for our readership to be as informed as possible. This format of providing news and the disseminating the right information is our top priority. Web access Not only our local readership is serviced with this format of news production, but the audience that surfs the net can benefit as well. A talented and seemingly tireless worker, Sharon Green, from Ontario helps us to reach our audience and readers around the world by putting our monthly newsletter on her web site. To view her site go to Gathering Place First Nations and search in there for Nations and from there find our newsletter, the Wulustuk Grand Council News. Contact. You can reach us by postal mail at P.O. Box 3226, Perth-Andover, NB. Canada E7H 5K3, or at our US site at P.O. Box 603, Fort Fairfield, ME 04742. By telephone we're at 506-273-6737 in NB, Canada, and via Internet.

CONCEPT OF ABORIGINAL LAND TENURE Aboriginal land tenure systems typically are communal systems- Land is communally owned: ownership rests not on one individual, but rather, belongs to the tribe as a whole, as an entity.- The members of a tribe have an undivided interest in the land: - everybody as a whole owns the whole...the land belongs to not only people presently living, but also to the past and future generations ... the land belongs not only to human beings, but also to other living things: they too, have an interest. Retrieved from: Little Bear, L. (1986) "Aboriginal Rights and Canadian 'Grundnorm,'" In Arduous Journey: McLelland and Stewart Limited, Toronto, P. 245

TOBIQUE 2006 ELECTION SET FOR OCTOBER 23 p.paul TOBIQUE FN. (Special) - The upcoming Tobique election has all the signs of producing exciting debates and dialogue along with the possibility of producing significant style and structure changes after the election. First of all, women are prominently represented in this year's election with one of them offering as Chief. This trend represents a new option and direction for Tobique voters. Secondly, a large representation of candidates numbering up to 52 persons were given the nod in this year's nomination. This would indicate active, vibrant and intensive campaigning is on the way for the community. The incumbent chief, Stewart Paul, a lawyer and a post 3-term leader, is not offering in this election for personal and professional reasons. In all likelihood, Mr. Paul will return to practicing law in the local area. Of the 52 candidates in the race, there are 36 males and 14 women vying for the twelve councillor positions. Among the 52 candidates three are opting for Chief. The Band election at Tobique normally held in November has been changed to October this year at the discretion of Chief and Council, and with approval of Indian Affairs. Usually, Band elections and other official functions undertaken by the Band have to coincide with the rules and regulations set out in the Indian Act. Any changes to these federal regulations cannot be made without the proper and official sanction and endorsement of the Department of Indian Affairs who, in the end, has the final word and responsibility of administering Indian Act rules on all Reserves in Canada. For

complete and most updated information on this story, please watch for the election results in our November issue.

