

Where is the Indian Thurgood Marshall:

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This may be a non-sequitur as Indians may not choose to operate in this realm in this manner. This does not imply that Indians are not faced with legal questions to do with protections under the Constitution and in Courts of Law; quite the contrary. Indians need great legal representation and they need to be in a position to practice on their own behalf. The point that I am trying to make is that their Culture and way of being is prejudice toward a different kind of representation and defense. It may be viewed in a way as a departure or more to the point, a betrayal of the path that they have been on. This path was taken a long time ago when there was a fork in the road on the course of the history of us humans. This “fork” was a clear choice to change our collective historical trajectory, or not. Forks like these occur very seldom where events, social pressures of all types, the consequences of evolved human behavior bring into clear and sharp focus that in fact a fork has been encountered. Sometimes these “choices” are binary, yes or no. This occurs when all of the “noise” and “clutter” to do with how humans interact is driven into the background when our species encounters a singular momentous event, a likely existential event. Such a fork was encountered some few thousands of years past. There were two roads or paths that came into sharp relief. The one road leads to the development and deployment of thermonuclear devices. This road gives us the “tools” to examine nature and ourselves. This road results in our expulsion from **Eden** at our own hand. No other entity is responsible; some of us humans took this choice. The other road taken by others of us is that road our people know through intuitive knowledge; the direct knowledge given by the Great Mystery or Great Spirit; Creator. This road continues our mission, our purpose as shared by Spirit. This mission, our purpose, I will discuss in great detail in writings to come. The veracity of these statements can be “tested” directly by any being and I will show you how.

What I will argue here is that a “place holder” in terms of legal activity can and should be mounted by and for Indian People. This though should not constitute the be all and end all of our case being made. What I hope will be recognized is that legal arguments made on our behalf are useful in these immediate times and circumstances. This activity is the “place holder” for time needed to show and persuade by example and outcomes. What I will argue is that it is past time that the “other path”, the path of the Indian people is considered by the people of the other path. I am not condemning or denigrating choices made and acted upon by our collective ancestors. What I am arguing is that “we” are at a current fork in the road where the stakes are again existential for our species. This again is where a binary choice has been

brought into sharp relief. It is my belief based on my personal Spiritual experience that we have or very nearly have reached an inflection point where inclusion of the Indian ways is starting to be re-discovered.

I have been reading much on the topic of “the Indian Intellectual” and where is he or she. I posit here that there are extremely bright and accomplished Indian people. How this brilliance is applied and worked through is different in Native culture than other cultures. This is a good thing. The Shamanistic aspects of Native culture are profound and necessary for the balance, grounded, centered, and being harmonious with Nature and with respect for all things in and on and over the Earth to return. This of course includes the Earth herself. I use the term “Shamanistic” as this is a more familiar term describing an “ancient” way of being in terms of the connectedness of all things in creation. This is not a term that Native American people would use.

So where is our Thurgood Marshall? Ultimately it is the expression of our way of being in relation to all of Nature and one another. For when we find our way back onto the other path, the one taken long ago and nearly forgotten, that what we find now as necessary to argue as points of law will evaporate when we return to the path and take up once again that which is our purpose as Spiritual beings here upon this Earth of ours.

I think if Thurgood Marshall were among us today that he might view the re-awakening of the Native Culture as a good thing. To be sure, there is much work to be done inside and outside the Native community. I’m looking for those bridges between cultures where we can evolve a perspective on a way to be where **we stop doing harm.**

Please watch this space for much more to come.