

**Journal #4784 from sdc 10.9.20**

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**Celebrating National Electronic Records Day!**

*My proverbial questions: what is the state of your records management and archives program? sdc*

[Peter Carr Jones](#)

**Mining the ICC - Macroanalysis of the Indian Claims Commission from volume 1 (2018), <https://doi.org/10.31835/crdh.2018.04>**

**<https://crdh.rrchnm.org/essays/v01-04-mining-the-icc/>**



*Event over but one can listen to the recording (click above).*

**Winona LaDuke**—an Anishinaabekwe (Ojibwe) member of the White Earth Nation—is an environmentalist, economist, author, and prominent Native American activist working to restore and preserve indigenous cultures and lands.

She graduated from Harvard University in 1982 with a B.A. in economics (rural economic development) and from Antioch University with an M.A. in community economic development. While at Harvard, she came to understand that the problems besetting native nations were the result of centuries of governmental exploitation. At age 18 she became the youngest person to speak to the United Nations about Native American issues.

In 1989 LaDuke founded the [White Earth Land Recovery Project](#) in Minnesota, focusing on the recovery, preservation, and restoration of land on the White Earth Reservation. This includes branding traditional foods through the [Native Harvest](#) label.

In 1993 LaDuke gave the Annual E. F. Schumacher Lecture entitled “Voices from White Earth.” That same year she co-founded and is executive director of [Honor the Earth](#), whose goal is to support Native environmental issues and to ensure the survival of sustainable Native communities. As executive director she travels nationally and internationally to work with Indigenous communities on climate justice, renewable energy, sustainable development, food sovereignty, environmental justice, and human rights.

Among the books she has authored are *All Our Relations: Native Struggles for Land and Life* (1999, 2016); *The Winona LaDuke Reader: A Collection of Essential Writings* (2002); *Recovering the Sacred: The Power of Naming and Claiming* (2005); *The Militarization of Indian Country* (2013).

LaDuke’s many honors include nomination in 1994 by *Time* magazine as one of America’s 50 most promising leaders under 40; the Thomas Merton Award in 1996, the Ann Bancroft Award for Women’s Leadership in 1997, and the Reebok Human Rights Award in 1998. In 1998 *Ms.*

*Magazine* named her Woman of the Year for her work with Honor the Earth. She was inducted into the National Women's Hall of Fame in 2007, and in 2017 she received the Alice and Clifford Spindlove Prize in Social Justice, Diplomacy, and Tolerance.

Winona LaDuke was an active leader as a Water Protector with the Dakota Access Pipeline protests in 2017 at Standing Rock, where the Sioux Nation and hundreds of their supporters fought to preserve the Nation's drinking water and sacred lands from the damage the pipeline would cause. Over the years her activism has not deviated from seeking justice and restoration for Indigenous peoples

- [Voices from White Earth: Gaa-waabaabiganikaag](#)  
[Prophecy of the Seventh Fire: Choosing the Path That Is Green](#)



[Winona La Duke On Fighting Pipelines, Building Community And Growing Corn](#)

by Redeye Collective      audio      eye 13

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## **Bay to Black Rock Virtual Run Adventure**

Thursday, October 08, 2020      12:00 am - 11:59 pm

### Additional Dates

Wednesday, October 07, 2020 12:00 am - 11:59 pm

Friday, October 09, 2020 12:00 am - 11:59 pm

Saturday, October 10, 2020 12:00 am - 11:59 pm

Sunday, October 11, 2020 12:00 am - 11:59 pm

Race178.com      Reno, NV

**Virtual Event URL:** <https://race178.com/virtualbay2blackrockrun/>

**Note:** Virtual Event.

Join us for the Bay to Black Rock Virtual Run Adventure presented by Hometown Health! You don't have to be a runner to participate. There are 2 versions to choose from - Run/Walk or Multi Activity. The Multi Activity version allows for dozens of activities you can convert to miles. You will be able to track your progress on an electronic map. Go solo or be part of a team (maximum of 8 persons). Get your family and friends to join you, too! Fun race swag. Terrific race specials. Photo contest with great prizes. Race178 will contribute a portion of the race proceeds to the Friends of the Black Rock High Rock non-profit organization. Sign up now and have a blast!

