



# Fresno Center for Nonviolence November 2023

Edited by  
Richard Gomez

*Dedicated to PEACE and SOCIAL JUSTICE through*  
SIMPLICITY ~ JUSTICE ~ INCLUSIVENESS ~ NON-INJURY  
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You may have noticed that there has been some change to our FRESNO CENTER FOR NONVIOLENCE PAGE in the Community Alliance newspaper. We are having to cut cost due to the lack of tax-deductible donations. Our cost is lower now that our PAGE is now half sized. Other cost saving plans will be enacted soon. Although we are still paying for our website, SIZE IS NOT A PROBLEM. This month's article will appear in its full size whereas the PAGE is much smaller. So, until or if we lose our website, we will have more events and article here. If you wish to help us at the Fresno Center for Nonviolence, please go to: [www.centerfornonviolence.org](http://www.centerfornonviolence.org) and make a year-end tax-deductible donation. We will appreciate any contribution you make.

## NATIVE AMERICAN ACKNOWLEDGEMENT

November is Native American Heritage month. In 1990, Congress passed [Pub. L. No. 101-343](#), which authorized and requested the President to issue a proclamation designating the month of November 1990 as "National American Indian Heritage Month." Congress chose the month of November to recognize American Indians, as the month concludes with perceived annual tribal traditional harvest celebrations. Subsequent Presidents would continue to issue similar annual proclamations. These proclamations celebrate the contributions of Native Americans and urge the people of the United States to learn more about the diverse American Indigenous cultures.

Do you know that lawfully there are two types of Native Americans? Federally Acknowledged and Non-Federally Acknowledged. What if I told you that America has failed to federally acknowledge the continued tribal existence of hundreds of Native American tribes? Do you know that California has the highest concentration of Non-Federally Acknowledged tribes in America? What if I told you the State of California is responsible for a genocide that continues today? Would you believe that early California legislators prevented America from honoring its treaties with an estimated 119 California tribal nations? 170 years of tribal denial, and still counting. This is "Genocide Through Bureaucracy: Reduce and Eliminate."

"Acknowledgement" is a legal term meaning that the United States acknowledges a tribal existence and recognizes a government-to-government relationship with a Tribe. Due to pressure from California delegates, in 1852, siding with early California legislators, Congress failed to ratify 18 California treaties. They repudiated the treaties and ordered them to remain secret. In 1905, the often referred to as "18 lost treaties" of 1851 and 1852, that set aside 8.5 million acres of land for reservations in California and were to be signed by President Fillmore, were instead discovered hidden in a secret compartment in a desk drawer in the Senate Archives.

Four years after Native Americans were granted U.S. citizenship, the California Indian Judgement Act of 1928-1933, tried to make up for the failure to enact the treaties of 1851 and 1852 by paying \$0.07 an acre, minus expenses, and divided between all the approved Native applicants for the census roll. This continued with the census in 1948-1950 and with the census in 1968-1972, as the U.S. government tried to remedy what their actions had caused. In 1978 the United States established a formal and lawful way for tribes to obtain Federal Acknowledgment. The Office of Federal Acknowledgement (OFA), within the Office of the Assistant Secretary - Indian Affairs of the Department of the Interior, implements an administrative process by which petitioning groups that meet the criteria are given Federal "acknowledgment" as tribes and by which they become eligible to receive services provided to members of American Indian Tribes. Since its establishment, no California tribe has successfully confirmed tribal Federal Acknowledgment through the petition process.

Non-Federally Acknowledged tribal members are not allowed to claim and repatriate their ancestors' remains. They are not allowed to participate in the scholarships for Native Americans. Some are not allowed to seek health care at their nearby local Indian Clinics. They are not allowed to sell their traditional crafts and wares as Native Americans without facing the same \$250,000 fine and 5 years imprisonment as any others that appropriate Native Culture for monetary gain. Similarly, traditional regalia, consisting of eagle and flicker feathers pose a potential for imprisonment for possession of parts of a protected endangered species. Freedom of religion is not applicable to Non-Federally Acknowledged tribal members as the Federal Government regards such individuals as lawfully not Native American. Tribal members of the unratified treaties continue to be denied all the guarantees stipulated in the 18 "intentionally concealed", not "lost", treaties with California tribal nations.

