

Smoke Signals Radio Archive Episode 1996-03-16  
Segment 2  
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*Dan Smoke discusses the conviction of Steve Allen, the killer of Teddy Bellingham. Dan Smoke then discusses the Supreme Court of Canada's decision to reject the appeal of the Shawanaga and Eagle Lake First Nations who were charged by Ontario's gaming laws, delving into the consequences of this decision for First Nation communities.*

Host(s): Dan Smoke

**DAN SMOKE:** Aanii! Boozhoo! Sge:no! Shekoli! Koolamalsi! And we have just a couple brief news items for you. This is about Teddy's killer, **Steve Allen**, convicted of manslaughter in February of this year—for the five-hour beating death of **Teddy Bellingham**—was sentenced to 25 years by an Ottawa judge on March the 1<sup>st</sup>. The defense is appealing the sentence and with the sentence comes some sense of justice to Teddy's family, friends, and supporters. Teddy comes from the **Cape Croker First Nations**. Last year, an accomplice was sentenced to 90 days and there were fears a similarly light sentence would be given to Steve Allen. The **Chippewas of Nawash** have joined the Ottawa Committee of Native Concerns in demanding an inquiry be held into the whole affair. Especially the role of the Children's Aid Society, of whom Teddy was a ward when he went missing in 1992. His body was discovered a year after, a year later, after an anonymous tip was phoned into the Smith Falls Police. Smith Falls is up near Ottawa. And it was about that time, in 1993, that the walk for **Stony Point** was taking place and Mary Lou and I went up to meet the walkers from Stony Point who walked from Stony Point all the way Ottawa. And it was on the final leg of this historic journey to Parliament in 1993 that we met up with the walkers in Nepean and walked with them to Ottawa, and there was news at that time about Teddy Bellingham. And the news was more or less, I guess, people were talking about, it was word on the street that this young Indian boy was viciously beaten over five hours. So now, it has come to light that there have been two convictions in this senseless death.

**DS:** Also, the Supreme Court says no to the **Shawanaga Bingo**. The Supreme Court of Canada has handed down a verbal decision, rejecting the appeal of the **Shawanaga First Nations** and **Eagle Lake First Nations** who were charged under Ontario's gaming laws. Without reserving judgment, the court said that for the First Nations to have their own gaming laws would not be conducive to good governance. So, what they are saying is that the First Nations sovereignty over gaming is a provincial right and it's not a federal right. So, they are putting it back into provincial jurisdiction. So that does not bode well for many First Nations territories, especially those that want to have some sense of economic independence. In most territories, First Nations people have to leave the reserve in order to get some kind of economic sense of security and this is not good in many territories because if most other people are leaving the reserve, they have to leave the reserve where their rights are not recognized. Their rights are not portable. In the sense that they have certain rights off the reserve, but they don't have the same rights that those First Nations people have that live on the reserve, so this is not—there's no sense of equity here. And especially when First Nations people who want to make self-determination, who want to self-determine their own economic independence, they are unable to do that if they have to abide by the dictates of a provincial government.

**DS:** Now we have witnessed down in the United States, that the nation-to-nation self-governance is observed by the federal government of the United States. Now, there they allow First Nations gaming compacts with the state as long as the state acknowledges that the First Nations communities can have casinos. So, we have down there many casinos in many states

throughout the United States and that's because the United States recognizes the sovereignty of these First Nations governance and they recognize sovereignty to have casinos, and to have gaming, to have bingos, etc., is conducive to self-governance. But up here in Canada, it's another story. Up here in Canada, we are about 10-15 years behind the United States. So that is a story that we'll probably be seeing over the years as more First Nations people try to assert their own economic independence. Something that the United States sees but something that Canada doesn't.

**DS:** Okay, we are now going to hear from a United States First Nations artist. This is **Yolanda Martinez**. Yolanda Martinez has a couple of CDs out. This comes from her ***Native Heartbeat*** CD, this is "**Coyote Woman**," here on Smoke Signals.