

Journal #4450 from sdc 7.1.19

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'A little bit of justice' for Raymond Yowell

elkodaily.com

“They’re still doing it to the Indians.”

[Before European Christians Forced Gender Roles, Native Americans Acknowledged 5 Genders](#)dailyplug.com



On Thursday, Michigan filed a lawsuit asking for the Enbridge Line 5 pipeline to be decommissioned. The controversial pipeline runs under the Straits of Mackinac and carries 540,000 barrels of crude oil per day. Enbridge says it hopes to replace decades-old pipeline, but the lawsuit claims continued operation of the line is a violation of the Michigan Environmental Protection Act. [Reuters](#)

In context: [Line 5 Pipeline Task Force Highlights Weakness in Enbridge Management](#).

[TWENTY YEARS OF DAM REMOVAL SUCCESSES – AND WHAT’S UP NEXT](#)
[By Amy Souers Kober, American Rivers, 6/27/19](#)

Twenty years ago, the annual run of alewives (a migratory fish essential to the marine food web) up Maine’s Kennebec River was zero. Today, it’s five million — thanks to the removal of Edwards Dam and additional restoration measures upstream. The Kennebec and its web of life have rebounded in many ways since Edwards Dam came down in 1999. The removal of Edwards Dam was significant because it was the first time the federal government ordered a dam removed because its costs outweighed its benefits. The restoration of the Kennebec sparked a movement for free-flowing rivers in the U.S. and around the world.

[‘The State Of Water: Understanding California’s Most Precious Resource’ | The Biblio File](#)
[By Dan Barnett, Chico Enterprise-Record, 6/27/19](#)

Oakland-based Obi Kaufmann is a kind of data-based poetic naturalist. In his new book, he offers a guide to “The State Of Water: Understanding California’s Most Precious Resource” (\$20 in hardcover from Heyday; also for Amazon Kindle). Replete with the author’s own water colors of birds and beasts and hand-painted maps of the state waterways, the book is a paean of praise to, in Kaufmann’s words, “**Water, always the commodity, rarely the honored vehicle of all life.**”

[Trinidad backs water study as Rancheria hotel project looms](#)

By Shomik Mukherjee, Eureka Times-Standard, 6/26/19

The Trinidad City Council on Wednesday afternoon unanimously approved a study of the city’s water needs, an effort the council framed as necessary ...



[Mariah Snooks \(Shoshone, Paiute\) is living her dream through Nevada education](#) firstnationsfocus.com

“Good friends, good books, and a sleepy conscience: this is the ideal life.” – Mark Twain

Dr. Patrick Francis Healy: An Early American Trickster

3 Posted by [Susan](#) - June 25, 2019

By C. T. Smith

Patrick Francis Healy is the first African-American to earn a PhD. Healy earned his doctorate degree from Louvain University in Belgium in 1865.

One of nine children of his enslaved father and mother, he was reared in Jones and Macon, Georgia. Upon the death of the family patriarch, he bequeathed his children and wife freedom. With explicit instructions and funding, the family was able to escape slavery, and in doing so, education became a priority.

Healy and his brothers all attended Holy Cross in Massachusetts. It is said that the institution was aware of their racial heritage and it was not problematized. Each brother ascended the ranks in the American Catholic church and became the first African Americans ordained as catholic priests.

By committing to formal education, essentially Patrick committed to being a “trickster.” He accomplished this through traveling, speaking many languages, mediating between people and their God via the Catholic Church. What made Healy stand out was that he not only returned to academia, but he essentially integrated the early ivory tower by passing as white. While a student in Frederick, Maryland, maybe considered him to be of European descent, although this alleged passing was inconsistent as he encountered universities and schools that did not question his parentage.