To be Federally Acknowledged, a group must meet, at minimum, the following:

- Since 1900, it must comprise a distinct community and have existed as a community from historical times.
  - it must have political influence over its members.
  - it must have membership criteria; and
  - it must have membership that consists of individuals who descend from a historical Indian tribe and who are not enrolled in a ny other tribe."
- The existence of persistent political relationship as an aspect of tribal relations is also emphasized. (Continue on next page)

California is the most tribally diverse State in the Union. California has more tribes (66) who have submitted letters of intent to petition for Federal Acknowledgement than the remaining top five states combined (North Carolina (20), Michigan (18), Virginia (14), Louisiana (13)). One third of all Tribes currently seeking Federal Acknowledgement are from California. Half of all California tribes seeking such Federal tribal status are indigenous to the San Joaquin Valley. Fresno County has more tribes (9) actively seeking Federal Acknowledgment than any county in America. Yokuts Valley, just outside of Fresno city limits, in Fresno County, is the most populated geographic locale in America with tribes without Federal Acknowledgement. An estimated over 80,000 tribal members indigenous to California are affected by this plight. (Continue below)

**88.1 FM KFCF**



**Stir it, UP!**



**Next show is Wednesday November 8th at 3pm.**

**Our host Joshua Shurley and his guest, Veterans for Peace Board member, Paul Cox. They will discuss their campaign to reclaim Armistice Day (Nov. 11) and how it relates to today's current war hostilities all over the globe. For more information call on Monday, Wednesday, and Friday at (559) 237-3223 or check our website at [www.centerfornonviolence.org](http://www.centerfornonviolence.org). For more information call on Monday, Wednesday, and Friday at (559) 237-3223 or check our website at [www.centerfornonviolence.org](http://www.centerfornonviolence.org).**

**Our October show with our host Joshua Shurley and his guest Ashley Rojas and Morning Star Gali, both from the group *Indigenous Justice* on the subject of the epidemic of missing and murdered indigenous persons, and its effects both nationally and locally. To hear it again go to: <https://on.soundcloud.com/bU3jv>.**

ACOPAGRO is a Peruvian cacao co-operative that has grown from 27 members in 1997 to nearly 2,000 members today. It is the largest organic cacao exporter in Peru. In 2012, ACOPAGRO won first place in the national quality competition, Concurso Nacional de Cacao, in Lima.



Come on by the Fresno Center for Nonviolence for some Fair-Trade coffee, Tea's and chocolates from Equal Exchange on Mondays, Wednesdays and Friday from 11-3pm or when we are open for your chocolate holiday pleasure. Remember, Fair Trade products are not also good but also good for you.

Have a joyous and safe holiday.

(Continue..) The current Federal Acknowledgement system is widely considered broken. It is common to find tribes petitioning for nearly half a century with no significant progress toward Federal Acknowledgement. The Federal petition process systematically puts the burden of proof upon the tribes and the United States effectively removed itself from any fiduciary liability of the plight it created, while strategically positioning itself as both jury and judge of all future American tribal statuses. This continued denial of Federal tribal existence has created a silent genocide, with its most pervasive face being the devastating impact of the cultural ethnocide that persists in Non-Federally Acknowledged tribal communities. Without a tribal land base, petitioning tribes are often dismissed and depicted as families of a common genealogy and not a community, as justification for denial. These communities continue to shrink, languages face extinction, and tribes are routinely denied lawful tribal existence due to the ramifications of governmental policies enacted when the 18 treaties were not ratified. With no outside resources to preserve tribal existence, these communities are purposefully reduced in tribal population for future Federal tribal denial. The 8.5 million acres of California tribal homeland promised, guarantees asserted in the treaties, and the accountability, fiduciary included, for the intergenerational trauma incurred from the State of California lobbied Federal action, are no longer discussed.

Thinking nationally but acting locally, the renaming of Sq\*\*w Valley, Fresno County to the new name, vehemently contested by the Fresno County Board of Supervisors, but officially renamed by the Department of Interior Board on Geographic Names, to Yokuts Valley, is a step toward a reimagined restoration of tribal equity in America, beginning with local acknowledgment. In defiance of the new name, The Fresno County Board of Supervisors, approved September 19, 2023, to ask Fresno County voters, in March 2024, to give them the authority to amend the Fresno County charter to rename all unincorporated communities in Fresno County, at the Boards' immediate discretion, including Yokuts Valley. What can you do? Vote "NO", on March 5, 2024, to the Fresno County Board of Supervisors request to amend the Fresno County charter. Visit [www.acknowledgealltribes.com](http://www.acknowledgealltribes.com), sign the change.org petition (link provided on the website), and share on all social platforms. Thank you for reading, your support is very much appreciated, and Happy American Indian Heritage Month. By: War Eagle

**The Fresno Center for Nonviolence will be closed Wednesday, November 22-until Sunday November 26 for the holidays. We will open back up on Monday November 27 at 11am.**