

Dædalus

Journal of the American Academy of Arts & Sciences

Spring 2018

Unfolding Futures: Indigenous Ways of Knowing for the Twenty-First Century



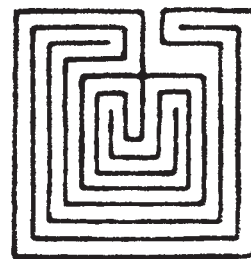
Philip J. Deloria, K. Tsianina Lomawaima,
Bryan McKinley Jones Brayboy, Mark N. Trahant,
Loren Ghiglione, Douglas Medin & Ned Blackhawk,
guest editors

with Heidi Kiiwetinepinesiik Stark
Kekek Jason Stark · Amy E. Den Ouden
Rosita Kaaháni Worl · Heather Kendall-Miller
Noelani Goodyear-Ka'ōpua · Bryan Kamaoli Kuwada
Nanibaa' A. Garrison · Arianne E. Eason
Laura M. Brady · Stephanie A. Fryberg
Cheryl Crazy Bull · Justin Guillory · Gary Sandefur
Kyle Whyte · Megan Bang · Ananda Marin
Teresa L. McCarty · Sheilah E. Nicholas · Kari A. B. Chew
Natalie G. Diaz · Wesley Y. Leonard · Louellyn White



Dædalus

Journal of the American Academy of Arts & Sciences



“Unfolding Futures: Indigenous Ways of Knowing for the Twenty-First Century”

Volume 147, Number 2; Spring 2018

Philip J. Deloria, K. Tsianina Lomawaima, Bryan McKinley Jones Brayboy,
Mark N. Trahant, Loren Ghiglione, Douglas Medin & Ned Blackhawk, Guest Editors

Phyllis S. Bendell, Managing Editor and Director of Publications

Peter Walton, Associate Editor

Heather M. Struntz, Senior Editorial Associate

Emma Goldhammer, Senior Editorial Assistant

Committee on Studies and Publications

John Mark Hansen and Jerrold Meinwald, *Cochairs*;
Bonnie Bassler, Rosina Bierbaum, Marshall Carter,
Gerald Early, Carol Gluck, Linda Greenhouse,
John Hildebrand, Philip Khoury, Arthur Kleinman,
Sara Lawrence-Lightfoot, Rose McDermott,
Nancy C. Andrews (*ex officio*), Jonathan F. Fanton (*ex officio*),
Diane P. Wood (*ex officio*)

Inside front cover: Darkfeather, Bibiana and Eckos Ancheta, Tulalip Trihes, 2014
(top) and *Caleb and Jared Dunlap, Fondulac Band of Lake Superior Ojibiwe, 2013*
(bottom). © Matika Wilbur, *Project 562*.

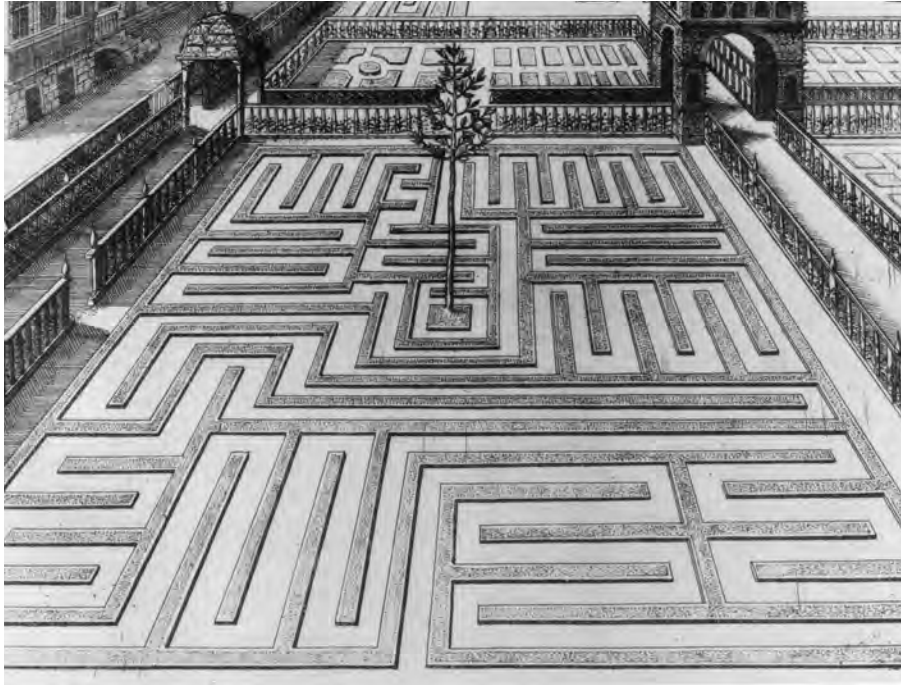
Contents

- 6 **Unfolding Futures: Indigenous Ways of Knowing
for the Twenty-First Century**
*Philip J. Deloria, K. Tsianina Lomawaima, Bryan McKinley Jones Brayboy,
Mark N. Trahant, Loren Ghiglione, Douglas Medin & Ned Blackhawk*
- 17 **Nenabozho Goes Fishing: A Sovereignty Story**
Heidi Kiiwetinepinesiik Stark & Kekek Jason Stark
- 27 **Recognition, Antiracism & Indigenous Futures:
A View from Connecticut**
Amy E. Den Ouden
- 39 **Alaska's Conflicting Objectives**
Rosita Kaaháni Worl & Heather Kendall-Miller
- 49 **Making 'Aha: Independent Hawaiian Pasts, Presents & Futures**
Noelani Goodyear-Ka'ōpua & Bryan Kamaoli Kuwada
- 60 **Genetic Ancestry Testing with Tribes:
Ethics, Identity & Health Implications**
Nanibaa' A. Garrison
- 70 **Reclaiming Representations & Interrupting the Cycle of Bias
Against Native Americans**
Arianne E. Eason, Laura M. Brady & Stephanie A. Fryberg
- 82 **Why Don't More Indians Do Better in School?
The Battle between U.S. Schooling &
American Indian/Alaska Native Education**
Bryan McKinley Jones Brayboy & K. Tsianina Lomawaima
- 95 **Revolution in Higher Education:
Identity & Cultural Beliefs Inspire Tribal Colleges & Universities**
Cheryl Crazy Bull & Justin Guillory

- 106 **The New World of the Indigenous Museum**
Philip J. Deloria
- 116 **The Story of Indian Health is Complicated by History, Shortages &
Bouts of Excellence**
Mark N. Trahant
- 124 **Indigenous Leadership**
Gary Sandefur & Philip J. Deloria
- 136 **Critical Investigations of Resilience:
A Brief Introduction to Indigenous Environmental Studies & Sciences**
Kyle Whyte
- 148 **If Indigenous Peoples Stand with the Sciences,
Will Scientists Stand with Us?**
Megan Bang, Ananda Marin & Douglas Medin
- 160 **Hear Our Languages, Hear Our Voices:
Storywork as Theory & Praxis in Indigenous-Language Reclamation**
*Teresa L. McCarty, Sheilah E. Nicholas, Kari A. B. Chew, Natalie G. Diaz,
Wesley Y. Leonard & Louellyn White*

Dædalus

Journal of the American Academy of Arts & Sciences



Design for the hedge maze is by Johan Vredeman de Vries, from *Hortorum viridariorumque elegantes & multiplices formae: ad architectonicae artis normam affabre delineatae* (Cologne, 1615).

Dædalus was founded in 1955 and established as a quarterly in 1958. The journal's namesake was renowned in ancient Greece as an inventor, scientist, and unriddler of riddles. Its emblem, a maze seen from above, symbolizes the aspiration of its founders to "lift each of us above his cell in the labyrinth of learning in order that he may see the entire structure as if from above, where each separate part loses its comfortable separateness."

The American Academy of Arts & Sciences, like its journal, brings together distinguished individuals from every field of human endeavor. It was chartered in 1780 as a forum "to cultivate every art and science which may tend to advance the interest, honour, dignity, and happiness of a free, independent, and virtuous people." Now in its third century, the Academy, with its more than five thousand members, continues to provide intellectual leadership to meet the critical challenges facing our world.

Dædalus Spring 2018
Issued as Volume 147, Number 2

© 2018 by the American Academy
of Arts & Sciences

Editorial offices: *Dædalus*, American Academy of Arts & Sciences, 136 Irving Street, Cambridge MA 02138. Phone: 617 576 5085. Fax: 617 576 5088. Email: daedalus@amacad.org.

Library of Congress Catalog No. 12-30299.

Dædalus publishes by invitation only and assumes no responsibility for unsolicited manuscripts. The views expressed are those of the author(s) of each article, and not necessarily of the American Academy of Arts & Sciences.

Dædalus (ISSN 0011-5266; E-ISSN 1548-6192) is published quarterly (winter, spring, summer, fall) by The MIT Press, One Rogers Street, Cambridge MA 02142-1209, for the American Academy of Arts & Sciences. An electronic full-text version of *Dædalus* is available from The MIT Press. Subscription and address changes should be addressed to MIT Press Journals Customer Service, One Rogers Street, Cambridge MA 02142-1209. Phone: 617 253 2889; U.S./Canada 800 207 8354. Fax: 617 577 1545. Email: journals-cs@mit.edu.

Subscription rates: Electronic only for non-member individuals – \$51; institutions – \$154. Canadians add 5% GST. Print and electronic for nonmember individuals – \$57; institutions – \$193. Canadians add 5% GST. Outside the United States and Canada add \$24 for postage and handling. Prices subject to change without notice. Institutional subscriptions are on a volume-year basis. All other subscriptions begin with the next available issue.

Single issues: \$15 for individuals; \$38 for institutions. Outside the United States and Canada, add \$6 per issue for postage and handling. Prices subject to change without notice.

Claims for missing issues will be honored free of charge if made within three months of the publication date of the issue. Claims may be submitted to journals-cs@mit.edu. Members of the American Academy please direct all questions and claims to daedalus@amacad.org.

Advertising and mailing-list inquiries may be addressed to Marketing Department, MIT Press Journals, One Rogers Street, Cambridge MA 02142-1209. Phone: 617 253 2866. Fax: 617 253 1709. Email: journals-info@mit.edu.

To request permission to photocopy or reproduce content from *Dædalus*, please complete the online request form at http://www.mitpressjournals.org/rights_permission, or contact the Permissions Manager at MIT Press Journals, One Rogers Street, Cambridge MA 02142-1209. Fax: 617 253 1709. Email: journals-rights@mit.edu.

Corporations and academic institutions with valid photocopying and/or digital licenses with the Copyright Clearance Center (CCC) may reproduce content from *Dædalus* under the terms of their license. Please go to www.copyright.com; CCC, 222 Rosewood Drive, Danvers MA 01923.

Printed in the United States by The Sheridan Press, 450 Fame Avenue, Hanover PA 17331.

Newsstand distribution by Ingram Periodicals Inc., 18 Ingram Blvd., La Vergne TN 37086.

Postmaster: Send address changes to *Dædalus*, One Rogers Street, Cambridge MA 02142-1209. Periodicals postage paid at Boston MA and at additional mailing offices.

The typeface is Cycles, designed by Sumner Stone at the Stone Type Foundry of Guinda CA. Each size of Cycles has been separately designed in the tradition of metal types.

Unfolding Futures: Indigenous Ways of Knowing for the Twenty-First Century

*Philip J. Deloria, K. Tsianina Lomawaima,
Bryan McKinley Jones Brayboy, Mark N. Trahant,
Loren Ghiglione, Douglas Medin & Ned Blackhawk*

Modern racism is the active writing of Indian people out of contemporary life.

– Stephanie Fryberg

The Supreme Court does not know even the very basics of Indian law.

– Maggie McKinley

Environmental researchers know that Indian people have important knowledge. But they think of it in terms of “the elders” rather than the twenty-five years of fisheries research carried out by the tribe.

– Kyle Whyte

What’s missing is not voices, but ears. University administrators, government officials, judges, leaders of nonprofits – they don’t even know what they don’t know.

– Shelly Lowe

In the summer and autumn of 2016, American Indian people¹ (re)entered American political consciousness in ways not seen since the takeover of the South Dakota village of Wounded Knee in 1973. Wounded Knee featured a seventy-one-day siege, the mobilization of the American military against Indian activists, and copious media reportage; and it came on the heels of the 1972 takeover of the Bureau of Indian Affairs in Washington, D.C., the seizure and occupation of Alcatraz Island (1969 – 1971), and several best-selling books on Indian activism. In the early

1970s, Indian people and their challenges and possibilities achieved a political visibility that they had not held for a century.

In 2016, Indians reappeared once again. The occasion was the near-completion of the Dakota Access Pipeline, a 1,100-mile, 30-inch pipe built to carry oil from the Bakken Fields of North Dakota to a terminal in Illinois. Passing about one-half mile north of the Standing Rock Sioux reservation, the pipe would run underneath the Missouri River, jeopardizing the Tribe's water source; and it turned out that the U.S. Army Corps of Engineers, which had jurisdiction over the land, had failed to adequately consult the Tribe.

The protests did not follow the patterns of the sixties and early seventies. Over the course of the spring and summer, a small prayer camp on the Standing Rock reservation grew into a vast protest city, with as many as ten thousand people occupying several camps. Lakota and Dakota peoples were joined by Indigenous peoples from across North America and around the world, as well as environmental activists and allies from a range of other social justice groups. Some came for a weekend; others committed to a long stay. The pipeline had been rerouted away from the city of Bismarck, North Dakota, in what seemed to be a clear case of environmental racism: the willing endangerment of an Indian community in order to distance a White community from danger. For environmentalists, the protest against Dakota Access was also part of a three-pronged strategy: trying to slow production, trying to change patterns of consumption, and trying to reduce oil infrastructure. They relished the opportunity to reprise their success in stopping the Keystone XL pipeline in 2015.

Beginning in the late summer and extending throughout the fall, the protests were met with an astonishing display of militarized police power. Camouflage, gas mask, and body armor-wearing, AK-47-

toting private guards, North Dakota law enforcement, and National Guardsmen faced down protesters. Unlike Wounded Knee, which had relied upon a now-simple world of network television coverage, Standing Rock was a viral story. It featured a proliferation of social media images documenting both the substance of the camps themselves – mostly spiritual and pacifist – and the dog attacks, teargassings, and bean-bag and rubber-bullet shootings that were being launched by the authorities.

A legal and political effort accompanied the camps. The legal story was marked by events that unfolded far from Standing Rock: federal court decisions in Washington, D.C., requests to halt construction from cabinet departments, a December 2016 revocation of the pipeline's permit, and, in June 2017, a federal court ruling that the Army Corps of Engineers had failed to conduct an adequate and consultative environmental study in relation to Sioux treaty rights. The Standing Rock Sioux Tribe rightly claimed a kind of victory. But the pipeline was in full operation by then, and the judge refused to shut it down on what seemed to be mostly procedural matters. "Victory" seemed to belong in quotation marks, as the oil has continued to flow.

As scholars interested in the past, present, and future of Indigenous peoples in the United States and the world, we watched the events at Standing Rock and extracted lessons. Most non-Native people we talked with about the occupation could agree on the significance of sacred places, or the spiritual and environmental importance of clean, safe water, or perhaps arguments about cultural patrimony and history. These were the familiar tropes associated with the "American Indian." Most non-Native people also knew that it all had something to do with broken treaties – because there always is a story about a broken treaty. It is a hook on which hangs a vague feeling of

*Deloria,
Lomawaima,
Brayboy,
Trahant,
Ghiglionne,
Medin &
Blackhawk*

national guilt, a well-meaning expression of sympathy, and a sad sense of the inevitability of it all.

Understanding the intricacies of the relevant treaties (1851 and 1868), agreements (1877 and 1889), executive orders (1875), and countless legal cases, laws, and administrative protocols proved challenging, even for the most dedicated advocates. They were confused by the shifting boundaries between treaties, by the provisions for approval of subsequent agreements, and by the possibility that not all Lakota and Dakota people had consented to the treaty in 1868. It was all quite complicated.

Media consumers were moved, however, by the images of young Indian people on horseback (sometimes painted), of tipi lodges jutting from the tent city, and of the magical day when bison appeared from over a hilltop and ran past the camp. Most observers had a picture of Indian people in their minds that did not align with contemporary Indian lives. Sympathetic viewers tended to latch on to images that evoked the past; they struggled to know the present and did not think overlong about the future. They did not know what they did not know about Indigenous life, and they could not begin to imagine Indian people *leading* non-Native America in any way. As usual, they assumed that Indians would, at best, reluctantly follow along into whatever it is that comes next.

But the images were part of a leading-edge Indian politics with lessons for everyone's future. Pictures of painted faces, horses, bison, lodges, and landscapes often reflected self-aware strategic essentialisms meant to drive politically powerful narratives that demanded engagement. They were beamed to the world via social media; indeed, one might argue that the occupation garnered much of its energy from a social media campaign launched by Native activists. The campaign went global, even as it recruited allies and partners with resources and net-

works of their own. A small prayer camp turned into an international cause.

In August 2016, as Standing Rock was heating up, six of us – Bryan Brayboy, Mark Trahant, Loren Ghiglione, Douglas Medin, Ned Blackhawk, and Philip Deloria – met at the American Academy of Arts and Sciences with a group of American Indian scholars and thought leaders. Although she was unable to attend that meeting, coeditor K. Tsianina Lomawaima quickly took on a lead role in the conversation. Together, we have followed in the footsteps of generations of other Indian thinkers: we tried to puzzle out this moment in time, when Indigenous peoples are crafting a new environmental-social-political alliance and new strategies for political action, while simultaneously being written out of much of contemporary life. This erasure, as Stephanie Fryberg noted at the meeting, is a particular form of modern racism directed at the Indigenous, though it has consequences for all. The epigraphs at the beginning of this essay – all uttered at that meeting – frame the issues well: Indian people continue to suffer from widespread ignorance and an assumption of their pastness. Shelly Lowe went so far as to frame that ignorance in Rumsfeldian terms: Americans did not have an inkling of what they did not know. Our mission was clear: to understand the contemporary dynamics of this modern racism and to try to create positive change in academia, in the legal system, among government and nonprofit actors, and in the intellectual and cultural life of the nation.

Those conversations at the American Academy helped shape and support this issue of *Dædalus*, which we have titled “Unfolding Futures: Indigenous Ways of Knowing for the Twenty-First Century.” In this volume, you will find serious reflection on many questions most important to Indian Country and the broader Indigenous world. We have tried to place research contributions at the center of many of these es-

says, to make “unknown unknowns” visible to non-Native audiences, and to speak to the unique status, the honest challenges, and the very real achievements of contemporary Indian people. We have organized the issue around key themes, and each essay will touch on one or more of these points: 1) Indians are *unique* – they are not simply another minority, but have a formal legal and political status in the United States; 2) Indian people are *sovereign* – they have collective rights to self-determination and self-governance; and 3) Indian people are *central* – they occupy a position at the very heart of critical issues spanning energy and bioethics to climate change. Finally, readers will note the consistent thematic ostinato: Indian people are engaged with history, to be sure, but they should not be viewed in terms of the past, but through the lens of *futurity*.

In Article I of the U.S. Constitution, the famous “three-fifths” clause outlines four categories of people: citizens, indentured servants, “all other persons” (the nonreference to African American slaves), and a fourth group, “Indians not taxed.” An Indian person paying taxes to the U.S. government would have presumably given up a different, non-U.S. form of citizenship, one based in a tribal nation. Because they were part of their own nations, Indians would be neither taxed nor counted for purposes of representation in the United States. They were members of foreign nations, in other words. That sensibility was reinforced in the Commerce Clause, in which Congress is given the power “to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.” Here, the word “among” signals the internal nature of the states, while the word “with” suggests the external quality of both foreign nations and Indian Tribes. In key passages of the Constitution, then, Indian Tribes are framed as being outside the

Constitution. And, for Indian people, that fact has long suggested the importance of a third passage, the controlling logic found in Article Six – the Supremacy Clause – which names three bodies of law as supreme: the Constitution itself, the laws passed by Congress, and the treaties negotiated with external political bodies.

As inherent sovereigns, Native nations have for millennia exercised the prerogatives of self-government, self-determination, and self-education within their territorial land base. Settler colonial incursion and dispossession have constrained, but not extinguished Indigenous sovereignty (though not for lack of trying). The United States has extended its claims over Indigenous peoples – and more than one billion acres of land – through a complex interweaving of military force, diplomatic negotiation, and instruments such as treaties, as well as the unilateral assertion of jurisdiction and governance through legislation, executive orders, and court rulings.

Some of those rulings effectively established a different relationship – not rooted in autochthonous Indigenous political autonomy and a concomitant diplomacy, but in what has come to be known as the “trust relationship.” As a principle of law and nationhood, the trust relationship embodies the responsibilities of the federal government – as both the taker and the recipient of Indian lands – to provide basic services to Native people. Many treaties and agreements stipulate educational and health services as federal responsibilities to Native nations; even when not so stipulated, these services are embodied through the trust relationship.

The legal landscape of trust has been muddled by Supreme Court dicta (that is, opinion, not ruling) in the case of *Cherokee Nation v. Georgia* (1831), when Chief Justice John Marshall, in a burst of legal creativity, stated that the relation of Indians to the United States “resembles that of a ward to

*Deloria,
Lomawaima,
Brayboy,
Trahan,
Ghiglione,
Medin &
Blackhawk*

his guardian” (emphasis added).² A guardian’s powers over a ward are much more expansive and less constrained by law than the powers of a trustee over a beneficiary, and, over time, federal powers over Indians have frequently developed entirely unchecked.³ American Indians were consigned to the status of wards for nearly a century, from Marshall’s convenient articulation of the *resemblance* until Congress passed the American Indian Citizenship Act in 1924, conferring birthright citizenship on all Indians born within the territorial limits of the United States. Quite a few Indians (perhaps as many as two-thirds) were already citizens, naturalized through treaty, Congressional legislation, or other mechanisms.⁴

For so many Americans – the formerly enslaved or the immigrant – citizenship offered a path to civil rights, security, and empowerment. And Indian people too have recognized some of the advantages of U.S. citizenship (access to courts, for example). But in two decisions (*U.S. v. Sandoval*, 1913, and *U.S. v. Nice*, 1916), the U.S. Supreme Court also found that, for Indians, citizenship was not incompatible with wardship, and all of the federal powers and controls concomitant to it. The federal government, as a trustee, styles itself as the theoretical caretaker of Native assets and peoples, although, in reality, federal powers have more times than not stripped Native lands of resources and Native peoples of both land and wealth.⁵

The issue commences with a consideration of the concept of *sovereignty*: its origins, its contested meanings, and the way it positions American Indian people as unique within the political, economic, social, cultural, ethical, and administrative fabric of the United States. How did Indian sovereignty emerge historically, even as the United States introduced other concepts – “domestic dependency,” “guardian-ward” relationships, and “plenary power” – that worked to limit Indian self-determination?

