



*** Prepared Statement for Re-Submission ***

July 14, 2007

PROPOSED RESOLUTION AS TITLED

*California Native American
Justice and Equal Economic Opportunity Legislative Initiative*

Prologue

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, --That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness.

He has excited domestic insurrections amongst us, and has endeavoured to bring on the inhabitants of our frontiers, the merciless Indian Savages, whose known rule of warfare, is an undistinguished destruction of all ages, sexes and conditions.
(Declaration of Independence – July 4, 1776)

Historic Legal and Moral Premise

Since 1787, the U.S. Constitution has been the Supreme Law of the land. Yet it was immediately recognized by the Framers as being imperfect through the adoption of the first ten Amendments known collectively as the Bill of Rights. This included an individual's right to due process under the 5th Amendment – and the right to a jury trial by their peers under the 6th Amendment.

Yet, imperfections remained affecting the human and civil rights of individuals and for whole classes of people – which in due course these injustices were righted by our society:

- Enslavement of Blacks
- The right to vote only if you owned property
- Women not having the right to vote
- Native Americans not having the right to vote

As importantly, is the equal protection under the laws clause of the 14th Amendment.

Argument in Favor of Taking Affirmative Action in Support of Resolution

This nation has spent 231 years in perfecting our society through the enactment of laws to eliminate injustices against individual citizens – including against Native Americans. As a nation we have the duty and obligation to redress those injustices. As Democrats we have that same obligation to do that which is in our power through a political process such as – coming before this body.

The Declaration of Independence stated that we have the right and moral duty to rise up against those powers and institutions as necessary in order to be more just as a society and for the betterment of humanity.

Today, I stand before you declaring as a member of the California Democratic Party that I am obligated to take the first step on behalf of those who through no fault of their own – have been forcibly disenfranchised and banished from their families and communities. This is morally antithetical to the spirit and intent of the Indian Civil Rights Act (ICRA) enacted by Congress nearly 40 years ago as an affirmation of those inalienable rights for individual Native Americans.

Yet today over 3,000 California Native Americans have been forcibly removed from their tribes. Why has this happened?

Historically, it was an insatiable nation that instituted these transgressions. Unfortunately, as we stand here today – it is now family against family; brother against brother; father and mother against their daughters and sons – Native American against Native American.

Today we have within these United States of America unbridled corporate greed – guised as sovereign rights poised against those who are defenseless – the very young, the old, the poor and the infirmed.

Who amongst us will rise up and fight on their behalf? Will it be this Party? Will this Party see the wisdom of those who fought hard on behalf of other injustices?

In 1998, the People of California spoke in support of Native Americans being provided a path towards economic opportunity. There was a promise made to the People of California under Proposition 5 (CA Government Code 98000-98012) that **all** California Native Americans would benefit equally under gaming revenues. In 2000, again the People of California were promised that if Indian gaming was made constitutional under Proposition 1A (California State Constitution Article IV, Section 19) – that **all** California Native Americans would equally benefit.

Yet, in a few short years, there has amassed a great concentration of wealth among a handful.

Today I stand before the Native American Caucus of the Democratic Party. The Officers of the Caucus represent a number of the most powerful tribes in California who have

wielded that power in formidable ways in which the Legislature and Governor of this State have allowed so-called "sovereign rights" to trump the human and civil rights of thousands of California Native Americans.

So why do I stand here before you today – knowing that you are not willing to share this newly acquired power and wealth amongst all members of your tribal communities?

I want to believe that the Party and this Caucus not only knows what is morally the right thing to do – but, will gain the wisdom of their forefathers and reach deep into their hearts and take the action that is necessary to redress these injustices being inflicted by one Native American upon another.

I want to believe that we know that the right actions must be taken before it is too late – and before **all** California Native Americans suffer in the future.

As the great civil rights leader, Martin Luther King is quoted as saying, "*There are times when silence is betrayal of yourself and of all humanity.*"

We ask you to join us in this crusade. Adoption of this Resolution is the first step.

Respectfully Submitted,

(signed)

Steve Haze
Author
Vice Chair
Fresno County Democratic Central Committee