

Smoke Signals Radio Program Episode 1993-07-17
Segment 2
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Dan Smoke teaches listeners about the importance of understanding sweetgrass as a sacred medicine, and the important role it plays in Native cultures and traditions. After, Dan turns the conversation to the findings of Leonard Peltier's third appeal. Hal Gilpin reads a letter covering the results of the appeal.

Host(s): Dan Smoke
Guest(s): Hal Gilpin

DAN SMOKE: Aanii! Boozhoo! Sge:no, shekoli! Yes. Earlier, we were talking about the trip down to **Walpole Island** and on three occasions, we were able to go out and do some **sweetgrass** picking and I'd just like to talk a little bit about that **wiingashk**. Wiingashk is an **Ojibwe** word for *shining weed*. Sweetgrass has a very shiny surface and only when our eldest brother the **Sun**, at his highest point, when he's directly above us and there's no shadow cast, are we able to see the sweetgrass in its shininess just kind of like in full bloom. You know, there, appearing before us. And as is customary with our culture and our ways, we do not ever expect something for nothing, and so we always make an offering of the first **Grandfather**, the first **sacred medicine** that was given to us by the **Creator, tobacco**.

We always make an offering of tobacco to our Mother the Earth for the acknowledgement of our gratitude for us to pick that sweetgrass. And so, after we've made that acknowledgement to the **four directions**, to our **Mother Earth**, to the Creator first and foremost, then we are allowed to pick the sweetgrass. They say that the sweetgrass is so sacred that the animals, that the insects, that all the other life forms leave it alone and respect it and will not touch it. So, when we go picking it, we have to look very carefully in and amongst the weeds because it looks very much like the swamp grass that is so prevalent in these marshy areas. And so, when you're picking it, it really helps to have that sunlight from our eldest brother shining down on it so you can see the shininess, you can see the little reflection of the sun through the tall grass. And often, we pick up a little hitchhiker known as the **wood tick**, and right now, there is **deer flies** and **mosquitoes** that are very much out in force, very much out there and so if you're going to be going sweetgrass picking, make sure that you're going to wear a bandana, bring some sunscreen, bring some insect repellent, and by all means, it's an absolute must, make sure you bring your tobacco and make that offering in a good way to the Creator because this sweetgrass will help you. It will stand by you. It will clear away all the stresses, all the anxieties, all the unhappiness, all the discord that's in your life. And it will help clear your mind of all that so that you begin and start from a positive place as you're about to begin whatever it is that you are purifying for.

If it's to begin a new day, a new **biidaaban**, a new dawn. If you do it in the morning then you're wanting to embark on a new journey of discovery, of recovery, of being able to see what the Creation mystery unfolds for you. And so, that sweetgrass is going to help you to do that. So it's very important that when you first meet up with the sweetgrass when you go to pick it, that you pray for that, because it will be helping you in return. And I know that many of our people sell the sweetgrass and they commercialize that which is sacred, and it will come to them in time, but that there is a higher, deeper level of understanding that sweetgrass has for all life, especially us as First Nations people because it is one of our sacred medicines, similar to the sacred medicine of tobacco. And we have to remember that this deeper level, this higher level of understanding will only come to us as we go through diligent personal change. We have to

undergo that personal change in order to be able to appreciate the deeper levels of understanding of what sweetgrass means to us as Native peoples, as Indigenous peoples. And so, in time, these people who do sell sweetgrass at **pow wows** and at Native celebrations, they will change, you know, that will change. It's not for me to, or it's not for anyone to judge them for what they do, because probably they don't know and you know, that will change in time as they undergo changes, as they hear from more of our brothers and sisters who are undergoing that change, that they will share with them their understanding and appreciation of what sweetgrass means.

What each strand means when you braid it, and how important that is that it symbolizes the journey that each one of us as human beings is making on Earth. As more and more of this influence is felt by the sweetgrass seller, you know, they will come to a time when they will look at themselves and look at what they're doing and they will see that sweetgrass should not be for sale. In fact, it should not be commercialized. It should be respected as a sacred medicine given to us by the Grandfathers from the Creator directly so it can help us. It is said that when there is no more sweetgrass left on our Mother Earth, then there will no longer be any kindness because the sweetgrass represents kindness and it's one of the supreme values that we as Native people hold on to and have and have always had. Kindness is something that most of us were born into this world with and through the course of our lives, we have witnessed the changes that have made us, in many ways, unkind to one another. Unkind to the people that we love the most. Unkind to our families; unkind to our community members. [Inaudible]. You know, that's because we're getting farther and farther away from our teachings of sweetgrass. As we get back and get closer and get more of an understanding of sweetgrass and get closer to it and get more connected to it, that kindness returns to us. It again emerges into ourselves, it again becomes part of us. That kindness is what we share and we give away to all that we meet. It's what we give away to our families, we give away to our community, and we give away to our Nations so that by giving this away, we are getting more of it in return. We are keeping it, we are holding on to it. So only by giving it away are we able to hold on to this kindness that is represented by sweetgrass.

