

**Journal #2830**

**from sdc**

**4.15.13**

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## **French Court Allows Auction of American Indian Artifacts**

Friday, April 12, 2013

The New York Times

**PARIS —** A French judge ruled on Friday that a major auction of ancient Native American masks and other artifacts could proceed despite a request by the United States ambassador that the sale be delayed until the legal status of the items could be determined. The ruling came just hours before the sale was to begin.

Click here for story:

[http://www.nytimes.com/2013/04/13/world/europe/french-court-allows-auction-of-american-indian-artifacts.html?hp&\\_r=0](http://www.nytimes.com/2013/04/13/world/europe/french-court-allows-auction-of-american-indian-artifacts.html?hp&_r=0)

### **Shell's Plot to Silence Protests Against Arctic Drilling**

**Phil Radford, News Analysis:** Our power as citizens lies in our ability to shine a light on actions detrimental to public good. This freedom-this right-is the only thing that puts people power on any kind of scale relative to the power of multibillion-dollar corporations like Shell. Even though it's enshrined in the Constitution and upheld through hundreds of court cases, Shell through extraordinary legal means is trying to take our right to protest away. If they succeed, it will have a devastating effect on protest rights in the U.S. [READ](#) | [DISCUSS](#) | [SHARE](#)

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### **After Kidnappings and Killings, Canadian Silver Mining Project Advances in**

## Guatemala

**Melanie  
Sevcenko,  
News Report:**

For more than three years, communities in the departments of Santa Rosa and Jalapa, in southeast Guatemala, have been resisting a proposed silver mine operated by Minera San Rafael, a Guatemalan subsidiary of Canada's Tahoe Resources. But



on April 3, the Guatemalan Minister of Energy and Mines (MEM) granted Tahoe Resources the permit necessary to begin mineral exploitation for their flagship Escobal project, located approximately 45 miles southeast of Guatemala City in the municipality of San Rafael Las Flores.[READ](#) | [DISCUSS](#) | [SHARE](#)

(The license comes less than two weeks after four indigenous Xinca leaders were abducted while returning from a community referendum in El Volcancito, San Rafael las Flores, in which more than 99 percent of people voted against the Escobal project. One of those kidnapped, Exaltación Marcos Ucelo, was found dead the following day.

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## The Struggle to Reclaim Paradise

**Imani Altemus-Williams, News Investigation:** Similar to the environmental and land sovereignty protests in Canada and the continental United States, the movement in Hawaii is influenced by indigenous culture. Anti-GMO activists are hoping for further successes in stopping genetic food engineering. In the current legislative session, there are about a dozen proposed bills pushing GMO regulation, labeling and a ban on all imported GMO produce. These fights over mandating GMO labeling and regulation in Hawaii may seem like a remote issue, but what happens on these isolated islands is pivotal for land sovereignty movements across the globe.[READ](#) | [DISCUSS](#) | [SHARE](#)

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## [Colleges Pledge Divestment From Fossil-Fuel Stocks in a Movement to Solve the Climate Crisis](#)

**Hayden Smith, Op-Ed:** Several colleges have already pledged to divest from the 200 fossil fuel companies identified by 350.org as holding the vast majority of underground hydrocarbon reserves. The movement has received national press coverage and has drawn endorsements from Green Party leaders and vigorous condemnation from conservative commentators-both of which have encouraged those of us involved. Anyone paying attention to the growing ecological crisis has been lamenting the lack of an organized resistance movement for years.

[READ](#) | [DISCUSS](#) | [SHARE](#)

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## [Save Nevada's Water Ban Fracking In Nevada](#) [org.credoaction.com](http://org.credoaction.com)

Hydraulic Fracturing is the process by which water and various chemicals including known carcinogens are injected underground at high pressures to break up rock to release natural gas and oil for extraction. This process is not the only way the gas and oil companies drill for gas and oil. It is just...

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## **Schwarzenegger: California's silent disaster**

The National Climate Assessment presents a sobering vision of the world that awaits us if we don't act.

**Arnold Schwarzenegger, Los Angeles Times**

I will always remember the day I woke to the news that more than 2,000 fires were burning in California. I thought I must not have heard correctly. Two thousand fires? How could that be?

## [Wilhelm's Thoughts: Duckwater Poetry by Jerry Herrmann](#)

[wilhelmsthoughts.blogspot.com](http://wilhelmsthoughts.blogspot.com)

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## **ALCTS webinar: The Preservation of Family Photographs: Here, There and Everywhere**

**Date: April 23, 2013**

All webinars are one hour in length and begin at 11am Pacific, noon Mountain, 1pm Central, and 2pm Eastern time.