Is sovereignty a Western concept, hopelessly contaminated by colonialism? Or is it a necessary and powerful tool in the service of tribal nations, now and in the future? Is it an inherent right that predates the U.S. Constitution? How might Indian people reimagine Indigenous sovereignty in the twenty-first century? Heidi Kiiwetinepine-siik Stark and Kekek Jason Stark frame their discussion through a Nenabozho story – an Objive trickster tale – that illuminates key questions: immanency, popular sovereignty, and the constant dialectical assertion and resistance surrounding legal and administrative structures (such as those demanding that the U.S. Army Corps of Engineers adequately consult the Standing Rock Sioux Tribe). Placing the trickster Nenabozho in an ice-fishing shack, Stark and Stark offer both a philosophical narrative stressing relationality among living beings, including sovereign nations, and a case study grounded in sovereignty struggles involving treaty-based Ojibwe fishing rights.

Paradoxically, the exercise of tribal sovereignty rests, in some measure, on the recognition of a tribe by the federal government. Currently, there are 567 tribes with federal recognition, with many others enmeshed in the complex and difficult process of petitioning for acknowledgment; others are recognized by states, but not the federal government. Amy Den Ouden’s essay tracks a complex history of recognition efforts on the part of the Golden Hill Paugussett Tribe of Connecticut. Focusing on efforts in the early 1970s to navigate both state politics and federal recognition, Den Ouden reveals the ways in which racialization and erasure of the Native fundamentally shaped the discussion. Observers questioned Connecticut Indians’ “African” looks as somehow compromising Native political identity, even as legislators cracked jokes about dead Indians and “Indian givers,” and resisted the Paugussett’s bid for federal recognition, which was rejected in 2004, leaving

them a state-recognized tribe, a status confirmed in a 2009 legal challenge.

Recognition, which rests fundamentally on history, reveals a wide range of historically specific relations among Indian peoples and colonizers. The cases of Alaska and Hawai‘i highlight that diversity, while stepping out of a purely continental perspective. Alaska’s Indigenous peoples survived Russian colonization (1784) and then watched as their lands were “purchased” by the United States in 1867. As Rosita Kaahāni Worl and Heather Kendall-Miller suggest, this history produced a unique land claim settlement strategy as Alaska moved from territory to state, and oil producers sought first to drill and then to build the Alaska pipeline. The settlement laid a new economic and political form – the Native corporation – over Indigenous life and politics. How were the Alaska Native peoples to navigate political sovereignty over tribal members and land and to establish relations with the federal government? A complex legal and legislative history underpins the contemporary relation between the corporation, the tribe, and the government, but it confirms both sovereign status and trust responsibilities.

Hawai‘i, as Noelani Goodyear-Ka‘ōpua and Bryan Kamaoli Kuwada make clear, is the product of a very different kind of colonial, imperial, and Indigenous history, one defined only partially by American global, mercantile, and military interests, and more important, by an ongoing sovereignty not readily captured by federal recognition practices. Indeed, their essay focuses on a 2014 Department of Interior plan to create a process pathway to federal recognition for a Native Hawaiian political entity. Hundreds of Kānaka Maoli protested, noting the clear distinctions between Native America and Native Hawai‘i, and insisting on an identity not only ethnic or geographic, but also national, in ways that demanded connection to the independent Kingdom of Hawai‘i that exercised authority

for most of the nineteenth century. Using a Kanaka Maoli epistemology focused on the making of ‘*aha*, or rope, Goodyear-Ka‘ōpua and Kuwada argue for a political vision that braids past and present together to generate a new claim on futurity. In these cases, the United States has sought to erase both Indigenous peoples’ rights and the nation’s concomitant responsibilities to recognize, support, and fulfill those rights.

As Amy Den Ouden’s essay affirms, tribes are not racial collectives, but political/legal ones, which means that they exercise the right to define their own citizenship. Even as outsiders frame Indian identities racially, so too do tribes themselves. One of the main ways that tribal citizenship has been defined has been through the racial marker of blood, handed down from the American assimilation policies of the nineteenth and early twentieth centuries in the form of blood quantum membership requirements. “Indian blood” is a metaphorical thing that has often taken the concrete form of genealogical math. How many quarters or eighths or sixteenths blood does one have? What if your parents are from two different tribes? How much blood do you need to be enrolled as a citizen? The advent of genetic testing has opened up new questions about identity and ethics, which are the subject of Nanibaa’ Garrison’s essay. Indigenous peoples’ genetic material ends up being coveted by researchers, even as new industries offer the average person a chance to “prove” Native ancestry and thus constitute a particular claim to identity, and perhaps even a claim on tribal enrollment. In this sense, Garrison observes, Indian people are central to contemporary bioethical debates that extend far beyond the question of tribal membership or research protocol. Garrison’s essay highlights the complex interworkings and linkages between the social, political, cultural, and genetic nature of Native identity.

This fetish to “be Indian” dates back to the founding of the United States, and is

*Deloria,
Lomawaima,
Brayboy,
Trahant,
Ghiglionne,
Medin &
Blackhawk*

visible in the tortured inversions of the “one drop rule”: if one drop of African blood taints the Whitest person as “Black,” then, at the same time, one drop of Indian blood will (often happily) make the Whitest person “Indian.” That desire to appropriate noble Indians has long been paired with its opposite: the denigration of Indian “savagery,” “backwardness,” and “inability.” Contemporary psychological research on the connections among culture, institutions, and individuals reveals the cumulative negative effects of such stereotypes, as both Indians and non-Indians internalize beliefs, constitute identities, and then make them material through actions and interactions. And yet, as Arianne Eason, Laura Brady, and Stephanie Fryberg argue, the same cycles can be changed through concentrated interventions. Indian people, they suggest, offer a critical point of centrality for the timeless challenge of driving cultural change in socially positive ways. As stereotyped images linger from the past and fuel negative outcomes in the present – such as the disproportionate removal of children from Native families – they can also be transformed in ways to help produce Indigenous futures.

Efforts on the part of Indian people to drive positive cultural belief systems among non-Native Americans invert an earlier campaign: that of White Americans to eradicate Native language, culture, social practice, and collective identity. These assimilation policies took shape around military power and physical containment on reservations, religious transformation, and a boarding school program that brutally suppressed the very notion of Indianness and Indigenous systems of education. As Bryan McKinley Jones Brayboy and K. Tsianina Lomawaima point out, the legacy of that schooling practice remains with Indian people to this day, often in the form of multi-generational historical trauma. At the same

time, however, schooling also helped foster intertribal solidarities and created new conditions for political organizing and cultural reassertion. Today, the possibility for education and schooling to be *simpatico* – instead of in tension – is more profoundly possible. It is the future.

If closing the gap in K – 12 education offers a vital goal for Indian Country and the United States as a whole, it is also the case that tribal colleges have stepped into the breach, not simply as educational institutions, but as cultural and community centers and powerful collectives that fuse spirituality with institutional structure in novel ways. Today, thirty-seven tribal colleges and universities effectively serve over twenty thousand Native and non-Native rural students. As Cheryl Crazy Bull and Justin Guillory suggest, the tribal college movement indexes a critical expression of tribal futurity, offering culture-centered training in fields that are locally important, educationally traditional, and emergent with new possibilities for Indian cultures and economies.

Nor are tribal colleges the only institutional locations to be indigenized by Native peoples. Museums, for example, have long offered simplistic representations of American Indians, and often served as repositories for Indigenous human remains and cultural patrimony. Two critical interventions – the founding of the National Museum of the American Indian (1989) and the passage of the Native American Graves Protection and Repatriation Act (1990) – helped transform museum practice today. As Philip J. Deloria suggests, the decades that followed that legislation saw an explosion of excellent tribal museums and an increase in tribal capacity in both repatriation and cultural affairs. As the National Museum of the American Indian refreshes its permanent galleries over the next five years, it will explicitly argue for Native peoples’ centrality in the Amer-

ican story, and insist not only on survival narratives, but also on Indigenous futurity.

In that future, Indian people face many challenges, including the long-standing issue of health and wellness of tribal members. As Mark Trahanant recounts, the federal obligation to Indian health care has its origins in treaties, most of which provided for doctors and, in some cases, hospital care. A long history of poor performance, lack of funding, and socioeconomic inequity has produced significant health disparities between Native and other populations. And yet, as Trahanant argues, in the years following the 1976 passage of the Indian Health Care Improvement Act, the Indian Health Service has closed a substantial number of health disparity gaps. One major feature in that success has been contracting out to tribal service providers. Trahanant observes that, precisely because they are still underfunded, many of the successful operations under the Indian Health Service actually offer prototypes for thinking about new forms of service delivery at a lower cost. In dealing with chronic underfunding, the Indian Health Service may find itself in a leadership role.

Indian people have long histories of leadership. As Gary Sandefur and Philip J. Deloria suggest, White Americans have often misread that history in terms of military resistance, creating a kind of “great man” understanding of Indian history. Leadership, Sandefur and Deloria argue, has been far more diverse: it has included women in important ways, flowed through colonial institutions such as the church, and taken shape in both local-tribal contexts and national intertribal organizations. Indian leadership has been adaptive, even as it has served as an important location for persistent assertions of cultural autonomy and self-determination. Like health services delivery, Indian leadership has not been without challenges, but it has also offered important models for the United States, a

nation fixated on leadership education that sometimes struggles to produce effective and ethical leaders.

Likewise, as Kyle Whyte suggests, Indian people offer both knowledge and leadership in understanding and addressing environmental crises. Whyte surveys a wide range of literature to identify an emergent field of Indigenous Environmental Science Studies (IESS) that seeks to take seriously the relationality, spirituality, and Traditional Environmental Knowledge (TEK). Whyte argues that Indigenous knowledge *is* science and has functioned as such in both past and present. But his is not an essentialist claim to privilege the Indigenous. For Whyte, the dialectical partnership between TEK and mainstream science offers the most potential for Native and non-Native futures in the face of climate change and ecological disaster.

Megan Bang, Ananda Marin, and Douglas Medin insist on a plurality of sciences, in ways that question the singular hegemony of Western science and make room for Indigenous sciences as both a powerful practice of knowledge-making in its own right and an important partner in a multisided scientific exchange of knowledge. And yet, the authors insist on a reciprocal and ethical relationship. It is not simply the case that Indigenous knowledge ought to be available to the full sweep of science; too often that has meant appropriation and new practices of colonial domination. Indigenous peoples insist that they will stand with the sciences, particularly in our moment of planetary crisis. They would simply like to know that scientists from all disciplines will stand with them as well.

If American Indian people – alive, active, and innovative in the present moment – offer possibilities to others in terms of political movements, representational politics, the production of scientific knowledge, the ethics of bioscience, and the management of institutions, it is also the case that main-

*Deloria,
Lomawaima,
Brayboy,
Trahanant,
Ghiglionne,
Medin &
Blackhawk*

taining self-determining tribal vitality and identity remains the key priority in Indian Country. Perhaps nowhere is that priority so challenged and so rich with possibility as in the question of language preservation and awakening. As Teresa McCarty, Sheilah Nicholas, Kari Chew, Natalie Diaz, Wesley Leonard, and Louellyn White argue, language reclamation fuses pasts, presents, and futures, even as it refuses colonizing imperatives for assimilation and disappearance. Language, they suggest, is central to individual and community well-being and sustainability, and to the larger claim to social justice. To that end, language repatriation will be one of the most significant goals for the Indigenous future.

The claim to social justice is central to the essays in this issue, as is the relation among past, present, and future. The United States has struggled to turn from old master narratives to new histories relevant to its present and future. In those old stories, Indians necessarily had to disappear. For the Puritans to found a City on the Hill – a story often framed as an American claim to religious freedom – Indians had to die, leaving their food and land behind; their disappearance was a sign from God. In the story of frontier settlement, Indians became part of nature, fleeing westward and then just vanishing, according to some conveniently imagined “law of nature.” In the story of European immigration, Indians were already assumed to be gone, their land simply available. In stories of the Civil War, Americans ignored Indians altogether, focused on the White-on-White bloodletting that would redeem the original sin of slavery. And even in the great contemporary counternarrative of African American struggles to move from slavery to freedom to civil rights, Indian histories and peoples find little traction. Americans don’t tend to tell stories in ways that leave room for Indian people. Indeed, the nation has, in many ways, come to

see slavery as America’s primary – or perhaps only – original sin, and national conversations on race, inequity, and the hurts of history tend to occur around a Black/White binary. But slavery required the taking of Indigenous land and the removal of Indigenous people. The United States was founded on dispossession. The stories of settler colonial conquest and slavery are interrelated and inextricable, and we should never forget it.

Land lies forever at the heart of America’s problem with Indians. The United States and the American dream – of freedom, democracy, a divine mandate to lead the world – are built on Indian land. Even by U.S. standards of law (often transparently self-serving), the history of “title transfer” for too much of that land has a rotten smell. It would be so much easier for the nation to congratulate itself if its claims to its territorial land base were more secure.

And so American settlement histories are of necessity deeply ideological. They frame Indian peoples around two distinct modes of disappearance: Indians can simply die or vanish; or they can assimilate into America, disappearing as distinct peoples into some vast melting pot. Americans have worked hard to bring both visions to pass. But in every one of those narratives, Indian people have been present differently, always contesting a colonization that aimed not (only) to extract resources but to plunder Indian lands; to colonize, settle, and then forget and move on. And so Indigenous politics is not about claiming civil rights through the mechanism of the American state. Rather, it is about preserving and operationalizing tribal distinctiveness and autonomy, as constituted through American law in the form of the Constitution and the treaties, and holding the nation to its obligations, embodied in the form of trust relationships.

American Indian people make up a small percentage of the population of the United

States, and it is easy to ignore them. This, our contributors suggest, is a tremendous mistake. Because of the distinct history of Indian people and their persistent survival – they are not going anywhere! – Indian peoples are central to the ways in which we need to think about the collective future. Indians may often appear marginal in relation to courts, Congress, and academic legal education, for example, but their unique legal and political status is critical to understanding wider issues of law and policy. Centering Indians in discussions of constitutionality, education and training, and actual jurisprudence will lead to understanding issues in new ways. Centering Indians in considerations of land claims and stewardship will cause non-Native anxiety levels to rise – in productive ways. And so with conversations about race, bioethics, environment, education, health care, governance, and more.

The point is not so much that Indigenous perspectives need to be included in the general politics of knowledge (though that is true); rather it is that the Indigenous itself is generative of that knowledge, not peripheral to it. Indigenous studies is not just about Indigenous people. It's also about ways of seeing and investigating the world that have proven central. The challenge for non-Native people lies in escaping the bad habit of viewing Indigenous people as relics of the past. And yet, it's not enough – as has been demonstrated any number of times – for Indigenous people to be content with the

shout “We are still here!” Even that important statement about survival and the present connotes bedraggled refugees from the past, dragging the archaic along with them into an ill-fitting present. Better to think about the ways that Indian people can contribute to a still-forming future.

We can imagine a future when the United States and its citizens commit to grappling with fundamental questions: What does it mean to live on Indian land? What does it mean that Indian people are still here? Moral, legal, ethical, and social issues and debates tumble out of those questions. But we can also imagine a nation and a citizenry strong enough to engage with these questions, strong enough to respect Native nations as inherent sovereigns, and strong enough to confront the mythologies and stereotypes that sustain a sense of national (and White) privilege and entitlement to everything that has been built on Indian land. If we can imagine that, we can also imagine a nation and a citizenry strong enough to face up to its history: the intertwined sin of enslavement and the legacies of immigration, exclusion, and racism. We can imagine a nation strong enough to grapple with the very definitions of citizenry: Who is included? Who is excluded? Why, and when, and how? We can imagine an inclusive nation bold enough to build a future on a complicated and painful past. In this task, one could do worse than to look to American Indian nations and Native institutions for inspiration and ideas.

*Deloria,
Lomawaima,
Brayboy,
Trahant,
Ghiglionne,
Medin &
Blackhawk*

AUTHOR BIOGRAPHIES

PHILIP J. DELORIA, a Fellow of the American Academy since 2015, is Professor of History at Harvard University. He is the author of *American Studies: A User's Guide* (with Alexander Olson, 2017), *Indians in Unexpected Places* (2004), and *Playing Indian* (1998) and editor of *Blackwell Companion to Native American History* (with Neal Salisbury, 2002).

K. TSIANINA LOMAWAIMA is Professor with Justice & Social Inquiry and the Center for Indian Education within the School of Social Transformation at Arizona State University. She is the author of *To Remain an Indian: Lessons in Democracy from a Century of Native American Education*

(with Teresa L. McCarty, 2006) and *Uneven Ground: American Indian Sovereignty and Federal Law* (with David E. Wilkins, 2002) and coeditor of *Away from Home: American Indian Boarding School Experiences, 1879 – 2000* (with Brenda J. Child and Margaret L. Archuleta, 2000).

BRYAN MCKINLEY JONES BRAYBOY is President's Professor and Senior Advisor to the President on American Indian Affairs at Arizona State University. He is the author of *Post-secondary Education for American Indian and Alaska Natives: Higher Education for Nation Building and Self-Determination* (with Amy J. Fann, Angelina E. Castagno, and Jessica A. Solyom, 2012) and editor of *Indigenous Innovations in Higher Education: Local Knowledge and Critical Research* (with Elizabeth S. Huaman, 2017).

MARK N. TRAHANT, a Fellow of the American Academy since 2017, is an independent journalist. He is the former Editorial Page Editor of the *Seattle Post-Intelligencer* and a Kaiser Family Foundation Media Fellow. He is the author of *The Last Great Battle of the Indian Wars* (2010) and *Pictures of our Nobler Selves: A History of Native American Contributions to News Media* (1996) and has contributed to such collections as *Lewis and Clark through Indian Eyes: Nine Indian Writers on the Legacy of Expedition* (ed. Alvin M. Josephy, 2006).

LOREN GHIGLIONE, a Fellow of the American Academy since 2004, is Professor Emeritus of Journalism at Northwestern University. He is the author of *CBS's Don Hollenbeck: An Honest Reporter in the Age of McCarthyism* (2008) and *The American Journalist: Paradox of the Press* (1990) and editor of *Radio's Revolution: Don Hollenbeck's CBS Views of the Press* (2008).

DOUGLAS MEDIN, a Fellow of the American Academy since 2002, is Professor with the Department of Psychology at Northwestern University. He is the author of *Who's Asking? Native Science, Western Science, and Science Education* (2014) and has published essays in such collections as *Converging Perspectives on Conceptual Change: Mapping an Emerging Paradigm in the Learning Sciences* (ed. Tamer G. Amin and Olivia Levrini, 2018) and *The International Encyclopedia of Anthropology* (ed. Hilary Callan, 2018).

NED BLACKHAWK is Professor of History and American Studies at Yale University. He is the author of *Violence over the Land: Indians and Empires in the Early American West* (2006) and editor of *Indigenous Visions: Rediscovering the Legacy of Franz Boas* (with Isaiah Wilner, forthcoming 2018), and has published essays in such collections as *Contested Spaces of Early America* (ed. Juliana Barr and Edward Countryman, 2017).

ENDNOTES

¹ Many Native nations prefer to use their own language to refer to the group: for example, *Diné* for Navajo. There is no ideal generic term to apply across nations. Editors and authors in this issue use the following terms interchangeably, with the noted caveats or preferences: American Indian and Indian (within the United States); Native Americans; Native; and Indigenous (often the global term of reference).

² *Cherokee Nation v. Georgia*, 30 U.S. 5 Pet. 1 (1893).

³ Vine Deloria Jr. and Clifford M. Lytle, *The Nations Within: The Past and Future of American Indian Sovereignty* (New York: Pantheon Books, 1984); David E. Wilkins and K. Tsianina Lomawaima, *Uneven Ground: American Indian Sovereignty and Federal Law* (Norman: University of Oklahoma Press, 2001); and Charles F. Wilkinson, *Blood Struggle: The Rise of Modern Indian Nations* (New York: Norton, 2005).

⁴ K. Tsianina Lomawaima, "The Mutuality of Citizenship and Sovereignty: The Society of American Indians and the Battle to Inherit America," *American Indian Quarterly* 37 (3) (2013): 333 – 351.

⁵ See, for example, *Cobell v. Salazar* 573 F.3d 808 (D.C. Cir. 2009).

Nenabozho Goes Fishing: A Sovereignty Story

Heidi Kiiwetinepinesiik Stark & Kekek Jason Stark

Abstract : In this essay, we present a brief genealogy of sovereignty, outlining debates about the term itself as well as the challenging legal terrain facing Indigenous nations' assertions of sovereignty today. We draw on the experiences of the Lake Superior and Mississippi Bands of Ojibwe for examples of how sovereignty has been debated and defined, from treaty-making practices establishing a political relationship with the United States to subsequent struggles for recognition of Ojibwe sovereign authority accorded in those same treaties. We find that the courts and Congress have oscillated between protecting and diminishing Indigenous nations' ability to exercise sovereignty. We argue for a return to the relational paradigm used by the Ojibwe in their treaty-making as a remedy for the damage done by the courts and by Congress. Rather than a rights-based approach to sovereignty, a relational paradigm foregrounds responsibilities to one another and to creation, which sustains us all.

HEIDI KIIWETINEPINESIIK STARK (Turtle Mountain Ojibwe) is Associate Professor of Political Science and Director of the Graduate Certificate in Indigenous Nationhood at the University of Victoria. She is the author of *American Indian Politics and the American Political System* (with David E. Wilkins, 2018) and editor of the volume *Centering Anishinaabe Studies: Understanding the World Through Stories* (with Jill Doerfler and Niigaanwewidam James Sinclair, 2013).

KEKEK JASON STARK (Turtle Mountain Ojibwe) is Tribal Attorney for the Lac Courte Oreilles Band of Lake Superior Chippewa Indians.

Nenabozho cut a hole in the ice. Placing his decoy into the water, he reflected on the stories of his elders, stories that detailed times of deprivation and struggle. In those times, the animals, fish, and plants established relationships with the Ojibwe, giving their bodies to sustain the people. Nenabozho remembered the suckerfish who gave their lives to ensure the Ojibwe would survive the harsh winter. The Ojibwe fondly refer to February as the Suckerfish Moon to remember and honor this relationship.

Sitting in the ice shack, Nenabozho considered the leaders who came before him. His ancestors carried stories and treaty relationships with them as they traversed creation. They fulfilled their obligations and responsibilities to creation, offering tobacco and petitioning the animals, fish, and plants to take pity on them and give their bodies to sustain the people. The Ojibwe understood the world as deeply interconnected and drew on relational paradigms to account for their responsibilities to cre-

ation and one another. Importantly, they taught these practices to their children and grandchildren, who in turn passed these traditions on to future generations, ensuring Nenabozho and his brother would know how to meaningfully enact their treaty commitments with creation.¹

Nenabozho and his brother grew up hearing the elders speak of their responsibilities to creation, noting that these obligations were also enshrined in treaties with the newcomers to this land.² His ancestors had ensured the Ojibwe would be able to continue the fulfillment of their responsibilities to creation while also making space for the newcomers to come into these same relationships with the land, water, flora, and fauna. Nenabozho contemplated these historic treaties. He knew his and his brother's right to fish had been protected in the 1837 treaty with the United States.³ While his elders spoke of the 1837 and 1842 treaties as agreements to share the land, he was concerned that the United States interpreted these treaties differently, as land cessions.

