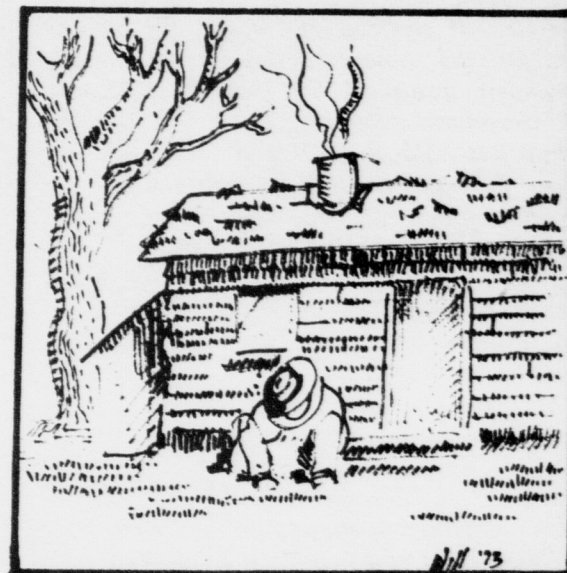


# Counterpoint

supplement  
to the  
State News



The tragic saga of the  
American Indians



“What do you have to do to get someone’s attention?”

by  
Mark  
R.  
McAlpine



AP wire photos

Woody Richards, an ousted resident of Wounded Knee, walks a roadblock outside his village and going into the sieged village. The roadblock was set up last week after constant refusals by the militant Indians to accept government offers to end the confrontation.

*The long, embittered struggle at Wounded Knee goes on.*

*If it has done nothing else, the two month long confrontation between militant Indians and government officials has brought the problems of the Indian to the American conscience.*

*A surprising 75 per cent of the general public agreed in a recent Harris Survey that the American Indian has not been treated well in this country.*

*The poll, which sampled national reaction to the Indian problem, found a 51 per cent support for the Wounded Knee occupation.*

*Regardless of what happens at the bargaining table, the six foot trenches and bunkers which surround the small hilltop church occupied by the Indians will stand as a reminder that at least the militant groups are ready to do something about the present conditions of the Indian.*

*The town itself, occupying a small portion of the Pine Ridge Indian reservation in the southwest corner of South Dakota, is not new to confrontation.*

*In 1890 it was the site of the last bloody battle of the American Indian War, where government troops gunned down 300 Indian men, women and children.*

*Until last week, despite vows by the militant Indians to fight until the death unless their demands are met, Wounded Knee had not spilled the blood that typified its historic past.*

*A small plane, which dropped supplies to the militants, brought open fire from the Indians and U. S. marshals who surround the village and ended a three - week cease - fire.*

*The shooting injured at least two of the militants and several of the marshals.*

*Government officials blamed the increased fighting on a change of leadership and a hardening of the Indians at Wounded Knee, and threatened that the patience of the U. S. marshals had “run out.”*

*The demands issued to the government by AIM are similar to those of past confrontations between the two groups.*

*They include investigations of government treatment of the Indians, of a list of 371 treaties allegedly broken by the government and of specific problems dealing with the 13,000 member Oglala Sioux tribe on the Pine Ridge reservation.*

*But a big question remains to be answered. Will there be a Wounded Knee in Michigan?*

*The conditions which face Indians across the nation, including those in Michigan follow a common trend.*



An Indian sentry stands watch at Wounded Knee, S.D., protected by a derelict auto.

●Housing conditions in all sections of the Indian population are far below the norm. Crowded conditions and the lack of running water in many places has become the normal way of life.

●The educational level of those persons completing their education is lower in the Indian community than in any other segment of the population. In some parts of Michigan there is an 80 per cent drop out rate from high school for Indian students.

●Poverty is the rule rather than the exception among Indian households. Forty per cent of Michigan Indian families have an annual income of \$3,000 or less, excluding government aid.

●There is a general discontent with government programs and unfulfilled promises, especially for the Indians of Michigan with the state’s Commission on Indian Affairs.

*Paul Johnson, who acts as a liaison for the AIM and activist groups in the state, does not think these conditions will bring a militant action, similar to Wounded Knee.*

*Johnson, who also serves as a co - director for the Great Lakes Indian Youth Movement, explained that the Indians in the state are disenchanted with conditions and will fight them, but he does not think AIM will take an active part in the struggle in the state.*

*The AIM, as a rule, he said, will not enter an area unless it is asked to do so. Johnson said he does not think AIM leaders in Michigan will call in the militant members.*

*“The Indians in Michigan are concerned with the here and now,” he explained. “They are willing to try to get their programs through the government agencies.”*

*He also questioned whether a Wounded Knee - type - confrontation would be of any help to the Indians.*

*They need programs and immediate action, he insisted, but he feels that if there were a confrontation the present needs of the Indian would not be met because it would not leave behind the books, facilities, and jobs that are needed. But the problems of the Indian exists and a hint of warning may be found in the reactions of other Indians in the state.*

*Benedict Quigno, a Potawatami and director of emergency employment at the Isabella Reservation in Mt. Pleasant, reflected those concerns and the reason behind Wounded Knee:*

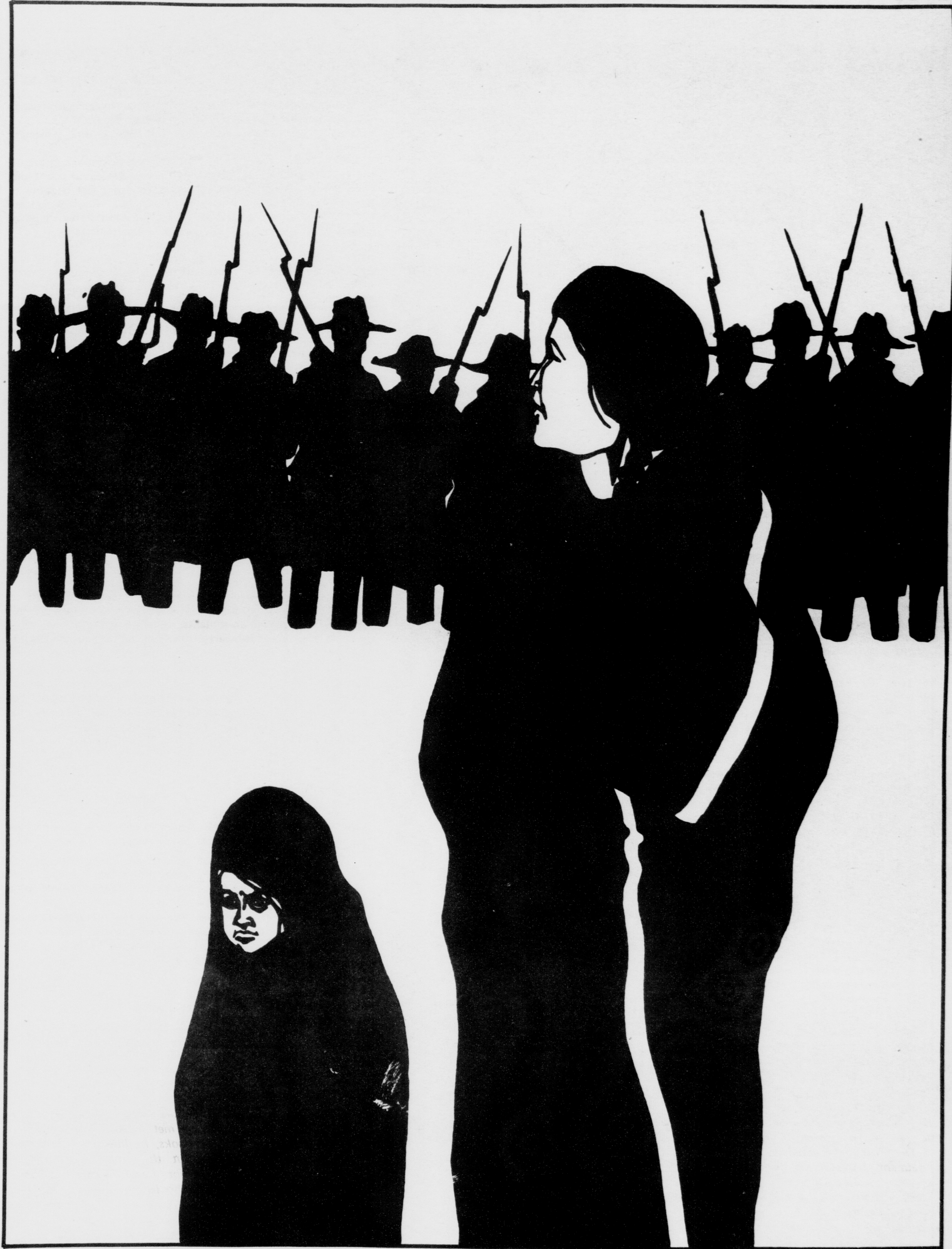
*“What do you have to do to get someone’s attention? How do you get the attention of the status quo?”*



1890 -

# WE REMEMBER

-1973



# WOUNDED KNEE

This poster is taken from one of a series of original woodcuts on Wounded Knee by Bruce Carter



# Breaking the chains of poor health

By Sylvia Smith



"Indians have been turned down so many times and promised too many things that were never received."

