

Alton “Sonny” Smart

Ahaw boozhoo Anishinaabedok indinawemaagan noongom niin Ozaawaanikwad indizhinikaaz, Awaazisii indoodem miinawaa o da gaye [Mashki]-ziibi indoonjibaa, Sonny gaye indigo, gaa niga chimokomaamowin.

I'd like to say a couple words. I want to thank Bucko for his words to start us off here and thank Larry for asking me to come here and say something about the tribal court. I want to recognize all of our tribal court judges that have been on the bench for many, many years and recognize all of them. A lot of those judges have done a lot of different things there and we want to recognize all those tribal judges there, too.

I also want to think about an older person that said years ago about a dot of knowledge. He was in my classroom at the time. He put a little dot on the board, and said, “This is how much I know, I don't know very much,” and he had been in his late 70s at that time and in the ceremonial drums and *Midewin* medicine lodge. He had been there a long time, and he proposed to start talking, but he said he didn't know very much. He just had a little bit to say is all that he knew. He said, “Some people have a big giant dot of knowledge and that's probably too small to represent what they think that they know.” He said, “When their head gets so filled up like that you can't get any new knowledge in because they know all there is to know.” We've all run across many people like that. He said, “If you always have just a little dot of knowledge your mind is always open to new knowledge. You're willing to hear things.” One of the parts of the *Midewin* lodge again is seeking knowledge and living a long, good and healthy life.

I just shared a little bit of what I managed to learn in my 56 years on this Earth here and I'm going to share a little bit of that with you here this afternoon. *Sonny gaye Indigoo* is a name that was given to me by my parents on my mother's side. My uncle, my mother's older brother, was in the United States Marine Corps and was killed on Iwo Jima on the fifth day of 1945. His name was Sonny Madosh. He was 18 at the time, and after he got killed, the old people at Bad River called my grandmother and they told her to come to a ceremony and at that ceremony they saw that she would have a grandson and in the future that grandson, like her son, would go west like her son and would go to the war. That would happen when he got to that age. They wanted her to come to the ceremony to make sure that he comes back. That's what they had told my grandmother.

So when I turned 18 some of my relatives remembered that prophesy of what the old people said and they started calling me Sonny. That became my name and that's how they referred to me. My grandmother never called me Sonny, she always called me Jimmy because her son was killed in World War II. She basically then always called me Jimmy from that point on. That's where Sonny came. It is part of a cultural identify of who we were as Indian people.

I wanted to just kind of say those things there, too, because that's important about what sovereignty is, what these treaty rights mean as individuals. When we think about this sense of empowerment and cultural self-confidence and about who we are and how we see each other, the things that we do to embrace that and empower that. I was working in Lac du Flambeau and the chief judge here, Ervin Soulier, approached me and said, “Why don't you think about being a judge?” I said, “I'm too young to be a judge, never thought about being a judge.” He said, “Why don't you?” He's always joking around, so I figured he was just joking around. He brought it up again. He said, “Why don't you do that?” So I did do that. I sat in there and they did the nomination and the tribal council then voted for me to be a tribal judge at that time.

When I think about Ervin, the story I always think about is that sense of being a veteran. We met in Vietnam in a place called Fu Bai. I was going to the PX. I was in line waiting to get into the PX. I noticed there was an Indian guy standing next to one of these poles like this here. He had these like little dark glasses on and he was standing there real stoic, just like one of those cigar store Indians there. I looked at him and that guy reminds me of somebody, but I just couldn't place him. So I went into the store and I came out of the PX and I was walking by and he's still standing there, looking real stoic, looking straight forward. And I walked by him and I looked at the name tag and I seen Soulier and I thought, "I know who that is, that's Ervin Soulier."

So I stopped by him and I sat next to him and I said, "You Indian?" He didn't even look at me. He just kept looking straight forward and he just said, "Yeah." He didn't say anything else. And I knew who he was, but he was being real nonresponsive, real stoic. I knew that was him so I said, "From around the Great Lakes area?" He says, "Around there." Still wouldn't be specific. So I said, "Hey, did you ever hear of a place up there called Duluth?" "Yeah." Still that's all he said, he wouldn't say anything, you know. "That's on Lake Superior, ain't it?" "Yeah." He's is playing the game right down to the end. "Isn't there another town called Ashland around there?" He kind of turned his head and looked at me real briefly. "Yeah, I know where it's at." Still wouldn't say anything, you know. So I looked at him and I said, "Hey, have you ever heard of a place call Odanah?" He stopped and lifted his shades up, "Yeah," looked at me and recognized me and started talking and started goofing around.

We came back from Vietnam, we were at a wedding. I remember sitting there with a lot of the old veterans of World War II who were still living at that time. They were talking about things and Ervin was right next to them and always, teasing you know. The old guys were sitting there and he turned his head back to me and says, "Sonny, remember when I met over in the Big One?" And those guys just went off, "What do you mean the Big One?" Ervin was always teasing, you know, he was always teasing them.