Nenabozho scoffed at the idea that the Ojibwe could sell their territories. He knew these lands were an inheritance from the Creator, a point Ojibwe leaders asserted as they negotiated treaties with the newcomers. As the last of creation to be placed on the land, Nenabozho understood that his relationships with the land, water, animals, and plants (all of whom preceded the Ojibwe) regulated how he could move through and interact with creation.⁴ Nenabozho knew he was thoroughly entangled in Ojibwe law.

"But what animates this law?" he wondered. Nenabozho again contemplated his elders' words about the Creator and creation. He was thankful that his ancestors had stressed the importance of living their responsibilities through their everyday interactions with creation. Nenabozho was grateful that his ancestors' words had been captured, to a certain degree, in their trea-

ties with the United States. Article 5 of the 1837 Treaty declared: "the privilege of hunting, fishing, and gathering the wild rice, upon the lands, the rivers and the lakes including in the territory ceded, is guaranteed to the Indians, during the pleasure of the President of the United States."⁵

But so much had changed since these words were written on parchment in 1837. Ojibwe enactment of their sovereign authority to hunt, fish, and gather increasingly provoked settler resistance, and Ojibwe were frequently arrested or had their gear confiscated when they hunted, fished, or gathered outside reservation boundaries.

Suddenly Nenabozho heard footsteps on the ice. Fear rose up in him when his gaze met the state game warden – but so too did excitement. For Nenabozho had achieved what he had set out to do. He had made sure to cross the imaginary line across the lake that marked the boundary of the reservation and sought to contain the Ojibwe people's relationship with creation. Technically, he was on contested waters, territory his ancestors had opened up to the newcomers. But he remembered that the treaties also protected Ojibwes' right to live on and with the land as they always had.

In this moment, Nenabozho did not intend to petition the fish to honor their treaties with the Ojibwe – he was not out to catch anything. He was fishing to assert his sovereignty and to remind the newcomers how to honor their responsibilities and obligations to the Ojibwe. Nenabozho handed the state game warden a copy of the 1837 treaty and, when the warden failed to acknowledge it, he accepted his citation. He knew he had the legal test case needed to bring the newcomers back to the treaty table, even if this time the meeting would take place in a courtroom.⁶

Ojibwe have numerous stories of Nenabozho, which recount his movements across Ojibwe country and detail the en-

during marks he left on the landscape and on those he encountered.⁷ Whether describing particular animals whose features were transformed or land that was molded anew, the stories teach us that we live in a deeply interconnected world. And the Ojibwe continue to bring new Nenabozho stories to fruition, through ongoing interactions with creation, one another, and the state. *Nenabozho Goes Fishing* is one of these stories. It details the heroic efforts of two brothers of the Lac Courte Oreilles Band of Ojibwe in their fight to protect their right to fish in 1974. The brothers, Fred and Mike Tribble, drew strength from their relatives and stood up against the tidal wave of state law imposed on their people, contravening the historic 1837 and 1842 treaties with the United States. They went to Chief Lake to fish off-reservation, to challenge that body of state law. The Tribble brothers were charged and found guilty by the state of Wisconsin of taking fish off-reservation, possessing a spear, and occupying a fishing shanty without a state permit.

The aftermath of this historic event was aptly named the “Walleye Wars.”⁸ The Lac Courte Oreilles Band of Ojibwe (Chippewa) filed charges against the Secretary of the Wisconsin Department of Natural Resources, Lester Voigt, challenging the state’s authority to regulate the Tribbles’ hunting and fishing off the reservation. This defense of Ojibwe treaty rights resulted in the 1983 *Lac Courte Oreilles v. Wisconsin (Voigt)* decision, which upheld Ojibwe rights to hunt, fish, and gather in their treaty territories. Litigation regarding the scope and form of these treaty rights continued until 1991, when U.S. District Court Judge Barbara Crabb ruled that the Ojibwe nations party to the 1837 and 1842 treaties had regulatory authority over their citizens’ exercise of treaty rights.⁹ But Judge Crabb tempered this regulatory authority, determining that the state also maintained regulatory authority over its citi-

zens’ hunting, fishing, and gathering practices. Thus, tribes and the state would need to work together to ensure the protection of natural resources.

As a result, Ojibwe tribes and the state collaborate on setting hunting and fishing quotas in accordance with Judge Crabb’s rulings. Yet each party regulates when and how their citizens can fill this quota. Following the recognition of their treaty rights, the Ojibwe increasingly exercised their long-standing spearfishing practices, fishing out of season and using methods the state prohibits its own citizens from employing. They did so in the face of extreme local and regional discontent among sports fishermen and resort owners opposed to Ojibwe spearfishing, an opposition that erupted into violent attacks against the Ojibwe.¹⁰ These protests began to subside in the 1990s, due largely to additional legal protections put in place to protect Ojibwe hunters and an extensive education movement. This movement sought to inform the broader public about treaty rights and to correct misconceptions about the impacts of spearfishing on the walleye population. It was based on joint studies carried out by the Lake Superior Bands, the Great Lakes Indian Fish and Wildlife Commission, the Bureau of Indian Affairs, the United States Fish and Wildlife Service, and the Wisconsin Department of Natural Resources.

This kind of confusion about and misperception of treaty rights is hardly restricted to fishing and hunting. Indeed, the broader American public has little knowledge of Indigenous nations’ sovereign authority and political status, whether it is expressed in the exercise of out-of-season fishing or in the operation of casinos. Americans continue to mistake the nature of Indigenous nations’ educational benefits, tax status, and licensing authority. These distinct political and legal rights are grounded in sovereignty. Yet sovereignty is usually misunderstood. The courts and Congress have

Heidi Kiiwet-
inepinesiik
Stark &
Kekek Jason
Stark

only added to this confusion, for they have taken inconsistent, seemingly contradictory positions on the sovereign authority of Indigenous nations, often while simultaneously bolstering U.S. sovereignty.

Indigenous nations exercised sovereign authority long before European arrival. Indigenous political and legal traditions regulated internal matters and established and renewed political, social, and economic alliances with other Indigenous nations. Indigenous nations continued these practices with European nations, establishing new alliances while seeking to protect their lands and resources. The United States followed the traditions of their European predecessors, entering into over four hundred treaties with Indigenous nations, over half of which remain in legal force today.¹¹ Indigenous nations point to the treaties' double meanings: they clearly recognize Indigenous inherent sovereignty, as treaties are by definition agreements between two or more sovereigns, and express the political commitments made by the United States to their Indigenous treaty partners. Shifting federal Indian policies and law, however, have complicated the ways in which Indigenous nations are able to exercise sovereignty.

As U.S. settlement expanded westward, often outpacing treaty-making, the federal government struggled to control its citizens and keep individual states from encroaching on Indigenous lands and political authority. Indigenous resistance took many forms. Nations blocked access to their territories, taxed and fined trespassers, and called for the government to (re)negotiate treaties. Indigenous leaders simultaneously pursued U.S. legal channels in the hope that the federal government would restrain state powers and individual citizens who violated the treaties. For example, the Cherokee Nation sought an injunction against the state of Georgia for violating U.S.-Cherokee treaties and the 1827 Cherokee Constitution by as-

serting jurisdiction over Cherokee lands and people within state borders. Chief Justice John Marshall determined that the Court had no jurisdiction under Article III of the Constitution, arguing that tribes were neither states nor foreign nations. He described the Cherokee, instead, as a "domestic-dependent nation" whose relationship with the United States resembled that of a ward to its guardian.¹² In *Cherokee Nation v. Georgia*, he determined that the Cherokee, in placing themselves "under the protection" of the United States in their treaty, are *dependent* nations; because their territories fall within the United States' borders, they are also *domestic* nations. However, he noted that this protection also created a "trust responsibility" for the United States. This trust relationship has at times afforded protections for Indigenous nations – largely from the abuses of states – but has also empowered Congress to unilaterally impose legislation "in the best interest of tribes" and the courts to render decisions that have eroded Indigenous nations' abilities to exercise their sovereign authority to the fullest extent.

One year after *Cherokee Nation v. Georgia*, in 1832, Chief Justice Marshall again addressed the political status of the Cherokee, this time describing the Cherokee nation quite differently, as "a distinct political community, having territorial boundaries within which their authority is exclusive."¹³ Marshall found that Georgia laws had no force in Cherokee country. While seemingly contradicting his opinion of one year earlier, the distinction in his framing of Indigenous political status spoke more to his concerns about federalism than it did to his views of the sovereign authority of Indigenous nations. In *Cherokee Nation*, Marshall was intent on articulating federal supremacy over Indigenous nations, thus focusing his attention on Indigenous nations' "domestic-dependent" status. Federal supremacy was key to keeping his 1823 land-

mark Indian title case, *Johnson v. McIntosh*, intact. In that case, he asserted federal supremacy over Indigenous lands in contravention to individual states, in the process creatively framing Indigenous nations as having a “mere right of occupancy” to their lands in order to ensure that federal land grants executed prior to the extinguishment of Indian title would remain in force. In effect, Marshall had sought to make legal the United States’ self-proclaimed sovereignty over lands they had acquired neither by consent nor conquest. In this framing, U.S. sovereignty was not unbridled, but merely entailed a preemptive right of purchase over Indigenous lands *vis-à-vis* other European nations. Marshall was clear to note that U.S. title to the lands was “burdened” by Indian title and contingent on Indigenous nations consenting to “extinguish” their rights of occupancy via treaties.

In the 1832 case *Worcester v. Georgia*, Marshall turned his attention to the assertion of federal supremacy over the states, reminding the states that they had no authority over Indigenous lands and peoples and that the U.S. relationship with tribal nations was a federal matter. He also used this moment to expand on his earlier decisions, in many ways to qualify the powers acquired by European nations under the doctrine of discovery. He also sought to clarify the powers Indigenous nations retained, despite having placed themselves under the protection of the United States. He noted that the political authority of Indigenous nations was not impaired by the fact that they had placed themselves under such protection.

In his efforts to bolster and solidify U.S. sovereignty, Marshall issued contradictory decisions on the political status of Indigenous nations, enabling the United States to oscillate among varied positions: one positing that Indigenous nations retain all inherent sovereign authority not expressly relinquished in their treaties with the United

States, and another proclaiming that Indigenous nations’ political authority is subordinate to their “dependent” status and can be stripped if “inconsistent” with this status. These landmark cases became the foundation of the *tribal sovereignty doctrine*. This doctrine is further complicated by the twin doctrines of *plenary power* (detailed below) and *trust*, which have been employed by the United States to superintend the welfare of Indigenous peoples, with often devastating results for Indigenous nations in their exercise of sovereignty. These distinct and sometimes contradictory doctrines create a quagmire of federal Indian law that provides little clarity in efforts to understand Indigenous sovereignty.

Sovereignty is the most critical force animating a nation. However, the concept of sovereignty is difficult to define, both in the wake of shifting U.S. policies and laws and as globalization has illuminated the porous nature of state borders and exposed the fallacy of sovereignty as supreme and absolute. It is nearly impossible today to envision a nation whose sovereignty is not limited by its relationships and responsibilities, both internally to its own citizens and externally to its diplomatic allies.¹⁴ Indeed, the cases detailed above place considerable emphasis on the limitations of *both* U.S. and Indigenous political authority precisely because of their relationships and responsibilities to one another. Further, our understandings of sovereignty have been transformed and reoriented by the changing conditions and characteristics of the nations that have employed the term.¹⁵ Although the term is often attributed to the Westphalian state system derived from European theological and political discourse, it describes at its core the intrinsic political authority that enables the self-governance of all nations.¹⁶

Different social contexts generate a multitude of meanings of the term “sovereign-

Heidi Kiiwet-
inepinesiik
Stark &
Kekek Jason
Stark

ty.”¹⁷ A central variable common to many definitions is sovereignty’s *inherent* presence.¹⁸ Sovereignty cannot be granted to a people; rather, it derives from the collective will of the community – an important point contradicting U.S. claims that “tribal sovereignty” is necessarily constrained, incomplete, or dependent on U.S. grants of authority.¹⁹ Chickasaw scholar Amanda Cobb argues that “at base, sovereignty is a nation’s power to self-govern, to determine its own way of life, and to live that life – to whatever extent possible – free from interference.”²⁰ She emphasizes an Indigenous understanding of sovereignty as a people’s right to live in accordance with their own political and legal traditions.²¹ Lumbee political scholar David Wilkins similarly asserts that “tribal sovereignty is the intangible and dynamic cultural force inherent in a given indigenous community, empowering that body toward the sustaining and enhancement of political, economic, and cultural integrity.”²²

The legal and conceptual complications surrounding sovereignty speak to the term’s power and the battles that inevitably ensue when it is asserted.²³ Sovereignty is contested among Western political thinkers. It is contested between American Indians and the U.S. government. It should therefore come as no surprise that sovereignty is also contested among Indigenous scholars and activists. The term began to dominate Indigenous political discourse in the mid-1960s and has remained prevalent and powerful. But sovereignty is not without Indigenous critique: some scholars question the use of the term altogether. Taiaiake Alfred asserts that the United States’ and Canada’s positions on Indigenous nations’ sovereignty vary depending on context: sometimes they flatly deny it, and sometimes they theoretically accept it within a framework of federal Indian law that works to subjugate Indigenous political authority.²⁴ Alfred reminds us that the “actual history of our plu-

ral existence has been erased by the narrow fictions of a single sovereignty. Controlling, universalizing, and assimilating, these fictions have been imposed in the form of law on weakened but resistant and remembering peoples.”²⁵ Alfred critiques sovereignty for its alliance with Enlightenment theory, which weds sovereignty with supremacy, coercion, and homogeneity.

The history of American Indians’ pursuit of sovereignty within the American political system has been marked by both coercion and assertions of American supremacy. Though the United States continued to sign executive agreements with Indigenous nations into the early twentieth century, Congress effectively brought an end to treaty-making with tribes in 1871, making a significant shift away from negotiation to unilateral imposition of legislation and administrative oversight. By the 1880s, Congress aggressively moved to assimilate Indigenous peoples – to transform them and thus disappear their sovereignty. Allotment policies privatized Indigenous communal land holdings, resulting in an additional loss of 90 million acres of land.²⁶ Indigenous political authority was further undermined by the dismantling of Indigenous families: boarding schools separated Indigenous children from families and communities and attempted to “Americanize” children by stripping them of heritage cultures, languages, and traditions.

Despite these assaults, Indigenous nations fought to protect their sovereignty. Some turned inward, ensuring that the philosophies, traditions, and languages that give meaning to Indigenous legal and political traditions remained intact in the face of legislative assaults and rapid encroachment on Indigenous lands. Others turned to the courts again and again to call on the United States to honor treaties recognizing the sovereign authority of Indigenous nations over their lands and citizenry. Indeed, the courts were provided ample opportunity to define

the contours of Indigenous nations' sovereignty. The Supreme Court upheld tribal sovereignty in *Ex Parte Crow Dog* (1883), for example, recognizing tribal nations' criminal jurisdiction over crimes committed by one Native person against another within Indian Country. But in the final sentences of this decision, the Court noted that it could only depart from this treaty-protected authority if Congress made a clear expression of intent.²⁷

Taking the cue, Congress passed the Major Crimes Act one year later, granting federal criminal jurisdiction over Indigenous peoples within Indian Country. Indigenous nations protested this violation of their treaties. Instead of providing protection, the Court authorized Congressional powers over Indigenous nations. This birthed the legal doctrine known as *plenary power* by asserting that "the power of the General Government over these remnants of a race once powerful, now weak and diminished in numbers, is necessary to their protection, as well as to the safety of those among whom they dwell." Plenary power was expanded again in 1903 to support Congressional legislation, even if it directly violated treaty provisions.²⁸ These cases gave rise to the assertions that Congress had not just exclusive authority over Indigenous nations – a constitutionally supported claim – but also unlimited and absolute authority over Indigenous nations, despite the lack of constitutional support for this argument.

The tribal sovereignty and plenary power doctrines have placed tribal nations in a legal bind. The courts have protected tribes' sovereignty by recognizing that Indigenous law is not beholden to the U.S. Constitution,²⁹ by recognizing that tribal nations retain the authority to define their own citizenship, and by accepting that employment preferences in Bureau of Indian Affairs hiring are consistent with Indigenous peoples' unique legal status.³⁰ Congress has also restored some aspects of Indigenous sover-

eign authority that had been stripped by the courts.³¹ Nonetheless, the corpus of federal Indian law developed after the landmark Cherokee cases has created more confusion than clarity about Indigenous nations' political authority, complicating the meaning and exercise of sovereignty for Indigenous nations, the federal government, and states.

Indigenous nations have continually pressed for recognition of their sovereignty and protection of their treaty rights. Those nations include the Lake Superior and Mississippi Bands of Ojibwe – which takes us back to the Nenabozho story that opens this essay. In it, two brothers dropped their decoy through a hole in the ice outside reservation boundaries and invited arrest, because their ancestors had protected their right to do so in treaties with the United States. The courts upheld Ojibwe treaty rights first in the *Lac Courte Oreilles v. Wisconsin (Voigt)* decisions in Wisconsin and subsequently in the 1999 *Minnesota v. Mille Lacs* decisions, in which the Supreme Court affirmed that treaty rights had not been extinguished. These were important victories. But such tribal interests were upheld in only five of twenty-eight Supreme Court cases heard between 1991 and 2000.³² Thus, many Indigenous nations, including the Ojibwe, have sought other arenas in which to exercise and protect sovereign authority.

Following the *Voigt* decisions, the Lake Superior Ojibwe Bands created an inter-tribal natural resource management and regulatory agency, the Great Lakes Indian Fish and Wildlife Commission (GLIFWC), to conserve and manage the Tribes' treaty-protected natural resources, protect the habitats and ecosystems that support those resources, develop and enhance institutions of tribal self-governance, and preserve Ojibwe traditional and cultural pursuits. In these pursuits, the GLIFWC has effectively utilized Memorandums of Understanding (MOUs) to negotiate and collaborate with various municipalities, fed-

Heidi Kiiwet-
inepinesiik
Stark &
Kekek Jason
Stark

eral agencies, and service providers. For example, 2018 will mark the twentieth anniversary of an MOU regarding Tribal–USDA Forest Service Relations on National Forest Lands within the “ceded” territories of the 1836, 1837, and 1842 treaties. This mutually beneficial agreement facilitates cooperation among the tribes and the Forest Service while enabling the Forest Service to better meet federal trust obligations to the Lake Superior Ojibwe Bands. The MOU has been recognized at the regional and national levels for “its innovations and effectiveness at advancing relations between the Forest Service and the tribes,”³³ demonstrating that localized negotiations and collaborations may represent a better stage for sovereignty struggles than contentious litigation, which has produced wildly contradictory positions on the sovereign authority of Indigenous nations.³⁴ Nonetheless, one thing is clear: whether in negotiation, collaboration, or litigation, sovereignty remains a central issue in Indigenous-state relations.

For Indigenous nations, sovereignty animates relationships: relationships with the land, water, animals, and plants; and relationships with one another. When encroaching federal and state authorities have harmed the relationships among Indigenous lands and citizens, Indigenous nations have turned to the courts. Indige-

nous leaders remain hopeful, however, that we can move away from contentious litigation and limiting legislation and return to negotiation to build and renew mutually beneficial relationships.

That, indeed, is the lesson of *Nenabozho Goes Fishing*. When he cut his hole in the ice, dropped his decoy in the water, and invited the game warden to arrest him, Nenabozho meant to use the courts to establish recognition of a particular aspect of Ojibwe sovereignty – the right to fish – as guaranteed and protected in the 1837 treaty, an agreement between two sovereigns entailing rights for both. But Nenabozho was also simply *fishing*, thinking as he did of the larger world of relationships outside the world of courts and congresses, instead focusing on a relationship of laws and ethics and right behavior toward one another. He wanted us not to focus on *who* had authority to make decisions, but instead to consider *how* we might act.³⁵ He hoped to bring forward the older ways of relating to one another that were built into the early treaties with creation. He imagined a relationship that focuses not on the rights retained or attained via treaties, but rather on the responsibilities and duties we have to one another and to creation.³⁶ These are the relationships Indigenous people want with other sovereign political entities – relationships oriented toward a mutual future.

ENDNOTES

¹ Nicholas James Reo and Kyle Powys Whyte, “Hunting and Morality as Elements of Traditional Ecological Knowledge,” *Human Ecology* 40 (2012): 15–27; Larry Nesper, “Negotiating Jurisprudence in Tribal Court and the Emergence of a Tribal State: The Lac Du Flambeau Ojibwe,” *Current Anthropology* 48 (5) (2007): 675–699; and Andy Favorite, “Waawaashkeshi & Asemaa: A Story for Hunters, Gatherers and Fishermen,” *Anishinaabeg Today*, April 25, 2011.

² Great Lakes Indian Fish and Wildlife Commission, “Crossing the Line: Tribble Brothers,” YouTube video, October 27, 2016, <https://www.youtube.com/watch?v=KSpEGhWR44Q>. See also Erik M. Redix, *The Murder of Joe White: Ojibwe Leadership and Colonialism in Wisconsin* (East Lansing: Michigan State University Press, 2014).

³ “Treaty with the Chippewa,” July 29, 1837, 7 Stat., 536, in *Indian Affairs*, vol. 2, ed. Charles J. Kappler (Washington, D.C.: Government Publishing Office, 1904), 491–492.