— Mary Zilz,  
North American Indian Center

Average age of death: 44 years, 26 years less than the average American citizen.

Infant mortality rate: 50 per cent higher than the U. S. population at large.

Tuberculosis rate: 16 cases per 100,000 people, compared to 2.2 cases per 100,000 for the U. S. population.

Suicide rate: twice the rate of the general American population.

General health conditions: 20 to 25 years behind conditions of the U. S. population at large. These statistics do not belong to a group of Far Eastern peasants far from the benefits of modern science and hospitals. They are, in fact, a sad commentary about a people who pride themselves on their ancestors' ability to live in harmony with their environment.

American Indians credit their present health status to the white society which in its generosity has given Indians the conditions which today contribute to the high incidences of early death, infant mortality and such "extinct" diseases as dysentery and tuberculosis.

"... health is a major factor in the high unemployment rate among Indians."

Poor sanitary conditions, substandard housing, unbalanced meals and low income or improper education of how to seek out medical help pose major obstacles for Indians, who as a group are relegated to the low end of the socioeconomic ladder, to unchain themselves from the binders of poor health.

In November, 1971, the Governor's Commission on Indian Affairs released a report on the socioeconomic status of Michigan Indians. The study stated:

"Given the substandard income levels and housing conditions which exist for off-reservation Indians, it is not difficult to understand the apparent poor health rate among the Indian people. . . . Physical or health problems which influenced the amount or type of work which can be undertaken were suffered by three out of 10 unemployed Indian household heads. This suggests that health is a major factor in the high unemployment rate among Indians.

"The infant mortality rate among Indian children is significantly higher than it is among Michigan's population as a whole. Over the past 35 years, Michigan's infant mortality rate has ranged from a high of 50 deaths per 1,000 births in 1936 to a low of 20 deaths per 1,000 births in 1970. For Michigan's Indian population, the infant mortality rate appears to have been about 90 deaths per 1,000 births over the period 1936 to 1971.

"In addition, the Indian could expect to encounter difficulties in obtaining emergency medical services. Not only do relatively few Indian households own a car in running order, but about 50 per cent have no telephone service. In comparison, Michigan Bell Telephone Co. reports that, in their market area, about 90 per cent of all Michigan households have a telephone."

Alcoholism is part of the stereotypical image of American Indians but, unlike many misconceptions white society holds about Indians, the actual incidence of drinking problems among Indians is unnerving.

"Any of our problems is enough to drive a guy to drink."

George Bennett, director of the Commission on Indian Affairs, estimated that 50 per cent of Michigan Indians have a drinking problem. While all those who might be considered to have a drinking problem are not necessarily alcoholics, it is still significant that health authorities set the rate of alcoholism for the rest of the American population at five or six per cent.

Most Indians reject the idea that Indians are innately unable to handle alcohol and, as one reservation Indian claimed, "Any of our problems (poor health, low employment and cultural rejection from the rest of the society) is enough to drive a guy to drink."

Mary Zilz, project director for Model Cities' North American Indian Center in Lansing, suggests that an additional contributing factor to urban Indians' poor health conditions is their unwillingness to appeal for help at social service agencies.

"Indians are a proud people and that's one reason you don't see too many people going to federal agencies. They've been turned down so long and been promised too many things that were never received.

(continued on page 11)



# Assignment: Improved education for Indians

By Beckie Hanes

Public education is expanding to include more than the usual reading, writing and arithmetic syndrome, but some students have not even had a crack at this basic approach to education and are still being by-passed.

Whether it be because of bureaucratic rigamorole, poor health, lack of motivation, cultural differences or inadequate and inaccurate teaching — Michigan Indians are faced with a major educational problem that they

are determined to conquer.

Dropout statistics alone are enough to cause alarm. A Chippewa Indian reservation in Mt. Pleasant houses 181 school age children — the dropout rate from high school nears 75 per cent. In Lansing, Indians experience an 85 per cent dropout rate and the Governor's Commission on Indian Affairs Report, issued in November 1971, stated that almost three-quarters of Indian household heads surveyed had not graduated from high school.

Training beyond high school is even more remote for the

Indian. The same report cited only 4 per cent of 736 Indian households in Michigan had children attending college. Benedict Quigno, reservation director for emergency employment at the reservation, said with a sigh: "We have never had a person born here, raised here, gone to college and graduate come from this reservation."

Reasons for this dropout rate vary. Mary Zilz, program director of the Model Cities North American Indian Center in Lansing, views the problem as one of cultural differences and inaccurate history lessons, prescribing Indian teacher aides to help alleviate the problem.

"There is a cultural difference," she said. "Indians are very reticent to confide with a non-Indian."

Also, many of the textbooks used in public school systems are not relevant to Indian people, she said.

"History has been written by the winners and Indians are forced to go to white schools," she said.

Zilz also mentioned this derogatory presentation of Indians is not counteracted by any classes geared toward Indian needs.

"There are bi-lingual classes for Chicano students and black history courses, but nothing is offered like this for Indians," she said.

Lester Gimmell, coordinator of Indian Education for the Department of Education and a Pit River Indian also sees textbooks as a crucial issue.

"Education committees are beginning to complain about how all textbooks, not just history textbooks, are treating Indians," Gimmell said. He used story problems in math books describing "one little Indian, two little Indians . . ." as an example which is interpreted by Indians as a reference to eliminating Indians.

But the education of Indians includes more than just textbooks and cultural differences.

Indian students need encouragement from home and the community in which they will look to for work. Too often, a student sees advanced education as futile because the Indian population faces an extremely high unemployment rate.

"When a student does

graduate, he finds a closed door policy and says, 'Gee, what for?'" Quigno said. "It's harder to push against the system than go along with it."

George Bennett, director of the Michigan Commission on Indian Affairs, provides some of this needed extra motivation through a program his office coordinates. If any Indian student is on the honor roll, he provides extra incentive by giving some type of additional recognition above and beyond what the school offers.

Some studies in the past have shown that Indian parents do not encourage education because they foresee nothing but disappointment for their child.

Gimmell attributed past parental apathy to a fear of repercussions, fear and harassment that the child might face.

"Therefore, parents became disheartened and unconcerned. This was not due to a lack of interest in education because Indians have always had a high regard for education," he said.

"Attitudinal changes have been happening. Why? Because we have been holding workshops, pushing education, increasing communication and making the parents realize this is the key to their child's future," Bennett said.

Bennett's office is also

Johnson O'Malley Programs."

Johnson O'Malley programs are federally funded and geared to Indian needs, with funds specifically earmarked for Indians. This is the second year Michigan has been a recipient of these funds even though they have been in existence since 1934. The reason for the time lag was due to the failure of the Bureau of Indian Affairs (BIA) to recognize the needs of Michigan reservation students and the failure of Michigan to fulfill promises made in 1934 to educate Indian pupils. Currently, only 27 states have the O'Malley funds.

A typical O'Malley fund varies from school to school, but the crux of the program includes special service programs for guidance and counseling and defers parental costs with school lunches, activity and related fees and supplies.

But federally funded education is increasing, according to Gimmell. "BIA has traditionally created scholarships for reservation Indians. However, within the last year, some urban Indians have benefitted from BIA scholarships," he said.

"The hope for the non-reservation Indian depends on the Indian Education Act now pending in Washington, D. C.," Gimmell added. This act would increase federal aid to non-

History has been written  
by the winners and Indians are  
forced to go to white schools.

increasing motivation for older students through a non-profit organization which financially assists 15 high school and college students.

