

Native American lawyer calls for awareness

Lawyers working with Native Americans have a responsibility to be aware of the clients' cultural values, says Lew Gurwitz, a Massachusetts lawyer who represents Native Americans.

He stressed the need to speak out on issues affecting Native American values and to be aware of the long-range effects of legal activities.

Those decisions affecting Native Americans' use and control of resources on their land particularly must be made in accordance with their distinctly land-based culture.

Gurwitz speaking at the Law School Thursday in a noontime lecture emphasized that Native Americans' rights are reserved by them, no matter what legal or political actions the U.S. government may take.

Gurwitz stressed that Native Americans' rights are reserved by them, no matter what legal or political actions the United States government may take.

"Aboriginal rights can be given away, but they can never be taken," he said.

Gurwitz referred to Native American reservations as "the Bank of America," saying that energy corporations logically exploit foreign reserves in a time of economic prosperity, believing that the reservations' supplies would be available when others ran short.

As a result, increasing pressure is being put upon Native Americans to sell their rights to lands they reserved for themselves generations ago in treaties with the U.S. government.

Gurwitz also underscored the need for representatives of Native Americans to withdraw from cases rather than contribute to actions which undermine the dwindling remnants of Native Americans and culture in this country.

To receive more information, or to get involved with these and related issues, contact the Committee on Native American Struggles, care of the National Lawyers Guild, 686-3883, or the Leonard Peltier Defense Committee at the Pacific Northwest Resource Center on Agate Street.

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"It didn't surprise me," Atiyeh says. "It didn't bother me. As a matter of fact, I wasn't offended at all. They do what they do. I was invited to go, and as long as I was invited, I went."

"I didn't ask to be invited, and the students had a right to raise a little hell with me and I had a right to go there and speak."

But one group of people has never had cause to raise hell with Atiyeh — Oregon's Native Americans. Dennis Mulvihill, executive secretary of the Commission on Indian Services, says the Atiyeh administration is one of the best Native Americans have ever dealt with.

"His name comes up every commission meeting, and there's always kudos thrown his way. He was one of the prime sponsors of the bill that created the commission. When he became governor, he immediately assigned one of his top people as liaison."

"He has an open-door policy — if we ask, he's always got the time."

When asked to explain his affinity for Native Americans, Atiyeh is short.

"I like them. It's not very complicated. That's it."

Pressed to explain, the governor says he saw a need and worked to provide a solution.

"Understand, my goal is that we all have the same privileges and responsibilities. But there's a need for somebody to reach out and build a bridge so they can cross."

"Indians have a special problem. I'm not sure even they know exactly where they are. By that I mean they're a separate nation within a nation."

According to University law Prof. Charles Wilkinson, who teaches Native American law, Native Americans aren't drifting much. While Native Americans are committed to getting along with the majority culture, they don't want to be swallowed up by it, Wilkinson says.

"Their culture is an evolving one. It's sure to borrow from those around it. But Indian people, taken as a whole, have shown that they don't want to take that final step of merging."

"And it's been shown pragmatically that it just doesn't work."

Atiyeh still hesitates. "I think there may be some who want a separate nation, some that want the benefit of both worlds and some that don't want to be involved at all. But I don't think I could say it as firmly as that."

Turning to energy, Atiyeh acknowledges that his is an economic approach.

"I believe we need power for jobs. I think these are two words that are inseparable."

"There are people graduating from high school in Baker, Ore. Some aren't going to college, and maybe they'd like to live in Baker. Why shouldn't there be jobs in Baker for people who want to live there?"

"We need to produce power to create jobs. I personally believe it's better to err on the side of too much production of power than on the side of not enough."

"If there's not enough energy, there won't be jobs."

The governor admits there is no future for nuclear power in Oregon and says he's committed to new generation sources.

Atiyeh is on record as supporting additional coal-fired thermal plants.

Portland General Electric's 1979 lobbyist Doug Heider served on Atiyeh's steering committee when he was a candidate. Rep. Rick Bauman, D-Portland, says that fact demonstrates Atiyeh's leanings.

The governor says having Heider on his campaign committee creates some suspicion about his ability to deal with power issues objectively.

"People are going to be suspicious of almost anything, and everything will be seen as politically motivated. I can't escape that. All I say is prove it. If you believe it, prove it."

But as a politician, isn't most anything Atiyeh does political?

"No. You won't believe that. But I'm giving you the answer. As a matter of fact, people have told me that I'm just not political enough."