Description: This presentation will offer basic guidance on the care and preservation of family photographs from 19th-century tintypes to contemporary color prints. The webinar will address the fundamental physical and chemical properties of photographic print and negative materials, including albums and scrapbooks, and the causes and mechanisms of their deterioration.

Strategies for preservation, such as proper handling, storage and display techniques, will be shared.

This webinar is offered for free to celebrate Preservation Week.

ALCTS thanks **Archival Products** for sponsoring this webinar and supporting Preservation Week.

Learning outcomes: Upon completion of the session, attendees will better understand:

- Basic characterization and identification of albumen, silver gelatin, and chromogenic color print materials, and film base negatives
- Agents of deterioration for photographic materials

- Storage and exhibition practices
- Handling guidelines
- Prioritization for preservation

Who should attend? Anyone responsible for the preservation of family or other photographic holdings and collections and interested in the preservation of our global photographic heritage.

Presenter: Debra Hess Norris is Chair of the Art Conservation Department at the University of Delaware, and Professor of Photograph Conservation.

Since 1985, Norris has authored more than 30 articles and book chapters on care and treatment of photographic materials, emergency response, ethics, and conservation education; and taught more than 100 workshops and seminars for conservators and allied professionals. Norris has lectured and consulted on the preservation of photographic collections worldwide.

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Registration Fees: Free.

For additional information and access to registration links, please go to the following website:

<http://www.ala.org/alcts/confevents/upcoming/webinar/pres/042313>

ALCTS webinars are recorded and registrants receive a link to the recording shortly following the live event.

For questions about registration, contact ALA Registration by calling 1-800-545-2433 and press

5 or email [registration@ala.org](mailto:registration@ala.org). For all other questions or comments related to the webinars, contact Julie Reese, ALCTS Events Manager at 1-800-545-2433, ext. 5034 or

[alctsce@ala.org](mailto:alctsce@ala.org).

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National Native Museum Training Program

## **Virtual Collections, Intellectual Property and Tribal Museums**

Workshop & Seminar Dates May 28-31, 2013

Workshop and Seminar Descriptions (consecutive events):

Native experts in the field of intellectual property, virtual collections, and tribal museums are working with NATHPO to offer a weeklong workshop and subsequent seminar to offer contemporary information on these important topics and affected tribal collections and museums. This workshop and related leadership seminar will be offered to tribal museum and cultural program staff as part of NATHPO's National Native Museum Training Program. Collections workshop topics include access to digital collections, issues of sharing community provided information, research policy concerns, technology needed to share virtual collections, culturally sensitive collections, and who owns the rights to photographs, family stories and cultural knowledge. Leadership seminar topics include a discussion on tribal museums, public domain, traditional cultural expressions, and intellectual property law.

Note: Participant capacity for both the workshop and seminar are limited. Separate applications are required for workshop and seminar, but you are welcome to participate in both.

Location: Suquamish Museum in Suquamish, Washington

Host Website: <http://www.suquamishmuseum.org/>

Click here for all information, including agendas and transportation information:

<http://nathpo.org/NNMTP/VirtualCollection.html>

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## Conference - American Indigenous Research Association

The first Conference of the American Indigenous Research Association will be held October 11-12, 2013, in the Arlee-Charlo Theater at [Salish Kootenai College](#) in Pablo, Montana. Thanks to a generous grant from [Humanities Montana](#) and the Montana State University [INBRE Foundation](#), in collaboration with the Salish Kootenai Social Work Department, registration is free of charge.

Community members, college students, faculty, and administrators from any and all institutions involved in research by or about Indigenous peoples will benefit from attending, so reserve space on your calendar and make travel plans *now*!

[Confirmed conference keynote speakers](#) include Shawn Wilson, Ph.D. of Australia; Margaret Kovach, Ph.D. of the University of Saskatchewan; Ila Bussidor, Councillor for the Sayisi Dene First Nation in Manitoba, Canada; Bonnie Duran, Dr.P.H., University of Washington in Seattle; and Lori Lambert, Ph.D., D.S., R.N., of Salish Kootenai College in Montana.

To register for the conference, please visit the [Registration](#) page. There is no fee to attend, but you *are* required to register.

A list of area [hotels is here](#), information about [restaurants and meals is here](#), and [transportation and travel connection information is here](#).