- ⁴ Heidi Kiiwetinepinesiik Stark, "Changing the Treaty Question : Remedying the Right(s) Relationship," in *The Right Relationship: Reimagining the Implementation of Historical Treaties*, ed. John Borrows and Michael Coyle (Toronto: University of Toronto Press, 2017).
- ⁵ "Treaty with the Chippewa," July 29, 1837, 7 Stat., 536.
- ⁶ Great Lakes Indian Fish and Wildlife Commission, "Crossing the Line."
- ⁷ Jill Doerfler, Niigaanwewidam James Sinclair, and Heidi Kiiwetinepinesiik Stark, eds., *Centering Anishinaabeg Studies: Understanding the World through Stories* (East Lansing: Michigan State University Press, 2013).
- ⁸ Larry Nesper, *The Walleye War: The Struggle for Ojibwe Spearfishing and Treaty Rights* (Lincoln: University of Nebraska Press, 2002).
- ⁹ Chantal Norrgard, *Seasons of Change: Labor, Treaty Rights, and Ojibwe Nationhood* (Chapel Hill: University of North Carolina Press, 2014).
- ¹⁰ Ibid.
- ¹¹ Matthew L. M. Fletcher, "Treaties as Recognition of the Nation-to-Nation Relationship," in *Nation to Nation: Treaties Between the United States & American Indian Nations*, ed. Suzan Shown Harjo (Washington, D.C.: National Museum of the American Indian in association with Smithsonian Books, 2014), 34.
- ¹² *Cherokee Nation v. Georgia*, 30 U.S. 1 (1831).
- ¹³ *Worcester v. Georgia*, 31 U.S. 515 (1832).
- ¹⁴ Charles F. Wilkinson, *Blood Struggle: The Rise of Modern Indian Nations* (New York: Norton, 2005), 118.
- ¹⁵ See, for example, Alexander Hamilton, James Madison, and John Jay, *The Federalist: A Collection of Essays Written in Favour of the New Constitution, as Agreed Upon by the Federal Convention, September 17, 1787* (New York: Coventry House Publishing, 1788); John Locke, *Two Treatises of Government*, ed. Peter Laslett (Cambridge: Cambridge University Press, 1966); Jean-Jacques Rousseau, *The Social Contract* (Philadelphia: Hafner Publishing Co., 1955); and Carl Schmitt, *Political Theology: Four Chapters on the Concept of Sovereignty*, trans. George Schwab (Chicago: University of Chicago Press, 2005).
- ¹⁶ Wilkinson, *Blood Struggle: The Rise of Modern Indian Nations*, 54; and Joanne Barker, *Sovereignty Matters: Locations of Contestation and Possibility in Indigenous Struggles for Self-Determination* (Lincoln: University of Nebraska Press, 2005).
- ¹⁷ Barker, *Sovereignty Matters*; Felix S. Cohen, *Cohen's Handbook of Federal Indian Law* (Newark, N.J.: Lexis Nexis, 2005); David E. Wilkins, *American Indian Sovereignty and the U.S. Supreme Court: The Masking of Justice* (Austin: University of Texas Press, 1997); David E. Wilkins, "A Constitutional Conundrum: The Resilience of Tribal Sovereignty During American Nationalism and Expansion: 1810 – 1871," *Oklahoma City University Law Review* 25 (1 & 2) (2000); David E. Wilkins and K. Tsianina Lomawaima, *Uneven Ground: American Indian Sovereignty and Federal Law* (Norman: University of Oklahoma Press, 2001); Charles F. Wilkinson, *American Indians, Time, and the Law: Native Societies in a Modern Constitutional Democracy* (New Haven, Conn.: Yale University Press, 1987); Rebecca Tsosie and Wallace Coffey, "Rethinking the Tribal Sovereignty Doctrine: Cultural Sovereignty and the Collective Future of Indian Nations," *Stanford Law and Policy Review* 12 (2) (2001); Amanda J. Cobb, "Understanding Tribal Sovereignty: Definitions, Conceptualizations, and Interpretations," *American Studies* 46 (3 & 4) (2005); Vine Deloria, Jr., "Self-Determination and the Concept of Sovereignty," in *Economic Development in American Indian Reservations*, ed. Roxanne D. Ortiz (Albuquerque: University of New Mexico Native American Studies, 1979); and Vine Deloria, Jr., "Intellectual Self-Determination and Sovereignty: Looking at the Windmills in Our Minds," *Wíčazo Ša Review* 13 (1) (1998).
- ¹⁸ Cobb, "Understanding Tribal Sovereignty," 117.
- ¹⁹ Ibid., 117, 124.

Nenabozho ²⁰ Ibid., 118.

Goes Fishing:
A Sovereignty ²¹ Ibid.

Story ²² David E. Wilkins, *American Indian Politics and the American Political System* (Minneapolis: Rowman & Littlefield Publishers, 2002), 48.

²³ Deloria, Jr., "Self-Determination and the Concept of Sovereignty"; Alfred Taiaiake, "Sovereignty," in *A Companion to American Indian History*, ed. Philip Joseph Deloria and Neal Salisbury (Malden, Mass.: Blackwell Publishers, 2002); Deloria, Jr., "Intellectual Self-Determination and Sovereignty"; Scott Richard Lyons, "Rhetorical Sovereignty: What Do American Indians Want from Writing?" *College Composition and Communication* 51 (3) (2000); Scott Richard Lyons, *X-Marks: Native Signatures of Assent* (Minneapolis: University of Minnesota Press, 2010); Robert Allen Warrior, *Tribal Secrets: Recovering American Indian Intellectual Traditions* (Minneapolis: University of Minnesota Press, 1995); Tsosie and Coffey, "Rethinking the Tribal Sovereignty Doctrine"; and Lisa Ford, *Settler Sovereignty: Jurisdiction and Indigenous Peoples in America and Australia, 1788 – 1836* (Cambridge, Mass.: Harvard University Press, 2010).

²⁴ See Taiaiake Alfred, "Sovereignty," in *Sovereignty Matters: Locations of Contestation and Possibility in Indigenous Struggles for Self-Determination*, ed. Joanne Barker (Lincoln: University of Nebraska Press, 2005), 34.

²⁵ Ibid., 33 – 34.

²⁶ David E. Wilkins and Heidi Kiiwetinepinesiik Stark, *American Indian Politics and the American Political System* (Lanham, Md.: Rowman & Littlefield, 2017).

²⁷ *Ex Parte Crow Dog*, 109 U.S. 556 (1883). See also Sidney L. Harring, *Crow Dog's Case: American Indian Sovereignty, Tribal Law, and United States Law in the Nineteenth Century* (Cambridge and New York: Cambridge University Press, 1994).

²⁸ *Lone Wolf v. Hitchcock*, 187 U.S. 553 (1903).

²⁹ *Talton v. Mayes*, 163 U.S. 376 (1896); *U.S. v. Wheeler*, 435 U.S. 313 (1978); and *U.S. v. Lara*, 541 U.S. 193 (2004).

³⁰ *Santa Clara Pueblo v. Martinez*, 436 U.S. 49 (1978); and *Morton v. Mancari*, 417 U.S. 535 (1974).

³¹ See *U.S. v. Lara*, 541 U.S. 193 (2004).

³² David H. Getches, "Beyond Indian Law: The Rehnquist Court's Pursuit of States' Rights, Color-Blind Justice and Mainstream Values," *Minnesota Law Review* 86 (267) (2001): 267 – 362.

³³ United States Forest Service, "Tenth Anniversary of the Memorandum of Understanding Regarding Tribal – USDA Forest Service Relations on National Forest Lands within the Ceded Territory in Treaties 1836, 1837 and 1842: Retrospective Report 1998 – 2008," 2008, https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb5117633.pdf.

³⁴ David E. Wilkins, "The Manipulation of Indigenous Status: The Federal Government as Shape Shifter," *Stanford Law and Policy Center* 12 (2) (2001).

³⁵ Gordon Christie, "Indigeneity and Sovereignty in Canada's Far North: The Arctic and Inuit Sovereignty," *The South Atlantic Quarterly* 110 (2) (2011): 330.

³⁶ Stark, "Changing the Treaty Question."

Recognition, Antiracism & Indigenous Futures: A View from Connecticut

Amy E. Den Ouden

Abstract: This essay is offered as a tribute to Golden Hill Paugussett Chief Big Eagle and his defiance of the entrenched racism to which his tribal community has been subjected. I situate this analysis in Connecticut in the early 1970s at a moment of particular historical significance in tribal nations' centuries-long struggles to assert their sovereignty, defend reservation lands, and ensure their futures. I analyze how the racialization of Native peoples in Connecticut informed the state's management of "Indian affairs" in this period and argue that the virulent racism of the state's antirecognition policy in the late twentieth century reflects a long history of institutionally embedded racist policies and practices. In this essay, I call for politically engaged, antiracist research that is concerned with understanding the complexities of tribal sovereignty asserted in local contexts in which governmental control of Indian affairs reproduces and validates White-supremacist ideology.

AMY E. DEN OUDEN is Associate Professor of Women's, Gender, and Sexuality Studies at the University of Massachusetts Boston. She is the author of *Beyond Conquest: Native Peoples and the Struggle for History in New England* (2005) and editor of *Recognition, Sovereignty Struggles, and Indigenous Rights in the United States* (with Jean M. O'Brien, 2013). Her essays on Indigenous land rights, Native New England, and tribal sovereignty have appeared in such journals as *History and Anthropology* and *American Anthropologist* and the recent volumes *Sources and Methods in Indigenous Studies* and *The World of Indigenous North America*.

Chief Big Eagle (Aurelius H. Piper, Sr.) died in August of 2008 on the one-quarter-acre reservation of the Golden Hill Paugussett Tribe in Trumbull, Connecticut. He was ninety-two and had been the Paugussetts' hereditary tribal leader for over four decades. Those who knew him likely remember him as a force for justice who spoke in unvarnished terms about Native people's everyday experiences of oppression and racism in Connecticut.¹ His fight for the future of his tribal nation drew broad public attention in the mid-1970s, well before federal acknowledgment petitions and tribally owned casinos became the focus of racist hostility in southern New England.² In March 1974, *The New York Times* published an interview with Chief Big Eagle entitled "Connecticut Indians Act to Reclaim Reservation," which detailed the Paugussetts' legal effort to reclaim nineteen and three-fourths acres of historical reservation land of which they had been wrongfully dispossessed. Those among the *Times*' national readership who had

followed media coverage of Indian activism at Alcatraz and Wounded Knee may not have imagined Connecticut as a site of Indian resistance (or even, perhaps, of living Indian people). Yet in this article, the *Times* directed wider public attention to the Chief of “the 100-member Golden Hill Tribe” defending “the nation’s smallest reservation,” and asserting the Tribe’s rights to other Paugussett ancestral lands.³ In their essential study of the Indian resistance movement of the 1960s and 1970s, Paul Chaat Smith and Robert Allen Warrior write that when Indians of All Tribes occupied Alcatraz Island in November of 1969, the press recognized it as “history in the making.” The *Times* depicted the Paugussetts’ land rights struggle in a similar light. Accompanying the article was a striking photograph of Chief Big Eagle sitting on a tree stump in front of the sole house on the reservation.⁴ Looking away from the camera, his hat resting on his knee and his arms folded, he appears relaxed, certain, and focused on the land.

This essay is offered as a tribute to the life of Chief Big Eagle and his leadership, particularly his defiance of the virulent racism to which his tribal community has been subjected. The cultural and political foundations of the idea of “race” are ancient, but the ways in which racial categories and racist practices have been bureaucratically produced and normalized in the modern era indicate that race remains central to governmental tactics of control. In this essay, *racialization* refers to the imposition of politically calculated and fictitious notions of racial identity on Native individuals and Native communities. Connecticut history stands as an archetypal example of this practice. “Indian Affairs” – the official government apparatus created primarily to manage Native peoples’ reservation lands and to administrate the state’s understanding of Indigenous issues – must be investigated as a domain of strategic racialization

of Indianness and of the rights of tribal nations. The moment when Chief Big Eagle was interviewed by *The New York Times* in 1974 marked a crucial juncture in Paugussett tribal history and the state-tribal relationship in Connecticut. Chief Big Eagle, along with other tribal leaders and activists, directly and publicly challenged Connecticut’s twentieth-century governmental regime of Indian Affairs.

Racialization obscures and undermines the legal rights of Native peoples as well as their existence as sovereign political bodies.⁵ In Connecticut, racialization has presented tribal sovereignty as a threat and a fiction. For example, governmental scrutiny of tribal identities fosters White-supremacist notions of racial “illegitimacy,” which inform public assumptions about Indianness and the rights of tribes. Racialization operates in federal recognition struggles and is especially pernicious in its attacks on tribal communities whose members have African American ancestry. As Indigenous studies scholar Brian Klopotek has shown, “a complicated tangle of racial projects and colonialism [are] at work” in such cases, impacting tribal well-being and sometimes stoking racism within tribal communities themselves. Yet unfolding histories of tribal sovereignty in the United States also demonstrate the ways in which Native people have contested and exposed racialization projects.⁶

Connecticut’s policies and practices of “managing” Indians and suppressing tribal sovereignty prior to federal recognition struggles provide a case study of the racialized targeting of state-recognized tribes. Connecticut’s “Indian affairs” agenda has promoted racialized notions of Indian identity based on the foundational White-supremacist construct of “racial purity” and the assessment of Native identities according to spurious calculations of “Indian blood” (commonly known as “blood



Source: Edward Hausner, *The New York Times*.

quantum”). Examples of governmental debate and policy formation in Connecticut demonstrate how anti-Indian, anti-African American, and anti-“minority group” White-supremacist thought underlies the state’s attempts to trivialize and undermine Native peoples’ rights to their homelands and to their existence as tribal communities.

The early 1970s marked a significant turn in Connecticut’s tribal nations’ centuries-long struggle to defend their reservation lands and ensure their futures. The state of Connecticut transferred Indian Affairs from its Welfare Department to the Department of Environmental Protection. The change was due in large part to tribal nations’ political mobilization and assertion of their right to live on their reservation lands. Native activism brought wider public attention to tribal communities and

to reservation lands as sites of resistance to state-sponsored injustice and racist practices. In Connecticut, however, entrenched racialization sanctioned the state’s anti-federal recognition policy of the late twentieth and early twenty-first centuries, which targeted Golden Hill Paugussetts and other tribal communities as “illegitimate” tribes and “frauds.” Chief Big Eagle’s account of the injustice his tribe endured demonstrates that Connecticut reservation lands are central to an analysis of twentieth-century struggles for Indigenous self-determination.

These struggles for self-determination in the face of state genocide stretch back to the seventeenth century. The original eighty-acre Golden Hill reservation was established in 1659 in Fairfield, a town founded two years after the May 1637 massacre

of hundreds of Pequots – including many women and children – at their fort in Mystic, Connecticut.⁷ Colonizers valorized the attempt to annihilate the Pequot nation as a supreme moment of conquest whose brutal violence would cow all Native peoples within the territory claimed by Connecticut. Major John Mason, an infamous leader of the massacre, extolled its horrors, describing the Pequots' suffering as their fort was set on fire: "God was above them," he boasted, "making them as a fiery Oven . . . filling the Place with dead Bodies. . . . And thus in little more than one Hour's space was their impregnable Fort with themselves utterly destroyed."⁸

Paugussetts, Mohegans, Western Niantics, and Pequot survivors struggled to remain within their homelands in the aftermath of the massacre. Pequots' refusal to relinquish their homeland defied the 1638 Treaty of Hartford, which declared that Pequots had ceased to exist. Their resistance led to the creation of three Pequot reservations: at Noank (1651), Mashantucket (1666), and Stonington (1683).⁹ In 1680, leaders from Paugussett, Pequot, Mohegan, and Western Niantic tribal communities met with Connecticut officials, seeking government protection for their reservations. The resulting law stipulated that reservation lands were to be preserved in perpetuity for tribal communities and forbade any attempt to sell or purchase reserved lands.

By 1680, the colony institutionalized a reservation system, along with government surveillance of tribal communities holding collective rights to reservation lands.¹⁰ The colony appointed Anglo men as reservation "guardians," but they often perpetrated or facilitated the theft of reservation lands. Native people in eighteenth-century Connecticut sought justice in the colonial legal system nevertheless, documenting aggressions and invasions by Anglo "neighbors" and their livestock.

Tribal communities' petitions recounted destruction of agricultural plots, threats and acts of violence against reservation communities, and extreme poverty. In the context of the reservation system, however, colonial legality was a refuge for colonial lawlessness.¹¹ During the Mohegan land case (*Mohegan Indians v. Connecticut*), colonial officials introduced the notion of impending "extinction" to legalize dispossession of the Mohegan people. A 1721 act of the Connecticut General Assembly proclaimed that what remained of the reservation would be turned over to the town of New London "when the whole nation, or stock of said Indians are extinct."

A 1774 report of Mohegan reservation overseers reflects the racial notions that shaped the monitoring of reservation land and tribal communities at that time: "interlopers from other Tribes & Straggling Indians & Molattoes have cro[w]ded themselves in" the remaining Mohegan reservation, they claimed. Mohegan Zachary Johnson, who had allied with the colony against the land suit and "incurd ye Dislike of many" Mohegans, was described by officials in 1783 as "of pure Mohegan Blood," "almost the only inveterate opposer" of the land suit, and "a staunch Friend to the colony or State." Thus, the colonial classification of racial "purity" was to have been Johnson's reward for disavowing his tribal community and urging that Mohegans who supported the land suit "ought to be cast off" the reservation.¹²

The examples above demonstrate that notions of "purity of blood" were deployed in Connecticut well before the U.S. federal government imposed the notion of "blood quantum" in the 1887 General Allotment Act, or Dawes Act.¹³ From the colonial period into the twenty-first century, Connecticut has been a critical location of governmental racialization of Indian identity.

In the late twentieth century, racialization operated as a weapon intended to

deny the legitimacy of tribal communities petitioning for federal acknowledgment as well as federally acknowledged tribes planning to establish casinos. One example is Donald Trump's widely publicized racist slander against the Mashantucket Pequot Tribal Nation, uttered during his 1993 testimony before a Congressional committee scrutinizing Indian gaming: "They don't look like Indians to me." As former Connecticut Attorney General (now Senator) Richard Blumenthal led the state's efforts to oppose the federal acknowledgment petitions of Paugussetts, Eastern Pequots, and Schaghticokes, Trump targeted the Mashantucket Pequots and their right as a federally acknowledged tribe to establish a casino in accordance with the Indian Gaming Regulatory Act of 1988. In 2016, a *Washington Post* article argued that Trump's belief that "dark-skinned Native Americans in Connecticut were faking their ancestry" reflected his racism.¹⁴ The interlinkage of Trump's anti-Black and anti-Indian racism and his promotion of the fallacy of "racial purity" echoes the state's entrenched strategy of denigrating tribal communities petitioning for federal recognition.

In July 1993, a Golden Hill Paugussett land claim was in the courts and the Tribe's federal acknowledgment petition was about to be reviewed by the federal Bureau of Indian Affairs. That month, the *Hartford Courant*, Connecticut's largest newspaper, ran a cartoon by Robert Englehart titled "The Golden Hill Paugussetts (A Very Small Tribe of African-American Native Americans)." The image includes six heads, grossly caricatured according to the cartoonist's racist conceptualization of "Blackness," under which six names are assigned: "Chief Dances With Lawyers," "Chief Lotta Bull," "Chief Running Joke," "Chief Flipping Bird," "Chief Rolling Dice," and "Chief So Sioux Me."¹⁵ The cartoon's appallingly racist language and imagery constitute a concrete form of violence – an intentional

assault on Native lives and identities, striking at core principles of kinship and community. Such assaults are not random, nor are they merely a "reaction" or "backlash" against tribal sovereignty; they are historically embedded, normalized, and government-sanctioned tactics of domination, tied to the routine practices of White rule in the bureaucratic "management" of Indian tribes and their land rights.

The *Times* story on Chief Big Eagle opens with a summary of "Indian affairs" in Connecticut during the early 1970s that reflects the complex and troubling ways in which Indian identity and Indian existence within the state were framed and validated for a non-Native public audience:

The beginnings of a legal effort to reclaim Indian lands in Connecticut is under way now, the result of a recent administrative shakeup in the state's handling of Indian affairs, the creation for the first time of a tribal council [the intertribal Connecticut Indian Affairs Council], and the nationwide reawakening among Indians. There are 2,222 people who told 1970 Census takers in Connecticut that they were Indians.¹⁶

The trope "Indian reawakening" is misleading; the suggestion that the political consciousness of Native people had ever been "asleep" is now widely considered a projection of the jostled consciousness of White Americans becoming aware of Native resistance while perhaps not yet recognizing the long history and multiple forms of violence employed to thwart that resistance. The idea that a "nationwide reawakening among Indians" propelled the actions of Native peoples in Connecticut at the time also undercuts the significance of the deep local roots of Indian activism in the region. Perhaps most significant in this opening passage from the *Times* article is the reference to the 1970 Census, which conveys the power of bureaucratic accounting of Indian

Amy E.
Den Ouden

existence, foreshadowing how that power would be employed in Native peoples' future struggles to assert their rights as tribal nations. The *Times'* use of the population statistic draws attention to the political agency of Native people, but only those made "officially" visible as Native by the state.

As noted above, in 1973, Public Act 73-660 established the Connecticut Indian Affairs Council (CIAC), defining the five state-recognized tribes as "self-governing entities possessing powers and duties over tribal members and reservations" and transferring Indian Affairs to the Department of Environmental Protection (DEP).¹⁷ Schaghticoke Elder and activist Trudie Lamb Richmond noted that tribal citizens seeking to protect their reservations and "take control out of the hands of the Department of Welfare" worked with legislators to craft an earlier bill that would have established an Indian Affairs *Commission* rather than Council. The Commission was planned as a state agency headed by Indians and empowered to "tak[e] many of the old state statutes off the books, which had discouraged Indians from remaining on the reservations." That bill was passed in 1971, but Connecticut Governor Thomas Meskill "refused to sign the bill" because "he did not feel there were a sufficient number of Indians" to "justify the creation of another agency."¹⁸

While the passage of PA 73-660 two years later seems to have marked a policy shift in a positive direction, we must consider what legislators said they wanted to accomplish. Some supporters expressed the desire for what might be viewed as progressive policy on Indian rights. Perhaps such sentiments were to be expected of legislators in Connecticut, the first state in the country to establish a Civil Rights commission (in 1943). However, can we say that the legislative debate in 1973 reflected "White consciousness" of the racism that impacted the lives of Native peo-

ple in the state? Did the legislative debate imply the emergence of antiracism in the state's approach to its relationship with tribal communities?¹⁹ There was a tone of serious commitment in some of the legislators' remarks:

I rise in support of this amendment primarily because we have lived in a century of dishonor in relationship with our Indians. The Wounded Knee that currently gathered a headline should be ample evidence that there is need for Indians to control their affairs. Let us not live in another century of dishonor on this particular piece of legislation.²⁰

Another described the bill as a way to "bring recognition to an area of our minority population which has gone unheralded and unnoticed for many years." Such phrases as "our Indians" and "our minority population" might be described merely as patronizing, but a discourse of White supremacy runs more starkly throughout the record of the debate, and on both sides of it. One supporter of the bill prefaced his remarks with "I'm sorry I don't have my feathers this morning." Another identified himself as "a past Sachem of the approved order of Redmen, where no red men need apply."²¹ His position: "if after some three hundred years we can't raise the status of the Indian to a first-class citizen . . . I'll sit down." This legislator may have been engaged in some examination of his previously held beliefs, perhaps even mocking the White-supremacist organization "Improved Order of Redmen," which continues to exist today.²² But the transcript of the debate suggests that it was difficult for the legislators to talk about Native people in ways that explicitly condemned and rejected racial ideology and racist ridicule.

The legislators' banter even suggests exuberance, as if some had anticipated such a forum in which to publicly employ caricatures of Indianness and outdo each other in making such comments:

THE DEPUTY SPEAKER:

The gentleman from the 104th wants to shoot again.

REP. AJELLO: (104th)

I will support the bill but I just want to correct one error. . . . The Indians had first class status before we got here and took it away, sir.

THE DEPUTY SPEAKER:

The gentleman from the 70th.

REP. AVCOLLIE: (70th)

Mr. Speaker, I'll support the bill. . . but one question through you –

THE DEPUTY SPEAKER:

Please state your question.

REP. AVCOLLIE: (70th)

[D]oes this make the Governor an Indian giver?

THE DEPUTY SPEAKER:

Maybe the gentleman from the 104th ought to shoot you with the arrow. All members take their seats please. The aisles be cleared. Anyone care to do an Indian dance, let them come down here.²³

To examine this record today is to gain insight into how deeply embedded racial ideology and outright racism shaped the state's conception of "Indian affairs" at the end of the Civil Rights era, even in the context of what some might deem a "pro-Indian" political agenda.