An entirely different realm of problems opens up when the urban and rural Indian and reservation Indian are considered in the education dilemma. And the urban and rural Indian are usually on the short end of funding.

"There are no federal or state programs geared toward urban or rural Indians in public schools or universities," Gimmell said. "But reservation Indians can attend public schools and have the benefit of

reservation Indians.

The governor's commission report also found that many administrators and teachers expect Indian pupils to be inferior and Indians are often promoted each year regardless of grades just so they can be kept in school, thus assuring the local school district of federal aid because of the presence of Indian students.

These are the problems in education and various agencies are grappling with them. But Indians have more in mind than supportive services and additional funding that they

(continued on page 11)

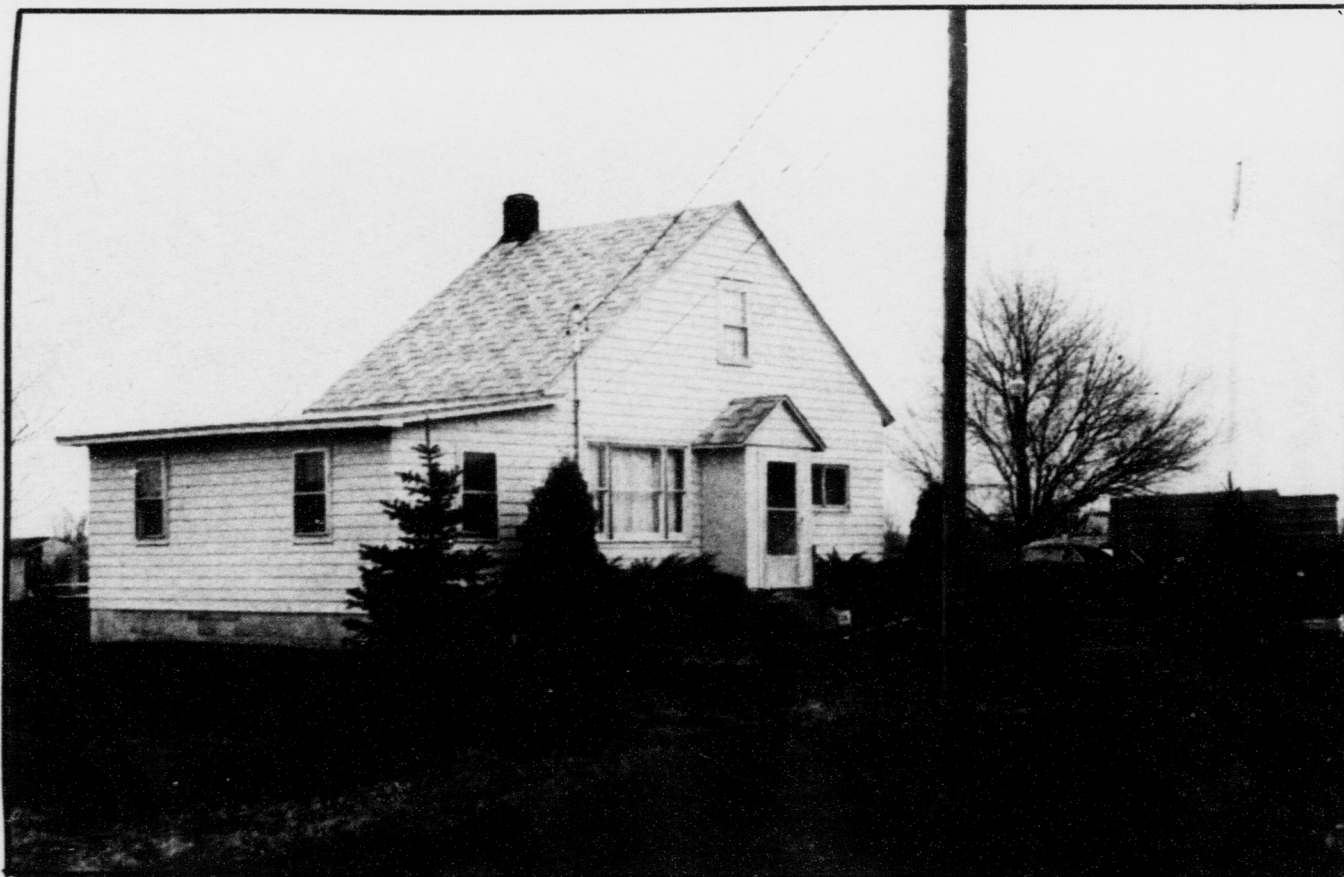


GEORGE BENNETT



# Reservation life: a whirlpool of poverty, unemployment, inadequate education

by  
Sylvia  
Smith



photos by John Dickson

Motel-like structures and small houses aging gracefully displaced teepees.

Pollution producing factories and immense corporate farms dominate vast expanses of arable land and former forests.

A proud and noble people are reduced to living in prebuilt units not unlike Depression Era projects located on a tract of land only two square miles large - a drastic reduction from the six townships owned and populated by Chippewa Indians in the mid-1800s

Benedict Quigno, Isabella

Reservation director for emergency employment, is a soft spoken and gentle man. Yet he speaks with a note of bitterness as he describes the process by which his people came to give up their former land wealth and personal stability for a life of poverty heavily accented by unemployment or underemployment, poor educational opportunities and questionable health.

"The only land that was unsettled and untilled was tribal land and the only way to get that was another treaty. It

took nine years to reduce six townships to the very small land base we have now.

"The 1864 treaty contained information that a person would be allotted 40 or 80 acres depending on his importance. In 1973 if we had those six townships we could form an economic base of agriculture, forestry, recreation. Even oil wells were discovered on the land we used to own," Quigno said.

Today the six townships support Mt. Pleasant and its outlying industries. The remaining tribal land consists of about two square miles east

of Mt. Pleasant. Individual Indians own various parcels of allotted land which dot Isabella County.

Allotted land was dispensed to individual Indians in 40 or 80 acre portions. Although that land is tax free and under government trust, it can be sold by the owner.

"In some instances we were tricked into selling," Quigno said of the allotted lands. "A lumber company representative would come through and tell an old lady he wanted to cut the timber but that he didn't want the land. He'd say that if you sign this paper he could do his timber operations. But when the paper was processed not only the timber but the land was owned by the lumber speculator."

About 520 Indians live on Isabella Reservation today. There is no industry on the reservation and because it is only 320 acres large - enough land to support two families through farming - the land is rented out to local farmers. Quigno said none of the reservation Indians can afford the equipment farming requires.

There is little else the reservation can afford. A report compiled by the reservation as part of a request to the Bureau of Indian Affairs for money for home improvements indicates that 70 per cent of the 97 families have an annual income of less than \$3,000. Statistics for the American population as a whole reveal that 91.8 per cent of all American families have an annual income of more than \$3,000.

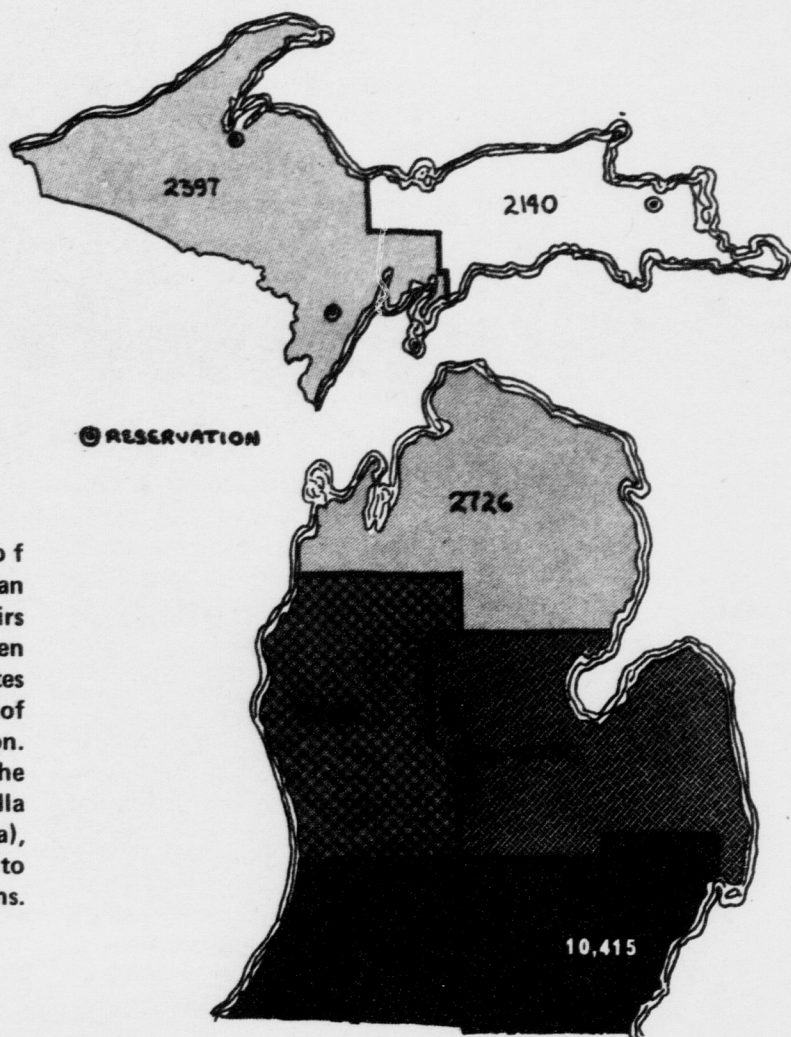
The BIA report further lists the median income of the families at \$2,639.18.

