

Smoke Signals Radio Archive Episode 2000-05-06  
Segment 2  
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*Mary Lou Smoke and guest Jessica Smith read a series of press releases surrounding the Daishowa v. Friends of the Lubicon court ruling. Daishowa, a paper products manufacturer, was prepared to appeal a landmark 1998 Ontario Court decision ruling that the consumer boycott spearheaded by the Friends of the Lubicon group was legal. Instead, the two parties decided to settle, with Daishowa refraining from logging in the Lubicon Lake Indian Nation territory until land claims were settled with the government.*

Host(s): Dan Smoke, Mary Lou Smoke  
Guest(s): Jessica Smith

**DAN SMOKE:** Aanii! Koolamalsi. Waciye! Shekoli! Yes, you're listening to Smoke Signals. And that was **Donna Bush, Faran John**, from the group **Donna Bush, "If You Were My Lady."** Now, some members of the group **Donna Bush** are going to be appearing at the Other Side, which is a club down at the corner of York and Talbot. I believe in about two weeks, or a week? Oh, this weekend. Next weekend, I'm sorry. Next weekend, there's going to be three or four days of Native blues. It's going to be a good three or four days down there. We're going to be down there, because **Faran John**, we met him when he performed with **Donna Bush** at the Western Fair Grandstand Show, which CHRW was the media sponsor for, Aboriginal Talent Night, Aboriginal Music Night. And they had traditional as well as contemporary musicians performing a whole two-and-a-half-hour program without a break. It was fantastic! Anyways, we met **Faran John** down there.

**DS:** Okay, Mary Lou is going to read to you a really exciting event that took place this week in Toronto. We had been hearing at the **Aboriginal Rights Coalition** about **Daishowa** taking the **Friends of the Lubicon** to court. Actually, appealing an Ontario Court of Justice decision that said that the Friends of the Lubicon have the right to boycott products by Daishowa. And so, Daishowa was prepared to appeal that decision, and this is what happened.

**MARY LOU SMOKE:** After five years of litigation for industry multinational Daishowa has finally abandoned attempts to stop a consumer boycott aimed at protecting Lubicon **Cree** lands in Northern Alberta. In last-minute settlement talks, the company agreed to drop its appeal of the landmark 1998 Ontario Court decision that ruled a consumer boycott, conducted by the Toronto support group, Friends of the Lubicon, was a legal and charter-protected form of protest. The settlement agreement confirms Daishowa's intention to refrain from cutting trees on **Lubicon Lake Indian Nation** traditional territory. It also ends five years of often bitter courtroom disputes which culminated in 1998 in a 28-day trial and a judgment confirming that the right to conduct a peaceful consumer boycott is one protected by the Canadian Charter of Rights and Freedoms. The Friends of the Lubicon, a small Toronto-based group of Lubicon Cree supporters, heralded the news that their days in the courtroom have come to an end. "It's been a long haul, but worth every bit of the effort to ensure that Lubicon people will still have a chance to protect their lands and cultures," said Steven Kenda. "Everyone who works for social change needs to be aware of this case," said Karen Wristen, who is on council for the Friends. "It has implications for every activist, advocate, and educator, for anyone to whom the right of free speech is important."

The Friends of the Lubicon were defended at trial by lawyers employed by the Sierra Legal Defence Fund, a non-profit dedicated to environmental law. The result today confirms the earlier court decision and ensures the protection of Lubicon lands, a rare win-win ending to a long and

arduous courtroom drama. Friends of the Lubicon are a volunteer non-profit group working to assist the Lubicon Lake Indian Nation in the land right struggle. The Friends conducted a consumer boycott of Daishowa paper products starting in 1991 and ending in 1998. As a result, during that period Daishowa did not log at all on Lubicon traditional territory. In 1998, Daishowa committed not to log until the Lubicon land rights were settled. The 500-member Lubicon Lake Indian Nation has never signed a treaty with the Government of Canada. Lubicon Nation is currently negotiating with the government in order to establish a reserve to re-establish a self-sufficient economy and to obtain compensation for the destruction of their traditional way of life.

**JESSICA SMITH:** Okay and thank you very much Mary Lou. And in the same vein, we have another press release that comes to us via the Edmonton Journal, and this is dated Friday, May 5<sup>th</sup>. Lubicon supporters agree to end boycott, Daishowa drops appeal of court ruling, allowing sanctions against company. The activist group Friends of the Lubicon have agreed to formally end a seven-year boycott of Daishowa Incorporated after the paper bag manufacturer dropped a court appeal on boycott issues. Daishowa had appealed a 1998 decision following the activists to boycott the company's customers as part of its efforts to force a resolution to the longstanding land claims of the Lubicon Lake Indian Band in Northern Alberta. Friends of the Lubicon had informally dropped the boycott in early 1998 after Daishowa-Marubeni, a company partly owned by Daishowa's Japanese parent company, agreed not to log in a 10,000 square kilometer area claimed by the Lubicon. The boycott had cost Daishowa Incorporated about \$20 million in lost sales. That happened despite the fact that Daishowa-Marubeni, which operates a pulp mill near Peace River, has never logged in the disputed territory, said Peter Jarvis, a lawyer acting for Daishowa Incorporated. Quote, "Daishowa's position is that we respect the Lubicon's position," Jarvis said. "There will be no logging in that area until this is resolved by governments," end of quote. Lubicon advisor Fred Leonardson said that the latest agreement is a relief to the band, which regarded possible logging in the land claim area as a threat.

Quote, "When Daishowa says they will back off, the Lubicon don't have to deal with this. That's the immediate benefit," the Edmonton advisor said. "Companies such as Daishowa can also put more pressure on governments to settle the land claim," he added. The boycott campaign began in 1991 after the Alberta government granted the company a logging permit in the land claim area, which has been subject to Lubicon claims for almost 70 years. Both Daishowa Incorporated and Friends of the Lubicon reached a settlement this week that stated both sides would abandon the appeal and not seek legal costs. About 500 members of the Lubicon band claim approximately 243 square kilometers was promised to them to build a reserve. Quote, "The power of consumer boycotting is an effective democratic tool," said Clayton Ruby, who represents the Friends of the Lubicon. "People increasingly feel powerless when confronted by huge international corporations and faceless governments," they said. Kevin Thomas, spokesman for Friends of the Lubicon said he hoped the agreement would be an example to the federal government, which was in the midst of resolving the land claim issue. Quote, "We hope the federal government can negotiate a fair resolution in the same way we were able to come to terms with Daishowa," unquote, said Thomas, but Leonardson, who takes part in the negotiations, said it's difficult to tell what progress has been made recently. While some government officials want to resolve the land claim, quote, "there are other people, both provincially and federally, who are committed to wiping the Lubicon off the face of the earth," Leonardson said, end of quote.

**MLS:** Okay, next we're going to listen to a CD titled *Raw Blues*, and it's by this fellow named **Jimmy Wolf**, who is a **Mohawk** from **Akwesasne** and it's a really fabulous CD. It's new to us, and [inaudible], we're going to play that for you right now.