



FRESNO BEE

Opinion

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BY RICK HEREDIA

This year marks the 100th anniversary of the rediscovery of the 18 California Indian treaties. In 1852, the United States Senate refused to ratify those treaties and they were forgotten until surfacing again in 1906. By then, California Indians were destitute - and landless.

One of these treaties, the Camp Barbour treaty, was signed April 29, 1851, on the banks of the San Joaquin River.

Lately, Indians have been accused of "reservation shopping," looking for off reservation land for casinos. Case in point: the North Fork Mono tribe. But the tribe is essentially landless.

Why? The answers go back far beyond the federal government's termination policy of the 1950's.

Many people square tribal homeland with reservation boundaries. That is incorrect. Reservations are often a small part of tribal land. Tribal lands are not restricted to reservations or rancherias. These are government-imposed boundaries. Tribal lands encompass spiritual, cultural and historical boundaries as well.

Reservations are this country's apartheid. The federal government penned up

We're all living on land that Indians settled

tribes on them. It stripped Indians of the lands they owned, moved them onto smaller pieces of land considered worthless and gave the remainder to whites and others.

How did this happen? Bullet, bayonets, Bibles and laws were the weapons used against the tribes.

In California, some of the earliest reservation shopping took place in the early 1850s. The shoppers were the federal and state governments.

They had Indians sign treaties giving up their tribal homelands for these reservations. They faced annihilation if they refused.

Sixteen tribes, including the Dumna, Chukchansi and some Yosemite Indians, signed the Camp Barbour treaty.

Some 1,200 Indians gathered for the signing. Indian leader Tom-kit was one of the signers. His and the descendents of other signers still live in this area. For them, the treaty is not just something gathering dust at the bottom of the nation's history bin. The treaties hold as much significance for the descendents as any event in U.S. history or any document enshrined in Washington, D.C., museums.

The tribes came in at the point of a gun. Even then, some groups resisted. This included the Mono.

But the Mariposa War was still fresh in the minds of the tribes. Major James Savage led the Mariposa Battalion

which hunted down the Indians, burned their villages, destroyed their food caches, took hostages, including children, and killed.

After setting one village on fire, the attackers discovered an old woman still alive. She had been wounded defending the village. Savage let her burn in the fire.

A military escort accompanied the commissioners. It consisted of 101 soldiers, outfitted for a fight. The escort conducted dress parades en route to impress the tribes with the army's military might. Move or fight back.

Heavy emigration into the so-called southern mines, the upper San Joaquin River, forced the Indians to either move out of the way or fight back. They did both. Which eventually brought them to Camp Barbour.

The whites knew the Indians were giving up valuable land for worthless land. This was land the commissioners had shopped for to establish reservations.

The commissioners believed, mistakenly, the treaty would break the Indians' will to fight. The signing made San Francisco's Daily Alta newspaper.

But the U.S. Senate refused to ratify the treaties. The result: tribal and reservation lands were lost.

The California Indian treaties; the Homestead Act of 1862, which barred Chinese and American Indians; the Dawes Act of 1887; and the federal government's termination policies of the 1950s all ensured the theft of millions of acres of Indian land, including that in the San Joaquin Valley, the Sierra Nevada and even Yosemite National Park.

No respect for their rights

So those who accuse the North Fork Mono of reservation shopping should mull this over: If the state and the federal government had, from the outset, respected the civil, legal and cultural rights of California Indians; had treated them as human beings instead of dirty savages; had not made slaves of them; had not exploited their labor; and had not taken their natural resources, especially their land, chances are there would be no casinos today.

The Indians would not need them to escape the grinding poverty and discrimination that they have known since those treaty-signing days. And the North Fork Mono would still have their tribal lands instead of just a rancheria.

And to those who say this is just so much ancient history and has nothing to do with them, I say, wrong. You are the benefactors of this legacy. You occupy Indian land.

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