SKIGIN-O-EE-KOG (Aboriginal Homeland) - By p.paul

The term Aboriginal Homeland is North America. It is the Home of the North American Aboriginal peoples. This land is aboriginal in nature because native people originated here and were not migrants from elsewhere as were the Europeans. This land is a God-given Homeland which embraces the entire continent from shore to shore. Aboriginal people in this continent are therefore the first, the only and innate true 'owners', stewards and occupiers of this North American continent. In no uncertain terms, the European immigrants took the liberty to establish their farms, towns, villages, cities and even created their European-styled governments in SKIGIN-O-EE-KOG without first consulting the Aboriginal occupiers and rightful 'owners' of the land. In other words, they essentially stole the land from the native people, outright. In the aboriginal world, the phrase, 'owners of the land', is a quasi or a moot term only, to match the white man's comprehension or terminology of land tenure. The main reason for 'matching-up' words or phrases is to reconcile the cultural differences in world view between aboriginal 'use' of land, vs. whiteman 'owning' land. Aboriginal innate tie and relationship to land is entirely Spiritual in nature. Native concept of land therefore is fundamentally different, if not directly opposite to the Europeans perception. The whites view land as being a commodity, a bargaining chip, sellable and purchasable 'real estate' or a token for trading. This whole cultural contrast began after Columbus landed here in 1492. The concept of land ownership, land titles, private land and using land in bartering, as a source of income, wealth, property and a commodity was brought to North America by Europeans and other foreign nationals who arrived here some 500 years ago. In fact, the white man's basic code of law, called British Common Law, underlies the whole basis and justification for buying, selling and/or using land as a marketable commodity for trade, bargaining and exchange. Prior to contact native people saw land as a gift from the Creator, entitling them and other fellow creatures equal status, rights and privileges to its resources. To native people, land was a god-given place for freedom and enjoyment, a place for dwelling and raising families and above all, a sacred place for relating and keeping in peace and good graces with the Creator. Among the Wulustukieg (Maliseets) land was universally distributed in family units and used as hunting lots that ranged in huge sections sometimes extending for miles, depending on the size of the family. For instance a family with several children, the hunting fishing, trapping and gathering territory was generally large to accommodate adequate protection and space for each member's survival without infringing upon neighboring territories. Whereas, in a small family, with one or two children, the land allotment was relatively small, again allowing adequate space for family survival and livelihood. These hunting, fishing, trapping and gathering territories were assigned or designated by highly respected and knowledgeable tribal leaders and elders who assured each allocation received fair and basic elements needed to support and feed families. The criteria used for assigning family hunting territories would have been as follows: 1) availing good productive lands, waters, resources and medicine areas, 2) lands that contained ample wildlife and natural habitats, 3) access to open and vibrant cross-country water routes for distant transportation means, and 4) availability of fertile lands for gathering purposes and cultivation. From these tribal allocations chosen by elder's consensus, native people perceived land as being communal in nature and universally 'owned' or occupied by all members, unlike the Whiteman's concept of individual, private land ownership. Traditional people recognized land as being abundant and filled with many wonderful things of nature that no single individual could possibly presume to own or entertain the notion of controlling parts or pieces of it. Neither was there an Aboriginal intention, inclination, ambition or desire to own or hoard land personally. The white man's notion of fencing off massive sections of land for private use to demonstrate or symbolize their collective worth, or to amass large monetary

interests from land holding was foreign, alien and absolutely impossible under true aboriginal concept and philosophy. Land to aboriginal people was a divine gift from the Creator which, by nature, could never be bought, sold, traded, owned by an individual or by corporate interests, dealers or businesses. Rather, land was globally recognized as being open to everyone's right to freely use with utmost care, honor and respect. The prevailing aboriginal concept was that no one individual, regardless of rank, status, power or position in the tribe could rightfully assume private ownership to a piece of Mother Earth. If indeed, such a sanction were invoked, it would fundamentally violate, corrupt and undermine the very nature of human dignity of native people. In the aboriginal world, individual land ownership was absolutely absurd and unimaginable because of the sanctity of the land. Of course native people lived off the land for thousands of years before the coming of the Europeans. Throughout that time they tactfully watched over it, protected it, and used everything from it to survive through eons of time and for countless generations. That was the role and relationship Aboriginal people had with land in SKIGIN-O-EE-KOG. And by living and practicing this unique principle of respect that ensured ecological balance, everyone had the same reason, right and opportunity to hunt, fish, trap and gather in any part of the land for the purpose of feeding their families. By nature, aboriginals never dreamed of establishing private lands, borders or restricted areas for private use or for any singular purpose. This innate code enabled all people a natural right to survive, and the concept was universally employed, accepted, and recognized throughout the whole continent. This was the order of the Creator. All life in SKIGIN-O-EE-KOG evolved and adhered to this sacred Spiritual code since the dawn of time and from it, a perfect ecological balance resulted. The unfortunate downward trend began in 1492 with the arrival of Europeans along with their industrial values and lifestyles.

CACOUNA CAVE PROVES ARCHAEOLOGICAL IMPORTANCE CACOUNA, FN,

(Que.) Fragments of pottery were discovered in a cave in Cacouna recently. This discovery seems to confirm the archaeological importance and authenticity of drawings of Amerindian origin found on the walls of the cave. The illustrations, done with wood charcoal, show hunters armed with a spear.

The entrance of the cave is now barred with a locked door to protect the site. The only other example of this rock art in America is located in Wisconsin.

