

Pt 3 Chipping Away at Treaties - Faith Spotted Eagle - OSEU 6

There was a landmark case with the Cherokee in the state of Georgia. There was an actually non-Native man who lived on the Cherokee reserve or reservation, and he wanted to take up for the Cherokee, and he filed a suit. And the government actually ruled in favor of the Cherokee. But since that landmark case, these government federal rulings have come in, and they've impinged and reinterpreted treaty law, or not treaty law, but the standing of treaties. So like *Worcester v. Georgia*, Worcester was the non-Native man.

When that decision was reached by a court, it said, okay, it affected this treaty. So this treaty began to shake over here. And so there's a strange, destructive relationship that evolved, and the government thinks it's a good relationship, but for us it's been destructive because it keeps chipping away at a treaty. And so that has happened throughout the years. Another one is *Crow Dog v. Spotted Tail* on the Rosebud Reservation.

We, in natural law, in the way we resolve conflicts in our society, if there was a killing, there was a certain way to settle it in the camp circle. There's many, many accounts. Auntie Ella Deloria talks about that in her books. She talks about 3 specific ways that were used to resolve when somebody had murdered someone else. So that happened when Crow Dog killed Spotted Tail. The families had come to an agreement that they were going to work it out, but the agents came in and they said, no, the law has to come in, American law has to come in.

So they made it punitive and they took it out of the camp and they made it, from that point in time with the Crow Dog, it went into federal law, the law began to change. And so it's been, again, a chipping away at the treaties.