You may also wish to become a member of the American Indigenous Research Association. Membership is free and available to professionals, students, and members of the community. Click [here](#) to learn more.

<http://americanindigenousesearchassociation.org/>

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Celebrate the rich heritage of Native Americans at the **20th annual Seven Arrows Powwow**, one of Boise State University's signature events.



7 p.m., April 20, and 11 a.m., April 21, in the Student Union Jordan Ballroom.

Visit <http://boi.st/SevenArrows> for additional details.



THE DAKOTA NATION  
 UNITY RIDE -  
 MANITOBA TO  
 NEW YORK  
 CITY. JULY 27th  
 - AUG. 17th  
 2013. "A RIDE  
 FOR  
 HEALING...FOR  
 EVERY  
 NATION...FOR  
 ALL  
 MANKIND."  
 #IDLENOMORE  
 COVERING  
 OVER 5000  
 MILES ON  
 HORSEBACK!  
 "Unity Ride.  
 5,000 miles on  
 horseback. A ride  
 for healing for  
 every nation.  
 7/27 to 8/17.  
 #idlenomore  
 #unityride." -via  
 paulseesequa.

# THE DAKOTA NATION UNITY RIDE

Manitoba, Canada to New York City

Covering over 5,000 miles on horseback

## Events

7/27	Albany, NY	Opening Day, Peebles Island
8/1	Kingston, NY	Grand Gathering with Two-Row Wampum Canoes
8/2	Poughkeepsie, NY	
8/3	Beacon, NY	
8/4	Woodstock, NY	International Walk of World Peace
8/5-8/6	Sandy Hook, CT	
8/7	Tallman Mtn. State Park	
8/8	Yonkers, NY	
8/9	New York City United Nations	Presentation of the International Code for Sacred Sites, by Dakota Nation & Global First Nation
8/11	Beacon, NY	Corn Festival
8/17	Washington, DC	The White House

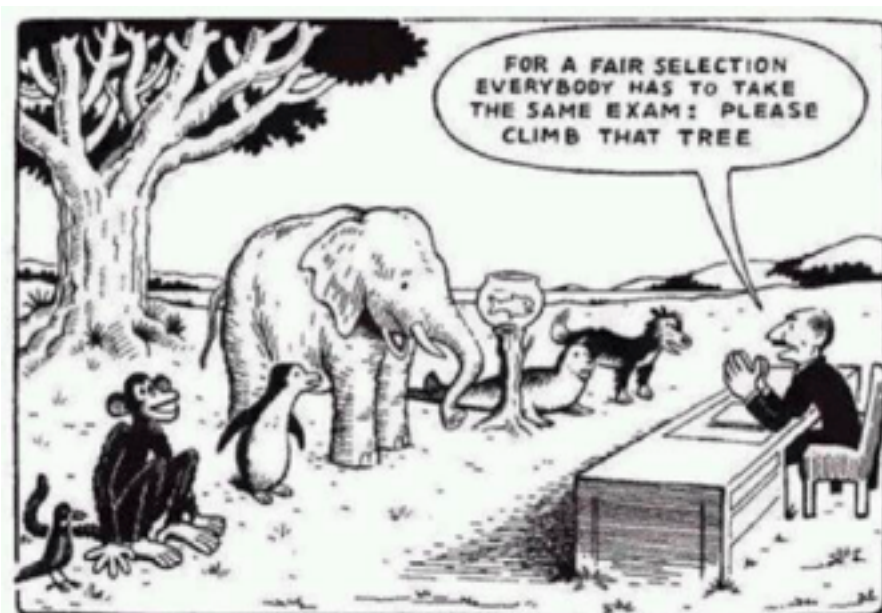
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A ride for healing...  
 for every nation...  
 for all Mankind.  
 Focusing on Global Environmental Issues

## New Guidelines Call for Broad Changes in Science Education

By JUSTIN GILLIS

New standards for curriculum, which at least 26 states have pledged to consider, take a firm stand on climate change and evolution and emphasize hands-on



### Our Education System

*"Everybody is a genius. But if you judge a fish by its ability to climb a tree, it will live its whole life believing that it is stupid."*

*- Albert Einstein*

learning.