The interest and conservation of this cave was first evoked a year ago as viable evidence and material argument against the construction and establishment of Énergie Cacouna project for a methane gas terminal along the St. Lawrence River in Quebec. Yvon A. Moreault, -351 Route 295 Nord, Degelis, Qc, G5T 1R2 Tel: (418 853-2091)

HEALTH PRIORITIES SHOULD INCLUDE 'EXCELLENCE' AND 'PREVENTION'

p.paul GRAND FALLS, - According to one prominent individual, Harmel Desjardins, from Grand Falls, NB, we, as a people as well as our governments, are overlooking one vital aspect of our lives in this country which has to do with our health services. Mr. Desjardins, says that the issue of community health could be better served and managed and be cheaper to operate if we had a dual system in place, one for 'excellence' and the other for 'prevention'. For this to happen we would need the will and resources in the right places.. WE'RE MOSTLY FOCUSED ON "CRITICAL" Under the present circumstances health systems and health care services across the country are focused mainly on meeting emergency needs or treating patients when it is almost too late, or when they become too critically ill to control their maladies. To me this is all wrong and not very cost-effective. It is like putting the cart before the horse and we're paying through the nose for something we could avoid. That's how the present system works, in general. PREVENTION ASPECT: Tonnes of monies are spent every

year to pay for illnesses and diseases that could have been prevented right from the start. This situation could be possible if we had a 'watchdog' system of lifelong protection and 'prevention' in place where people's health would be protected from the cradle to the grave. The system of treatment we have today is not the best way to keep a person fit and in good health. There is a lot more to it than that, he says, and besides that, if we had long-range preventative alternatives for people, it could be a lot cheaper and a definitely be more efficient for our establishments, society and our lean health budgets. It is all well and good to treat the patient when they need the help, he says. This is what we're used to seeing and doing in practice. But when it comes right down to it, it is a very costly proposition in most instances as well as being short-sighted in terms of maintaining a viable and an affordable health system. There is a definite need to look at alternatives, i.e., a two-tier system, one for addressing conventional treatment services, and the other for creating and maintaining a long-range prevention care, a system that will pay off in dividends when less prone future generations may need medical attention and care down the line. If a "prevention" alternative were initiated today the real beneficiaries would be our children, grand children and many others to follow. Mr Harmel Desjardins is the owner and operator of the OK Tire company in Grand Falls, NB

SHAWN GRAHAM IGNORED ABORIGINAL QUESTIONS DURING CAMPAIGN

p.paul At a brief 10-minute stopover in Perth-Andover on August 25th, the then Opposition Leader, Shawn Graham, was handed a memo containing a list of aboriginal issues that beg for answers. A brief response from the leadership candidate could have materialized into native votes and support quite readily. Unfortunately, no contact or any kind of response was returned, nor has the Liberal office offered any explanation for not responding to date. During the days and weeks following the presentation, the sender of the memo waited patiently for some kind of an answer from Graham, or at least a note from one of his tour bus colleagues who were with him through the Tobique Valley. Not a single word or acknowledgment came back to the native community. Instead, a Liberal Rally T-shirt, scrawled roughly with the words "Keep up the good work" came back from one of the tour bus members. To me this showed blatant irresponsibility, lack of respect and a strong message of denial and rejection to aboriginal people and their issues. - In short, the memo asked why there are no native people employed at the local Perth-Andover hospital or in any other nearby public institution. - The memo also focused on the zero presence of natives in government, in the NB Legislature, etc., and suggested possible ways of remedy to this situation by installing at least tribal representatives similar to the program in place in Maine. - An option to the above recommendation suggested creating an Aboriginal Senate on trial basis that would demonstrate willingness to include native involvement and also test native/white cooperation in NB government. - There were other issues and recommendations. No responses were received. The questions raised in the memo were not highly technical or overly complicated to respond to, at least, in a general sense. Additionally they could have been dealt with without committing anything of substance to anybody. By the way of response, a simple, briefly worded memo or a telephone contact would have sufficed, but instead, nothing came back except the poorly hand-scripted T-shirt that insulted rather than addressing the issues cited. The total silence only demonstrated lack of concern and created a wider gap in native/white relations in the province. What conclusions should native people draw from this monumental silence? Will this kind of outrage and alienation continue to be the rule of law? Will natives continue feeling the pressure of being left out, denied, not listened to, minimized as been the practice since New Brunswick formed a government in 1784? The Aug. 25 memo deserves answers, somewhere, sometime by some one.