Quigno complained that part of the unemployment problem can be blamed on the

Mt. Pleasant community that hires, almost without exception, Central Michigan University students for part time work.

He criticized the business community for not providing reservation and off-reservation Indians with role models for Indian children - a common complaint among Chicanos, women, and blacks.

"When you to buy a pair of socks or talk to the clerk behind the counter it is never



For purposes of representation the Michigan Commission on Indian Affairs divides the state into seven regions. This map illustrates the population distribution of Michigan Indians by region. Although seven - eighths of the Indians live below the Isabella Reservation (lower peninsula), no federal aid is supplied to those off - reservation Indians.

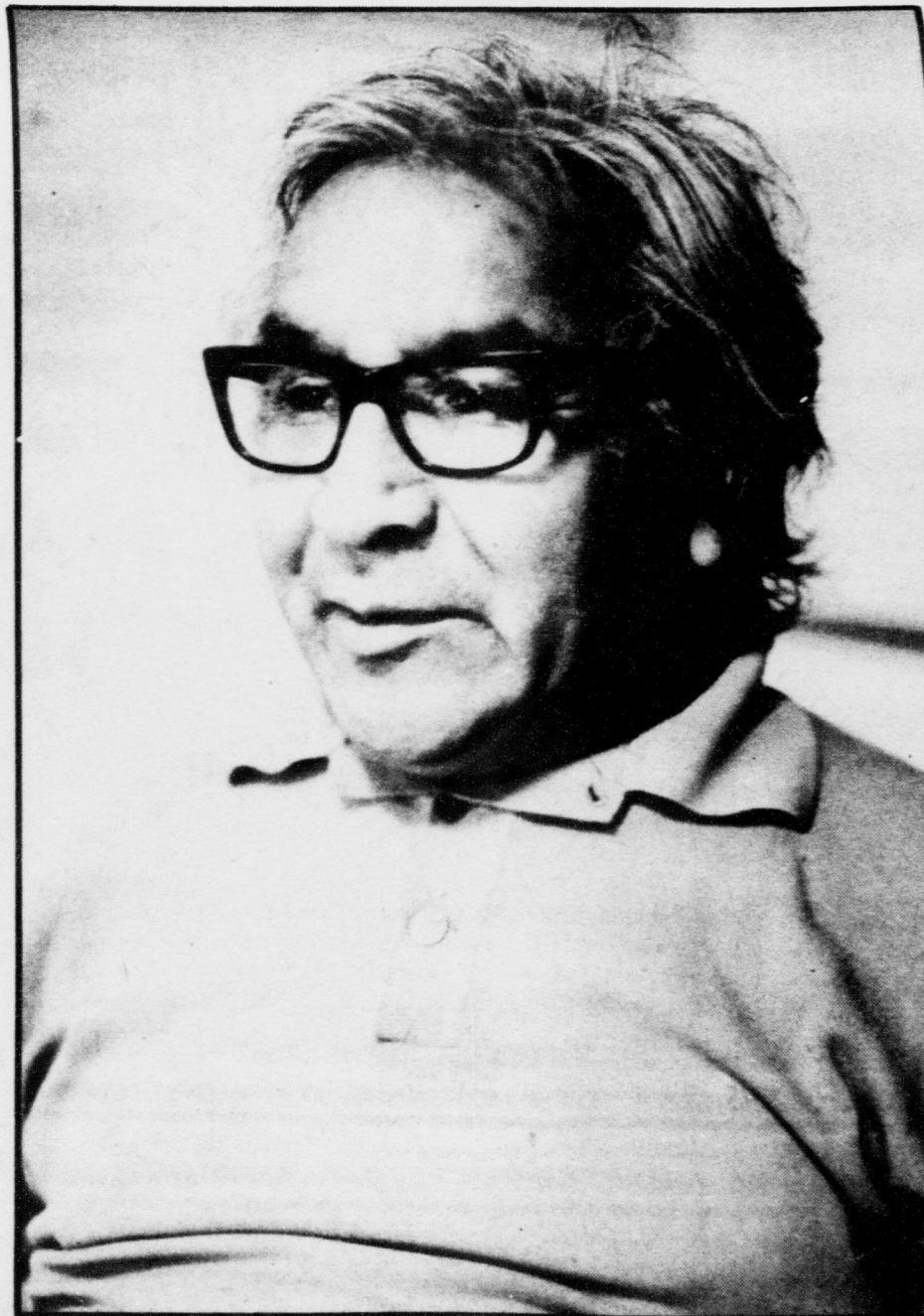


These motel - like structures housed impoverished people at the reservation. Ten years ago through federal assistance. Because



This home is typical of the small single unit homes on the Isabella Reservation. The homes were originally "half houses" and were enlarged by additions (left.) Most of the homes on the reservation have been modernized but as recently as 1966 many were without sewage and indoor plumbing.

John Dickson



A treaty signed in 1864 turned over most of the land the Chippewas owned in mid-Michigan to the federal government. Ben Quigno, director for emergency employment at the reservation, complained: "In 1973 if we had those six townships we could form an economic base of agriculture, forestry, recreation."

an Indian," he said.

The report lists six key factors as responsible for the 45 per cent unemployment rate among the Isabella Indians. They are:

- No industry on the reservation. The closest industrial complex is available at Dow Chemical Co. in Midland, 27 miles from Mt. Pleasant.
- Job discrimination and keen job competition. A survey among Mt. Pleasant

businessmen indicated that 90.3 per cent of all part time jobs were held by college students.

- Isolation from industrial centers.
- Poor road and transportation facilities.

• Low education attainment. More than 50 per cent of the adult reservation Indians have less than a ninth grade education.

• High area unemployment. Health conditions go hand in hand with high unemployment rates but, like many factors of poverty-stricken life, it is difficult to break the vicious circle. Unhealthy people are often unable to handle full time, rigorous jobs and poor, unemployed people are usually the most slovenly treated by medical science.

However, as reservation Indians, the members of Isabella Reservation are able to obtain public health services.

Several years ago the reservation experienced a rash of tuberculosis cases.

"The outbreak helped jar loose our health program, but do you have to conk somebody on the head to get health programs?" Quigno asked.

The major health problems of the reservation are dental deficiencies and a high rate of diabetes.

Quigno sadly recounted the situation of a reservation husband and wife who were both diabetics. Because they were above a certain income level they were ineligible for public health services.

As a result, they were provided with only enough insulin to support one diabetic.

The couple was forced to take turns every week using what insulin they had, leaving the other partner unprotected.

The Indians' susceptibility to illnesses and diseases is not hampered by their housing conditions, although in the past several years home improvements have skyrocketed.

"All but a very few of the houses on the reservation are served by water and sewage now," Quigno said. As recently as 1966 most families used outhouses and carried water in pots from neighbors' pumps.

Today the reservation Indians live in single homes or in motel-like units constructed through federal funding to house elderly or impoverished people.

"We're not really happy with the units. We can flush the toilets and put chicken in the refrigerator but hammer and nails don't make a home. Indians don't consider a motel thing a home," Quigno said. "We wanted single units but the government said they had to save money so they built us multiple units."

