

Traditional, modern

American Indian panel confronts major issues

By Mike Anderson
And Dave Banks
Of the Emerald

Issues confronting American Indians brought lecturers and panelists from around the country for a symposium entitled "Tribal Governments in Transition: Coming Full Circle," held Friday and Saturday at the University.

Sponsored by the Native American Student Union, Oregon Law Review, and eight other University and community organizations, the conference concentrated on traditional tribal governments and Indian law.

The governments are going through a "form of evolution," said Russell Jim, president of the Affiliated Tribes of Northwest Indians and a representative of the Yakima Tribe.

The Indian Reorganization Act of 1934 created three separate orders — the Indian Reorganization Act Governments (IRA), the executive order, and treaty tribes, he said.

There is a dichotomy between what the Indians know is sacred ground and what the Federal Government has sectioned off to various tribes, said Wayne Little Whiteman of Montana's Northern Cheyenne tribe.

Before the coming of the white man, there was a strong treaty between the Arapahoe, Sioux, and Cheyenne tribes, Little Whiteman said. The three nations have just recently started a new cycle in their relationship, he added.

Traditional as well as modern tribal governments are headed by the chief, Little Whiteman said.

The "six tribes," of which his is a member, represent the "oldest continuously operating governing body in the world," said John Mohawk, a member of the Seneca tribe and editor of Akwesasne Notes.

His tribe has no IRA government and is ruled by the Great Law of Peace, he said. In his tribe, the women choose the chief according to clans, and the chiefs represent the women's families, Mohawk said.

"All decisions are reached by consensus," he said. "But they must be in accordance with the great law."

In his government, "women have power as women, they don't have to scrape and bow like men," he said.

"We pick our leaders on the basis of their ability to offer spiritual leadership," Mohawk said. "The IRA government was created by the white man because he needed it. He saw that there were profits to be made by exploiting the Indians and their land."

"Congress can abrogate Indian rights with the stroke of a pen," he said. "Today, we (native Americans) have one foot on a banana peel and one foot in the middle of nowhere. We are sitting on the edge of extinction."

Panelists representing commercial, sport, and Indian fishermen presented conflicting opinions Saturday, on Indian treaty fishing rights. These rights, which guarantee native Americans the right to fish and hunt have raised political and environmental questions.

Government is the problem, said Bob Hudson, former executive director of the All-Coast Commercial Fisherman's Union. The conflict between the users is "a lot of horseshit," he said.

"Our ancestors knew when to quit fishing, and they knew when to save. They were natural economists," said Leonard Tomaskin, chair of the Yamikma Nation General Council.

The Indians have been wrongly accused of overfishing, he said, adding that constant turmoil has been caused by dam construction and by legislation approved without Indian consent.

"Today the Indian is always on the defensive," he said.

The Indian's fight to fish is a fight for all things, including protection of the water, timber, and grazing, said Nathan Jim of the the Columbia River Intertribal fishing commission.

Many sport fishermen believe it is unfair that Indians maintain the right to 50 percent of the fish caught when this minority group does not constitute 50 percent of the fishermen, said Jim Reid, an author and conservationist representing sport fishermen.

"I hope we can all cooperate. I really don't want to be around when we harvest the last fish and have to decide who gets it," Jim said.

Federal legislation is imposing on the Indian's right to regulate and govern their resource development, said Peter Maxfield, University of Wyoming law school dean, in another Saturday session on mineral resources.

"The Indians have suffered a terrific loss because of the inadequacy and federal oversight of mineral operations on Indian lands," he said.

Because of the federal mismanagement of resource development, the Indians need to regulate their own oil production, Maxfield said.

"The resources are theirs, the power and authority are theirs, and they couldn't possibly do worse than their trustees in managing their affairs," Maxfield said.

The federal government's method of governing, calling for one representative per every 350 to 1000 persons is absurd and should be one for 50 persons, said Vine Deloria, political science professor from the University of Arizona and author of the best-selling book *Custer Died For Your Sins*. Indian sovereignty will greatly help the cause, he said.

"Sovereignty is a unified expression, a consensus of viewpoints by Indians and a community-minded attitude," Deloria said. "It is not hiring an attorney to go to court and say 'these people are sovereign'."

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