The discourse of the legislative debate discussed above did not represent a racism new to Connecticut; it was certainly not new to members of tribal communities who sought to live on their reservations in the twentieth century. Chief Big Eagle knew all too well what it meant to be "under the thumb of the Welfare Department," as he put it, and how tribal members' efforts to maintain their connection to their reservations were routinely thwarted:

They decided who was Indian and who wasn't, who could live on reservations and who couldn't. You couldn't tell them any-

thing because they didn't care, and you couldn't ask them anything because they didn't know anything. Every time you'd write, the answer would come back that so and so isn't handling Indians anymore. Amy E. Den Ouden

From the *Times*' perspective, "the Indians won a major victory" by "getting control of the state reservations transferred to the more friendly hands" of the Department of Environmental Protection.²⁴ However, according to Lamb Richmond, the victory lay in collaborations among tribal nations in the state; alliance-building with the United Auto Workers union, the Connecticut Civil Liberties Union, and the Connecticut Civic Action Group; continuous discussions with legislators; and vigilance in using the local press to educate Connecticut's non-Native citizenry. But, she concluded, the fact that another state agency had assumed "jurisdiction over Indian people and Indian land," allowing tribal communities an advisory capacity only, was a call to Indian people to work toward more revolutionary changes.²⁵

In 1969, renowned scholar Vine Deloria Jr. – known by many as "the leading indigenous intellectual of the past century"²⁶ – wrote that the Indian civil rights initiatives developed under the Johnson administration constituted "a minor adjustment in the massive legal machinery that had been created over a period of three hundred years."²⁷ He argued that the White civil rights agenda for Indian people would not deter exploitation of Indian homelands or Indian people, nor would it compel White people to confront the fact that "[land] has been the basis on which racial relations have been defined ever since the first settlers got off the boat."²⁸

Deloria's argument is pertinent to my analysis of the routine state-level enforcement of racist ideology. In December 1971, an internal Connecticut DEP memo an-

nouncing the change underway in the state's administration of Indian Affairs stated that "the Welfare Department looks upon this as essentially a land management, rather than a people management problem, since there are not too many Indians in the State." The DEP official added, in parentheses: "Of course, one may take the view, with General Custer, that even one Indian is too many Indians."²⁹ The remark is deeply sinister, endorsing racist violence with a humorous tone. The depth of its destructive power is evident in how comfortably it was expressed – and presumably condoned – in a governmental memo now housed in the State Archives. The archive serves to distance the author of the memo and the state agency from accountability in the present, but research conducted in the late twentieth century as part of tribal communities' petitions for federal acknowledgment exposes many such archival records to scrutiny. These records remain important to analyses of state-sponsored racism, and to documentation of the transformational work accomplished by Native peoples defending their rights and forging their futures in the twentieth century.

The archival records of "Indian Affairs" in Connecticut contain egregious examples of racist ideology targeting tribal communities at their most vulnerable. In 1939, for instance, when the State Park and Forest Commission (PFC) was the "overseer" of "the Indian reservation population,"³⁰ the legislature held a hearing on a bill introduced by a Representative from Groton, "An Act Concerning Certain Land" (H.B. No. 347). The bill proposed to permit the Park and Forest Commission to sell "a portion of the reservation of the eastern tribe of the Pequot Indians" to "three white families" whom the state had allowed to lease the land.³¹ The White families were described as "campers" who lived on the reservation "just in the summer," but who

were nonetheless industrious and deserving of the land because they had "built cottages and good fireplaces." The White campers clearly used the reservation voluntarily to vacation, but claimed the PFC increasing their leasing fee "placed a burden" on them. The Groton Representative insisted that the Whites "did not think the land worth that much money," because "it is rocky and of no value except for camping purposes." When asked if the PFC had "authority to sell this land," the Groton Representative replied: "This land is held in trust as an Indian Reservation. There are a few Indians living there, and they earn most of their livelihood by working for the white people . . . by doing odd jobs for them." As the Chair continued to raise questions, the Groton Representative suddenly changed his assessment of Eastern Pequots on the reservation:

There are no Indians, only six colored families living there. So far as the so-called Indians are concerned, they derive more benefits from the white people, who rent the land, than from any other source. I am at a loss to see any objection to the passage of this bill. The only opposition would be the desire to preserve the land for our fast declining race, but the white people are offering a fair price for this area.³²

Another Representative asked: "Are these Indians pure blooded Indians?" A Representative from Southington replied: "I should say not. Their hair is quite curly."

Racialization operates here as a ruthless political strategy, which is the essence of White supremacy. A government official, speaking on the record, shifts in an instant from acknowledging the presence of Indians to insisting there are no Indians living on the reservation. The insertion of "colored families" into the narrative is intended to justify dispossession and erase Indianness, serving the political motive to exploit the reservation for profit.

Nevertheless, the Eastern Pequots persist as a tribal nation, and their homeland – the 224-acre reservation in North Stonington, established in 1683 – remains central to their struggles to defend their rights as a Native people. The very presence of tribal communities on their reservations has always been both a symbol and an enactment of defiance: in ceremonial contexts, in everyday attempts to make a living on reservation land (even when working for White vacationers who sought to take the land), and in continuous efforts to establish residence on that land in the face of racist policies and practices.

It is no surprise that state opposition to federal recognition in the late twentieth century became a domain of racialization, perpetuating a White-supremacist discourse that promoted an interwoven anti-Indian/anti-Black racism, so publicly expressed in the 1993 Trump remark and the *Hartford Courant* cartoon. The racialization of Native identities and tribal communities in Connecticut's management of Indian Affairs in the twentieth century cannot be detached from the long histories of violence against Native peoples, just as the ongoing history of White-supremacist ideology in the United States has shown itself to be steeped in a tradition of violence. Non-Natives, even those who are committed to antiracist research, may never fully comprehend the violence done to Native peoples by White supremacy and state-sanctioned racist practices. But antiracist researchers can work to expose and track the routine ways in which racialization and its violence operate, while also recognizing and writing about the power of Indigenous defiance.

In 2004, then Connecticut Attorney General Richard Blumenthal referred to Golden Hill Paugussetts' federal acknowledgment effort as a "doomed quest" that had officially been laid "on its deathbed." The

grandiose terminology of righteous victories over purportedly "doomed" Indian tribes runs through the state's antirecognition discourse, which is grounded in an ancient colonial quest of self-legitimization – the very basis of White supremacy.³³ Nonetheless, the Paugussetts continue to resist the state's attempts at erasure. In a 2014 Connecticut Public Radio report about the Paugussetts, Chief Big Eagle's daughter and Golden Hill Paugussett Clan Mother Shoran Piper gave a tribute to her father: "'[He] never, never gave up,' she said. 'Always fought, and continued to fight for his people.'" ³⁴ The report featured a photo of Piper surrounded by her three children, at home on the one-quarter-acre Golden Hill Reservation. Whether or not the photographer knew it at the time, that 2014 image of the Piper family evokes the 1974 *New York Times* photo of Chief Big Eagle, rooted in and overseeing the Golden Hill Paugussett homeland.

The United States must confront the racialization of tribal communities. In this essay, I have analyzed its destructive, tenacious fallacies, particularly the idea of "racial purity," which has been deployed to measure the presumed "dissolution" of Indianness and deny Native rights. Antiracist research is essential to documenting histories of tribal recognition struggles and the ways in which White supremacy has operated to undermine tribal communities. The need for this research in the United States is as urgent now as it was in Connecticut in 1939, 1974, and 1993. As sociologist France Winddance Twine has written, antiracist research requires grappling with "the particular dilemmas racial ideologies and racialized fields generate for researchers," and with what it means to work in "racialized fields of power specifically as antiracists."³⁵ Thus, antiracist methodology calls for academics, educators, and advocates to acknowledge the ways they are enmeshed

in struggles against racialization and White supremacy, as well as the potentially transformational impact of their research.

Commitment to justice lies at the core of scholarship focused on the rights and futures of tribal nations. Indigenous principles and knowledges that sustain community life, including relationships to ancestors and to land, must be respected as central to analyses of self-determination and resis-

tance to racialization. For non-Native academics, commitment to learning from tribal communities, including attending and participating in conferences at tribal colleges, is crucial. Politically engaged, community-based, and antiracist research initiatives require support from conventional academic institutions, and perhaps also a fundamental transformation in their priorities.

ENDNOTES

- ¹ During the early 1990s, I worked as a researcher and writer for the Golden Hill Paugussetts' federal acknowledgment petition.
- ² Anthropologist Katherine Spilde coined the term "rich Indian racism" to describe the particular character of racism directed at economically successful tribal nations in the aftermath of the Indian Gaming Regulatory Act of 1988. Jeff Corntassel and Richard C. Witmer define it as "false images related to indigenous gaming [that] are created and propagated by governmental and media entities." Corntassel and Witmer explain that "rich Indian racism places indigenous peoples in a precarious position, where they constantly have to justify their existence both in terms of the legitimacy of their self-determination powers and proof of the 'authenticity' of their identities." Jeff Corntassel and Richard Witmer II, *Forced Federalism: Contemporary Challenges to Indigenous Nationhood* (Norman: University of Oklahoma Press, 2008), 4.
- ³ Michael Knight, "Connecticut Indians Act to Reclaim Reservation," *The New York Times*, March 15, 1974.
- ⁴ At the time, the Golden Hill reservation in Trumbull was the Tribe's only reservation; in 1980, an additional eighty-acre reservation was established in Colchester, Connecticut.
- ⁵ Bryan McKinley Jones Brayboy's formulation of Tribal Critical Race Theory is an essential theoretical framework in this essay. As he explains, it "provides a way to address the complicated relationship between American Indians and the United States federal government" and a means of analyzing how "American Indians' liminality as both racial and legal/political groups and individuals" has been constructed. Here, I seek to build from this analytical approach, but focusing on state rather than federal government, since Connecticut has asserted itself as an influential authority (both regionally and nationally) on tribal federal acknowledgment and "legitimate tribes." See Bryan McKinley Jones Brayboy, "Toward A Tribal Critical Race Theory in Education," *The Urban Review* 37 (5) (2005): 425 – 446. In a previous essay, I addressed the state's role in the racist targeting of tribal nations petitioning for federal acknowledgment during the 1990s and 2000s. See Amy E. Den Ouden, "Altered State? Indian Policy Narratives, Federal Recognition, and the 'New' War on Native Rights in Connecticut," in *Recognition, Sovereignty Struggles and Indigenous Rights in the United States*, ed. Amy E. Den Ouden and Jean M. O'Brien (Chapel Hill: University of North Carolina Press, 2013).
- ⁶ Brian Klopotek, *Recognition Odysseys: Indigeneity, Race, and Federal Tribal Recognition Policy in Three Louisiana Communities* (Durham: Duke University Press, 2011), 11.
- ⁷ As historian Benjamin Madley explains, the Connecticut colonists explicitly articulated their genocidal intentions, and the attempt to annihilate the Pequot nation was not confined to the massacre committed against Pequots at their fort in Mystic. Enslavement of surviving Pequots was also used as "an attempt to destroy the surviving Pequot community." Benjamin Madley, "Reexamining the American Genocide Debate: Meaning, Historiography, and New Methods," *The American Historical Review* 120 (1) (2015): 120 – 126. Likewise, historian Ben Ki-

ernan explains that “the English targeted any and all Pequots for destruction,” since the “English policy was to ‘utterly root them out.’” Ben Kiernan, *Blood and Soil: A World History of Genocide and Extermination from Sparta to Darfur* (New Haven: Yale University Press, 2007), 232. Amy E. Den Ouden

⁸ John Mason, *Brief History of the Pequot War* (Boston: S. Kneeland and T. Green, 1736), 9. Mason’s account was published at the height of the Mohegan land suit against the colony of Connecticut, in which Mohegans sought restoration of their illegally appropriated reserved lands in New London. In that context, Connecticut promoted the notion that “Pequot Conquest” stood for the conquest of Mohegan people and Mohegan lands as well. See Amy E. Den Ouden, *Beyond Conquest: Native Peoples and the Struggle for History* (Lincoln: University of Nebraska Press, 2005), 11–15, 108–111, 169–176.

⁹ Den Ouden, *Beyond Conquest*, 20–29, 143–180.

¹⁰ For a detailed discussion of the implications of Connecticut’s 1680 reservation law in the eighteenth century, see *ibid.*

¹¹ In their essential analysis of the land theft tactics European Americans employed beyond the colonial period, legal scholars Wenona Singel and Matthew Fletcher explain that “pure brute force” and “abuse of apparent legal authority” – that is, both “physical and political power” – were primary means “of dispossessing Indians and Indian tribes from their lands.” Both are “a product of an abandonment of the rule of law.” Wenona T. Singel and Matthew L. M. Fletcher, “Power, Authority, and Tribal Property,” *Tulsa Law Review* 41 (1) (2005): 35–36.

¹² Den Ouden, *Beyond Conquest*, 189, 193.

¹³ The General Allotment or Dawes Act was a vehicle for imposing and normalizing the racist notion that Indian identity must be quantified numerically. This federal legislation has been widely discussed in the scholarly literature. One of the most important analyses of “blood quantum” in the aftermath of the Dawes Act is that of Indigenous studies scholar Circe Sturm in her groundbreaking book *Blood Politics: Race, Culture and Identity in the Cherokee Nation of Oklahoma* (Berkeley: University of California Press, 2002).

¹⁴ Shawn Boburg, “Donald Trump’s Long History of Clashes with Native Americans,” *The Washington Post*, July 25, 2016, https://www.washingtonpost.com/national/donald-trumps-long-history-of-clashes-with-native-americans/2016/07/25/80ea91ca-3d77-11e6-80bc-d06711fd2125_story.html?utm_term=.fe24a555da34.

¹⁵ Robert Englehart, “The Golden Hill Paugussetts,” *The Hartford Courant*, July 21, 1993. See also my discussion of the image in Den Ouden, *Beyond Conquest*, 201–208.

¹⁶ Knight, “Connecticut Indians Act to Reclaim Reservation.”

¹⁷ For further details on PA 73-660, see General Statutes of Connecticut, Chapter 824, *Indians* (Secs. 47-57 to 47-66j), available at https://www.cga.ct.gov/current/pub/chap_824.htm. Connecticut’s Welfare Department was charged with “the care of the Indian reservation population,” as one state official described it, from 1941 until October 1, 1973, when PA 73-660 came into effect. Assistant Commissioner Kenneth A. Wood, Jr., Department of Environmental Protection Interdepartmental Message, August 16, 1973, Connecticut State Archives, Hartford, Connecticut.

¹⁸ *Ibid.*; and Trudie Lamb Richmond, “A Study of the Development of Indian Affairs in Connecticut: The Basis of Social Change,” paper submitted for graduate seminar in Sociocultural Dynamics, Department of Anthropology, University of Connecticut, April 1974 (personal copy given to the author by Trudie Lamb Richmond).

¹⁹ Here I draw from sociologists Joe R. Feagin and Vera Hernan’s analysis of White antiracism as emerging from “a realistic consciousness of a racist self.” Joe R. Feagin and Vera Hernan, *White Racism: The Basics* (New York: Routledge, 2001), 235.

²⁰ Connecticut General Assembly, House Proceedings, Vol. 16, Part 13, 1973 Session, 6729. The amendment (House Amendment B) referred to House Bill 9191, “An Act Establishing an In-

dian Affairs Council,” which would allow the CIAC to have control of its own funds, rather than the Commissioner of the DEP.

²¹ Ibid., 6721, 6724.

²² See “Improved Order of Redmen – Connecticut” at http://redmenct.org/about_redmen. The website gives a description of the organization as follows: “a patriotic fraternity started by Congress,” which “started in 1765 as the Sons of Liberty, who were the group involved in the Boston Tea Party. They adopted native american clothing, terms, and election system [sic] to run their organization. In 1834 the organization changed its name to the Improved Order of Redmen . . . and still uses native american terminology in our meetings, just like the original order.” The organization’s “national office” is in Waco, Texas.

²³ Connecticut General Assembly, House Proceedings, Vol. 16, Part 15, 1973 Special Session, 7581.

²⁴ Knight, “Connecticut Indians Act to Reclaim Reservation.”

²⁵ Richmond, “A Study of the Development of Indian Affairs in Connecticut.”

²⁶ David E. Wilkins, “Vine Deloria Jr. and Indigenous Americans,” *Wicazo Sa Review* 21 (2006): 151.

²⁷ Vine Deloria, Jr., *Custer Died for Your Sins: An Indian Manifesto* (Norman: University of Oklahoma Press, 1969), 185.

²⁸ Ibid., 178.

²⁹ Memo from Russell Brenneman to Rita Bowlby, Department of Environmental Protection, December 6, 1971, Rita Bowlby, Assistant to the Commissioner, 1973 – 1975, Box 16-2, Record Group 079:001, Connecticut State Archives, Hartford, Connecticut.

³⁰ This is the language used by Connecticut Department of Environmental Protection (DEP) Assistant Commissioner Kenneth A. Wood, Jr. in an August 16, 1973, memo to DEP Commissioners and Assistant Commissioners. Wood discusses the impending transfer of Indian Affairs from the Welfare Department to the DEP. The memo includes a brief section describing the role of the DEP’s Indian Affairs predecessors, the State Park and Forest Commission (1935 – 1941) and the Welfare Department (1941 – 1973). Department of Environmental Protection, Rita Bowlby, Assistant to the Commissioner, 1973 – 1975, Box 16-2, Record Group 079:001, Connecticut State Archives, Hartford, Connecticut.

³¹ “Transcript of Legislative Hearing Regarding H.B. 347, February 28, 1939,” Office of Indian Affairs, Record Group 079:018, Box 18, 33, Connecticut State Archives, Hartford, Connecticut.

³² Ibid., 36.

³³ Michelle Tuccitto, “Golden Hill Paugussetts Lose Bid for Recognition,” *New Haven Register*, October 23, 2004, <http://www.nhregister.com/news/article/Golden-Hill-Paugussetts-lose-bid-for-recognition-11671339.php>.

³⁴ Davis Dunavin, “Federal Rule Change Raises Questions about Federal Recognition in Conn.,” WSHU Public Radio, July 30, 2014, <http://wshu.org/post/federal-rule-change-raises-questions-about-tribal-recognition-conn#stream/0>.

³⁵ France Winddance Twine, “Racial Ideology and Racial Methodology,” in *Racing Research, Researching Race: Methodological Dilemmas in Critical Race Studies*, ed. France Winddance Twine and Jonathan Warren (New York: New York University Press, 2000), 27.

Alaska's Conflicting Objectives

Rosita Kaaháni Worl & Heather Kendall-Miller

Abstract: The formal treaty-making period between the U.S. government and Native peoples ended in 1871, only four years after the United States purchased Alaska from Russia. As a result, Alaska Natives did not enter into treaties that recognized their political authority or land rights. Nor, following the end of the treaty-making period, were Alaska Natives granted the same land rights as federally recognized tribes in the lower forty-eight states. Rather, Congress created the Alaska Native Corporations as the management vehicle for conveyed lands in 1971. The unique legal status of these corporations has raised many questions about tribal land ownership and governance for future generations of Alaska Natives. Although Congress created the Native Corporations in its eagerness to settle land claims and assimilate Alaska Natives, Alaska Native cultures and governance structures persisted and evolved, and today many are reasserting the inherent authority of sovereign governments.

The Bureau of Indian Affairs (BIA) reported in 1936 that it knew little about Alaska Natives. “Alaska is such an immense country, the Indians so widely scattered, and travel frequently is so tedious, slow and expensive that it is very difficult to plan a program,” wrote BIA field representative Oscar H. Lipps. D’Arcy McNickle, who answered directly to the Commissioner of Indian Affairs, added, “even the status of land ownership is an ambiguous one, which in some cases will have to be clarified before organization work can proceed.”¹

The BIA proceeded anyway: the Indian Reorganization Act was extended to Alaska in 1936, recognizing Alaska Native villages as having the same authority as Native tribes elsewhere in the United States. But despite their new legal standing, the status of Alaska Native land ownership remained ambiguous.

What was not ambiguous, however, was the inherent power of Alaska’s tribes.² Federal recognition of a group of Native Americans as a tribe affirms the political relationship between the United States and tribes, which serves to protect the exercise of tribal sover-

ROSITA KAAHÁNI WORL is President of the Sealaska Heritage Institute.

HEATHER KENDALL-MILLER is a Senior Attorney with the Native American Rights Fund.

(Complete author biographies appear at the end of the essay.)

eighty under federal law. Tribal recognition is the legal imprimatur in federal Indian law on which the rights to exercise governmental powers over tribal members, tribal land, and nonmembers on tribal land are based. It is also one of the Department of the Interior's prerequisites for entitlement to the many federal Indian services it administers.

Many early scholars and jurists dismissed the notion that a group of Alaska Natives could constitute a distinct and historically continuous political entity with the same attributes of sovereignty possessed by tribes elsewhere. This assumption rested on the premise that Alaska's history is "unique" because it was the last territorial acquisition of the United States on the North American continent. The Treaty of Cession, whereby the United States purchased Alaska from Russia in 1867, provided that "the uncivilized tribes will be subject to such laws and regulations as the United States may, from time to time, adopt in regard to aboriginal tribes of that country." When the American colonies adopted the U.S. Constitution, tribes were recognized in the Indian commerce clause as separate entities with whom the federal government could deal on the same political basis as foreign states. This was generally done through treaties. But the formal treaty-making period ended in 1871. Consequently, no Alaska Natives entered into treaties that recognized tribal political authority or that ceded or secured recognized title to portions of aboriginal land.

Alaska's remote location, large size, and harsh climate further delayed the need to confront questions concerning the relationship between Indigenous inhabitants and the United States. Nonetheless, Congress enacted laws that provided services to Alaska Natives, protected and preserved aboriginal rights to land and resources, extended provisions of the Indian Reorganization Act to the Territory of Alaska in 1936, and offered opportunities for Alaska

Natives to acquire homestead and townsite allotments via the Alaska Native Allotment Act of 1906 and the Alaska Native Townsite Act of 1926.³ None of these laws, however, purported to address the question of the nature and extent of tribal status or Alaska Native land claims.

It was decades later that several factors galvanized Alaska Natives, the State of Alaska, and Congress to find a resolution to the problem. When Alaska became a state in 1958, the new government was eager to acquire land around Alaska Native villages. However, in 1966, Interior Secretary Stewart Udall announced a freeze on any such land transfers. Two years later, when oil was found in Prudhoe Bay, oil companies paid the State of Alaska nearly \$1 billion for the oil lease. Then those companies needed to construct a pipeline to move oil from the new bonanza in North Slope to the port of Valdez and from there to far-off markets. These events convinced the state of the need to settle the Native land claims and finalize the state's land selections in order to proceed with future oil lease sales and infrastructure projects.⁴

Alaska Natives had no interest in simply recreating the Indian reservation structure and, with the leverage afforded them by the Prudhoe Bay discovery, reached a consensus to negotiate a new approach to land management. Some Alaska Natives had already experimented with for-profit tribal corporations under provisions of the Indian Reorganization Act, which is overseen by the Bureau of Indian Affairs. But the heavy hand of the BIA complicated the management and made it all but impossible to profit from such ventures, so no one wanted the BIA to be the "trustee" of the land. Instead, Alaska Natives supported the conveyance of land under fee simple title (which unlike reservation or trust property can be freely bought or sold) with profit-making, state-chartered corporations as the vehicle for settling land claims.⁵ This arrangement

would give Alaska Native villages and regions more control because fee-patent land could be managed without oversight from BIA bureaucrats in Washington, D.C.