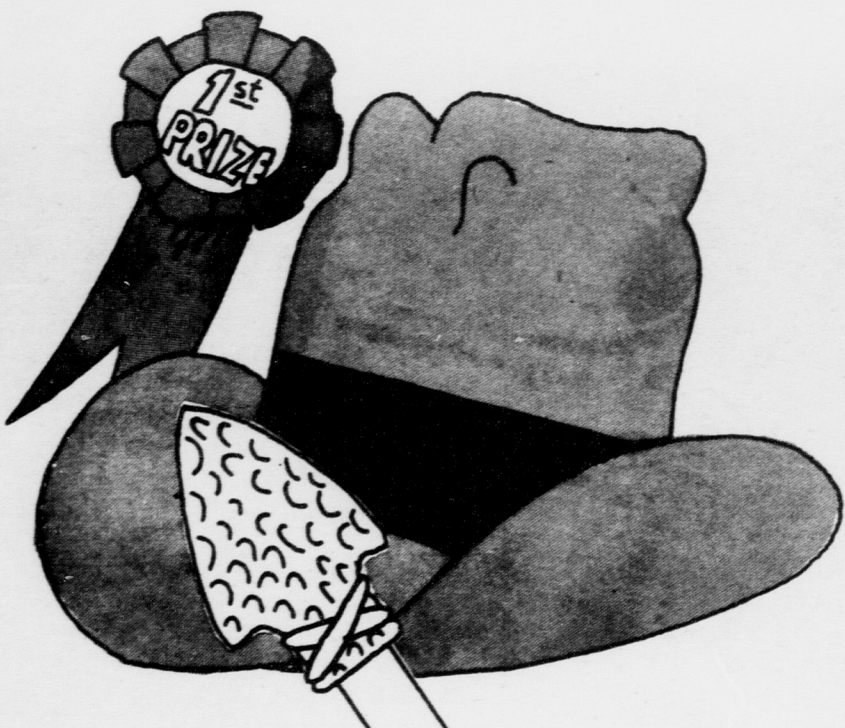
Ben Quigno and his people will continue to request federal and state programs to help pull themselves out of the whirlpool of poverty, poor health, insufficient education and low employment. However, they are resolved to preserve their Indian heritage, refusing to completely assimilate to the white society.



structures house the elderly and the reservation. They were built a few assistance. Because of their institutional

and impersonal appearance many Indians were reluctant to occupy them in spite of their modern conveniences.





# Old myths and new realities: destroying the Indian image

By Beckie Hanes

Ask almost any five-year-old child what he needs to play the age-old game cowboys and Indians and he will probably reply that feathers, tomahawks, wild horses and teepees are essential.

And, of course, another essential to the game is that the cowboys are usually the victors.

But naive children are not the only people who place Indians in a particular image. Adults are often just as guilty of labelling an Indian in language that is offensive to America's native inhabitants.

Yet, these unintentional myths, misnomers and misconceptions are frequent even in a liberal atmosphere probably because Indians are just coming into focus as a vocal minority and because the media are continuing to ignore the facts in U.S. history.

The renaming of a street in Flint and islands in Lake Michigan are examples of the Indians' growing consciousness of social injustices — and their determination to do something about them.

The street and the Islands are named Manitou. Manitou in Indian language means "Great Spirit," equivalent to what Jesus Christ is to Christian religions.

George Bennett, director of the Michigan Commission on Indian Affairs and instigator of the movement to change the names, reasoned that because there are no islands or streets named after Jesus Christ, the name Manitou should not be

used either. As a result of these protests, the Flint street will have a new name by Sept. 1 and Bennett hopes the islands will be renamed as well.

"News media present a distorted picture of Indian history," Mary Zilz, project director for Model Cities' North American Indian Center in Lansing said.

Zilz, a Chippewa Indian, is also worried that textbooks perpetuate an inaccurate picture of Indian culture.

"I want to show the injustices of television programs, historians and the education system. No one ever hears of the great Indians in Congress — and there were some in history," she said.

Zilz views the recent increase of Indian fashions with mixed feelings. "Beading, leatherwork and Indian garb, we like. But we want it authentic," she explained.

Ken Miller, MSU graduate student and president of the

Michigan Indian Benefit Assn., also believes the media are to blame for many of the misconceptions about the Indian culture.

Miller, an Ottawa, said a common myth is that Indians can not drink without getting drunk. Or when people say:

experiments indicate that others had come before the Europeans; the list's first item said.

Also mentioned was the fact that there were 30 million natives here before America became settled instead of the common figure of 800,000 natives here before European settlement.

The list also provides evidence to refute the myth that Indians were savage and aggressive. It points out that scalping was introduced by white professional soldiers and was not a part of native American culture.

Indians are also not credited with being the first people to be concerned with ecology, Zilz said.

Indians never went deer hunting to merely hunt, she said, but only to secure food.

"They were concerned with animal's life and only killed for food and clothing," she said.

Much misunderstanding can

occur because of the differences between the Indian and non-Indian

cultures, some Indians said. Two offered some insight into the differences which are misinterpreted by non-Indians or non-Indian cultural practices that might offend the Indian.

Bennett explained that many non-Indians do not understand why Indians may seem to be avoiding direct eye contact.

"Indians never looked a person in the eye — this was a sign of respect," he said.

John Winchester, coordinator for MSU's American Indian Program, warned against asking an Indian what kind of Indian he might be.

"When someone asks me what kind of Indian I am, I tell them I'm a real live one," he said with a smile. He explained it is more courteous to ask an Indian what his tribal background is. Winchester's tribal background is Potawatomi.

Semantics can be a matter of psychology but it took years of work by blacks before white refrained from using the terms colored, Negro and nigger. Presently, Indians are fighting against the term redmen. "Is my skin red?" one Indian asked before a classroom. This term is promoted by media and advertisements and most Indians are out to eliminate its use.

"Don't pay an Indian on Friday or he won't show up for work on Monday."

Another big myth Indians face is that most people believe Indians live on reservations. The fact is, only 5 per cent of Michigan Indians live on one of the four reservations in the state.

The media is most responsible, Miller said, for portraying all Indians as having the same cultural background.

"When people think of an Indian, they think of the Plains Indian with headresses riding horseback," Miller said.

Voicing the same objection, Zilz said, "All Indians don't talk like Tonto."

Other common annoying myths, were compiled in Whose Idea Was It? published by the American Indians Unlimited, Ann Arbor. This listing is an attempt to correct some misguided history lessons.

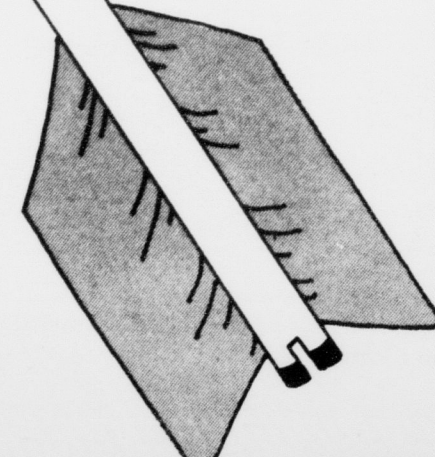
Contrary to popular belief, Columbus did not discover America — he discovered he was lost. Also, anthropological

## Counterpoint

Counterpoint is a monthly supplement to the Michigan State News published by students of Michigan State University. Editorial offices are in 341 Student Services Building.

Columns of women, minorities and press criticism are features of each Counterpoint. Persons wishing to contribute to future issues should contact the Counterpoint staff.

Editor: Sylvia Smith  
Writers: Beckie Hanes  
Mark McAlpine





# Treaty dispute could cost U-M \$200 million



By Mark R. McAlpine

A lawsuit now pending in Ann Arbor Circuit Court could mean improved education for Indians in the state and horrors for the University of Michigan.

The suit was filed against U-M by Paul Johnson, a Chippewa and former student at the university, for allegedly not honoring an 1817 agreement with three Indian tribes in Michigan.



The treaty, signed by nine Michigan tribes, was an agreement to show the good faith and hope for friendly relations between the Indians and the Territory government.

The question raised by the suit concerns Article 16 of the treaty which specifically deals with a land deal between the Chippewa, Ottawa and Potawatomi tribes and the predecessor to U-M, the College of Detroit.