In 1868, Patrick became the first African American faculty member at Georgetown University as a professor of philosophy. Healy rose through the ranks to become dean of students, then vice president, and eventually president of Georgetown University in 1874. He was the 29th president of the institution. Healy was the harbinger of many innovations at the university and was widely popular. Eventually, illness demanded he step down as president. Nevertheless, he remained an integral figure in Washington politics and in African American parishes in the local community.

As the son of his enslaver, Patrick Healy and his family knew the intricacies of whiteness and how to maneuver successfully. Along with his international experience, he studied in France,

Germany and Rome. Like a trickster-figure, he mastered different languages, religions, and invited souls to be saved on behalf of a Christian god. Although tricksters are not “religious” in the way we know of religion today, the ability to converse with or appeal to god on behalf of the believers is in the nature of a trickster figure.

Source: *Encyclopedia of African American History, 1619-1895: From the Colonial Period to the Age of Frederick Douglass*



Cold blooded in Carson City

We interrupt this dog-video segment of the newsletter to show you a tortoise – the latest political mascot. @CarsonTortoise is ready to dish the dirt from the governor’s manse. “I’m a desert tortoise living at the Nevada Governor’s Mansion! Interests include sunbathing, eating dandelions, and hanging out with [@GovSisolak](#),” reads the tortoise bio.

Nevada could support nuclear waste bill if state consent allowed

The bill calls for consent-based siting in new permanent and temporary sites, but not to those in Nevada, New Mexico and

Texas currently under review.

DeVos Repeals Obama-Era Rule Cracking Down on For-Profit Colleges

By ERICA L. GREEN

Education Secretary Betsy DeVos formally repealed an Obama-era regulation that would have forced for-profit colleges to prove their debt-laden graduates could find gainful employment.

Hawaii Becomes First State in the U.S. to Ban the Toxic Pesticide Chlorpyrifos

[ecowatch.com](#)

Environmental Defender Murdered in Mexico Days Before Vote on Pipeline Project

[ecowatch.com](#)

'It's long overdue': the first exhibition for Native American female artists

[theguardian.com](#)

Voyageurs National Park is U.S. epicenter of beavers' spectacular handiwork

From Star Tribune: <http://strib.mn/2J99Vjs>

Vermont passes bill abolishing Columbus Day in favor of Indigenous Peoples' Day [msn.com](#)



[America's first urban 'agrihood' feeds 2,000 households for free](#) inhabitat.com

Interesting thought pieces on removal of statues, etc

https://www.nytimes.com/2019/06/28/opinion/sunday/san-francisco-life-of-washington-murals.html?nl=todaysheadlines&emc=edit_th_190629?campaign_id=2&instance_id=10454&segment_id=14774&user_id=c38947501e68571d7aa5496fbc02c266®i_id=259051720629

<https://themilitant.com/2019/06/29/vote-to-erase-calif-mural-is-blow-to-art-political-rights/>

For your files:

[PDF] [Herrera v. Wyoming - Supreme Court of the United States](#)

https://www.supremecourt.gov/opinions/18pdf/17-532_q86b.pdf - [similar pages](#) May 20, 2019 ...

NOTE: Where it is feasible, a syllabus (headnote) will be released, as is being done in connection with this case, at the time the **opinion** is ...

Herrera v. Wyoming

Docket No. [17-532](#) [Wyo. Dist.](#)

Op. Below

Argument [Tr.Aud.](#)

Opinion [May 20, 2019](#)

Vote 5-4

Author Sotomayor

Term [OT 2018](#) Jan 8, 2019

Holding: Wyoming’s statehood did not abrogate the Crow Tribe’s 1868 federal treaty right to hunt on the “unoccupied lands of the United States”; the lands of the Bighorn National Forest did not become categorically “occupied” when the forest was created.

Judgment: [Vacated and remanded](#), 5-4, in an opinion by Justice Sotomayor on May 20, 2019. Justice Alito filed a dissenting opinion, in which Chief Justice Roberts and Justices Thomas and Kavanaugh joined.