Contact Info   Kelly Corrigan   Race178   [kelly@race178.com](mailto:kelly@race178.com)   7753385255

More Info   [Bay to Black Rock Virtual Run Adventure](#)

## 31st annual World Championship Outhouse Races

[C Street](#)      [Virginia City, NV](#)

Potty humor is mandatory at this hilarious and "racy" race. The history of 31 st annual World Championship Outhouse dates back to when outdoor plumbing was outlawed in Virginia City and angry residents took to the streets with their outhouses in protest. And a tradition was born. This outlandish and free event pits teams of costumed outhouse racers against each other in an all-out potty race pushing their home-made, and working, outhouses down C Street toward the toilet paper finish line to claim the latrine title. The Parade of Outhouses begins Saturday at noon with races immediately following. Interested in racing? The races challenge teams of three costumed outhouse racers to zip down C Street, the town's main drag, and hit the toilet paper finish line first. Click here to race an outhouse. Click here to view the registration packet and rules. \*\*ALL VCTC EVENTS ARE RAIN OR SHINE AND NON-REFUNDABLE

Monday, October 12, 2020 12pm

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UNR GME Program (click on pic for video)



Join us this November for a powerful learning experience with inspired educators. Register early, space is limited. learn more: <http://bit.ly/32N8U9s>

Activate link to view larger image.

## Readings of new work in Ni:mi:pu: (Nez Perce) and English, inspired by the tradition of corn husk bag weaving amongst Plateau peoples.

This event is presented alongside the Hearst Museum's current online exhibit, [Cloth that Stretches: Weaving Community Across Time and Space](#), which explores textiles as a site of identity formation and cultural resilience. At a time when people are divided by the many challenges facing our communities today - a pandemic, racial injustice, climate change - this program offers a rare chance to build community through the tangible (objects in the Hearst Museum's collection) and the sometimes intangible (language and story) and inspire audiences to interpret the world around them through creative and intersectional approaches.

Beth Piatote, author and Associate Professor of Native American Studies at UC Berkeley, is an active member of a recently formed Ni:mi:pu: (Nez Perce) group that employs creative writing as a means of language revitalization. This program will support the production and presentation of new work with a specific focus on the tradition of corn husk bag weaving by Nez Perce and other Plateau peoples. In addition to readings of these new pieces of writing, this event will feature a cultural resources representative speaking specifically to the process, tradition, and iconography of corn husk bags. UNESCO has recognized the urgency of Indigenous language

revitalization around the globe, and declared 2022-32 the [Decade of Indigenous Languages](#), making this a timely moment for such a program.

The Hearst Museum of Anthropology at UC Berkeley stewards a collection of corn husk bags which have not yet been the subject of robust research or creative response. This is a unique opportunity to bring together UC Berkeley faculty, creative writers, and cultural experts to produce new research and writing, and collaboratively share the results with a wide, virtual audience. The co-sponsorship of this event by multiple units across campus speaks to this event’s potential for reaching diverse audiences and serving as a means to build interdisciplinary bridges.

**Date and Time: Thu, October 29, 2020 4:00 PM – 5:00 PM PDT [Add to Calendar](#)**

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**Indigenous Peoples’ Day recognized, but won’t replace Columbus Day in Clark County**

**Clark County will recognize Indigenous Peoples’ Day on the same day as Columbus Day, but won’t replace the traditional holiday.**

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**The Alaskan Island That Humans Can’t Conquer**

**Faraway St. Matthew Island has had its share of visitors, but none can remain for long on its shores**

**By Sarah Gilman, [Hakai Magazine](#)**

[https://www.smithsonianmag.com/travel/alaskan-island-humans-cant-conquer-180975999/?utm\\_source=smithsoniandaily&utm\\_medium=email&utm\\_campaign=20201007-daily-responsive&spMailingID=43634581&spUserID=OTYyNTc5MzkyMTQyS0&spJobID=1860590757&spReportId=MTg2MDU5MDc1NwS2](https://www.smithsonianmag.com/travel/alaskan-island-humans-cant-conquer-180975999/?utm_source=smithsoniandaily&utm_medium=email&utm_campaign=20201007-daily-responsive&spMailingID=43634581&spUserID=OTYyNTc5MzkyMTQyS0&spJobID=1860590757&spReportId=MTg2MDU5MDc1NwS2)

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**FOCUS: David Sirota | Trump Reduced Workplace Safety Enforcement - Then Workers Died While Begging for Help**

*David Sirota, Jacobin*

Excerpt: "New data shows that COVID-19-related deaths followed after workers requested help from federal safety officials. Instead of helping, Donald Trump reduced enforcement of workplace safety laws."  
**[READ MORE](#)**

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from Janet Davis

**99.2% PL !**





## **Canada loves the rule of law (unless we're talking Indigenous rights)**

For the vast majority of this country's history, the rules have been flagrantly broken when it comes to Indigenous land and rights

**Feb 21, 2020** By [Jennifer Ditchburn](#), this piece first appeared on Policy Options.

Last October, an international celebration occurred in the verdant coastal community of Bella Bella, B.C. Members of the Heiltsuk Nation finally opened their Gvakva'aus Hailzaqv, their Big House, a red and yellow cedar structure that is the centre of their governance and ceremonial life. Christian missionaries destroyed the [last Big House](#) 120 years ago, the Heiltsuk say.