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### **Interest Rates On Student Loans Set To Double**

*Aviva Shen, ThinkProgress*

Shen reports: "The interest rate is a rare instance of bipartisan agreement; last year, both President Obama and GOP presidential candidate Mitt Romney promised to hold down interest rates on subsidized Stafford loans." [READ MORE](#)

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### **Tahoe's shoreline at Nevada could go public**

*Adam Jensen, Lake Tahoe News*

Public access to Lake Tahoe's Nevada shoreline could look a lot more like California's access under a law introduced into the Silver State's Legislature. Unlike California, Nevada law does not provide for public access on private property between the high- and low-water marks at Lake Tahoe. Nevada Assembly Bill 396 would allow access up to the high-water mark of public

waters in the state. Jan Brisco, executive director of the Tahoe Lakefront Owners' Association, said the bill represents a "significant shift" in how property rights operate on the Nevada side of the lake. Under the legislation, people also would be ...

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## **12-Year-Old Building at MoMA Is Doomed**

By ROBIN POGREBIN

Just 12 years old and critically acclaimed, the former American Folk Art Museum will be torn down to make room for an expansion by its neighbor, the Museum of Modern Art.

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## **Meet the incredible teenager who taught himself 23 languages who can pick up a new language- like Sw**

[www.dailymail.co.uk](http://www.dailymail.co.uk)

Timothy Doner is only 17-years-old but he has a grasp on languages that are only spoken in lands far from the East Village apartment in Manhattan that he shares with his parents.

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*Some readers have inquired why so much emphasis on environment and not so much on the cultural institutions for which this newsletter was started.*

*The simple answer is that environment is one of the cornerstones upon which culture evolves. From creation stories to food; from medicinal practices to social customs - the environment plays a foundation. Ergo climate change has tremendous impact on culture. One only has to look a history to see illustrations, perhaps being the most dramatic, the mass migrations of peoples impacting the land and daily lives of those "invaded".*

*Seeds, those tiny chips of history and life giving properties, reflect millions of years of heritage and environmental change. Because I am a fan of Native Seeds/ SEARCH*

*([www.nativeseedsearch.org](http://www.nativeseedsearch.org)), then, journals over the next few weeks will include snippets from their recent catalogue. "a treasure chest of traditional seeds developed over a millenia by indigenous peoples and settlers across the Southwest."*

*"By growing, saving and sharing these seeds yourself, you are playing a vital role in ensuring this abundant and life-giving diversity lives on." (as well as potentially creating another economic development trend in your community). "This work has never been more important. Under our industrial food paradigm, just 10 companies control over 75% of the global seed market. Vast monocultures dependent on toxic pesticides and fertilizers blanket the world's farmlands. Genetic diversity in our crops is disappearing and food security is being questioned."*

*"Thankfully, we are seeing a shift. Seed libraries, seed swaps, and small bioregional seed companies are popping up everywhere. A seed saving renaissance is underway as people awaken to the need for regional, sustainable and diverse food systems. Native Seeds/SEARCH is dedicated to advancing this hopeful, inspiring movement. By supporting us, you are helping to create a more delicious, diverse and abundant world - one seed at a time."*



**Amaranth** - grown by the Aztecs and Southwest Indians for millenia. the small grain is rich in lysine' young leaves are high in calcium and iron.  
Variety **Guarijo Grain**, a white seeded grain is used for tamales, pinole and popping.  
Another **Hopi Red Dye** reflect Hopi use of the flower to color piki bread as well as leaves in salad and seeds foe snacking.

## **Cotton**

**Hopi Short Staple** - originating in Central America, grown “prehistorically” by Hopis and and traded north.

**Sacaton Aboriginal** - grown by Pimans for food and fiber until 1900. Padre Kino notes its use for weaving into clothing and blankets. This variety, related to Hopi cotton was maintained by the Field Station. Pimans planted cotton, “when the mesquite began to leaf out.” A stunningly beautiful plant.

## **Cowpea**

**Bisbee Black** - original seeds came from a Native American in Bisbee, Arizona, who gave them to a truck driver, who passed them on to a NS/S member in Missouri.

**Tarahumara** - from a remote village in Batopilas Canyon in the Sierra Madre. Seeds are predominantly cream to beige with occasional brick or black=colored seeds.

**Tohono O’odham** “U’us mu:n” A gorgeous black and white bean with variable mottling, may be all black (occassionally brown) or splotched on white.

**Yori Cahui** - from the village of Ahoma, near Los Mochis in Sinaloa.

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## **Yours, Mine & Ours**

By Jonathan Rowe

Property is a mirror; the way we think about it says a lot about the way we think about ourselves. And the way Americans thought about property for much of our history is very different from what most politicians and economists profess today.