We'd like to at this time just update some of our listeners about our brother who has been incarcerated for a very long number of years – seventeen years, to be exact – by the name of **Leonard Peltier**. Now, as most people are aware, Leonard Peltier is down at the **Leavenworth Federal Penitentiary** in **Lawrence**, Kansas. He has been there for a number of years. Prior to that, he was at other various federal institutions down in the **United States**. He was tried and convicted on charges of murdering two **FBI** agents in June 26, 1975, down in **South Dakota** on the **Pine Ridge Reservation**. Now since that time, there has been a couple documentaries, one called **Warrior: Leonard Peltier**, and another one called *Incident at Oglala* by **Robert Redford**. The movie **Thunderheart** was loosely based on his story, on his life story. As we have tried to update our listeners, just as recently as last November, we had an appeal. It was hopefully going to be given, granted, by the **United States Appeals Court**. Now, at that hearing there was a number of people that represented different groups of the **Leonard Peltier Defence Committee**. Also, there was a group there that represented the **Canadian federal government**, who was duped in 1975 into believing an **affidavit** signed by **Myrtle Poor Bear** that Leonard Peltier was the one who pulled the trigger on those FBI agents, not knowing that this evidence was in fact fabricated; it was doctored. The testimony by Myrtle Poor Bear was recanted later by her, and that she was coerced and scared by the FBI into making that statement and into signing that affidavit.

Now, when the Canadian federal government understood that this was a wrongdoing on behalf of the FBI, and this was collusion with the **American** government, they turned around and with

Warren Allmand as a spokesman, had a petition signed by 55 MPs. This petition was sent down to this hearing down in **St. Paul, Minneapolis**. Now, hopefully the evidence that was shared at that hearing was going to grant another appeal, and hopefully this would lead to the commutation, the dismissal of the charges against our brother Leonard Peltier. So, this is an update from an appeal that has been sent out to all the Leonard Peltier Defence Committees that exist all over **Turtle Island**, all the support groups that are very interested in seeing that Leonard Peltier gets a pardon. But if not a pardon, at least gets another appeal. So, Hal will share that with us right now.

HAL GILPIN: Thanks Dan.

“Dear friend. We come to you this day both saddened and disheartened by the total lack of ethics in our judiciary system. As you will see from the following press release, Leonard’s third appeal has been denied. On November 9th, 1992, the **Eighth Circuit Court of Appeals** heard oral arguments between **Ramsey Clark** and **Federal Prosecutor Lynn Crooks**. Two issues were argued.

One, Leonard’s right to due process was violated because the government changed its theory from **first-degree murder** to **aiding and abetting** after Leonard’s conviction. Following the release of many withheld documents that, as the court had previously concluded, cast a strong doubt on the government’s case, the government had no choice but to admit that they couldn’t prove who killed the agents, nor what part Leonard may have played in their deaths. This concession meant that Leonard was in prison, but nobody knew why. The government defended itself by saying that he had been tried as both the murderer and as an aider and abetter. This is not true. If a man is unable to defend himself against a criminal charge, then how can anyone honestly say that his trial was fair? Leonard could not defend himself against the aiding and abetting charge because he did not have an aiding and abetting trial.

Two, the government was and is guilty of misconduct in both the investigating and trying of the Peltier case. Starting with his **illegal extradition** onward, the case is riddled with improper conduct. The court has decided that we have all somehow misunderstood what Mr. Crooks said, even though he went on and on November 9th explaining that we had a murderer, we had numerous shooters, we do not know who specifically fired the killing shots, we knew who participated, but we did not know who, quote-unquote, ‘shot the agents.’ What I mean is we did not have any direct evidence that one individual as opposed to another pulled the trigger. The court completely ignores this lengthy speech by writing that we have misconstrued an eight-word sentence. Apparently, this particular panel of judges cannot count, because Crooks has announced this during three separate court proceedings and during the last one, went on for two entire pages of transcript. The court found that the government had indeed tried Leonard Peltier on close-up first-degree murder, long-range aiding and abetting, and close-up aiding and abetting. That contradicts every past finding by the Eighth Circuit.

According to his first and second appeals, the judge, jury, and appellate court all agreed that Leonard Peltier had been tried for close-up first-degree murder. We ask, as citizens, how a man can defend himself against such diverse charges? What did he do that day? It’s obvious the government had absolutely no idea. As far as the contentions of government misconduct, the court decided that everything presented to them either had been litigated before, or should, or could have been, and therefore could not be litigated again. They cited the **McCluskey Standard** for this dismissal, even though McCluskey provides the loophole for people who have been abused by the government that evidence of their innocence exists and as you know, that certainly applies to Leonard Peltier. We have heard through reliable sources that the judge held

secret meetings with members of the FBI while deliberating their decision. This is not only unethical but illegal. We need to put a stop to this criminal behaviour, and we must do it now.

Leonard needs your help more than ever. I sat with him yesterday and told him the news. I watched him look away, tears in his eyes. I heard his quiet voice uttering hopeless words about dying in prison. I know he will not give up, and we cannot give up on him. Please write to the **president** and explain that there can be no faith in the judicial system and that now that the appeal is over, it's time for him to investigate and remedy this horrible injustice. Remind him that the world is waiting, and we are becoming impatient. Write to the **attorney general** and urge her to educate herself and take brave stands on this issue. She has shown her courage before. Invite her to demonstrate it once again by publicly calling for an independent investigation into this case, including the allegations concerning the secret meetings during this last appeal. Continue your letters to the **Senate Judiciary Committee** for formal investigations into the FBI and write directly to the three-judge panel to express your outrage at their decision and conduct. Please do not send form letters. They are simply disregarded. Feel free to use quotes or any other information provided here or call the national office if you need help or have a question. Leonard Peltier has sacrificed his life for us – sacrifice a few hours for him. We cannot let him waste away incarcerated. There's too much good he can do for the world. We must force his release and we must force it now."

DS: Miigwetch, nya:weh, Hal. That was very important for all of us to hear because this is followed by a press release, which we'll read right after we hear this musical break with **Murray Porter**. Murray Porter's from **Six Nations**, my home reserve, and he will be singing a song entitled "**White Man's Card**" from the album **1492, Who Found Who?** here on Smoke Signals.