Alaska Natives' ultimate goal was self-determination, and they saw the Alaska Native Claims Settlement Act of 1971 (ANCSA), a lands-claim settlement drawn up by the U.S. Congress, as the pathway. Congress, on the other hand, saw ANCSA as an opportunity to "assimilate" Alaska Natives with corporations, cash, and fee simple title. ANCSA created twelve regional Native corporations (Alaska Native Corporations, or ANCs) as well as more than two hundred village corporations. These entities would receive title to 40 million acres of land and be paid nearly \$1 billion in exchange for the extinguishment of their aboriginal claims to 330 million acres of Alaskan land.

The main goal for both the state and federal governments was to establish clear title to Alaska lands to allow for unimpeded economic development. The new law would transform the communal character of Native societies, beginning with the enrollment of tribal members as individual shareholders of the new corporations. The laws even delimited the future of Alaska tribal societies: initially, only Natives who were alive in 1971 when ANCSA was signed into law were assigned shares, meaning that future generations would have less and less control over the corporations. Another significant problem for Alaska Natives was that the restriction on the sale of stock in Native corporations would be lifted after 1991, potentially leading to the widespread loss of Native control over Alaskan land.

ANCSA also abolished subsistence hunting and fishing rights. Subsistence continues to be a significant source of basic food security for Natives living in rural communities where cash economies are depressed. And, more important, subsistence is the underlying framework of Native culture.⁶

In terms of culture, lifestyle, and attitudes toward land and community, ANCSA clearly favored Western values over Native ones (see Table 1).

Ironically, Congress enacted ANCSA to promote the assimilation of Alaska Natives into the capitalist economy. But there was a twist: the corporations were to share 70 percent of the profits derived from subsurface and timber development with other Alaska Native Corporations. From its inception to the present, this form of socialism has forced the twelve regional Alaska Native Corporations to share an estimated \$3 billion in profits between themselves.⁷

In spite of the corporations' cultural divergence from Native values, Native corporate leaders recognized and made commitments to the preservation of their traditional cultures, as demonstrated by the mission statements adopted by eleven of the twelve regional corporations. Many regional ANCs also created affiliate cultural and educational nonprofit organizations or established dedicated funds to support cultural or educational activities.

In the early 1980s, Alaska Natives began to understand the flaws and dangers of ANCSA, and in 1982, delegates to the Alaska Federation of Natives (AFN) Convention directed the AFN to make the "1991 issue" (referring to the provision in the law lifting restrictions on the sale of stock) a top priority when proposing amendments to the law.⁸

Alaska Natives were also concerned that children born after 1971 were not allowed to become ANC shareholders unless they inherited stock. This restriction conflicted with their traditional values, which held that children born into a tribe are automatically members with full rights to land.

The AFN convened five Native leadership retreats and seven conventions to develop resolutions and amendments to ANCSA to address these problems and concerns.

*Rosita
Kaaháni Worl
& Heather
Kendall-Miller*

Alaska's Table 1
Conflicting Values
Objectives

Western Values	Tribal Values
Individualism	Communal orientation
Land is a commodity	Land embodies social, economic, and spiritual dimensions
Property is transferred through inheritance or purchase	Intergenerational ownership of property is determined by tribal membership

During the 1984 Native leadership retreat, Natives from all parts of the state identified the following common Native values, which became the underlying basis for the 1991 amendments:

1. Tribes are characterized by a *communal orientation* based on an extended kinship system and the sharing of subsistence resources, including collectively raising children. The sharing of resources should be conducted with respect for elders. Sharing and reciprocity serve as bonds uniting tribal members.
2. *Relationship to the land* is similar to the kinship or relationship among families. Additionally, subsistence resources are necessary for food security, physical well-being, and spiritual values. There is a trust obligation to pass land on to children.
3. *Native identity* is based on tribal membership and enrollment in Native corporations.⁹

The AFN proposed a series of amendments, which included protections for undeveloped land and restrictions on stock sales. Then—Secretary of the Interior Donald Hodel opposed the 1991 Native amendments on several fronts, arguing that they would impede the assimilation of Alaska Natives and undermine the primacy of individual rights over group rights. He opposed the automatic extension of restrictions on the sale of ANCSA stock, which

Natives felt were necessary for the protection of Native lands. He also maintained that the issuance of stock to Natives born after 1971 would dilute the value of the settlement for existing shareholders.

Nonetheless, the so-named 1991 ANCSA amendments were signed into law on February 3, 1988.¹⁰ They protected both Native land and corporations by instating automatic protections for undeveloped land; protecting ANCSA lands from taxes, bad debt, and bankruptcy; providing for restrictions on the sale of stock; issuing stock to Natives born after 1971 and others who had missed initial enrollment; and allowing for issuance of stock and special benefits for elders.

The AFN was unable to secure the “tribal option,” which would have allowed Native corporations to transfer lands to federally recognized tribes. Congress insisted that if this land-transfer provision were included in the amendments, a “disclaimer” clause designed to maintain the status quo of tribal rights and governments should also be included, as Congress did not wish to step into the debate regarding tribal sovereignty. The AFN dropped the tribal option, believing that the disclaimer clause would undermine tribal sovereignty.¹¹

As adopted, the 1988 ANCSA amendments recognized the values identified by Alaska Natives at the 1984 leadership retreat, including the communal rights of Alaska Natives, the protection of land own-

ership, and children's rights to land ownership and to their identity. In addition to the cultural and legal protections secured under the 1984 ANCSA amendments, Alaska Native Corporations worked to be federally recognized as tribes for special statutory purposes. One of the first efforts was to secure recognition for the purposes of consultation, primarily in consideration of the large federal land base in Alaska that intersected with ANCSA lands.

However, Native corporate leaders were expressly clear in excluding recognition of regional corporations as governments. This decision has led to ambiguous outcomes for Alaska Native sovereignty and land rights. Four years after the passage of ANCSA, Congress established the American Indian Policy Review Commission to conduct the most comprehensive review of American Indian policy since the 1930s. The Commission's final report, published in 1977, included an examination of the political status of Alaska Natives in the post-ANCSA era. Based on the history of federal dealings with Alaska Natives and of general principles of federal Indian law, the Commission concluded:

The Alaska Native tribes (referring, of course, to the historic and traditional tribal entities, not to the Native corporations organized under the Settlement Act), just as tribes of the lower 48, are domestic sovereigns. They possess all of the attributes and powers normally appertaining to such status, except those that have been denied or taken from them by Congress.

The Commission further concluded that ANCSA did not "effect a termination of the traditional Alaska Native tribes," noting:

The Settlement Act did not alter in any way the legal nature or status of any Alaska Native tribes. Nor did it alter the preexisting relationship between the United States and the Alaska Natives as members of such tribes. Particularly the Settlement Act neither terminated

the tribes nor the status of "Natives" of the members thereof.¹²

*Rosita
Kaahāni Worl
& Heather
Kendall-Miller*

In 1991, the secretary of the interior requested that the solicitor from the Department of the Interior do an analysis on the nature and scope of governmental powers that Native villages could exercise over lands and nonmembers after the passage of ANCSA.¹³

The request was precipitated by emerging case law regarding tribal self-governance issues in Alaska and conflicting jurisprudence between Alaska Supreme Court and federal appellate court decisions.¹⁴ In an exhaustive analysis, the solicitor adopted the conclusions of the Commission but stopped short of specifying which villages were tribes as a matter of law. The Department of the Interior deferred that question to the Bureau of Indian Affairs, which in turn published a list of all federally recognized tribes to "eliminate any doubt as to the Department's intention to expressly and unequivocally acknowledge that the Department has determined that the villages and regional tribes listed . . . are distinctly Native communities and have the same status as tribes in the contiguous 48 states."

One year later, the 1993 Tribal Entities List was ratified by Congress with the passage of the Federal Indian Tribal List Act of 1994. In addition to confirming the secretary's responsibility and authority to recognize tribes, the List Act affirms the sovereign status of such tribes and affirms the United States' obligation – as part of its "trust responsibility" – to maintain government-to-government relations with them.

The recognition of Alaska Native tribes as political bodies with powers of self-government has also been a growing question for the courts.¹⁵ The Alaska Supreme Court found itself bound by the political question doctrine (a constitutional restraint on judicial power to resolve cases that raise

political rather than legal questions) and reversed course in tribal status litigation by finding that the Tribal Entities List “unquestionably” establishes federal recognition of the sovereign status and governmental powers of Alaska villages.

The Alaska Supreme Court also expressly overturned prior precedents that held to the contrary and thereby removed the conflict between state and federal court jurisprudence. The confirmation of tribal status, however, was curtailed in 1998 by the United States Supreme Court’s ruling in *Alaska v. Native Village of Venetie* that while tribes exist as governments, following ANCSA’s passage, they have no territorial reach absent the existence of Indian Country.¹⁶ The question before the Court was whether former ANCSA fee lands qualified as Indian Country for purposes of tribal regulatory jurisdiction.

Alaska v. Venetie held that ANCSA lands do not constitute a dependent Indian community, because that term

refers to a limited category of Indian lands that are neither reservations nor allotments, and that satisfy two requirements – first, they must have been set aside by the federal government for the use of Indians as Indian land; second, they must be under federal superintendence.¹⁷

The Court acknowledged that other forms of Indian Country may exist in Alaska, including allotments of other trust or restricted lands set aside under federal superintendence. While land ownership is not necessarily a prerequisite for Native governmental authority or jurisdiction, there is a “significant geographic component” to tribal jurisdiction over many matters, which means that the lack of “Indian Country” in Alaska poses inherent challenges to the exercise of Native sovereignty.

Another recent decision opened the door to potential expansion of Indian Country in Alaska. In *Akiachak Native Community v. Sala-*

zar, Alaska tribes challenged a provision in the Department of the Interior’s land-into-trust regulations that excludes land acquisitions in trust in the State of Alaska from the scope of regulations. The Tribe argued that they should not be subject to discriminatory treatment in the lands-into-trust context. The Court agreed and noted that ANCSA did not repeal any portion of the Indian Reorganization Act, nor any portion of its 1936 amendments. Having established that ANCSA did not revoke the secretary’s authority to take Alaska lands in trust, the Court next examined the legality of the Alaska Exception and found it inconsistent with the Congressional mandate that the secretary not diminish the privileges available to tribes relative to the “privileges . . . available to all other federally recognized tribes by virtue of their status as Indian tribes.” Consistent with the Court’s opinion, the DOI revised its regulations regarding acquisitions of trust lands in Alaska. Subsequently, the secretary gave notice of final action to acquire approximately 1.08 acres of land underlying the Craig Tribal Association (one of Alaska’s 229 federally recognized tribes) tribal office for economic development and other purposes, setting a precedent for such acquisitions in the future.

Without a geographic component, tribal authority to banish nonmembers from communities to ensure public safety is coming under scrutiny in the courts. In 2003, an Anchorage Superior Court judge upheld the right of the village of Perryville to eject a resident who had a history of alcohol-fueled violence.¹⁸ But no other court has addressed civil liberties concerns by those who have been banished without the benefit of a conviction or a trial by a jury of their peers. A potential violation of civil liberties could be the basis for contesting or placing constitutional limits on tribal jurisdiction in future cases.

Indeed, court decisions over the past twenty-five years, coupled with federal and

state enactments, have confirmed Alaska tribal authority over tribal members and certain discrete subjects. But the result today remains a patchwork of rules that do not enable tribal governments to provide for the rule of law in their communities, thus impeding the general development of civil society in Alaska Native villages. Legislation is needed to enable Alaska tribal nations to comprehensively govern their communities, conferring to the tribes the security, autonomy, and prosperity to which all peoples are entitled.

At an Alaska Tribal Leaders conference in the fall of 2016, tribal leaders called upon the Alaska Congressional Delegation, the president, the secretary of the interior, the attorney general, the Alaska governor, and the Alaska attorney general to unite behind legislation that would treat Alaska Native villages as if their lands were trust lands for the specific purpose of participating in federal initiatives tied to trust land status.

In October 2017, at the Alaska Federation of Natives convention in Anchorage, Alaska, Attorney General Jahna Lindemuth issued a sixteen-page opinion that clarified the state's view of tribal sovereignty. "The law is clear," she wrote. "There are 229 Alaska Tribes and they are separate sovereigns with inherent sovereignty and subject matter jurisdiction over certain matters. Indian country is not a prerequisite for Alaska Tribes' inherent sovereignty or subject matter jurisdiction, but it may impact the extent of that jurisdiction."¹⁹ While there may be questions regarding the "extent of tribal jurisdiction" in Alaska, state recognition of tribal sovereignty forecloses blanket challenges on tribal court jurisdiction over domestic dependent relations among tribal members.

Native corporations also support a multitude of other initiatives to advance Native cultures, issues, and rights. Perhaps most sig-

nificant has been their ongoing support of the AFN because of its political role in advocating for Native rights. The twelve regional corporations are expected to pay annual membership and convention dues to the AFN and contribute special AFN assessment fees for advocacy on subsistence issues. In 2015, regional corporation dues totaled \$684,000; corporations also paid more than \$100,000 in convention dues. In addition, AFN members contributed \$246,000 for subsistence advocacy, funds that largely came from regional ANCs.

Congress extinguished subsistence hunting and fishing rights under ANCSA with the promise that the secretary of the interior and the State of Alaska would act to protect Native subsistence needs. That action did not come until 1980 with the adoption of the Alaska National Interest Lands Conservation Act that allowed for *rural* – not Native – subsistence priority in times of resource scarcity. And while the subsistence battles are not yet settled, subsistence rights may have been more seriously undermined had it not been for the political and financial support of ANCs.

Regional Native corporations also created and supported cultural and educational camps and foundations. Some ANCs have dedicated funds within corporations that support Native cultures. Others have formed elders' councils to advise them on key decisions affecting the corporation. In 2001, Cook Inlet Regional Inc. (CIRI) donated \$30 million to its CIRI Foundation, which brought its total endowment to nearly \$50 million. Since its establishment, the foundation has awarded more than \$28 million in scholarships to Native beneficiaries.

It is well known that ANCs, as for-profit entities, use land to generate financial capital. However, less known are the provisions of ANCSA that have allowed regional ANCs to acquire historic and sacred sites for their cultural significance rather than their commercial value. In addition to its initial selec-

tion and conveyance of eighty-eight sites, Sealaska Corporation pursued an amendment to ANCSA that provided for its final land entitlement and included seventy-six additional historic sites – despite the fact that historic sites do not generate revenues and in fact incur management costs for Sealaska.

Five regional and five village Native corporations brought resolutions to their shareholders to vote on the issuance of stock to Natives born after 1971. In casting their vote, shareholders were, in essence, asked to choose between the group rights of Native societies and the individual rights of Western societies. The decision whether to enroll new shareholders also pitted financial gain against cultural values, as selling more stock would dilute stock value for the original shareholders, resulting in decreased future dividends.

In the end, several corporations voted for group rights over individual gain. The adoption of resolutions allowing for the enrollment of shareholder descendants provides a concrete, quantifiable measure of the persistence of Native cultural values and the rejection of Western values. For example, Sealaska – whose tribal shareholders have had the longest continuous contact with Western society and who might therefore be assumed to be the most assimilated – voted in 2007 with more than 56 percent of the voting shares to enroll Natives born after 1971. Moreover, they extended this right in perpetuity. To date, Sealaska's enrollment has increased from roughly sixteen thousand shareholders prior to the vote to more than twenty-two thousand. Further quantifiable evidence of the persistence of Native values is that Sealaska shareholders voted in 2009 by an overwhelming majority of 76 percent of voting shares to give Elders one hundred additional shares. This followed on an earlier action to give each Sealaska Elder \$2,000 upon reaching the age of sixty-five.

ANCSA has been amended multiple times to accommodate the desires and cultural values of Alaska Natives. In yielding to Alaska Natives and supporting amendments to ANCSA – notably the 1991 amendments – Congress has for now relented in its initial objective to use ANCSA as a means to assimilate Alaska Natives.

Native corporations have served as the primary framework for achieving economic prosperity for Alaska Natives, but poverty has not been eliminated for this demographic. Furthermore, tensions between resource development and subsistence land use have arisen throughout almost every region. A number of regional corporations have adopted policies that address protection of land and resources against adverse development impacts. In some instances, Native corporations have opposed development activities despite the potential financial gain. Perhaps the most widely known is Pebble Mine, a project to build one of the largest open-pit mines in North America in the Bristol Bay region, the heartland of one of the largest wild sockeye salmon fisheries. The Bristol Bay Native Corporation has taken a strong position against the proposed mine.²⁰

Native cultures have persisted in varying degrees among the different cultural groups, but it is also evident that Alaska Native Corporations have contributed in many ways to the survival and even re-emergence of Native cultures and languages. First, Natives who were born after 1971 are now enrolled as shareholders of ten regional and village corporations. In addition to their cultural identity, Natives also identify themselves by citing their membership in a corporation. ANCs have also selected historic and sacred sites in their title agreements that remain important to Natives despite the fact that they do not provide economic benefits. Corporate leaders sought the enactment of federal legislation recognizing ANCs as tribes in order to se-

cure special statutory rights and benefits. ANCs also provide financial support to the AFN, whose primary mission is the protection of Native rights and culture. Native corporations also support cultural and educational affiliate organizations that provide educational and cultural benefits. Finally, Native corporations have consistently supported the protection of subsistence hunting and fishing rights, which are the underlying basis of Native culture.

William Hensley, a prominent Alaska Native leader, has contended that the ulti-

mate long-term goal has been to preserve a sense of tribal spirit and identity among shareholders in order to maintain ownership of the land, arguing that “once there is no connection between shares and one’s heritage, that will be the end of Alaska Natives.” While ANCSA undoubtedly contributed to the assimilation of many Natives into Western society, Alaska Native corporations have contributed to the cultural persistence of Alaska Native societies.

Rosita
Kaaháni Worl
& Heather
Kendall-Miller

AUTHOR BIOGRAPHIES

ROSITA KAAHÁNI WORL is Tlingit from the Shangukeidí (Thunderbird) Clan and Kaawdliyaayí Hít (House Lowered From the Sun) in Klukwan, Alaska. She holds a Ph.D. in Anthropology from Harvard University. She serves as President of the Sealaska Heritage Institute.

HEATHER KENDALL-MILLER is Athabaskan and a tribal member of the Churyung Tribe of Dillingham, Alaska. She is a Senior Attorney with the Native American Rights Fund. She has litigated in the areas of Alaska Native hunting and fishing rights, tribal sovereignty, climate change, language preservation, Indian country, and ICWA, among others.

ENDNOTES

- ¹ D’arcy McNickle, “Alaska – Getting Acquainted,” *Indians At Work*, November 15, 1936, 5 – 8.
- ² Congress prohibited treaty-making with Indians in 1871. 25 U.S.C. § 71. Consequently, after 1871, relations with Indians would be governed by Acts of Congress and not by treaty.
- ³ See David S. Case and David A. Voluck, *Alaska Natives and American Laws* (Anchorage: University of Alaska Press, 2012), 244 – 245. See also Snyder Act, Act of November 2, 1921, 42 Stat. 208, as amended, 25 U.S. Code Amendment, § 13.
- ⁴ For a general discussion of ANCSA’s various provisions, see Nell Jessup Newton, ed., *Cohen’s Handbook of Federal Indian Law* (Lexis Nexis, 2012), 330 – 337.
- ⁵ For a discussion of the differences between for-profit tribal corporations under the Indian Reorganization Act and for-profit state-chartered corporations, see generally David S. Case and David A. Voluck, *Alaska Natives and American Laws* (Anchorage: University of Alaska Press, 2012).
- ⁶ Thomas R. Berger, *The Village Journey* (New York: Hill and Wang, 1985).
- ⁷ For an overview of ANCSA history, see Robert D. Arnold, ed., *Alaska Native Land Claims* (Anchorage: The Alaska Native Foundation, 1978).
- ⁸ Alaska Federation of Natives, 1991: *Making It Work, A Guide to Public Law 100-241, 1987 Amendments to the Alaska Native Claims Settlement Act* (Anchorage: Alaska Federation of Natives, 1991).
- ⁹ Kenneth C. Bass, III, *The ANCSA Structure Beyond 1991: Patching Up or Total Revision?* (Anchorage: Alaska Federation of Natives, 1984).
- ¹⁰ Alaska Native Claims Settlement Act Amendments of 1987, Pub. L. No. 100-241, 101 Stat. 1788 (1987) (to be codified at 43 U.S.C. §§ 1601 – 1628 [hereinafter 1991 Amendments]).
- ¹¹ Janie Leask, “1991 Update: Where Do We Stand?” *Alaska Native News*, June 1987.

¹² *American Indian Policy Review Commission Final Report: Submitted to Congress May 17, 1977* (Washington, D.C.: U.S. Government Printing Office, 1977).

¹³ Compare *Native Village of Stevens v. Alaska Management & Planning*, 757 P.2d 32, 34 (Alaska 1988) – “We conclude that Stevens Village does not have sovereign immunity, because it like most native groups in Alaska, is not self-governing or in any meaningful sense sovereign” – with *Native Village of Venetie I.R.A. v. Alaska*, 918 F.2d 797 (9th Cir. 1990), which held that the Native Villages of Venetie and Fort Yukon satisfied criteria for determining whether they were a “tribe or band” with a “duly recognized” governing body for purposes of invoking federal jurisdiction to enforce the Indian Child Welfare Act.

¹⁴ “Governmental Jurisdiction of Alaska Native Villages Over Land and Nonmembers,” Solicitor’s Opinion M – 36975, January 11, 1993.

¹⁵ See *John v. Baker*, 982 P.2d 738 (Alaska 1999); *In re C.R.H.*, 29 P.3d 849 (Alaska 2001); and *McCrary v. Ivanoff Bay Vill.*, 265 P.3d 337 (Alaska 2011).

¹⁶ *Alaska v. Native Village of Venetie*, 522 U.S. 520 (1998).

¹⁷ *Ibid.*

¹⁸ Lisa Demer, “Tribal Banishment of Togiak Non-Native Draws State Investigation,” *Anchorage Daily News*, April 4, 2017, <https://www.adn.com/alaska-news/rural-alaska/2017/04/03/governor-state-officials-examining-recent-banishment-of-a-togiak-man-who-is-non-native/>.

¹⁹ Jahna Lindemuth, “Attorney General Opinion: Legal Status of Tribal Governments in Alaska,” October 17, 2017, <https://aws.state.ak.us/OnlinePublicNotices/Notices/Attachment.aspx?id=109718>.

²⁰ Bristol Bay Native Corporation, “BBNC Responds to PLP and AES Regulatory and Technical Services,” June 13, 2017, <https://www.bbnc.net/bbnc-responds-to-plp-and-aes-regulatory-and-technical-services-agreement/>.