In England before America was formed, commoners had rights that were like property rights, even if they weren’t called that. Much agricultural land was held in common. In practice this was similar to community gardens today: individuals had their own plots, but the underlying ownership was joint. Pastures for grazing animals were also shared. And no one could keep commoners out of woods and rivers that were open to all. These rights dated back to the Magna Carta, and often before.

The English settlers who came to America carried these traditions with them. Thus, James Madison drafted the Virginia law that made unfenced forests a commons for hunting and fishing. The settlers also embraced what historians call the “civic

republican” view of private property. In their minds, private property served an essentially civic purpose.

Properly distributed—a crucial proviso—it enabled people to be full citizens. Thomas Jefferson advocated a nation of small farm owners not because he believed in a rural arcadia but because this was the form of property ownership most consistent with civic virtue. Civic republicanism was also reflected in the corporate charters that prevailed well into the 19th century. State legislatures chartered corporations for specific purposes that served a public need, such as building a toll bridge or railroad. Corporations were limited in size and function and their charters expired after a preset number of years.

In the same spirit, early Americans viewed property rights not as a walled fortress but as permeable membranes capable of reconciling parts and the whole. Water law, so important in the new land, reflected this desire for balance. You could use water that ran through your land, but not in a way that diminished your neighbor’s use. The Northwest Ordinance of 1787, which laid out a plan for the upper Midwest, declared that the waterways there “shall be common highways and forever free.”

Residues of this thinking persist today in the doctrine of the public trust. Roman law declared that some things are common by their very nature—air, wildlife, and navigable waters in particular. Government does not own these and therefore cannot privatize them, even if it wants to. Much like trustees of an estate, governments are legally obliged to maintain these assets for the benefit of all, including future generations.

The trouble with most early common property rights, however, was that they weren’t firmly fixed in statutory law. They existed in custom and usage rather than in deeds of ownership. When the British Parliament set out to enclose the commons, no formal property rights stood in its way. This has been the story of the commons ever since. Whether it is the atmosphere or oceans, the public domain of knowledge or the cognitive environment of our daily lives, it has all been vulnerable to invasion and expropriation because there is no protective legal shell. When a person or corporation takes private property, it is called “theft” and is punished accordingly. When government takes private property, it must, per the Constitution, compensate owners fairly, and it can take private property only for public purposes in the first place. But when a commons is taken it is called “growth,” and no punishment or compensation is required.

But can a commons be “propertized”? Would that not make it a carrier of the disease it is supposed to resist? The legal scholar Carol Rose has suggested that a commons can look like property on the outside and support unpropertylike ends on the inside. It all depends on how the property rights are structured. Property is not a metaphysical

absolute. It is a construct, a bundle of rights that changes with the context. A first-year law student learns this early on. Partnership rights are different from shareholder rights. Rights in a cooperative are different from those in a condominium. Property in a marriage is different from that in a mutual fund. They are all property, but they are encoded differently to achieve different ends.

To give a commons legal status as property is to give it a protective shell; corporations and governments then can't trespass or take it. The question is, What kind of shell is most appropriate for a commons? In some cases government ownership can work, as with libraries and parks. But state ownership is always subject to power and policy shifts, and privatization is never off the table. In many cases the legal structure of not-for-profit trusts can be applied to commons. People establish trusts for the benefit of future generations. In the case of family trusts it's the children or grandchildren. Nonfamily trusts exist for forests, community-owned land, universities, and many other things. In all cases, trustees have a fiduciary duty to manage the trust's assets for the sole benefit of the designated beneficiaries.

However the outer shell is constructed, common property can be encoded internally to counterbalance the tendencies of private property. Where corporate property is encoded to benefit the few (shareholders), common property can be encoded to benefit the many. And just as corporate property is managed for short-term gain, so common property can be managed for the long haul. These imperatives need not be imposed by government regulatory agencies. Rather, they can be embedded in the property itself and enforced like all property rights through the courts.

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### **Maria Tallchief, a Dazzling Ballerina and Muse for Balanchine, Dies at 88**

By JACK ANDERSON

Ms. Tallchief achieved renown as an early prima ballerina with the New York City Ballet, dancing for George Balanchine and entertaining audiences with her speed, energy and fire.

### **SLIDE SHOW: Looking Back at a Dancer With Fire**

Images of **Maria Tallchief**, one of the most brilliant American ballerinas of the 20th century, who died Thursday.

[Related Obituary](#)