The agreement, which was negotiated by Lewis Cass, the Governor of the Michigan Territory and ex-officio Superintendent for Indian affairs in the territory, called for the Indians to relinquish 1,935 acres of land to the college.

The college, founded five days before the treaty was signed, was given the right to sell the land and use the money for its own use, or use the land for the establishment of the college.



In payment for the land, the three Indian tribes were to receive educational benefits for their children.

In 1837, the College of Detroit, which never really got off the ground, accepted a section of land from an Ann

Arbor land company to establish itself in Ann Arbor and became the University of Michigan.

Since that time, according to Johnson, the Indians have not received the educational payments guaranteed in the 1817 treaty.

At the present time, there are grant opportunities for



American Indians which U-M officials claim are in cooperation with the treaty agreement.

M. Robert Klinger, Assistant Director of Financial Aids for U-M, said that the grant program has been set up since 1932 and the university is not sure whether the agreement was honored before then.



The original provisions for the program were for members of the three tribes who originally signed the treaty and since has been expanded to include all American Indian students who are in financial need and who meet requirements set up by the state.

The suit calls for the payment to the three tribes for the land at its original value and at a rate of 5 per cent interest. The total cost to the University would be in excess of \$200 million.



If the suit is successful, a trust will be set up for improving the educational programs for descendants of the tribes in the state.

A portion of the money will be set aside for off and on-reservation pre-school, grade school, and high school programs throughout the state.

The rest of the money will be used for higher education programs and scholarships for Indian students from the three tribes.



But wanting the money is one thing. Getting it is another.

Attorneys for U-M first challenged the suit on the grounds that Johnson was not a registered Indian and could not represent the three tribes.

Johnson was able to prove that he was the one-third Indian which the state requires for representative action, and received permission from the courts to continue the suit.

The university now is contesting according to Johnson, that the suit is not a class action and must therefore be thrown out of court.



According to Michigan law, a class action can be brought about by an individual of a specific group when that group is too large or separated and when that person himself represents people in the same situation.

Johnson said that he feels he can meet the class action challenge and the courts will eventually rule in favor of his suit.

Roderick Daane, general counsel for U-M, doesn't share Johnson's enthusiasm for the success of the suit.



He thinks that the court will rule in favor of U-M and he flatly denied a suggestion that there is a firm legal ground for the suit.

"If that's what they think, they are going to be very disappointed," he said.

Daane believes that the language of the 1817 treaty is insufficient to create a trust for the Indians.



"If it did create rights," he said "those rights have been thrown away by the Indians through treaties signed since that time."

Daane said he will request a summary judgement in the

near future and the court will have to decide the legality of the suit.

There are 27 treaties signed with Michigan Indians and most of those have brought confusion about what they really say among both Indians and government agencies.

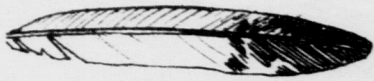
According to George Bennett, director of the Commission on Indian Affairs in Michigan, most of the land purchased from the Indians through the treaties has never been completely paid.



The Ottawas of Michigan, in an unprecedented court decision, were awarded \$10.1 million for land sold to the government through one of those treaties.

Bennett said the money has now been appropriated and is in the final stage before distribution to the descendants of the tribe in the State.

After the final distribution is made it will come to about \$1,700 per person for the tribe.



The Commission has also received from the Attorney General's office a promise to place a law intern with the Commission to present a legal interpretation of what the 27 treaties actually say.

Bennett believes that this will be a big help in clearing up many questions now being raised about the treaties.





# Center serves Lansing Indians

By Sylvia Smith

The state's only referral service oriented specifically toward Indians is located in Lansing.

Functioning under the Model Cities program, the North American Indian Center serves the city's 2,000 Indians who have migrated to Lansing in search of jobs and better living conditions.

Instead they have often found discrimination in hiring or poor wages in what employment does exist. For many Indians the major source of support is the Center.

Mary Zilz, project director, heads the \$35,000 a year program and explained that the budget is not large enough to support all the projects the urban Indians should be receiving.

"We don't have any money for recreation," she said, adding that the center would like to expand their current offices to be able to install a pool table and piano — if they are ever donated — so that

young Indians will have a place to meet.

Currently the North American Indian Center shares an old house at 720 W. Ottawa St., occupying part of the first floor.

"Our center deals with every aspect of minority problems in education, employment, social services, health, housing and legal problems," she said.

She emphasized the necessity for continuing the Indian center:

"Indians' problems are hard for a lot of people in the white community to understand. The Indian person has had so many things happen to him and so much adversity that he's distrustful of talking to anyone other than of his own race."

Because of Indians' reluctance to confide in non-Indians and because of what Zilz calls Indians' fear of being turned down, the center often helps them apply for social services or legal help.

Zilz, who is half Indian, retired from her business only to be asked to take over the administration of the center last fall.



photo by Ken Ferguson

The North American Indian Center, 720 W. Ottawa St., Lansing, is funded by Model Cities program. It functions primarily as a referral service for the area's 2,000 Indians but program director Mary Zilz said that if a pool table and piano were donated, the center could branch out to become a recreation center as well.

"I see so many needs in so many areas where Indians need help," she said. "We spend billions of dollars in Southeast Asia, Vietnam and even North Vietnam, but they have never paid the money they promised the Indians in treaties."

"I'm in my fifties and I can remember going to council meetings as a little girl of five or six and at that time they were fighting to get money the government owed the Saginaws, Chippewas and Black River Band through a treaty about oil and timber rights.

Then it was \$50,000 the government owed and those people still haven't gotten their money."

The North American Indian Center does not help Indians obtain money promised in old treaties, but it does assist them in making the transition from reservation or rural life to life in an urban setting.

Landlord-tenant disputes often come to the center from Indians who question whether the landlord can charge them for certain damages. The center also offers nutrition classes for

young mothers taught by a nutrition aide.

The center also distributes donated clothing to any Indian who expresses a need for it.

"They are free to go down to the basement to pick up anything they need," she explained.

The North American Indian Center is in its third year of operation — all other Model Cities programs are four years old, but funding for the center was not available until the second year of operation for Model Cities.

## Indian students struggle to cut white tape

By

Mark R. McAlpine  
and Beckie Hanes

A "white tape system" and an unbalanced numbers game are two specific problems facing the 32 Indian students at MSU's Indian Affairs Program office.

John Winchester, the program's director, explained that the "white tape system" is the bureaucratic red tape which Indian students face in their search for financial aid.

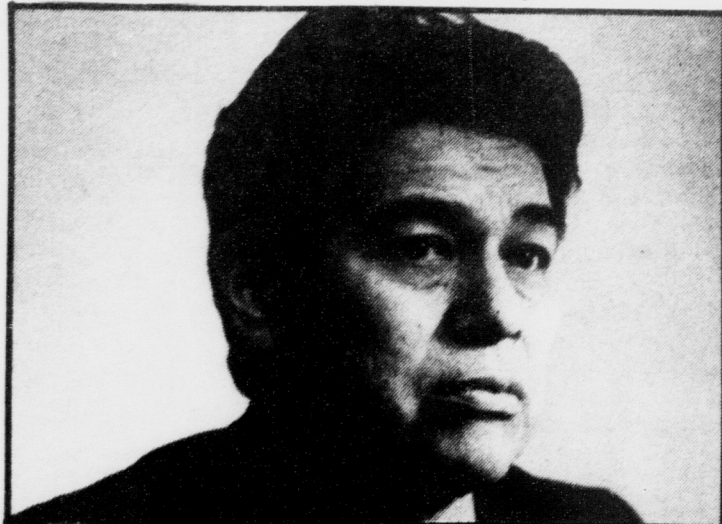
"We're trying to minimize the white tape issue," Winchester said. "We're talking about red tape that cuts across the board — to us it has been the white tape system."

"Right now we have blacks in key slots at this University, and if we don't get through, then we will call it the black tape system," he added.

The second problem facing MSU Indian students is a numbers game which Winchester said is important because priority in funding is often given to other larger minority groups on campus.

"At times we are discriminated against in the minority package because there are not enough Indians as compared to Chicanos and not enough Chicanos as compared to blacks," Winchester said. "It has been very obvious that when we approach the Equal Opportunity Program's Office for money, there are no funds for Indians."

Winchester accredited this lack of money to the fact that



WINCHESTER

other minority groups are larger and have more political clout at the administration level.