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**SCOTUSblog Coverage** <https://www.scotusblog.com/case-files/cases/herrera-v-wyoming/>

- [Opinion analysis: Court rejects issue preclusion in affirming Crow Tribe's treaty hunting right](#) (Gregory Ablavsky)
- [OT2018 #15: "Second Best Opinion"](#) (First Mondays)
- [OT2018 #14: "Decent Take"](#) (First Mondays)
- [Argument analysis: Justices grapple with preclusion and "occupation" in Crow Tribe treaty case](#) (Gregory Ablavsky)
- [Argument preview: Tribes, treaties and animals return to the Supreme Court](#) (Gregory Ablavsky)

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Herrera v. Wyoming: Can U.S. Void Any Tribe's Treaty? - The Atlantic
<https://www.theatlantic.com/ideas/archive/2019/01/herrera-v-wyoming/580243/> - 275k - [similar pages](#) Jan 13, 2019 ... **Herrera v. Wyoming**, an Indian treaty-rights case argued in the Supreme Court last Tuesday, revolves around a basic of federal Indian law: No ...

HERRERA v. WYOMING | US Law | LII / Legal Information Institute
<https://www.law.cornell.edu/supremecourt/text/17-532> - 241k - [similar pages](#) May 20, 2019 ... In 2014, Wyoming charged petitioner Clayvin Herrera with ... relied on the reasoning of the Tenth Circuit's decision in *Crow Tribe of Indians v.*

Herrera v. Wyoming: Inside the Elk ... - MeatEater Conservation
<https://www.themeateater.com / conservation / policy-and-legislation / inside-the-elk-hunting-c...> - [similar pages](#) Herrera v. Wyoming: Inside the Elk Hunting Case Before the Supreme Court ... Some hunters say a decision in favor of Herrera would be the end of game ...

Hunting ruling could open "can of worms" - Wyoming Tribune Eagle

https://www.wyomingnews.com / news / from_the_wire / hunting-ruling-could-ope / article_966fc133-4a37-54... - [similar pages](#) May 24, 2019 ... SHERIDAN – Now that the U.S. Supreme Court has issued its **opinion** on **Herrera v. Wyoming**, lower courts will take up the case again while ...

"Friendship is everything. Friendship is more than talent. It is more than the government. It is almost the equal of family. – Don Corleone" – Mario Puzo



shayne del cohen Yesterday,
5:37 PM

A call to enter politics becomes a lifelong mission to lift up Native communities

Kevin Killer is a former state legislator in South Dakota and a senior fellow at Prism.

Hau Mitakuyapi! (Hello my relatives!)

Please allow me to introduce myself as a new Prism fellow. I recently completed 10 years in the South Dakota legislature and have been in politics for the past 14 years. In the majority of these positions, I was tasked to work with Native American communities in South Dakota. These assignments provide a unique insight into how our Native nations worked with various levels of government.



Over this time, I saw the lack of Native representation as a disadvantage to being fully represented at all levels of government. I know now that despite non-Native allies' intentions to support our communities, there was systemic inequity that prevented our full participation at all levels of government. That included not being able to participate in county elections in South Dakota until the late 1970s.

My involvement started in 2002 with former U.S. Sen. Tim Johnson's reelection efforts. I helped my adopted dad go around the state of South Dakota and turn out the Native vote on three separate reservations in the middle of a blizzard. This campaign was one of the very few times in the history of South Dakota politics that turnout in Lakota/Dakota communities was a priority to victory.

Because turnout in Native communities was a priority in the election, Sen. Johnson went on to win. In 2004, because of the successful efforts in 2002, there was an even bigger commitment to turning out the Native vote for U.S. Senate Majority Leader Tom Daschle's reelection campaign.

