

## (LESS TRANSPARENT)

### **SOC 101: Principles of Sociology**

### **Assignment 2: Understanding Cultural Diversity -- Western Shoshone Land Rights**

(adapted by Anna Smedley from an assignment by Professor Barb Brents)

#### **BACKGROUND FOR ASSIGNMENT**

**Our Land Our Life** (25:34) <https://www.youtube.com/watch?v=JJ2N9-n-ka0>

Given recent global events, it would be easy to explore issues of cultural diversity and conflict in other countries. However, this film will explore relatively little known, but hugely important issues in our own backyard. This is a version of an award winning film about the struggles between the Western Shoshone and the U.S. government in Nevada.

For more information about the film, see <http://www.bullfrogfilms.com/catalog/amout.html>

As you watch the film think about how it reflects the sociological perspective. In particular, think about the following questions:

1. Identify examples of material and symbolic culture in both Shoshone and U.S. cultures. (Remember, material culture is what cultures do; symbolic culture is how they think – law, ideologies, religion, values.)
2. What is the treaty of Ruby Valley? What did it do and what did it not do?
3. In what ways does Western Shoshone's material culture (organization of work and production) conflict with U.S. material culture?
4. How do the U.S. laws exemplify the clash between U.S. and Shoshone symbolic culture (values and ideology)?
5. Why do you think we have heard relatively little about these issues compared to similar issues in other countries in the media today?

Here is an overview of some key events in the ongoing struggle between the Dann sisters and the U.S. government. For detailed description, as well as links to important documents, see the University of Arizona's Indigenous Peoples Law and Policy Program

In 1863 the U.S. signed the Treaty of Ruby Valley where the Western Shoshone allowed white settlers to pass through 26 million acres of Shoshone land, which includes most of Nevada, parts of California and Utah.

In 1979 the U.S. Supreme Court ruled that the U.S. government through gradual encroachment took Western Shoshone lands. But to officially extinguish the Shoshone's title, the U.S must pay for the land. The amount was based on the land value in 1872 -- 15 cents per acre. The Department of the Interior ruled the Shoshone's trustee, accepted payment for the land. Several Shoshone tribes refused payment and initiated legal battles.

In Sept 2003, the U.S. government seized 300 head of cattle and 100 horses in Horse Valley, on the Dann Ranch.

In July 2004 President Bush signed a law making the Shoshone take the payment. There are factions of Shoshone who still refuse. Within U.S. legal symbolic culture, these are all now "public lands."

In November, 2004, the Bureau of Land Management opened Horse Valley to Placer Dome Inc/Kennecott Minerals for gold mining.

- In April 2005 Mary Dann died in an accident while working on her ranch.
- In August 2005 the United Nations got involved and sent a formal “series of questions” to the U.S. regarding the U.S.' position on the Treaty of Ruby Valley, seizures of Western Shoshone livestock, efforts to privatize Western Shoshone land to benefit mining and energy industries and ongoing harassment of Western Shoshone people.
- On March 10, 2006 the United Nations Committee on Elimination of Racial Discrimination (CERD) decided on the findings and urged the U.S. government to "freeze", "desist" and "stop" actions against the Western Shoshone.
- The Shoshone along with the University of Arizona Indigenous Peoples Law and Policy program are now focused on fighting mining on Mount Tenabo in Horse Valley, an area they claim is of spiritual and cultural significance. Barrick Gold has been operating its Cortez mine there.
- In June of 2009, BLM claimed Carrie Dann owed almost \$6.5 million in unpaid trespass fines and reaffirmed their right to confiscate her livestock in the future.
- Through 2009 and 2010 a new court case to stop mining was brought to the 9th Circuit Court of Appeals. The Appeals Court ruled that opponents of the mine failed to prove that the mine would cause visual harm to Mount Tenabo or hurt the tribes' ability to exercise their religion. But they did rule that the U.S. Bureau of Land Management's previous environmental review of water and air pollution impacts "was inadequate under the National Environmental Policy Act". In March 2011 the Bureau of Land Management approved a subsequent study on environmental impacts, allowing the mine to operate as originally proposed.
- Over objections of seven of nine Shoshone tribes, between March 2011 and September of 2012 the Bureau of Indian Affairs issued payments of \$35,137.93 each to 5361 individuals. Thus a total of \$145 million dollars was paid to Shoshone for the 26 million acres of land covered in the Treaty of Ruby Valley, a total of about \$5.50 an acre.
- In 2013 the U.S. issued a response to the United Nations Committee on Elimination of Racial Discrimination (CERD), stating that the Shoshone had been properly compensated for the land.

## **ASSIGNMENT**

### **Objective Alignment:**

Objective 1: Define and discuss what culture is, and how it shapes our collective identity.

Objective 2: Discuss cultural diversity and the dynamics that create distinctions between cultures, such as ethnocentrism and cultural relativity

### **Assignment Instructions:**

Understanding Cultural Diversity -- Western Shoshone Land Rights

This assignment is due Sunday, October 26<sup>th</sup> and is worth 10% of your overall grade. It should be about two pages long (or about 1,000 words) if you thoroughly answer all of the questions. Please be sure that you keep grammar and writing rules in mind as you work. I have added a grading rubric to the assignment so you can see how I will assign points.

