Who here remembers the first time you became aware of the Yellowstone River? Were you a child? Were you an adult? Were you actually visiting the river? Or did you hear about it? From a family member? From someone else? A friend? A teacher? Does anyone have a powerful first impression they’d like to share?

My own first awareness of the Yellowstone River came from my elders. My Grandma Lowry told a story about nearly drowning in the Yellowstone, right here in Billings at Riverfront Park. She was very athletic – she’d been a basketball star at Hardin High - and, like me, maybe a little bit of a showoff . Well, she jumped in to prove to someone that she could swim across, and the undertow almost took her. Someone in a boat had to pull her out.

I heard that story as a kid, as a warning against hubris, and also as a parable about the power of rivers, and our river in particular – how they’re bigger than our swaggering human projects. Bigger than our own lifetimes. But to me, as a kid, the most important thing about it was that it was my grandma talking, teaching me important lessons about life, using the Yellowstone River. Pay attention to this river, she was telling me.

When I think of the Yellowstone, then, I think of something entrusted to me by my grandparents, who told me stories, and took me fishing on the tributaries and stood me on the bridges to watch the water flow under until it felt like the bridge was moving. I think of doing those same things with my own children. I think of generations. Making us think of future generations, and our duty to them, is another of the great powers of our river.

In 2006, groups of indigenous people and their allies from around North America came together to draft the Bemidji Statement on Seventh Generation Guardianship. It’s based on the Seventh Generation Principle derived from the Great Binding Law – or Gayanashagowa - of the Iroquois Confederacy. What the Iroquois Constitution actually says is:

“**In all of your deliberations in the Confederate Council, in your efforts at law making, in all your official acts, self interest shall be cast into oblivion. Cast not over your shoulder behind you the warnings of the nephews and nieces should they chide you for any error or wrong you may do, but return to the way of the Great Law which is just and right. Look and listen for the welfare of the whole people and   
have always in view not only the present but also the coming generations, even those whose faces are yet beneath the surface of the ground -- the unborn of the future Nation.”**

The Bemidji Statement directs us to designate Guardians for the Seventh Generation, and to ask these questions:

Who guards this web of life that nurtures and sustains us all?

Who watches out for the land, the sky, the fire, and the water?

Who watches out for our relatives that swim, fly, walk, or crawl?

Who watches out for the plants that are rooted in our Mother Earth?

Who watches out for the life-giving spirits that reside in the underworld?

Who tends the languages of the people and the land?

Who tends the children and the families?

Who tends the peacekeepers in our communities?

The Statement also offers answers:

We tend the relationships.

We work to prevent harm.

We create the conditions for health and wholeness.

We teach the culture and we tell the stories.

We have the sacred right and obligation to protect the common wealth of our lands and the common health of our people and all our relations for this generation and seven generations to come. We are the Guardians for the Seventh Generation.

This notion of Seventh Generation Guardianship also inspired the Women’s Congress for Future Generations Project, which gathered in 2012 and 2014 to draft a living affirmation of rights and responsibilities, and a Declaration of Rights for Future Generations, and of the Rights Held by All Waters.

What rights does our great river have, and who will guard them? According to the Women’s Congress, the Yellowstone River has rights. The river itself. Speaking with the voice of the river, I have the right …

To flow freely without impediment by dikes, dams, and human-made channels

To be honored for my natural rhythms of flooding and retraction

To be clean and unpolluted

To be in intimate relationship with the land and with time, as a shaper of the earth

To connect to other beings and bodies of the watershed, including the ocean

To receive clean, unpolluted waters from the creeks, streams, tributaries, and rain clouds that feed me, and to give clean, unpolluted waters to the water bodies that I feed

To maintain my natural and rightful temperature and levels

To be enlivened with sunlight and embraced by moonlight

To support all the birds, fish, mammals, plants, and beings in the ecosystem around me

To be recognized as beautiful, sacred, blessed, and life-giving

To meander gently and to rush fiercely

To be protected as a part of the Commons, in perpetuity.

There is a body of law developing around the rights of future generations that is much too dense and detailed to present to you in ten minutes, but what I want you to take away from this talk is the idea that we need to expand the set of interests represented when we talk about the Yellowstone River.

In the interests of unborn generations and the river itself, as a living thing, I propose a Yellowstone River Guardian. That person would consult on and evaluate any government actions that would affect the integrity of the river. The Guardian would identify any violations of legal obligations to future generations that a proposed action might cause, recommend alternatives, request public hearings if needed, and interact with the government body to shape actions that respect the interests of future generations.

It’s not so hard to know what’s right, to understand the interests of the seventh generation. Aldo Leopold said, “A thing is right when it tends to preserve the integrity, stability, and beauty of the biotic community.” What’s harder is to defend what’s right in the middle of the political brawl. A Guardian will help us do that by teaching us our responsibilities as the present generation, as articulated in one form by the Women’s Congress for Future Generations. We have the …

Responsibility to honor the continuity of life and Earth’s systems

Responsibility to act as guardians for Future Generations

Responsibility to uphold the right of communities, human and non-human, animate and inanimate, to self-representation and self-determination.

Responsibility of economic practices aligned with the balance of life

Responsibility to prevent harm

Responsibility to heed early warnings

Responsibility to listen to indigenous communities, and to act on and learn from their wisdom

Responsibility to warn Future Generations where our actions or decisions have already compromised health and well-being

Responsibility to uphold United Nations treaties on Human Rights, Indigenous Rights, Rights of Nature, Rights of Future Generations, and the Rights of the Child

Responsibility to restore and regenerate ecological systems

Responsibility to admit mistakes, recognize incomplete knowledge and to course correct upon early indication of harm

Responsibility to replace, re-imagine, and create systems that heal rather than harm

Responsibility to treat all beings, systems and communities with respect and to not exploit.

If we do these things, with the guidance of a river guardian, then we will uphold:

The right of individuals, communities, and future generations to a clean and healthy environment (bonus – this is already a Constitutional right in Montana)

The right of nature to exist, whole and intact

The right of communities to self-representation and self-determination

The right to return or remain in place of origin, heritage or ancestors

The right to environmentally sustainable economies

The rights of all communities, human and ecological, animate and inanimate are superior to the rights of corporations

The right to peace

The right not to be coerced into or implicated in harm

It’s a step toward being good ancestors. Thank you.