TRAVELING AND LEARNING ABOUT THE WULUSTUK (St. John River) Simon J. Mitchell, RPF, Technical Services Officer It's not everyday that you have the opportunity to travel the Wulustuk (the traditional name for the St. John River) with a group of graduate students and young professionals from across Canada. I was lucky enough to do just that earlier this year, as part of the Canadian Water Network and Canadian Rivers Institute 2006 field course. An annual event, the field course moves between rivers across Canada, with previous courses being held on the Grand (ON) and Fraser (BC) rivers. The first trip to the east, this year's event brought together 45 participants to learn about water quality issues along the Wulustuk, and included visits to the Nadeau Poultry Farm, Fraser Papers Effluent Treatment Plant, Tobique First Nation, Mactaquac Dam, Fredericton Wastewater Treatment Facility, Irving Pulp and Paper, and ACAP Saint John. It wasn't all work, as the highlight of the trip for many was being part of the Fiddles on the Tobique event. Most, myself included, had never seen so many people or so many methods of travelling down a river at once!! The changing character of the Wulustuk, from its origin in Maine (US), into Quebec, and through Brunswick to the estuary at Saint John provided continual learning opportunities and interest among the course participants. Between visits to potato fields to observe on-going field trials on soil erosion to visiting with Tobique First Nation elders and experiencing the Maliseet culture and learning of their water quality testing initiative, participants had a chance to meet local stakeholders and learn of problems with, and solutions to address water quality issues. Having worked in many communities along the valley and understanding broad resource management issues allowed me the unique opportunity of sharing some insights into the culture and expansive landscape of the St. John River valley. In return, I was rewarded with the opportunity to learn about projects being undertaken by the Canadian Rivers Institute to better understand the dynamics of our river system and how industry, First Nations, non-governmental organizations and other agencies are working together to create a more complete picture of the water use, treatment and user impacts along the river. In addition, it was an eye opener to hear the different perspectives of graduate students undertaking water-based research on rivers across Canada; how their research relates to an improved understanding of water quality issues; and, ultimately what some of the implications of this research might be for the Wulustuk. All in all, it was a fantastic experience. Participants were exposed to the beautiful landscape and character of the St. John River valley and its residents. Not only did folks go away with a new appreciation for eastern Canada, but also a greater understanding of water management issues and what is being done by all the players to ensure a safe, sustainable water supply now and into the future.

DAN'S CORNER - Earth Mother and the People. There has been considerable discussion over the years about aboriginal rights and human rights. Now, with the conflict over the rights to cut wood on crown lands, we hear these expressions tossed around more than ever, often by individuals on both sides of the conflict who have no idea what aboriginal rights, or even human rights, actually means. What exactly are aboriginal rights any way? What are human rights? And what about birthrights? Do we as Native people have any of these rights? For me, it is simple. Aboriginal rights, human rights and birthrights should all be the same thing. But for the Native person, they are not. I, like my ancestors before me, was born an aboriginal with a deep and loving connection to our sacred Earth Mother. That connection goes back to the beginning of our existence and it brings with it a sense of responsibility and respect for the Earth Mother. Our people were expected to take care of our sacred Earth Mother; that was a responsibility given to us from time immemorial. In turn, our sacred Earth Mother would sustain us. It was a simple, mutually respectful relationship. That was our birthright, our human right, our aboriginal right. It was also our birth/human/aboriginal right to use our own language, determine our own destiny, conduct our own ceremonies, follow our own spiritual ways, maintain our sovereignty, raise and educate our own children, build our own