In those years, pivotal elements of Indigenous life and law were declared illegal, including the gift-giving potlatch ceremonies that "[were once the primary economic system of Coastal First People](#)." The potlatch ban is hardly ancient history — that law was not removed from the books until 1951. Nearly six million Canadians who filled out the last census were alive in 1951.

The Heiltsuk People, like the Wet'suwet'en currently at the centre of national attention, not only had to live with odious Canadian laws (that could themselves be seen as violating fundamental concepts of justice), but they also had their land taken outside of the processes promised by the Crown.

Treaty negotiations did not take place in vast tracts of British Columbia — a direct affront to the rule of law. "Under international and British law at the time of colonization, unless Indigenous people were conquered or treaties were made with them, the Indigenous interest in their land was to be respected by the law of the European colonizing nation," historian and lawyer Bruce McIvor [explained last week](#).

Politicians and pundits have been calling for the [rule of law to be respected](#), given the ongoing protests in B.C. and in southern Ontario in support of the Wet'suwet'en hereditary chiefs opposing the Coastal GasLink project. The protests have stopped CN and Via Rail trains from running in parts of Canada.

But let's set aside for a moment the question of the legitimacy or illegality of those protests. Where have all these influential voices been on the much larger *rule of law* question, the one that set the stage for these conflicts in the first place?

For more than 150 years, Indigenous governance structures and legal systems have been dismantled, local knowledge and language deliberately decimated, treaties violated, and Indigenous land settled without a legal leg to stand on. Still, even with all the bad laws, bad faith, and shrugging off the rule of law, we can't seem to muster as a country a heartbeat of empathy or patience or self awareness.

We also ignore that the courts have acknowledged repeatedly that Indigenous laws and rights are *part* of the rule of law in Canada.

"Indigenous legal traditions are among Canada's legal traditions. They form part of the law of the land," Federal Court Justice Sébastien Grammond [wrote in a 2018 decision](#).

National newspaper columnists have called the Wet'suwet'en system of governance an "[oligarchy](#)" and based on a "[feudal genealogy](#)," but the Courts (which help shape the *rule of law*) haven't shown that disdain. The Supreme Court has acknowledged the limits of the Indian Act-prescribed structures when considering the holders of Aboriginal title — and dealt specifically with the Wet'suwet'en hereditary chiefs' authority in the 1997 [Delgamuukw decision](#).

In the Supreme Court of British Columbia [Tsilhqot'in decision](#), Justice David Vickers put it succinctly: "While band level organization may have meaning to a Canadian federal bureaucracy, it is without any meaning in the resolution of Aboriginal title and rights for Tsilhqot'in people."

Indigenous communities have been trying to revivify their original forms of government that existed prior to colonization, but this is not quick work. Language, legal traditions, and skills were gutted by the Indian Act, the residential school system, the Sixties Scoop, and other assimilationist policies.

Groups such as the [Centre for First Nations Governance](#) work with communities to try to help restore lost systems and empower local leadership. The 1996 [Royal Commission on Aboriginal Peoples](#) recommended Canada support this restorative process, but the report languished on the shelf for decades.

Canadian law when it comes to Indigenous communities has been a slippery, oppressive thing throughout the country's history. Treaties are the law, but they are routinely violated.

Laws were invented to erase Indigenous culture. It took until last year for the federal government [to finally remove the legislated gender discrimination](#) from the Indian Act.

In British Columbia, the type of land title negotiations that created the [Douglas treaties on Vancouver Island](#) (themselves the subject of contention) were abandoned and unilateral settlement occurred on vast tracts of Indigenous land elsewhere in the province.

The rule of law and the "honour of the Crown" were disregarded. In 1997, the Supreme Court of Canada [advised the Crown](#) that it had a "moral, if not a legal, duty," to settle the question of title in order to facilitate "the reconciliation of the pre-existence of aboriginal societies with the sovereignty of the Crown."

But today, delving into those fundamental issues around land title and Canada's fundamental violations of the *rule of law* seems to exhaust the stamina of many Canadian political and thought leaders.