Making ‘Aha: Independent Hawaiian Pasts, Presents & Futures

Noelani Goodyear-Ka‘ōpua & Bryan Kamaoli Kuwada

Abstract: We use Hawaiian methods of knowledge production to weave together contemporary and historical instances of Kanaka Maoli (Native Hawaiian) political resistance to U.S. imperialism and settler colonialism. Our departure point is the summer of 2014, when hundreds of Kānaka came forward to assert unbroken Hawaiian sovereignty and reject a U.S. Department of Interior (DOI) proposal to create a pathway for federal recognition of a reorganized Native Hawaiian governing entity. This essay situates testimonies from these hearings within a longer genealogy of Kanaka assertions of “ea” (sovereignty, life, breath) against the prolonged U.S. military occupation of Hawai‘i that began in 1898 and extends to the present.

NOELANI GOODYEAR-KA‘ŌPUA is Associate Professor of Political Science at the University of Hawai‘i at Mānoa.

BRYAN KAMAOLI KUWADA is Content Strategy Lead for the Native Hawaiian Network of Schools (Kealaiwikuamo‘o and Kamehameha Schools).

(Complete author biographies appear at the end of the essay.)

He wen
look up again
you know
only the eyes move kine
putting one more
strand of coconut fiber
on to the kaula
he make one
fast twist
and said
The Kaula of our people
is 2,000 years old
boy
some time...good
some time...bad
some time...strong
some time...sad
but most time
us guys
just like this rope
one by one
strand by strand
we become the memory of our people
and we still growing.

– ‘Īmaikalani Kalahēle, “Make Rope”¹

Kānaka Maoli, like the original nations of Turtle Island (an Indigenous name for North America), have faced forces of genocide at levels that can be characterized as apocalyptic. But still we rise. Our peoples continue to face (mis)representation as vestiges of a quickly fading and irrelevant past, but we know this is not our story. So often such discourses are tactics for expropriating Indigenous lands, waters, and creative capacities. In this essay, we focus instead on different stories. We aim to introduce readers to stories of Native Hawaiian future-making, drawing on nineteenth- and twentieth-century Kanaka Maoli archives, which are among the largest Indigenous-language archives in the Americas.

In a collection on North American Indigenous peoples, it is important to clarify that Native Hawaiians are not Native Americans. The category of “Hawaiian” signals both indigeneity and nationality. When we say we are Native Hawaiian, we mean that Kānaka Maoli are the autochthonous people of the archipelago known as Hawai‘i. Kānaka Maoli make up about one-fifth of the population in Hawai‘i at present, and about 40 percent of our people live outside of the islands. When we say Native Hawaiians are not Native Americans, we are therefore also referencing an ongoing struggle to (re)recognize Hawai‘i’s national sovereignty and contest U.S. claims to Hawaiian soil and waters.

Historically, “Hawaiian” is not only an ethnic or geographic identity, but a national one. By the late 1800s, the independent Hawaiian Kingdom government was recognized by all the major powers of the world, including the United States of America, which honored Hawaiian independence and entered into treaties and conventions with the Hawaiian government from 1826 to 1893. The Hawaiian Kingdom had its own national school system and boasted a literacy rate as high, if not higher, than all the major world powers of the time; it

also established over ninety legations and consulates in cities around the world. Hawai‘i’s national government exercised its authority over a multiethnic citizenry, including people from various backgrounds naturalized to Hawaiian citizenship and Kānaka Maoli, who composed a large majority of the archipelago’s population until well after the United States began its prolonged and ongoing occupation. A significant portion – though not all – of Native Hawaiian people today continue to assert that we are not American. In this essay, we discuss examples of independent Hawaiian futurities, as articulated by Kānaka Maoli of different eras.

Fururities are ways that groups imagine and produce knowledge about futures; thus futurities shape the horizons of possibility for specific futures. We see Indigenous futurities as practices of future-making that often disrupt the linearity of Western liberal-democratic understandings of temporality.² We foreground Kanaka Maoli enactments of relationalities of times and places that transcend settler temporalities and mappings, expressions that posit preferred Kanaka Maoli futures over U.S.-imperial ones.

The form of this essay aims to cultivate a Kanaka Maoli futurity that strengthens relations between Kānaka living, passed, and yet-to-come. The metaphor of making rope, or ‘aha, aptly describes our method and objective. The Hawaiian word ‘aha has numerous meanings: an assembly; a millipede; a needlefish; a design for garments; a ceremony for investing authority in a leader; and – most relevant to our essay – sennit rope that can be made from plant fibers, human hair, or animal intestines. ‘Aha cord provided the material basis for countless functional elements of the complex society our ancestors developed in the Hawaiian Islands. Houses, canoes, tools, water containers, weapons, drums, burial goods, and symbols of chiefly rank: all of these and more depend-

ed on ‘aha. Anthropologist Scott Kekuwa Kikiloi discusses the ways that the ‘aha cord and ceremony were historically formalized in rituals with direct connections to natural cycles. Over time the ‘aha – as material object, metaphor, and prophesying practice – became a central means of legitimizing Hawaiian political leadership. Kikiloi explains that the ‘aha cord and ceremony “came to symbolize a historical record between the ancestors and their descendants,” such that political and spiritual power were not “accumulated within a single individual, but . . . continually accrued (or lost) over the span of generations.” Thus, the ‘aha ritual cycle supported self-determined Hawaiian political leadership that brought people together around common interests and that was “sanctioned by the ancestors in the afterlife.”³ The ‘Īmaikalani Kalahahele poem that opens this essay similarly implies that rope-making symbolizes the collective strength and survivance of Kānaka Maoli, and it is with such genealogical strands that we make our futures.

In September 2016, the U.S. Department of the Interior (DOI) under the Obama administration released its final rule setting out the procedures for establishing “a formal government-to-government relationship with the Native Hawaiian community,” within the confines of U.S. domestic law and subject to the plenary power of the U.S. Congress.⁴ Representatives of the state and federal governments lauded the rule as a historic step toward reconciliation. A relationship established under this rule, however, would be a fundamental break from history, as it would create a domestic-dependent quasi-sovereign nation out of a country previously recognized as independent. As the rule itself made clear, a new relationship “would have very different characteristics from the government-to-government relationship that formerly existed with the Kingdom of Hawai‘i.”⁵

As we discuss above, the Kingdom of Hawai‘i was a thriving sovereign country composed of a multiethnic citizenry in which aboriginal people were the majority. But in 1898, five years after militarily supporting an illegal coup by White sugar businessmen in what then-President Grover Cleveland later described as “an act of war,” the United States seized political control and roughly 1.8 million acres of Hawaiian national lands without the consent of the Hawaiian people. Since that time, not a single acre has been returned to Hawaiian sovereign control. The growing contemporary Hawaiian sovereignty and independence movement sees the ongoing occupation of Hawaiian land as a continuation of that original act of war.

There were no large-scale celebrations across the Hawaiian archipelago when the DOI released its 2016 rule, opening a doorway for federal recognition of a Native Hawaiian governing entity. This reaction might have seemed unusual compared to American Indian nations that have struggled for such recognition. As scholars of U.S. federal recognition have noted, since the United States established its current procedures for formal acknowledgment of Indian tribes in 1978, some tribes have invested decades of labor and millions of dollars into their petitions for federal recognition because they felt their peoples’ survival was dependent upon it.⁶ In contrast, the DOI’s final rule on Native Hawaiians was not the product of a long-fought, broad-based struggle by Kānaka Maoli for federal recognition; this recognition does not encompass the full sovereignty that many Native Hawaiians wish to reclaim. However, it must be said that some Native Hawaiian leaders with institutional power within the settler-state government have vigorously supported U.S. federal recognition.

In the summer of 2014, the Department of the Interior sent representatives to Hawai‘i to conduct public hearings on the pro-

Noelani
Goodyear-
Ka‘ōpua &
Bryan
Kamaoli
Kuwada

posed rule. It was the first time the U.S. government held any public hearings in Hawai'i on federal recognition in well over a decade. At the fifteen DOI-led sessions held on six islands that summer, Kānaka packed auditoriums and school cafeterias in standing-room-only crowds. Speakers were limited to just three minutes of testimony each, and voices poured out like rain on a thin metal rooftop, even though advance notice on the proposed rule-making had been issued only days earlier. A stunning majority of the oral testimonies at each consultation asserted Hawaiian independence. When the DOI responded a year later with its Notice of Proposed Rule-Making, the notice completely marginalized these Kanaka voices, failing even to list a count of the oral testimonies. In this essay, we pull out a few of these voices and intertwine them with those of Kānaka from earlier times who expressed similar commitments to Hawaiian nationhood and visions for independent futures.

I'm really confused about why you're here in the first place, as I'm sure a lot of our people are. If you knew just a little bit about our nation's history and your nation's history and relationship with our nation, then you would see, like so many people have already been saying, that you have no jurisdiction here. And so I don't really feel a need to answer your questions in the first place, but because I know how your nation does things, I will say no, no, no, no, no... you have to go back and talk to the people who have the power in your nation. Or better yet, you know, if you want to give up your citizenship and come and join us, I'm sure we can talk story about that.

– Shavonn Matsuda, Hāna, Maui, 2014

Hawaiian futurities as articulated in the contemporary Hawaiian-sovereignty movement have typically operated on a logic of inclusive, nonviolent change through the power of education. In 1990, one could hardly say the words “Hawaiian” and “sov-

ereignty” together in polite conversation: people would react as though you had uttered profanity. But massive educational efforts to uncover the history of Hawaiian independence shifted the political grounds on which Kānaka stood. Over the past few decades, such education has taken place at both institutional and grassroots levels, drawing on elders' experiential knowledge as well as on the research of Kanaka Maoli scholars. As a direct result of these pedagogical efforts, grassroots Hawaiian movements refusing recognition frameworks and asserting Hawaiian independence have grown in the new millennium, particularly in the face of proposed federal recognition legislation.

Too often, refusals are interpreted as complete withdrawals of any possible participation in a future. But we highlight those Kānaka who articulated a politics of refusal in 2014 precisely because we are interested in the ways in which refusals can also be forms of futurity.⁷ In the 2014 hearings, we can see a style of thinking about the relationship between the past, present, and future of an independent Hawai'i that relies on a logic of continuity. The oral testimonies are but one practice of bringing such a future into being by asserting the knowledge of connections to a sovereign past. Knowledge about Hawaiian pasts and presents fuels a repudiation of settler-state attempts to rein in Hawaiian independent futures and to contain them within what K. Tsianina Lomawaima and Teresa McCarty have called “safety zones”: settler state-sanctioned spaces in which some aspects of Indigenous culture can be practiced as long as they do not disrupt or threaten settler society.⁸ For a large segment of the Hawaiian movement and of the hundreds who testified in 2014, federal recognition is seen as such a mechanism of containment. Refusal of that containment is not only about assertions of political autonomy, but also about rejecting unsustainable ways of relating to the natural world. Hawaiian independent futurities assemble practic-

es of aloha ‘āina (love for the land) that assert that our ability to sustain generation after generation requires healthier relationships with our lands and waters.

We derive our strength from our ‘āina, and it is our deep aloha for our ‘āina that is the foundation for our liberation. We know our past, as you have seen over the past week and tonight, and while the U.S. may be part of our presence by its own power, its utter disregard for the well-being of our ‘āina and lāhui has deemed it necessary that we envision and enact a future for our children and grandchildren, in which our nation, ka lāhui kanaka, thrives independent of the United States again. “‘A‘ole mea ‘oi aku o ka waiwai e like me ke kanaka i noho kū‘oko‘a no ke aloha i kona ‘āina.” These are the words of our great Hawaiian independence leader from Puna, Joseph Nāwahī. There is nothing of greater value than Kānaka living independently for the aloha of our ‘āina. This is the political consciousness of our kūpuna, this is the foundation of our nation.

– No‘eau Peralto, Keaukaha, Hawai‘i, 2014

One of the most enduring strands of our ‘aha is aloha ‘āina, and Joseph Nāwahī is a name that always comes up when Kānaka of the present speak about this concept. Nāwahī was a painter, politician, newspaper editor, lawyer, and orator who was once described by Queen Lili‘uokalani as “a man who fearlessly advocated the independence of Hawai‘i Nei.”⁹

Since the emergence of the sugar industry in the mid-nineteenth century, planters in the Hawaiian kingdom had been pushing for an expanded market for their crop. For many of them, the logical market was the United States, yet import duties put them at a disadvantage to American sugar, leading many to seek annexation to the United States. But the majority of Hawaiian people were emphatically against such a move. When King Kamehameha IV (Alexander Liholiho, who ascended to the throne in 1855) supported a reciprocity treaty with the Unit-

ed States to relax its import duties on sugar, it was not merely a way to provide new markets for Hawai‘i sugar planters; it was a tactic to undercut these American-descended businessmen’s push for annexation.

The treaty came close to passing in several legislative sessions, but concerns over such a treaty’s effect on domestic industry and a lack of clear benefit to the United States kept it from passing. What finally piqued U.S. interest in the 1870s was the possible cession of Pu‘uloa (an important and productive estuary and fishery that is now often called Pearl Harbor). Pu‘uloa was the best option for a deep-draft harbor in the Northern Pacific, and the U.S. military eyed it as the key to maritime control of the Pacific region.

In 1872 Nāwahī was elected to the Hawaiian Kingdom House of Representatives to represent his home district of Puna. Nāwahī’s election came in the midst of the debate over the Reciprocity Treaty, and his staunch and consistent opposition to the treaty and the possible cession of Pu‘uloa brought his voice to the fore as a champion of Hawaiian independence. After much negotiation and the passing of three monarchs, the treaty was ratified in 1876 without the cession of Pu‘uloa and was set to go into effect pending the passage of a corresponding U.S. law.

That year, in a last-ditch attempt to stop the treaty, a small bloc of Hawaiian legislators called for the Hawaiian Kingdom House to have the final say over the treaty’s language. In a fiery and impassioned speech, Nāwahī exhorted his fellow legislators to recognize that what was at stake was greater than prosperity for plantation owners:

He wahi aupuni ko kākou i makaleho ‘ia e nā Haole e lilo no lākou, akā, ua hoka wale nō ia mau ho‘ā‘o ‘ana a pau. He nui wale nō nā ho‘ā‘o ‘ana a lākou i loko o nā makahiki i hala aku nei, a‘o ka hā‘awī ‘ana iā Pu‘uloa kā lākou hana hope loa i ho‘ā‘o ai, a nele ihola. Akā, ‘ānō, ke kāpili nei lākou i ki‘i lio lā‘au me ka ho‘okomo ‘ia o ka ‘enemi i loko.¹⁰

Noelani
Goodyear-
Ka‘ōpua &
Bryan
Kamaoli
Kuwada

We are a small nation that the foreigners have cast a greedy eye upon, desiring that it pass into their possession, yet their efforts have met with only frustration. They have tried over and over again during these past years, and the attempted cession of Pu'uloa was their latest gambit, and nothing came of it. But here and now they have given us a wooden horse in which our enemies lay in wait.¹¹

Nāwahī's use of the Trojan horse image implies that Hawai'i was under siege not just by runaway business interests, but by a different model of being. The enemy Greeks hiding within the horse were damaging epistemologies and beliefs about commodifying and trading land. Kānaka Maoli in the late nineteenth century had a strong appreciation for Western cultural forms, and some of their governmental structures bore similarities to models introduced from the West. Yet Hawaiians of the time were also careful to ensure that the structures they employed continued to allow them to imagine a *Hawaiian* kingdom continuing into the future.

In a subsequent legislative session that same year, Nāwahī followed up his earlier refusal by emphasizing the important relationship between the kingdom's embattled present and sovereign past, one that predated European American—introduced understandings of state sovereignty and nationhood:

ke 'Ōlelo nei au he ku'ikahi kā'ili aupuni a kā'ili pono lāhui kēia e ho'onele 'ia ai ka noho ali'i i kona mana kumu mai ka pō mai.¹²

I say to you that this is a nation-snatching treaty, one that will steal from us our national rights and leave our throne bereft of its foundational mana, granted to it from the depths of Pō, the darkness.

Pō is the fecund and primordial darkness from which Hawaiians trace the world's descent. While American Protestant missionaries and their descendants hammered home the metaphorical connection be-

tween darkness and ignorance, evil, and sin, many Kānaka Maoli considered (and still consider) darkness to be generative, nurturing, and creative. In this way, Nāwahī's reference to Pō as the *mana kumu*, foundational mana (the power that exists in all things), is a reminder that the future flows from this darkness of the past. Legitimacy stems from the kumu (source) of Hawaiian sovereignty, and exceeds Western understandings of nation-state sovereignty. Descent from Pō is the reason for the independent kingdom's mana; that independence was to be protected to ensure the people's continuance. If futurities are created by assembling styles, practices, and logics for thinking about the future, Nāwahī was engaging a logic of Hawaiian futurity by evoking Pō.¹³ Refusal was the practice that gave content to that futurity.

The treaty passed, but the vocal resistance of people like Nāwahī and George Pilipō kept Pu'uloa off the negotiating table. After the initial seven-year term of reciprocity expired and the treaty became renewable on a year-to-year basis, the United States explicitly presented the exclusive use of Pu'uloa as a criterion for renewal. On July 6, 1887, a cabal of White militia and businessmen compelled King Kalākaua to sign a new constitution that severely limited the powers of his office and disenfranchised much of the Kānaka and all of the Asian electorate, the majority of whom supported the *mō'i* (monarch). Unsurprisingly, five months later, on December 9, even though he had strongly fought the cession of Pu'uloa, Kalākaua signed the treaty renewal, with an amendment giving the United States exclusive use of Pu'uloa.

In 1893, Queen Lili'uokalani, who had ascended the throne after her brother Kalākaua's death, was illegally overthrown by a European American-backed cabal. At this time, Nāwahī helped found the Hui Aloha 'Āina, a group that worked to restore the queen to the throne and oppose

annexation, and ran the newspaper *Ke Aloha Aina* with his wife Emma. A year after the overthrow, Nāwahī gave his most celebrated speech, a stunning call for refusal. Seven thousand people gathered at the Palace Square, and when Nāwahī appeared before them to great acclaim, he cried out:

Oiai hoi, no kakou ka Hale (Aupuni) e like me ka na Kamehameha i kukulu ai; aka, i ka la 17 o Ianuari, 1893, ua kipaku ia ae kakou e ka poe i aea hele mai, a komo iloko o ko kakou hale; a ke olelo mai nei ia kakou e komo aku a e noho iloko o ka hale kaulei a lakou i manao ai e kukulu iho a onou aku ia kakou a pau e komo aku. O ka'u hoi e olelo aku nei ia oukou, e o'u hoa makaainana, *mai noho kakou a ae iki*. [emphasis added]¹⁴

This house of government belongs to us, just as the Kamehamehas intended; yet on the 17th of January, 1893, we were kicked out by wandering trespassers who entered our house, and they are telling us to go and live in the lei stand that they thought to build and shove us into. But what I have to say to you, my beloved people, we dare not assent in the slightest!

Nāwahī called for the audience to know their past and refuse to participate in the present the foreigners were trying to thrust upon them. “Mai noho kākou a‘ae iki” was not a foreclosure of action, but a call to live the alternative, to continue bringing a future rooted in PŌinto being. The future of the Hawaiian people should not be a lei stand, a “safety zone,” but rather the house that the Kamehameha chiefly lineage built.

I am here to testify and affirm that the Hawaiian Kingdom continues to exist. We are Hawaiian subjects, as our kūpuna before us, who signed the Kū‘ē Petitions of 1897. They laid a firm foundation for us. And all we have to do is remember and stand together with courage and let the United States, the State of Hawai‘i, and the Office of Hawaiian Affairs know that we know who we are.

–Leilani Lindsey Ka‘apuni, Keaukaha, Hawai‘i, 2014

The Kū‘ē petitions constituted one of the largest acts of refusal in modern Hawaiian history, one that inspired many of the Kanaka expressions of refusal in the 2014 DOI hearings. After the 1893 overthrow, the *haole*-led provisional government (which later declared itself the Republic of Hawai‘i) pushed hard for Hawai‘i to be annexed to the United States. But two Hawaiian political organizations assured that no treaty of annexation was ever passed. Kuaihelani Campbell, who served as president of the women’s branch of the Hui Aloha ‘Āina, was a contemporary of Joseph Nāwahī. She was of a chiefly lineage from the island of Maui, a fiercely intelligent and financially astute woman who helped James Campbell build up his estate after their marriage, while maintaining her own large estate separate from the Campbell lands.¹⁵ She supported many elderly Hawaiian pensioners through her estate, in addition to paying the medical bills of many others who did not receive a pension from her directly.¹⁶ She was mother to Abigail (who became Princess Kawānanakoa) and Alice Kamokilaikawai, both of whom were leaders in their own right and played active roles in fighting for Hawaiians. She even insisted on a prenuptial agreement before she would allow her daughter, Abigail, to marry Prince David Kawānanakoa.¹⁷

As a young woman, Kuaihelani traveled to London and the United States, writing about her journey in the Hawaiian-language newspaper *Ka Nupepa Kuokoa*. She referred to herself as the “Eueu o Lahaina,” a title that evokes a provocateur of sorts: someone who stirs people to action or who is lively and excited.¹⁸ Kuaihelani Campbell indeed embodied all of these qualities, and she made good use of them as she grew older, particularly when she became the president of the Hui Aloha ‘Āina o nā Wāhine after 1893. Many different women’s *hui* (political groups) sprung up around Hawai‘i, all under the leadership of Kuaihelani and

Noelani
Goodyear-
Ka‘ōpua &
Bryan
Kamaoli
Kuwada

Emma Nāwahī, wife of Joseph Nāwahī and leader in her own right. They were a formidable pair, and Lili'uokalani called the Hui Aloha 'Āina o nā Wāhine one of the "societies much dreaded by the oligarchy now ruling Hawai'i."¹⁹

Representatives of the haole-led illegitimate government pushed hard for Hawai'i to be annexed to the United States. In 1897, Emma Nāwahī suggested to Kuaihelani that both the women's and the men's groups draft a petition refusing annexation, to be sent to President William McKinley.²⁰ That kicked off an archipelago-wide effort to garner signatures from the Hawaiian people. It was a massive undertaking, involving Hui Aloha 'āina members traveling throughout the islands and organizing small- and large-scale community meetings.

One such meeting took place at the Salvation Army Hall in Hilo and was attended by the American journalist Miriam Michelson, who was writing for the *San Francisco Call*. According to Michelson's account, the hall itself held three hundred people, but there was an even larger crowd gathered outside. Both Emma Nāwahī and Kuaihelani Campbell got up to address the crowd. Nāwahī asked of the crowd: "This land is ours – our Hawai'i. Say, shall we lose our nationality? Shall we be annexed to the United States?" This was not their imagined future, and the crowd shouted out their refusal: "'A'ole loa! 'A'ole loa!" *Never! Never!* Then Kuaihelani Campbell spoke:

Stand firm, my friends. Love of country means more to you and to me than anything else. Be brave; be strong. Have courage and patience. Our time will come. Sign this petition – those of you who love Hawai'i. How many – how many will sign?