I was hired as a field organizer working on Pine Ridge to focus on voter registration and turnout. Our community was excited to make history again, and we had an even better turnout that election. To our disappointment, however, it wasn't enough to overcome the lead from the eastern side of South Dakota. We had some amazing people supporting us in Pine Ridge in the lead-up to Election Day, including Denis McDonough, Phil Schiliro, and other members of Sen. Daschle's staff who went on to serve in President Obama's administration.

Witnessing the amount of work and people needed to support campaigns was overwhelming, but at the same time, it provided the insight to know what our community would need to run our own community members for office.

Looking at what was possible, I thought it would be amazing and motivating to have all-Native representation within our state legislative district, especially after a court decision on Sept. 15,

2004, ruled that our legislative district was unfairly packed, with the Rosebud and Pine Ridge Indian reservations making up one supermajority minority district.

Alfred Bone Shirt, along with other tribal members, [filed a lawsuit](#) in late 2001 to seek a fairer district that could have Natives elected from these areas. Both tribal governments sent letters to the court asking for the ability to elect tribal members from each reservation to legislative seats. This opened the door for Natives to have their issues not only heard but represented by our own tribal members in state government. We had representatives before this lawsuit, but this would allow us to have more representation.

The next part was to find people who not only were willing to run, but also were willing to set aside three months of their lives each year—for just \$6,000 in compensation—to serve in office. I asked a lot of people to consider it, but no one was interested, or they would tell me I should run. I decided to do it and ultimately served in our state House of Representatives for eight years and Senate for two years.

I went into office with optimism and some naïveté that, at 29, my presence would help. Being a Democrat in a conservative state, though, was a reality check I both was and wasn't prepared for. The Native influence had been little to nil because, historically, it wasn't politically convenient to be identified as Native American.

A good example of this was when I was new to the Judiciary Committee. It was one of the assignments I requested, and I was thankful to our legislative leadership for placing me on such a prestigious committee. Native American [incarceration rates](#) in South Dakota have mirrored African American male rates in many states, but without the national exposure. This disparity and other legal issues Natives have to face compelled me to ask for this committee assignment.

Being a non-attorney on the committee was a steep learning curve that helped me become a better committee member by asking questions and learning the legal language and the process behind legislation that eventually becomes law. What I brought to the committee was firsthand experience of what tribal members experienced living in a hybrid rural/reservation economy that experienced some of the highest [generational unemployment rates](#) in the country.

I often had to explain to my legislative colleagues that before South Dakota was recognized as a state in 1889, our communities had a 100% employment rate, and our life expectancy was most likely the highest in the region thanks to our healthy lifestyles and activity. Even with this truth, it was for the most part an uphill battle to overcome the implicit and historical biases that existed within the legislature to pass meaningful legislation that helped or changed the perception of our tribal communities.

At the time, I didn't see a clear opportunity to help change the way our Native Nations were perceived within the legislature. That changed with HB 1104. The goal of the legislation was to [prevent anyone over the age of 35](#) from filing a lawsuit against alleged perpetrators of sexual abuse who taught at or were a part of the administration of off-reservation boarding schools that were set up across the country in the late 19th and mid-20th century. It was a U.S. government mandate that forced Native children to attend these schools with the philosophy, as one of the founding officers at these schools put it, to "Kill the Indian in him, and save the man."

Listening to the firsthand accounts of our elders who came to testify against this bill was difficult enough because the majority who appeared would've been around my grandparents' age. What made it worse was the fact they only had a few minutes each to share their truth. What they didn't get from this legislative process was any type of reconciliation or healing—only more hurt.