In the last 25 years, I've seen the Court evolve a lot of different settings, specifically here on Bad River. I've seen it evolve and I've seen how the community has looked at it and also other tribal communities have seen how it has evolved. Take a look at what is sovereignty and take a look at the parallels with treaty rights and the sense of empowerment. The tribal courts are part of a process of taking a look at tribal courts and all the decisions that have gone on. Tribal courts are at least to the point now where people see tribal courts much differently today in 2009 than they did in 1985. People look at the court differently, too.

The courts have taken on more responsibilities and that has to do with our growth and how we feel about ourselves and our ability to do things on our own. It also has to do with our ability to be able to make our own decisions without having the surrogate parent come in with the Bureau of Indian Affairs to run our affairs. Basically, we can do this ourselves. Tribes basically can make their own determination about where they're going to go and what they're going to do.

That also spills over to a lot of different areas. As we start to feel more comfortable about ourselves as tribal people, we start to be able to believe that we can do other different things, too. We start to see things. I think when you take a look at sovereignty and cultural self-confidence, we no longer just sort of look at our toes and kind of walk meekly. We start to be able to look around and say, "There are many things I can do. There are many things that we can do." You start to see things that you need to work on, and that has been happening in the last 40 years.

In the last 40 years now, we've seen a whole generation of children grown up. There are children in this particular community, as well as other reservations and tribal communities, when you talk about pow-wows, they'll say, "They've always been here as long as I've known, since I was a little kid. My mom and dad went to pow-wows." "What about your language?" "There has always been some kind of language program. What's wrong with learning the language, the sweat lodges and ceremonies?" That's just part of their life now. They don't think about it that much, but they've always just assumed that it's been here. There's a whole process of history prior to this time when it just wasn't here, people were moving away from it. The loss of the language was part of the process. We become disempowered by the historical process.

There were many individuals that did maintain and keep many things that have formed a solid base. Because they kept those seeds, they were able to germinate later on. Those seeds have germinated to a lot of different areas and they're still germinating. And our children are still allowing the sprout of cultural knowledge, the way that they live their life is still going on and they're starting to sprout now more and more.

We have a generation of children now who have grown up when these things have always been here to them. They have always been here. There really hasn't been a system to put that down real strong like it was before. It's still here. It's still occurring but, not as strong as it was before they have always been there. These individuals are now coming into power and they are going to be coming into power every year. They have a different way of seeing things. They've always been here. It's always been part of their life. Bucko Teeple was talking that they have the responsibility again to maintain that. It's our responsibility as we get older to also maintain it. We need to teach them what they need to know. We've always had our older people teach younger people and put them in positions to teach. When we start doing more and more of that we can create a sense of empowerment.

I was thinking that tribal courts have moved in that direction and they've have also been part of this offshoot of various types of legal, as well as cultural, awareness that has spread out to all of our individual family communities. Many individuals are doing their part in many different ways. They're all contributing to the revitalization and maintenance of our culture. We need to do more of that for the next generation to come.

I was thinking about Judge Barber this morning. We were on an Appeals Court in Lac du Flambeau and Judge Barber was sort of the sage of all the tribal judges. And we were on the Appeals Court there and Tom was the judge in Lac du Flambeau and so we were in the Judge's chambers and working on an appeal in Lac du Flambeau. And Jerry Kay Allen said "What do you guys want for lunch?" So we kind of said what we wanted for lunch. She called up and she said, "I got you guys' food here, you want to bring it back now?" Judge Barber said, "Wait a minute, I'll tell you when to come in and bring it back here, we're involved in an important decision here."

So we waited and then Judge Barber had a tie and he pulled his tie out and had Ervin come over there and Judge Barber mussed up his head, his hair, messed up his shirt. He had Ervin come over and grab him by the neck tie and lean over him and then he said, "Tell her to come in now." So when she came in, Erv had a hold of Judge Barber by the neck tie and his hair was all messed up. And she looked in there and he said "We are discussing an issue right here, and we'll be done in a minute." And Jerry Kay had the food and she just looked at us real quickly. Judge Barber was joking and Erv played right into that whole process there.

Tribal courts have expanded more and more and continue to take on more and more roles. That's what we see with our children, doing more with a sense of empowerment. We're doing

more of those types of things. Once we experience the sense of cultural knowledge, the cultural self-confidence, how we feel about ourselves, then we start to do more of those types of activities. We start taking on many things, trying more things, learning more things, and that all benefits our children.

We're finding more and more of those types of things happening. There are still a lot of environmental issues that impede us from doing that. We can do these things. We can stand up to these things. We can endure those things. I was thinking about Judge Maulson, when he'd always go down to the boat landings and he'd walk right into the crowd. I always think about that, when we went down to testify in Madison in Judge Crabb's court. He was always there trying to figure out the interference of the civil rights. And they said there was no racism going on. One thing Tom did, he videotaped everything. Those people happily got right on camera and just sort of came right in there and he videotaped everything they were saying and doing. He showed that to Judge Crabb. Once she saw that, it changed her opinion real quickly. She didn't have to hear any more testimony. Right after that, you didn't see any more people down in those boat landings anymore when it came down from that point.