[Canadian government inquiry assails 'genocide' of Indigenous women, girls](#)

[Why protesters are shutting down Canada's rail service](#)

[On Monday, Canada declared a 'climate emergency.' On Tuesday, it approved a pipeline expansion.](#)

[Covid-free communities on the U.S.-Canada border want travel restrictions eased](#)

## **Canada's Supreme Court to consider whether Native Americans in U.S. have rights north of the border**

By [Amanda Coletta](#) Washington Post Oct. 7, 2020

It was a frosty October morning when Richard Desautel aimed his Mauser 98 bolt-action rifle at a cow elk in the Arrow Lakes area of British Columbia, shot the animal dead and phoned wildlife conservation officers to report what he'd done.

That call, made a decade ago this month, set into motion a plan that was years in the making. Authorities charged Desautel, a U.S. citizen and member of the Lakes Tribe of the Colville Confederated Tribes in Washington state, with hunting without a license and hunting big game while not a resident of British Columbia.

It was what Desautel wanted. It gave him the opportunity to argue that he was exercising his right under Canada's constitution to hunt for ceremonial purposes on the traditional land of his ancestors, the Sinixt, an Indigenous group that Canada declared extinct more than 60 years ago.

Now he'll argue his case before Canada's Supreme Court, in a proceeding that could have sweeping implications for Indigenous groups on both sides of the border. A victory could give more Native Americans in the United States the right to use their tribes' traditional lands in Canada.

The main question before the justices is whether rights afforded to "aboriginal peoples of Canada" by the Constitution Act can extend to groups that don't live in Canada. But for Desautel, who traveled to Ottawa for the hearing Thursday, it's about something larger.

"For the Sinixt people, this case — and it sounds almost corny to say — is about their very identity," said Mark Underhill, Desautel's lawyer. "Everything is at stake for them."

The lower courts considered centuries of history.

Desautel, 68, says he is a descendant of the Sinixt, an Indigenous group that hunted and fished in traditional lands that extended north and south of the 49th parallel before and after contact with Europeans in 1811.

British Columbia Provincial Court Judge Lisa Mrozinski wrote in a 2017 [ruling](#) that a "constellation of factors" eventually led the Sinixt to "more or less" live full-time in the southern part of their territory, which became part of the United States in 1846 when the Oregon Boundary Treaty established that section of the U.S.-Canada border.

Many of the Sinixt, who had become known as the Lakes Tribe, took up residence in the Colville Indian Reservation in Washington state, where Desautel lives. By the 1930s, they had stopped traveling north to hunt. The Sinixt in Canada were moved in 1902 to a reserve set up along the west side of the Upper Arrow Lake for the Arrow Lakes Band.

After the last member of the Arrow Lakes Band died, Canada in 1956 declared it "extinct" under the country's Indian Act.



Their descendants, including Desautel, contend that their very existence proves the opposite.

Crown prosecutors argued that Desautel doesn't hold a constitutionally protected right to hunt in Canada because he doesn't belong to one of the groups that make up the "aboriginal peoples of Canada" — and that granting him such a right would be incompatible with Canadian sovereignty.

The Crown also said Desautel failed to prove that the Sinixt people's tradition of hunting before contact was carried out by its modern-day successor group — a test for establishing a right under Canadian law. Prosecutors argued that they voluntarily drifted from their northern territory and traditional practices there.

Mrozinski disagreed and acquitted Desautel. Even if members of the Lakes Tribe moved south, she wrote, there's no evidence that they gave up their claim to the rest of their traditional territory or that their move was entirely voluntary.

"Whether or not the Sinixt, or Lakes Tribe as they are known, utilized their traditional territory north of the 49th parallel after the 1930s," she wrote, "I am left with no doubt that the land was not forgotten, that the traditions were not forgotten and that the connection to the land is ever present in the minds of the members of the Lakes Tribe."

British Columbia's Supreme Court and its Court of Appeal dismissed the Crown's appeals.

"Imposing a requirement that Indigenous peoples may only hold Aboriginal rights in Canada if they occupy the same geographical territory in which their ancestors exercised those rights," Court of Appeal Justice Daphne Smith wrote in the 2019 [ruling](#), "ignores the Aboriginal perspective, the realities of colonization and does little towards achieving the ultimate goal of reconciliation."

The Crown appealed to the Supreme Court, arguing that the case is of national importance. Its ruling could have far-reaching ramifications.

In legal [filings](#), prosecutors warned of "legal and practical difficulties" that could arise from a decision in Desautel's favor, including the possibility that other Indigenous groups in the United States with traditional territory divided by the border could be entitled to constitutional rights in Canada. The government would then have a duty to consult with them on projects impacting their traditional lands, such as pipelines.