As to what role government should play in providing money and services to people who say they can't provide it for themselves, Atiyeh says the state's programs have been guided by a faulty principle.

"Government is really not helping people when it gives them things. We believe it, but we really aren't."

"Let me give you a personal example. There was an old-time salesman who worked for my dad. When I took over the business, he was still there. As he got older, he just got lazier and worked less. He'd come in, needing \$25 or \$10 or \$50, and I'd give it to him. Finally, a friend of his and mine said, 'You're not helping him.'"

"And all of a sudden, I realized that I wasn't. All I was doing was making him weaker. And I think that's a general rule of government. What's happened is we've made people weaker, not stronger."

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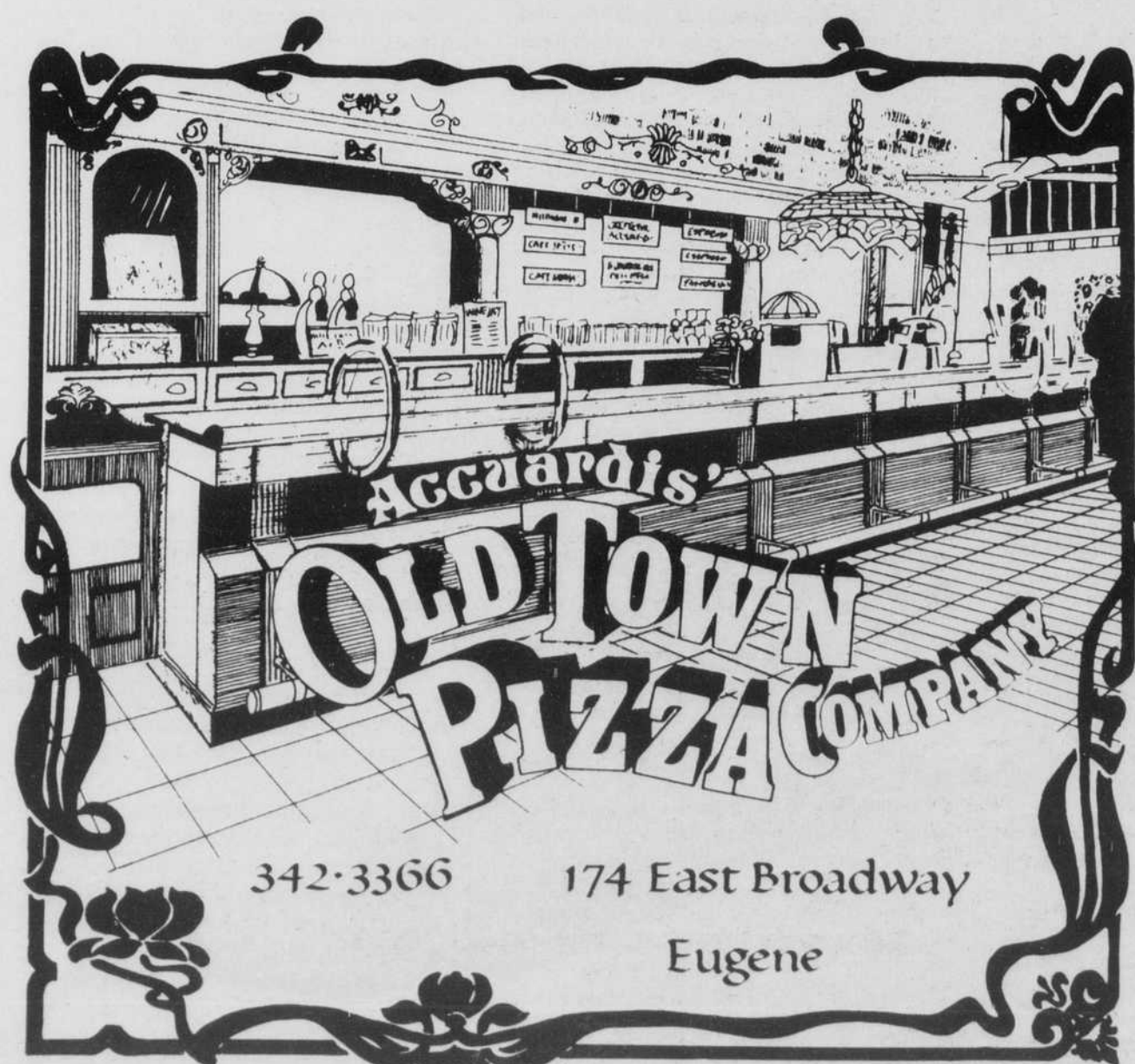
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