There were a lot of people who contributed in many different ways. We've heard people talking up here, but there's so many people contributed in many different ways. And it was never really known exactly what they were doing at that time was going to have an impact on the next generation. Even our children here, things that you do today will have an impact on the next generation. You might not see it in our lives or your life that things are going to change. Just by doing something, you're going to see a change within that next generation. It might not come next week or next year or five years or ten years, but it's going to come down and work its way around. They always say what goes around comes around, and by doing all those things they fully make their circle. So, you plant those seeds and they may germinate and start to sprout.

Someone mentioned about Vida Stone. Vida was a person that helped a lot of individuals go to school. She's probably one of the reasons I went to school, too. I went to school at Mount Scenario and Vida was always recruiting people to education and doing things to empower students, to get them to see things broadly and educate them to do things. She was always involved in Indian activism, education and a lot of different things.

I would always tease her. We were at Mount Scenario one year, and these Oneida guys came in there and she had a list of attendees for a field trip we were going on. She kept checking the list to see how many people were going. One Oneida guy was always teasing. He went up there and put a guy named Ben Dover on the list. She'd always come up there and check the list. And she said, "Who's Ben Dover?" "Vida, you know him." "I don't know any Ben Dover." "Sure you do." "No, I don't, I never heard no Ben Dover." "Why don't you say his name a couple times, you'll remember him." "Ben Dover, Ben Dover," started saying that. You could tease her all the time. I always think about her and that story.

Many people know Vida. Many younger people haven't had the opportunity, but I think her story, as well as many of the individuals' stories continue to live on. I think that one of our cultural aspects is through stories. We've always learned through stories. Those stories live on, and they're part of our history, part of how we maintain our cultural identity, cultural history and our ceremonies. I think we need to continue to do that all the time. Our children learn to tell stories because we were very good storytellers. We have to be able to get up to express ourselves in a way that everybody could understand you.

So we have to teach our children how to be storytellers. I was doing that to my nephews. "Get up and say something," I said. "I don't want to get up there and say something." "Get up

and say something.” Then they get up and say something. They don't want to do it, though. You have to force them to get up to do it.

My friend Rick back there mentioned *Ozaawaanikwad*, my spiritual name. Also in Menominee *Notnowgiishick*. I was also adopted into the Menominee tribe years ago. When I was adopted into the tribe, they did it in Ojibwe and it was part of my cultural identity. That expanded my extended family a great deal. I still go down there and I feel part of those ceremonies and their drums and that's part of my large extended family there. So that's just part of the cultural identity, expanding and continuing to expand that process there.

I wanted to say much about the tribal courts and how they have helped a great deal in tribal communities. We start to take on, as Bucko was talking about, Indian Child Welfare. The Tribal Court Administrator called me on the way up here and he said, “We've got an emergency custody case that we have to hear. Can you be over here this afternoon to do this?” She knows that one of my pet peeves is the tribal child has to be in the tribal home or Indian home that they approve of and that the child doesn't go to a non-Indian home. It's something that we do in tribal court. We are our self-determining to empower ourselves to make that decision for our children there.

So those are things I think in tribal court that we have done a great deal where we have persevered. Sometimes people look at us differently. We have different lawyers and we have different judges. In some tribal communities, judges from the circuit court don't want to adhere to what's going on with tribal judges and what their decision making would be. Oh, they would like to ignore it. But Judge Eaton in Ashland County works very well with our court. Erv calls him up and teases him periodically. You can say different things to him. He's come down to my court. We've held court at the same time as his court. He brought his people down here and they came and sat in with our tribal court. So you see these types of things occurring. They take a look and they see our court as something that they can see with respect. It takes a lot of courage to go do that, to learn more. And also, we make mistakes in that way.

Before I go I just want to say one more Ervin story. It was when he had his first judge. The court was down in the St. Mary's, the old school down there. They tore down the tribal headquarters. The tribal court was down there. Judge Soulier went out to Reno for their training. He trained as a judge and he came back and he had his first court case. The prosecutor got up and said, “This is the individual, the infraction that he did and here's the consequence.” Judge Soulier kind of looked at him and said, “We'll take a 20-minute recess and I'll make my decision.” He got up and started walking out and the prosecutor said, “Judge, Judge Soulier, don't you want to hear the other side before you make a decision?” “Oh, yeah, yeah, we'll hear from him before we try to make a decision here.”

I'd like to say *miigwech indaa-oongoon indinawegaaniminig bimaadizinaan gig oongon noongom manidoog gagaagizom aagin gagwejimaag weweni apegish nigoozhiwaad [ani-goziwaad] zhawenimaa miinawaa wiidookaw anishinaabe iidok indinawemaaganag noongom zi giikinoo`maa wiishin [gikinoo`amawishin] keya mishkaa-bimaadiziwin noongom*

I want to say, I ask the Creator to look upon us so that you learn something and have a little dot of knowledge. The people that are traveling, have to leave and travel, that they get home in a safe way. If they left their home in a good way that's how they find it there. All the individuals that are on the way home now, think about that.

So *miigwech. Bazindamook. Ahow mi'iw.*