institutions, and care for our own land, which was originally called Turtle Island. These basic rights ensured peace and equity in our communities. People did not go without. Only what was needed -- wood, food, fish, deer, moose, etc. -- was used, and always, there was thought of the generations yet to come. Our heritage was built on sharing and respect. Conservation was natural. There were no toxins dumped into our rivers. We did not deplete fish, game or anything, for that matter. And we did not destroy our forests. Creator made us the Custodians of the land and our ancestors took our responsibility seriously. Greed was not a part of our birthright. Things have changed. After the European invasion of our land, a Eurocentric government determined what our rights would be. Even today, the non-Native, updated versions of human rights have been thrust on us. Canadian government legislation and policies have decided what is in our best interest, even though they have never lived in our skin or felt the connection that has been handed down by our ancestors. It's like trying to make a carrot behave like a cucumber: they are both vegetables, but one has grown in the earth, while the other has grown on top. There are differences. I, like many of my generation, cannot speak my Maliseet language, thanks to Canadian legislation. Many Native people lost their children to residential schools, their independence, their means of livelihood, and their land. There is no equity or peace which was my birthright. Even the right to practice spiritual beliefs and customs was outlawed. All of these things took place as a direct result of Canadian government legislation. I, like many of my generation, cannot speak my Maliseet language, thanks to Canadian legislation. Many Native people lost their children to residential schools, their independence, their means of livelihood, and their land. There is no equity or peace which was my birthright. Even the right to practice spiritual beliefs and customs was outlawed. All of these things took place as a direct result of Canadian government legislation. Taking away our birth/human/aboriginal rights was wrong. It is genocidal and goes against the laws of Creator, and it has caused terrible damage in the hearts and minds of aboriginal peoples everywhere. But, regardless of all that has happened, or should I say because of what has happened over the past 500 years, we as human beings must continue to act responsibly toward our sacred Earth Mother. We, as aboriginal people, must remember, live-by and preserve those original instructions, those traditional teachings, to love, honour, respect and protect our sacred Earth Mother. That is our only hope of surviving the holocaust that is taking place against our Earth Mother, against our people and all natural living human beings. Sadly, the holocaust that is taking place in our forests is being perpetrated by some of our Native people, and for the same rationale that was used by our oppressors: greed. This greed is being disguised by "wannabe white" Natives as economic necessity. Some cry, "I only want to feed and clothe my family," but they are really talking and acting like businessmen who see a way to accumulate wealth. They speak of profits and growing into large companies. Unfortunately, the concept of sharing doesn't enter into it for many. In most cases the notion of conservation for the generations yet unborn is never considered, and our sacred Earth Mother is not respected. That is nothing more than personal greed. As aboriginal people, as human beings, and as the designated protectors of the land, we have a responsibility to all living things, all of creation: the two-legged, the four-legged, those creatures that fly, all creatures that swim, all plant life, the trees, the water, the air, the land -- every living thing. It is our responsibility to love, honour, respect and protect all creation. In doing this we honour our birthrights, our human rights, our aboriginal rights, and the Ancestors who kept our traditional teachings alive. We honour the Seventh Generation, yet to come. That is the root of our Aboriginal/human/birth rights. These are the rights we need to understand and defend. These are the rights we must be allowed. Dan Ennis, All My Relations

DEAN'S DEN – Wulustuk

He had stalked the woolly mammoth. Ten thousand years ago. When the Bering Strait was barren. And he wandered to and fro. He survived the terrible Ice Time. When glaciers scored

the land. Rejoiced in days of plenty. Shared the hardships with his band. He left his mark upon the mountains. And the hills were his domain. Watched the sun rise o'er the meadows. When buffalo roamed the plain. His hand would rock the cradle. When all spaces were his ground. And there were no bounds or borders. When no fences could be found. When his birthright was Creation. And he knew all nature's cry. When he read the lone wolf's doings. And the eagle pierced the sky. He was there before the cities. Before the rivers all were dammed. Before the acid-rain and asphalt. Before the pristine way was shammed. Though now his place is cloistered. Where're he haps to look -He loves this pleasant valley. Of ... the goodly Wulustuk! D.C. Butterfield

MORE WULUSTUKIEG (Maliseet) WORDS AND PHRASES By p.paul

How are you?-Don gauk elo gil? I am fine, and you?-Medge atta, gil lo? We haven't met for a long time-Beech ah k'tac wee num u deen en Yes, that's true, for sure-Ah ha, doo gee layo nid But from now on we'll meet more often-K'chi mudge eeow degaage, jo k'num u dee bun Long time ago-Beech ah Recently-Bee li eow Back teen-Na ged Do you remember?-K'wheow ee da hud mun? Yes, I certainly do remember-Ah ha, Gat lul no wheow we da hud mun