Several such groups applied for and have been granted intervener status — comparable to *amicus curiae*, or "friend of the court," standing in the U.S. courts — in the appeal to the Supreme Court. The Peskotomuhkati Nation, which has communities in New Brunswick and Maine, said in legal filings that it's "dishonorable" to hold that U.S.-based Indigenous groups do not have rights in Canada.

"If you read the factum for the government, there's a fear of what we call the floodgates of law," said John Borrows, a professor of Indigenous law at the University of Victoria. "That if you allowed this example . . . then that unlocks the door to dominoes."

Many of the major rulings that have established Indigenous rights have arisen from defenses to criminal or regulatory charges. Borrows said it would be “much better to have this done through negotiation or some other dispute resolution process that [is] more systematic.”

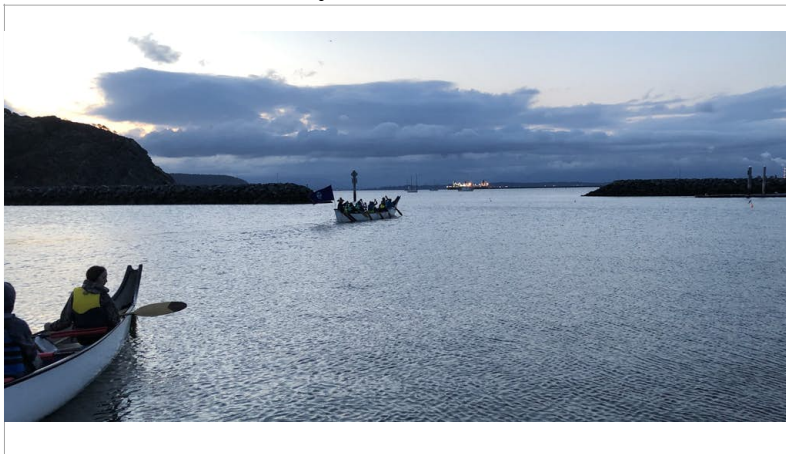
Shelly Boyd, a member of the Lakes Tribe who says she is descended from the Sinixt, remembers what it was like as a young girl to learn that Canada considered her “extinct.”

“I thought, ‘That doesn’t make sense. That’s what happens to dinosaurs. That’s what happens to animals,’ ” Boyd said. “The reality is that we weren’t thought of as human. . . . You’re not just treated as if you’re less than. You’re actually, in this case, declared less than, declared nothing.”

Desautel says a ruling in his favor would affirm that his decade-long battle was “a journey well spent.”

“The court decision is something that’s in the judicial system that has to be taken care of,” he said. “As for me, being here in my traditional territory, the burial ground of my ancestors, walking the path of my ancestors . . .

“You can’t take that away from me.”



### **Washington schools prepare to teach tribal history**

MOUNT VERNON, Wash. (AP) - A school district in northwest Washington state has started to make plans with the Samish Indian Nation to fulfill a statewide initiative to integrate tribal history and culture into various subjects taught throughout...

**[Read more](#)** [indiancountrytoday.com](http://indiancountrytoday.com)

### **Top 10 Stories: What Indian Country read this past week**

Vincent Schilling What you, our Indian Country Today readers, read most Oldest Seneca citizen shares story of tribe's struggle, survival Sioux Chef's mission: Decolonize the kitchen Tribes celebrate Mesa Verde repatriation Historic settlement...

**[Read more](#)** [indiancountrytoday.com](http://indiancountrytoday.com)

**There are more than 400 national parks in the country. And before any of them became national parks, they were the homelands of Indigenous people.** New superintendent of the Knife River Indian Villages National Historic Site Alisha Deegan is on Monday's newscast. She is a Mandan Hidatsa Arikara Nation citizen. Deegan is joined by Anna Deschampe, the new chief of interpretation for Grand Portage National Monument. They describe their work in the National Park Service.

**Read more** [indiancountrytoday.co](https://indiancountrytoday.co)

**or listen @** <https://indiancountrytoday.com/newscasts/indigenous-leadership-in-national-parks-0BrpEI-FtkOLotIojUo31Q>

**This will keep you busy all weekend.** <https://www.nps.gov/subjects/culturallandscapes/index.htm>



### **Biden-Harris campaign announces tribal nations plan**

Former Vice President Joe Biden and Sen. Kamala Harris released detailed plans to uphold federal trust responsibilities by addressing health disparities, restoring tribal lands and providing economic opportunity for tribal nations Thursday. The...

**Read more** [indiancountrytoday.co](https://indiancountrytoday.co)