1. Watch the movie, Our Land, Our Life: the Struggle for Western Shoshone Land Rights.
2. Answer the following questions
  - i. Define material culture and symbolic culture as explained in course content.
  - ii. Define cultural diffusion and global culture as explained in course content.
3. Go to the University of Arizona's Indigenous Peoples Law and Policy Program's page on their work with the Western Shoshone and skim the .pdf provided for more background on the case.
4. Read over the purpose of the United Nations Committee on the Elimination of Racial

## Discrimination.

- i. Follow the link on one of its main functions, the “early-warning procedure” and follow the link on its warning to the United States (E means the report is in English). CERD issued a warning to the United States in April of 2006 to stop plans to transfer Western Shoshone lands to multinational mining and energy developers and stop imposing grazing and other fees on the Western Shoshone people while using ancestral lands. CERD reiterated the demand in 2008, requiring the U.S. to report on their response. (If the early warning link is broken, here is a direct link to the CERD April 2006 Early Warning Decision to the US.)
  - ii. Read through section B. “Concerns” in that document.
  - iii. Why is the United Nations concerned with the U.S.’ treatment of the Western Shoshone?
5. In the U.S. State Department’s response to CERD in 2013, the U.S. wrote two paragraphs (see items 178 and 179 in its report to CERD). Essentially, the U.S. claimed that in September 2012 it completed payment totaling \$45 million to 5,362 Western Shoshone individuals, thereby legally (according to US law) completing its obligation regarding the Treaty of Ruby Valley. The report stated, “The United States believes that it should not interfere in the internal dispute among the Western Shoshone, and that they have been properly compensated for the land at issue.”
6. This issue illustrates a variety of examples of many of the concepts we have been discussing. Think about the issue from the perspective of each of the cultures involved. Briefly, describe and analyze the differences in the symbolic culture (different interpretations of the land and ownership) and material culture (economic systems) you see in this issue. Which culture has more power to have their definitions of reality prevail?
7. How does this issue reflect difficulties in preserving cultural diversity globally?

**Assignment Rubric:** See WebCampus for details

Defines culture 10%

Explains U.N. concerns 15%

Bi-cultural explanation 30%

Cultural diversity 30%

Writing 15%

**(MORE TRANSPARENT)**

**SOC 101: Principles of Sociology**  
**Assignment 2: Understanding Cultural Diversity -- Western Shoshone Land Rights**  
Due Sunday, October 26<sup>th</sup> (10% of your term grade)  
1000 words maximum

(adapted from Anna Smedley's revised assignment)

**PURPOSE**

**Knowledge:**

After doing this assignment you will understand:

1. How human behavior both creates and is created by culture.
2. How cultural diversity shapes the individual experience

**Skills:**

After doing this assignment you will be able to:

1. Define and discuss what culture is, and how it shapes our collective identity.
2. Discuss cultural diversity and the dynamics that create distinctions between cultures, such as ethnocentrism and cultural relativity.

**TASK:**

After viewing the movie and considering the background information, write a paper (1000 words maximum) that addresses the four points below.

1. Define the following as we have encountered them in our course so far:
  - material culture (economic systems)
  - symbolic culture (different interpretations of the land and ownership)
  - cultural diffusion
  - global culture.
2. Consider the Western Shoshone case from the perspective of each of the cultures involved. Describe and analyze the differences in the symbolic culture (different interpretations of the land and ownership) and material culture (economic systems) you see in this issue. Which culture has more power to have their definitions of reality prevail?
3. Why is the United Nations concerned with the U.S.' treatment of the Western Shoshone?
4. How does this issue reflect difficulties in preserving cultural diversity globally?

**CRITERIA:**

See WebCampus for details

- Defines culture 10%
- Bi-cultural explanation 30%
- Explains U.N. concerns 15%
- Cultural diversity 30%
- Writing 15%

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### Timeline

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- In 1979 the U.S. Supreme Court ruled that the U.S. government through gradual encroachment took Western Shoshone lands. But to officially extinguish the Shoshone's title, the U.S must pay for the land. The amount was based on the land value in 1872 -- 15 cents per acre. The Department of the Interior ruled the Shoshone's trustee, accepted payment for the land. Several Shoshone tribes refused payment and initiated legal battles.
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- On March 10, 2006 the United Nations Committee on Elimination of Racial Discrimination (CERD) decided on the findings and urged the U.S. government to

"freeze", "desist" and "stop" actions against the Western Shoshone. See: [CERD April 2006 Early Warning Decision to the US](#)

- The Shoshone along with the University of Arizona Indigenous Peoples Law and Policy program are now focused on fighting mining on Mount Tenabo in Horse Valley, an area they claim is of spiritual and cultural significance. Barrick Gold has been operating its Cortez mine there.
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- In 2013 the U.S. issued a response to the United Nations Committee on Elimination of Racial Discrimination (CERD, see [Elimination of Racial Discrimination](#)) stating that the Shoshone had been properly compensated for the land.

**For additional background** on the case, skim the pdf we provided you from the [University of Arizona's Indigenous Peoples Law and Policy Program's page](#).