The main priority of his office is to facilitate potential North American Indian college students in enrolling at the university of their choice.

"I think that's a damn good way to further education for the Indian student," Winchester said. "But we are not after people to tell them that they should go to MSU."

Another important program of the office is to find financial aid for the 32 students. All Indian students at MSU receive some form of financial aid. Winchester said if it was not for financial aid, MSU would not have any Indian students.

In order to supplement scholarships offered by the Bureau of Indian Affairs, a North American Indian Scholarship Fund is administered by the Indian programs office.

Money from the fund is used to meet the cost of food, books and other expenses. According to Winchester, none of the money is used for entertainment or speakers, and all the money for the fund comes from private donations.

Many large sums have been donated to the fund, Winchester said, including a large contribution by seven MSU professors at a time when it was badly needed.

"The basic problem of recruiting enough Indians for college is that we don't have enough Indians coming out of high school. All universities right now want Indian students," Winchester said.

Departments at MSU have called the Indian programs office to ask for Indian students, he said, but they do not set aside money to help with funding these students.

Terry Sagataw, East Lansing junior and a Potawatomi Indian, said the reasons for Indian students not coming out of the high schools is because of reservation conditions, low income and family problems.

"The problems with recruiting Indian students is that they have come through an education system that has not met their needs, Ken Miller, MSU graduate student and an Ottawa Indian, said. "They see MSU as going through four more years of the same thing and become reluctant to take advantage of it."

Miller proposed that more Indian representation in admissions, financial aids and counseling would benefit the MSU Indian student.



## women

(continued from page 12)  
every Representative in her or his home territory.

At present the Representatives, no matter what their views on the merits, generally do not want to vote on abortion. Most of them are well aware that either a "yes" or a "no" vote would anger many constituents.

But they will also be made aware that in this instance Congressional inaction is not a shield against anger. Thus heavy lobbying pressure by opponents of abortion reform may force an amendment out of the subcommittee, then out of the full Judiciary Committee and into the House of Representatives where, for the first time, the right to abortion would be treated as a national legislative issue.

Legislative inertia and cunning usually see to it that most matters which are no-win issues for Congressmen get bottled up. Normally the subcommittee would receive considerable informal encouragement to hold such controversial amendments as these so that the rest of their colleagues in Congress would not have to vote on them. In the current climate this will probably not be possible.

Subcommittee 4 is very likely to hold hearings on the proposed amendments which would serve the useful function of alerting those across the country who have worked for

the bases of the Court's decision are under attack. And such hearings will also provide opponents of the Court's decision with a dramatic forum. If the subcommittee considers the proposed amendments in an orderly fashion, it is unlikely that the chairman of the House Judiciary Committee or the full committee itself would interfere.

Following subcommittee consideration, it is quite probable that its members will report out one of the proposed amendments.

When the proposed amendment has been considered by the full House Judiciary Committee, that committee may not report out the resolution. The tactic of the opponents of abortion reform might then be the same as that successfully used by the proponents of the Equal Rights Amendment: a petition to discharge the committee which requires the signatures of 218 Representatives.

By autumn of 1973 or even sooner the battleground for abortion reform could be the floor of the House of Representatives. The goal of those supporting reform would be to secure from 146 or more Representatives public and definite commitments to vote against overturning the Supreme Court decision. Most experienced political observers now believe that if such a proposed amendment on abortion receives a two-thirds vote in both houses of Congress, it would be speedily ratified by the requisite 38 states and become part of the Constitution.

## Health

(continued from page 5)

"The average Indian won't go on welfare. He'll go without first. Pride won't let them apply for welfare but behind that is the fear that they'll be turned away," she said.

As a result, many Lansing Indians who need help turn to the North American Indian Center. Zilz recounted the story of a father who appealed to the Center after the local Crippled Children Services rejected his plea for assistance.

The man's son was a tiny child of three whose gums were so sore and infected that he cried with pain when he tried to chew. A dentist said the boy needed an operation to replace all his teeth. The Crippled Children Services said they were unable to help finance the \$500 operation to correct the boy's problem because he was not crippled in the sense they defined. Because the boy's father worked for \$1.60 an hour he was ineligible for welfare.

The man contacted the Center and Zilz was able to obtain financial assistance through a fund that supplies money to Indians in financial crises.

The boy was lucky. Not all Michigan Indians can find the support and assistance they need in a medical emergency. Lansing's North American Indian Center is the only referral service available to the state's 28,500 off-reservation Indians.

The situation is not helped by the federal government which, through the Bureau of Indian Affairs, assists only reservation Indians who comprise only five per cent of the state's Indian population.

The Governor's Commission on Indian Affairs recommended in their 1971 report that "additional investigation by qualified medical personnel is required to determine the exact nature and extent of health problems, and to develop preventative and corrective programs."

So far Michigan has not adopted any such programs for the off-reservation Indians. George Bennett, director of the Commission on Indian Affairs, explained:

"We are working on a comprehensive plan now that will take in all aspects of Indians' socioeconomic conditions," he said. The proposal should be ready for implementation and funding by September but progress on the plan has been hindered by monetary freezes ordered by the federal government.

In the meantime, the 28,500 off-reservation Indians continue to die of diseases that are almost unheard of in white society, suffer from heart disease brought on by poor living conditions and financial stress and live in health conditions the rest of the American population surpassed by 1950.

now been introduced. The amendment which appears at present to have the most energy behind it is the one which defines the fetus as a person from the moment of conception. This version, however, is vulnerable to exploration of the ultimate and extreme legal consequences of its language. The political future of the proposed amendment which would make abortion a states' rights issue is much brighter. One reason for this is that in supporting this version a Congressman can claim he has not voted on the merits of a controversy. A vote in favor, he will tell us, is merely a statement that this is a matter for the states. This is the posture assumed by both major Presidential candidates in 1972 and by their respective national conventions.

If other issues with similar emotional impact are combined with abortion is a state's rights amendment setting or if the alternative route of a call by the states for a convention to amend the constitution is successful, it is indeed difficult to predict the immediate future of abortion reform. But it is clear that if the supporters of the Court decision are not alert, we may find ourselves in 1974 faced at best with a Missouri compromise of 13 weeks or at

with a complete reversal of the Court's decision. The appropriate action for supporters of abortion reform is clear from this account. Pay a personal visit to your Representative during the spring recess, April 19 through April 25. Let him know you and others you represent endorse the Court's decision. If you can't find him in his home area, write to him c/o House Office Building, Washington, D.C., 20515. Visit or write both of your Senators.

And be prepared to visit, call, or write again. This will be a long struggle.

## Education

(continued from page 4)

have always been entitled to. "Indians want Indian programs," Gimmell said. "They want technical training, they want to get out of this bag of being forced on welfare. But by the same token, they are not accepting the melting pot theory or manifest destiny ideas promoted in the public school system. They want an equal chance.

"Federal and state governments owe Indians a lot more than people realize," he added. "And they are not

people get a true picture of what happened in this country."

Ken Miller, MSU graduate student and president of the Michigan Indian Benefit Assn., considers the biggest problem facing Indians is education at the high school level and advanced skill training.

"If we had advancement in this area, it would correct other problems facing Indians, too."

Another flaw is teacher training he said, and he hopes for more people oriented teaching training than the academically oriented teaching training of the past.

Gimmell is looking forward to pressure from Indians that would make schools accountable to Indians. This is possible if urban Indians organize and then become recipients of certain title funds, he explained. Consequently, they would contract schools and therefore be able to pressure for more accountability.

Through programs and future programs, through cooperation and organization, Michigan Indians are voicing a hope of providing better educational opportunities which go hand in hand with a lower dropout rate and a higher employment rate.

## minorities

(continued from page 12)

area of our University life. Michigan State University should be ever responsive to the increasing needs of a dynamic and complex society and therefore should endeavor to support all persons in their struggle for freedom, justice, and equality.

To this end, MSU should, as an institution, protect the civil rights of homosexuals by prohibiting discrimination on the basis of sexual orientation in employment, job placement, promotion, access to residence, participation in education,

athletic, social, cultural and other University activities. Furthermore, there should be avenues for the adjudication of gay complaints of

discrimination. Both of these objectives could be met by amending Article IIA of the Anti-Discrimination Policy.