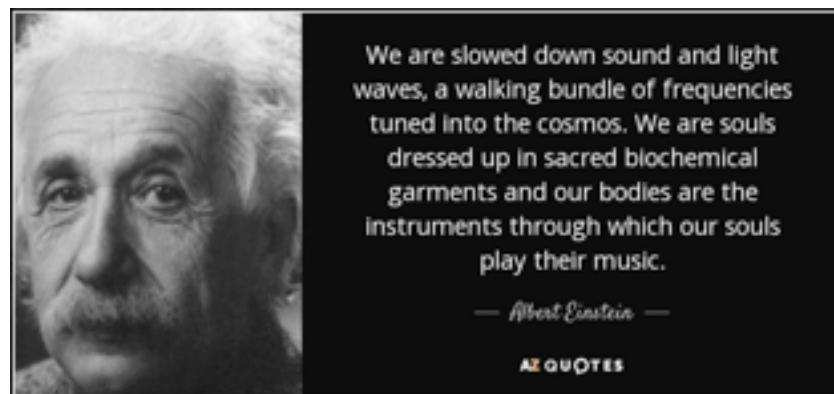
This was the realization: that the need to have their truths heard and recognized, the leadership that had been instilled in many of these elders, was critical to healing. Generations of our elders have unhealed trauma that would eventually manifest itself in unhealthy ways within our communities.

Over the course of this fellowship year, I want to look more into this process and share the positive steps being made by Native communities nationwide. It is an exciting time for many of the young people in our communities, but we need to educate this very well-informed generation about the realities we faced, along with our parents and grandparents.

Breaking the cycle of hurt must be the ultimate outcome of these efforts. I believe Native communities are at a turning point in their own healing.

Pilamaya (Thank you), Kevin Killer

Kevin Killer is co-founder of Advance Native Political Leadership, a former member of the South Dakota state Senate and House of Representatives, and a senior fellow at Prism.



[Electoral Map Bias May Worsen as US Gerrymandering Battle Shifts to States](#)

Joseph Ax and Andrew Chung, Reuters

Excerpt: "The U.S. Supreme Court's ruling that federal judges have no power to police partisan gerrymandering - the practice of manipulating electoral district boundaries for political gain."

[READ MORE](#)

(Huge implications for tribal communities....sdc)



Navajo Artist Creates 'Make America Native Again' Hats to Critique Donald Trump's Campaign Slogan

By [avianne tan](#) Jun 29, 2016

Listen up, Trump!

This Navajo artist from Albuquerque, New Mexico, says she has a message for the Donald.

Vanessa Bowen told ABC News today she has designed and produced "Make America Native Again" hats as a way of starting conversation about the problematic history behind [Donald Trump's presidential campaign](#) slogan -- "Make America Great Again" -- and to raise awareness for marginalized indigenous peoples in the U.S.

"When Donald Trump says, 'Make America Great Again,' what time period is he talking about?" Bowen, 31, said. "A lot of people overlook that America's history has been built upon injustice against other racial groups, including [Native American](#) people."

"It means going back to learning sustainability and learning to live in harmony with the environment," she said. "It means going back to a matriarchal society in which we value and respect our women. It means going back to a sense of unity and community in which we nurture and care for each other rather than tear apart and divide each other."

Trump's campaign has been an attack on these traditionally Native American values, Bowen said.

"[I]t's really sad that he says these really terrible things," she said. "He wants to build a wall that will truly divide people."

Though Bowen said she only had 12 hats originally produced for her friends, she's since gotten dozens of more orders and inquiries from people in her community.

The hats are currently being sold for \$30 on her [freelance graphic design business' website](#).

"It's encouraging to know my positive message is resonating with a good number of people," she said. "It's certainly striking a chord in our people's hearts."

And though Bowen said she's received backlash in the form of several "hateful" messages online filled with "ignorant stereotypes about Native Americans," she said she isn't discouraged.

"I just want to spread more awareness about Native Americans and encourage more natives to write and tell our own stories so more people can know the truth and don't have to rely on these false stereotypes," Bowen said.

thevintagenews.com

C. Whitney Ward
PHOTO: Vanessa Bowen, a Navajo artist from Albuquerque, New Mexico, has designed and produced "Make America Native Again" hats. [more +](#)



[Plans To Release Entire Fukushima Waste Into Ocean Confirmed By Tepco](#)
social-consciousness.com