The library should contain the latest information on legal, medical, military and employment matters in addition to non-fiction books, tapes and newspapers of

interest to gays. We need to review the University curriculum and education policies, particularly as they

relate to textbooks and attitudes of instructors, to ascertain if they are in a positive vein and meet the needs of gay students.

In addition, the University needs to determine ways in which it can help the homosexual develop a sense of identity and pride; and to educate and inform the public in order to increase their

awareness, understanding and acceptance of homosexuality for the purpose of safeguarding our civil liberties, combating prejudice and discrimination, and securing equality and dignity in every facet of our lives.

## press

(continued from page 12)

examining whether a story is worth a prison sentence."

Gov. Nelson Rockefeller has said that in New York prosecution of criminals has been aided, not hindered, by laws giving newsmen the right to keep their sources confidential.

In New York, which has one of the strongest state Laws granting reporters immunity from forced testimony, Governor Rockefeller said, "prosecutors depend heavily on the published revelations of newsmen for leads into organized crime, official corruption, narcotics traffic and similar criminal action."

Much of this published information, the Governor said, could not be obtained

unless newsmen were able to assure sources who feared reprisals that they would not be identified.

The Court in its majority opinion said there is "a long-standing principle that the public has a right to every man's evidence," except for those persons protected by a constitutional, common law, or statutory privilege."

Justice Douglas, in his separate opinion, said "the longstanding rule making every person's evidence available to the grand jury is not absolute. The rule has been limited by the Fifth Amendment, the Fourth Amendment, and the evidentiary privileges of the common law. So it was that in Blair, supra, after recognizing that the right against compulsory self-incrimination prohibited certain inquiries, the Court noted that 'some confidential matters are shielded from considerations of policy, and perhaps in other cases for special reasons a

witness may be excused from telling all he knows."

Four of the justices, including Douglas, held that a newsman's privilege is such a "special reason" and was so recognized by the Constitution.

But the five other justices ruled that newsmen do not have a constitutional privilege and they prevailed as the majority. However, even the majority opinion invited enactment of a statutory privilege and in effect referred the problem back to Congress and the state legislatures.

Legislation can provide the basis for a shield at the state level.

I endorse the objective of the 'shield' bills that have been introduced with bi-partisan support in both the Senate and House. I believe that information obtained in journalistic pursuit should be privileged, as should the sources of such information.



# Affirmative action: a must for gays

by  
Leonard  
Graff

minorities



Leonard Graff is an East Lansing senior.

women

# Serving the public: shield law protection

by  
William  
G.  
Milliken

press

individual's potential and ability to contribute to society. But the lack of knowledge about homosexuality contributes to existing prejudice and discrimination. In view of current trends in our society, I believe that this University has neglected the problems and needs of its gay constituency too long.

University students are well aware that a "new sexuality" is taking root throughout America. People are reacting against a sexually repressive society that is afraid of emotion and sex itself. Our society has created repressive laws to control love and expression of affection between individuals. Up-front gays represent a part of the new sexuality. We are showing society, and this University, that gay people do indeed exist.

toward gays is to be found in its general policy on discrimination: "The Board recognizes that it is not enough to proclaim that we do not discriminate against minority groups. The University must also strive actively to build a community in which opportunity is equalized and use its facilities and human resources to develop the skills and opportunities of the members of all groups so they may play responsible and productive roles in society." This policy was passed by the Board of Trustees more than three years ago and I'm hard put to see how it applies to this University's gay community.

In August of 1970, in The Black Panther, Huey Newton said he believed that homosexuals were the most oppressed people in our society. Since that time some

University of Nebraska and California State University, San Francisco, have pioneered entire courses on homosexuality. The University of Michigan hired two homosexual advisers to aid its gay community in the fall of 1971. But what of Michigan State? The time has long passed for the University to recognize the need to do something for its homosexual constituency.

Michigan State University should be a community in which sexual preference is regarded as a variant form of sexual expression that should not be suppressed or discouraged. I believe that one's full potential must not be denied because of one's sexual orientation. However, gay men and women are subject to social, legal, and psychological oppression because of their

can be assured when the freedom of any person is proscribed, yet the oppression of gay persons pervades every

(continued on page 11)



Leonard Graff is an East Lansing senior.

# Beware of abortion amendments

By Jean L. King

Since January 22 of this year advocates of reform of abortion laws have shifted the focus of their effort. In that month the U.S. Supreme Court held that the criminal abortion statutes of Texas and Georgia were violative of the Fourteenth Amendment. These state laws are typical of many others and the broad effect of the Court decision is to give American women a constitutional right to terminate a pregnancy before the end of the second trimester.

Many issues related to the right to have an abortion remain unresolved. Both proponents and opponents of abortion reform are working on them. As far as the basic question of the establishment of a women's legal right to have an abortion is concerned,

the supporters have relaxed their efforts. The assumption is widespread that the U.S. Supreme Court has finally decided the issue. Abortions performed by licensed physicians in the first six months of pregnancy are legal, says the Court. The Court also provided that abortion procedures in the second trimester are subject to state regulation. Basic to the decision was the Court's holding that the word "person," as used in the Fourteenth Amendment, does not include the unborn.

But the Constitution can be changed. If you don't like what the Supreme Court says is constitutionally required, you can try to amend the Constitution. Currently most supporters of a woman's right to terminate a pregnancy are not very worried about the possibility of such a change

because of what they perceive as the great complexity and difficulty of amending the Constitution. They recall that recent efforts to add amendments relating to prayer, apportionment and wiretapping have been notably unsuccessful. They tend to forget the amendments further back in time that were proposed for the purpose of reversing the constitutional interpretations of the Court which were successful.

Today opponents of abortion reform are advocating changes in the U.S. Constitution which would negate the Court's decision. Though many differing amendments have been proposed, they are of only three basic kinds: (1) a prohibition against abortion which is linked with the rights of older people; (2) a definition of the fetus as a

person from the moment of conception; (3) abortion as a matter for the states.

The group in the House that will first deal with these proposals is Subcommittee 4 of the House Judiciary Committee, chaired by Congressman Donald Edwards of California. This subcommittee has not yet met to consider them. Meanwhile vigorous pressure from opponents of abortion reform - pressure of the type now well known to Michigan residents - is being applied to some of the members of Congress. Busloads of constituents and mountains of mail are beginning to appear in Congressional offices. The informed expectation in the Capital is that opponents of the Court's decision will take advantage of the forthcoming Congressional recess to lobby

(continued on page 11)

Legislative action to enact a strong shield law should be taken primarily for the public, not the press. It is the people themselves who can be cheated of their right to know when erosion of sources of information erodes freedom of information.

Our Constitution's First Amendment devised a means of protecting freedom of the press:

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

It appeared to give the churches and the press, alone among the institutions of society, a shield against the power of government.

However, last June, the U.S. Supreme Court by a 5 - 4 decision held that "the First Amendment accords a newsman no privilege against appearing before a grand jury

and answering questions as to either the identity of his news sources or information which he has received in confidence."

I agree with the minority opinion that one result of the ruling could be to make the press an investigative arm of government. It should be a watchdog over government, not a watchdog for government.

If they are to perform this



William G. Milliken is governor of Michigan.

role, newsmen need confidential sources of information.

But the basic reason for a testimonial privilege for newsmen is not to protect newsmen or source. It is to protect the people. It is the people themselves who can be cheated of their right to know.

Justice William O. Douglas said a confidential relationship between newsman and source "does not exist for the purely private interests of the newsman or his informant, or even, at bottom, for the First Amendment interests of either partner in the news-gathering relationship. Rather it functions to insure nothing less than democratic decision-making through the free flow of information to the public."

Admittedly, the free flow of information may not always be comfortable for public officials but that free flow is essential.

One columnist recently said that readers "will get a far less complete and accurate picture of what's going on if the confidential sources become a

thing of the past. As imperfect as they are, newspapers and broadcast stations are better reflections of the real world than the official pronouncements..."

Some critics of shield laws say that a newsman's duty to aid law enforcement is greater than his privilege to remain silent, but I feel the press in the long run can better aid law enforcement and the people by widening, not narrowing, sources of information. Some sources of information are available - or at least were available before the court ruling - to newsmen that are not available to those in authority.

The public is not served when a newsman's sources are deterred from communicating with him, or when he censors his writings in an effort to avoid being subpoenaed.

Frank Stanton, Vice-Chairman of the Columbia Broadcasting System, recently said: "In every newsroom today, journalists are

(continued on page 11)