As she spoke, she raised a gloved hand asserting she would refuse the United States through her signature, and when she asked how many would join her, "in a moment the palms of hundreds of hands were turned to-

ward her." The people of Hilo spoke with their words as well as their upraised hands, one man crying out from the back: "I speak for those behind me. They cannot come in – they cannot speak. They tell me to say, 'No annexation. Never.'"²¹

Though it was perhaps true that some of those gathered in Hilo were unable to speak at the meeting, they along with the vast majority of the Hawaiian population made their voices heard when the petitions were forwarded to the U.S. Congress. Michelson observed: "There are 100,000 people on the islands. Of these not 3 per cent have declared for annexation. To the natives the loss of nationality is hateful, abhorrent." The petition made this abhorrence clear, as twenty-one thousand men and women out of a population of forty thousand had signaled their refusal on the Hui Aloha 'Āina petitions.²²

Kuaihelani Campbell remained in Hawai'i, but representatives of the Hui Aloha 'Āina traveled to Washington, D.C., to present the petitions and succeeded in defeating the treaty. In its report, the Senate Committee on Foreign Relations echoed Michelson's earlier observation, pointing out that "if a requirement should be made by the United States of a plebiscite to determine the question of annexation, it would work a revolution in Hawai'i which would abolish its constitution."²³ The very next year, supposedly out of wartime necessity, Congress took this advice to heart and "annexed" Hawai'i through the Newlands Resolution, a joint resolution of Congress that skipped the plebiscite and required only a simple majority vote to pass.

Kuaihelani Campbell and the other presidents of the Hui Aloha 'Āina and the Hui Kālai'āina protested the Newlands Resolution in a lengthy declaration, part of which reads:

Ma ke ano hoi he poe elele no kekahi mahele nui a ikaika o na kanaka Hawai'i oiwi maoli

ke kue aku nei makou ma ka manao kulipo-
lipo kukonukonu loa i ka hoohuiia mai ma
ke ano i manaolia a me ka ui ole ia mai hoi a
loaa aku paha hoi ka ae ana o ka lahuikana-
ka o ko Hawai'i Paeaina nei.

*Whereas we are representatives of a large and pow-
erful segment of the native Hawaiian population,
we hereby refuse with the deepest and most profound
sentiment this annexation as it stands, having been
done without the input or consent of the people of
these Hawaiian Islands.*

The U.S. Congress's final move of simu-
lating annexation through the Newlands
Resolution is widely held to have been il-
legal. The refusal outlined in this joint dec-
laration undergirds the continuing protest
against any connection forced upon the
Hawaiian people by the U.S. government.

The English translation sounds like a
much more straightforward refusal, but in
a manner similar to the earlier speeches by
Joseph Nāwahī, the Hawaiian text serves
as more of an exhortation for the listener
to remember the source of Hawaiian sov-
ereignty rooted deep in PŌ. The word *kūli-
polipo*, which we translate here somewhat
narrowly as "deepest sentiment," in actu-
ality means something more like "stand-
ing in or upon the deepest darkness." It
means that Hawaiians feel with the most
certainty and conviction when they can
rely on this connection to the darkness
of PŌ. Until her death in 1908, Kuaihelani
Campbell held onto her mana'o kūlipoli-
po and continued to fight for her people,
refusing to forget our deep connections to
PŌ and refusing to give up on a vision of
a sovereign Hawai'i in control of its own
destiny.

*It is wonderful to know that one day when I put
my kino in the ground, that I know that in the
future, the faces of our young people that's here
tonight, I can rest in peace, that you've come to-
night to bring your voices, that you will stand for
the journey that our people have set for you. Your*

*life is in – and the life of our people and our na-
tion is in your hands. We trust you, we beg you
to rise to the moment now and forever.*

– Dawn Wasson, *He 'eia, O 'ahu*, 2014

Noelani
Goodyear-
Ka'ōpua &
Bryan
Kamaoli
Kuwada

In this essay, we have collected facts of
history, voices of past and present Kāna-
ka Maoli, to make rope connecting past
and present narratives of Hawaiian sov-
ereignty. In our language, the general term
for history and story is the same: *mo'olelo*.
Mo'olelo weave past into present to help
us envision futures that, to some, may
seem unrealistic or unthinkable – these
are practices of Hawaiian futurity.

Seneca scholar Mishuana Goeman
writes, "The stories that connect Native
people to the land and form their relation-
ships to the land and one another are much
older than colonial governments. . . . Stor-
ies create the relationships that have made
communities strong even through numer-
ous atrocities and injustices."²⁴ Such sto-
ries, as Indigenous futurities, are practic-
es of liberation.

one by one
strand by strand
we become the memory of our people
and we still growing.
We cultivate
strength under duress
inner bark of unbreakable fibers
dried and bleached in mountain sun
impervious to the salt of sea
does not kink or stretch
will not break when tested
when put under load
when encircling water
when fine mesh grasps feathers
or long line grasps warrior fish
this 'aha is strength
the question is not whether
to break or to hold,
but what to carry
'aha

the thread running through ancestral ways of life
cord to sew together cracks running up wooden bowls
netting to equalize the weight of two full containers of water
lashing for our houses, our canoes, our drums
'aha,
cord, turned hand over hand, deft fingers
extending mana
'aha,
ceremony, completed to perfection
ritual binding us to this land.²⁵

AUTHOR BIOGRAPHIES

NOELANI GOODYEAR-KA'ŌPUA is Associate Professor of Political Science at the University of Hawai'i at Mānoa. She is the author of *The Seeds We Planted: Portraits of a Native Hawaiian Charter School* (2013) and editor of *A Nation Rising: Hawaiian Movements for Life, Land, and Sovereignty* (with Ikaika Hussey and Erin Kahunawaika'ala Wright, 2014).

BRYAN KAMAOLI KUWADA is Content Strategy Lead for the Native Hawaiian Network of Schools (Kealaiwikuamo'o and Kamehameha Schools). He is also Editor of the journal *Hūlili: Multidisciplinary Research on Hawaiian Well-Being*.

ENDNOTES

- ¹ 'Īmaikalani Kalahale, *Kalahale: Poetry and Art* (Honolulu: Kalamakū Press, 2002).
- ² Ben Anderson, "Preemption, Precaution, Preparedness: Anticipatory Action and Future Geographies," *Progress in Human Geography* 34 (6) (2010): 777–798; and Eve Tuck and Ruben Gaztambide-Fernandez, "Curriculum, Replacement, and Settler Futurity," *Journal of Curriculum Theorizing* 29 (1) (2013): 72–89.
- ³ Scott Toshio Kikiloi, "*Kūkulu Manamana: Ritual Power and Religious Expansion in Hawai'i, the Ethno-Historical and Archaeological Study of Mokumanamana and Nihoa Islands*" (Ph.D. diss., University of Hawai'i at Mānoa, 2012), 67.
- ⁴ Department of the Interior, Office of the Secretary, "Procedures for Reestablishing a Formal Government-to-Government Relationship with the Native Hawaiian Community," 43 CFR Pt. 50 (2016), Docket No. DOI–2015–0005;145D010DMDS6CS00000.000000DX.6CS252410.
- ⁵ Ibid.
- ⁶ Brian Klopotek, *Recognition Odysseys: Indigeneity, Race, and Federal Tribal Recognition Policy in Three Louisiana Indian Communities* (Durham, N.C.: Duke University Press, 2011); and Amy E. Den Ouden and Jean M. O'Brien, eds., *Recognition, Sovereignty Struggles, and Indigenous Rights in the United States: A Sourcebook* (Chapel Hill: University of North Carolina Press, 2013).
- ⁷ Our usage of "politics of refusal" follows that of Audra Simpson. See Audra Simpson, *Mohawk Interruptus: Political Life Across the Borders of Settler States* (Durham, N.C.: Duke University Press, 2014).
- ⁸ K. Tsianina Lomawaima and Teresa L. McCarty, "*To Remain an Indian*": *Lessons for Democracy from a Century of Native American Education* (New York: Teachers College Press, 2006).
- ⁹ Lili'uokalani, *Hawai'i's Story by Hawai'i's Queen* (Boston: Lee and Shepard, 1898), 300.
- ¹⁰ Kahikina Kelekona, *Ka Puke Mo'olelo o Hon. Iosepa K. Nāwahī* (Hilo, Hawai'i: Hale Kuamo'o, 1996), 92.
- ¹¹ Unless otherwise specified, translations of Hawaiian-language sources have been done by Bryan Kamaoli Kuwada.

¹² Kelekona, *Ka Puke Mo'olelo*, 100.

¹³ Anderson, "Preemption, Precaution, Preparedness."

¹⁴ "Haehae ka Manu, Ke Ale nei i ka Wai," *Ka Leo o ka Lahui*, July 3, 1894, 2.

¹⁵ "Death of Mrs. Campbell-Parker at the Hospital," *The Hawaiian Gazette*, November 3, 1908, 3.

¹⁶ Richard Hawkins, "Princess Abigail Kawananakoa: the Forgotten Territorial Native Hawaiian Leader," *Hawaiian Journal of History* 37 (1) (2003): 163 – 177, 165.

¹⁷ *Ibid.*, 166.

¹⁸ "He Leta na ka Eueu o Lahaina, Ka Wahine Kaapuni Honua," *Ka Nupepa Kuokoa*, June 7, 1879, 2.

¹⁹ Lili'uokalani, *Hawai'i's Story by Hawai'i's Queen*, 304.

²⁰ Noenoe Silva, *Aloha Betrayed: Native Hawaiian Resistance to American Colonialism* (Durham, N.C.: Duke University Press, 2004), 132.

²¹ Miriam Michelson, "Strangling Hands upon a Nation's Throat," *The San Francisco Call*, September 30, 1897, 1.

²² Silva, *Aloha Betrayed*, 150. The Hui Kālai'āina had done their own petition drive and garnered seventeen thousand signatures.

²³ United States Senate Congressional Committee on Foreign Relations, *Compilation of Reports of Committee on Foreign Relations, United States Senate, 1789 – 1901: First Congress, First Session to Fifty-Sixth Congress, Second Session* (Washington, D.C.: U.S. Government Publishing Office, 1901), 200.

²⁴ Mishuana Goeman, *Mark My Words: Native Women Mapping Our Nations* (Minneapolis: University of Minnesota Press, 2013), 28.

²⁵ Kalahale, *Kalahale*.

Noelani
Goodyear-
Ka'ōpua &
Bryan
Kamaoli
Kuwada

Genetic Ancestry Testing with Tribes: Ethics, Identity & Health Implications

Nanibaa' A. Garrison

Abstract: Genetic ancestry tests have gained in popularity across the United States as more Americans seek answers about their ancestral past. The tests have been used to verify or dispute family stories about ancestors or to allow people to seek a sense of belonging with a particular tribe or community. They can also be useful in medical research to identify genetic variants across populations. At the same time, assumptions about genetic testing – and the very idea of a “genetic” identity – pose challenges for communities that are defined in terms of political, social, and cultural identities. This essay explores a range of uses of ancestry tests and their potential implications for Native American tribes and communities. It concludes that the scientific and recreational use of genetic ancestry testing continues to increase over time, but limitations of the consistency of results across platforms and the generalizability of knowledge remain.

NANIBAA' A. GARRISON is Assistant Professor at the Treuman Katz Center for Pediatric Bioethics at Seattle Children's Hospital and Research Institute, and at the Department of Pediatrics in the Division of Bioethics at the University of Washington School of Medicine.

In June 2016, Senator Elizabeth Warren's claims to Native American ancestry were challenged by a political rival, Scott Brown, who publicly urged her to take a genetic ancestry test in order to “prove” her Native American biological origins. Media sources had suggested that Warren had once checked a box indicating that she was “Native American,” perhaps to gain race-based advantage when applying to her faculty position at Harvard Law School. Brown and others challenged Warren on her lack of involvement with Native American student groups while on campus and her lack of formal affiliation with any tribal group or organization. Senator Warren explained herself by describing family stories and an aunt's claims of Native American ancestry, which were based on memories of her aunt pointing to a picture of Warren's grandfather on the fireplace mantel and noting that he had high cheekbones, just “like all the Indians do.”¹

Encapsulated in this episode are four distinct ways in which people might claim identities linked to Indigenous people. Involvement in Native American

campus communities might be considered a *social* expression of identity. Formal tribal affiliation should properly be seen as a *political* expression. Pointing to high cheekbones in the picture on the mantel makes an argument resting on certain *cultural* assumptions. And Brown's demand that Warren take a test reveals a new variation – *genetic* identity – on the old theme of race and blood quantum.

Tribal enrollment typically rests on both blood-quantum requirements and demonstrable genealogical connections to ancestors who appeared on tribal rolls and censuses. *Blood quantum* refers to the individual having a certain "fraction" of Native American "blood," and itself is a legacy of American racialism inherited by tribes in need of ways to define membership. Traditional methods of searching for ancestors and calculating blood quantum have relied upon genealogy, the study of family histories and ancestral lineages through historical documentation (including census data, family diaries, surname searches of birth and death records, and other sources). But individuals who are interested in researching their family history through genealogical information run into limits when the paper trail ends.² Wanting to seek scientific validation for oral stories that are passed down from one generation to the next, many Americans are now turning to genetic ancestry tests to learn something about their family pasts.

The media attention focused on Senator Warren not only helped fuel Americans' growing interest in using genetic testing to prove or dispute alleged relationships to ancestral pasts, but also raised concerns about the distinction between biological and social ties that might be used to demonstrate belonging to a community. Given the current limits of the science, a genetic test alone cannot validate or dispute Warren's claims. And what if it could? How might a genetic claim matter to the navigation of

tribal membership criteria? How might it matter in other contexts? Nanibaa' A. Garrison

Genetic genealogy utilizes scientific tools to examine a person's biological lineage in order to uncover links to other contemporary peoples' ancestors and hopefully glean information about the person's family history and lineage. Such testing may provide additional clues in both research and recreational contexts. Genetic ancestry tests may be able to reveal relationships between close biological relatives, suggest more distant population affiliations, or even confirm a suspected relationship with an ancestor. People around the world have taken pleasure in adding a genetics element to their genealogical pursuits.

But genetic ancestry test results' potential implications extend much further than an individual's interpretations of the data. The results could impact how genetics is used in health care, influence how people choose to identify while filling out the U.S. Census, affect whether individuals seek out tribal resources, and shape the way individuals report their race or ethnicity, which in turn could affect the availability of federal funds for services. Some people are thought to use the results of genetic ancestry tests to seek race-based admissions to universities or to apply for scholarships.³

Taking a test is simple: one will typically spit into a tube to collect a saliva sample or use a swab to gently scrape off a buccal sample from their inner cheek, then send the sample to a genetic ancestry company. The company then extracts DNA from the sample to examine it using a set of genetic markers that infer ancestral origins. AncestryDNA and other companies often convert the results into a narrative that seems definitive, leading customers to claim to understand themselves after discovering previously unknown connections to, say, the Mediterranean or the Middle East or Africa. But as I have suggested, Scott Brown was wrong: genetic ancestry tests are not robust

enough to provide an answer about Senator Warren's specific claims to Native American ancestry. Why not? First, let's take a look at how the tests work and what their scientific limitations are. Then we will examine the social and political ramifications of the use of such tests.

Scientific analyses using genetic ancestry markers have been conducted in human population studies in order to understand a number of scientific questions, including the underlying population genetic differences for health and medicine, the evolutionary history of humans, and worldwide human migration patterns. Genetic ancestry tests rely on statistical analyses to make inferences about a person's ancestral past. The tests examine the DNA markers (which are coded as base pairs A, C, G, and T) along each of the chromosomes and compare them against one another and against information from proprietary databases.

Genetic ancestry testing can encompass a broad variety of tests available within the laboratory setting and on the consumer marketplace. These tests typically include analyses with one of three types of genetic tests: mitochondrial DNA (mtDNA), Y-chromosome DNA, and autosomal (non-sex chromosome) DNA. Although no test can be used to analyze all types of DNA, specific tests may be used to glean information from a single ancestral line (through analyses of mtDNA and Y-chromosomes) or to uncover broader information regarding multiple potential ancestral backgrounds (through analyses of autosomal DNA).

What are the distinctions between the three types of tests? First, because mtDNA and Y-chromosome DNA are not subject to recombination (where genetic contributions from each parent are mixed up at each generation), large sections of DNA are largely unchanged from one generation to the next. The mtDNA tests examine certain haplotypes, or groups of DNA markers,

that are passed largely unchanged from one generation to the next through the maternal line. Certain mtDNA haplogroups are found more commonly in some populations than others and have been used to suggest certain ancestral relationships. For example, mtDNA haplogroup L is found most frequently in people of African descent and is thus thought to have originated in Africa. Similarly, mtDNA haplogroup A is one of the main haplogroups in Indigenous Americans. A result that shows haplogroup A would thus suggest that a person has ancestry tracing to the Americas. Because mtDNA is only inherited from the mother, it can only reveal ancestry about the maternal ancestral line (for instance, a mother's mother's mother). Similarly, Y-chromosome DNA tests examine the haplogroups of the Y-chromosome, which is passed through the paternal line from father to son. Females, however, do not have Y-chromosomes, but may learn about their paternal lineage through the genetic testing of biologically close male relatives, such as a brother or father. The Y-chromosome would only reveal ancestry about the paternal ancestral line (for example, a father's father's father).

The third test – autosomal DNA – has become the DNA test of choice due to its wide coverage of genes across the entire genome. Because it is not restricted to the mtDNA or Y-chromosome, autosomal DNA may offer insights into more ancestors than just direct ancestors on the maternal or paternal lines (as mtDNA analyses and Y-chromosome analyses do, respectively). Autosomal DNA is inherited from both the mother and father and comes from non-sex chromosomes that are subject to recombination events that take place with each new generation. With each recombination event, different chromosome segments containing genetic markers are randomly selected and passed on to the offspring. Because autosomal DNA comes from both parents, it can reveal informa-

tion from all ancestors going back several generations.

These genome-wide ancestry tests rely on a collection of genetic markers from autosomal DNA that show significant allelic frequency variation across populations (on the order of 30 to 50 percent), and use bioinformatic tools to estimate biogeographical ancestry. For example, a genetic marker that is found at a very high frequency in one population but not in other populations can help indicate which population a person is likely to be from. One marker alone is not enough to assert any ancestral ties, however; published studies examine as few as thirty-four and up to several thousand markers together to increase the granularity and confidence of presumed ancestry.⁴ These collections of markers are known as Ancestry Informative Markers (AIMs). Significant computing power is required to statistically analyze large numbers of AIMs to generate probabilities. These probabilities may provide a higher-confidence estimate of where a person is likely to “be from,” based on shared ancestry with other people in the reference populations. With the advent of whole-exome or genome sequencing technologies, scientists are able to use a larger collection of markers with a wider range of frequency variation to achieve higher granularity across populations.

AIMs account for genetic recombination: that is, the ways that the genetic contributions from each parent are shuffled at every generation. Each chromosomal segment containing genetic variants such as AIMs originates from one of the parents and is passed down from one generation to the next. Thus, each segment is tied to larger population ancestral histories. Geneticists are able to analyze the genetic variation across chromosomal segments to estimate the geographic origin of one’s ancestors. For example, one chromosomal segment containing AIMs at high frequencies in one population would indicate a shared ances-

tor from another population in the same geographic region and is thus an indicator of shared or similar ancestral background. Some chromosomal segments might be derived from populations with common ancestors originating in Africa, whereas other segments might be traced to populations in Europe or Asia. Genetic ancestry tests use and make predictions about a person’s ancestry based on comparisons of their genetic variation with other modern-day populations. Researchers use these tests to theorize about human migration patterns, as well as to examine how human populations have changed over time and how they differ at the molecular level.

23andMe, AncestryDNA, and African Ancestry are among the direct-to-consumer (DTC) genetic testing companies offering genetic testing kits to consumers interested in seeking information about their ancestry through scientific means.⁵ Some DTC companies have proprietary social-media networks on which consumers can use their results to connect with others who may help them identify close relatives or distant kin based on shared genetic markers. These ancestry companies process and analyze samples by utilizing their own databases of genetic markers and reference samples originating from different populations. Because each company uses distinct datasets, the same type of test may produce different results across companies. Consumers of ancestry tests who submit their DNA to multiple companies may receive different – and sometimes contradictory – sets of results. In one case, a test by African Ancestry suggested that Oprah Winfrey had ancestry tracing to the Zulu in South Africa, yet in a different analysis a few years later, the results suggested she has 8 percent Native American and 3 percent East Asian ancestry and that 89 percent of her African ancestry does trace to sub-Saharan Africa, but not to the Zulu people.⁶ In a 2006 study, law professor Henry Greely examined variation in

Nanibaa’ A.
Garrison

results across sixteen companies and found that the companies offered a wide array of different platforms, each generating slightly different approaches and results.⁷ Statistical estimates of ancestry are themselves based on probabilities that leave room for error. In 2003, the General Accounting Office reported submitting the same DNA sample for ten different tests to four different testing companies and found the results to be contradictory and inconsistent with one another.⁸

Current genetic ancestry databases are limited by the composition of individuals and populations sampled in a given geographic area, a fact that has particular consequences for Indigenous peoples, who are often woefully underrepresented in genetic test companies' databases. The individuals who are sampled do not necessarily reflect the entire genetic diversity within a geographic area, as they may lack common genetic variants or, on the other hand, possess rare genetic variants not found in the rest of the population. This limitation is of particular concern because lack of representation of genetic diversity within the databases may lead to inaccurate or inconsistent conclusions for test-takers. Most studies of genetic ancestry have been conducted in people of European descent, for example, and some ancestry tests have been able to pinpoint a country of origin if all four grandparents are from the same country. However, the lack of representation of Indigenous peoples in genetic research studies – which has decreased from 0.06 percent in 2009 to 0.05 percent in 2016 – limits the generalizability of knowledge about Indigenous populations.⁹ In other words, a genetic genealogical claim to be Native American rests on a much less robust genetic data set and is therefore much less reliable than a finding about European ancestry.

Many people who seek results from genetic ancestry tests to validate a claim of

having a great-great-great Native American grandparent will likely have very little usable information. With each generation, a child inherits about half of their genomic information from their mother and half from their father. Thus, one-half of a person's genome comes from one parent. Going back to the next generation, one-fourth of a person's genome would come from a grandparent and one-eighth from each great-grandparent. Thus, one-thirty-second would go back five generations and account for 3.125 percent of the inherited genetic information. If a person was interested in using an ancestry test to validate a claim of a great-great-great grandparent, the test would need to be robust and accurate enough to pick out a small portion of Native American ancestral contributions from across the genome.

Despite these issues, the market for ancestry testing companies has grown, with advertisements frequently appearing on social media and in newspapers, broadcasted on television, and even plastered on a zeppelin. Consumers without knowledge of the limitations of genetic ancestry tests, however, overinterpret the results, believing they represent *the* missing information about the consumers' identity, or as the "most accurate" information about their identity despite potentially conflicting familial histories or documentation. Further, some individuals may receive test results that contradict strongly held beliefs about their genetic heritage, or they may receive inconsistent results across different genetic ancestry companies. Some consumers may not be prepared to handle contradictory or inconsistent results, posing risks to their psychological well-being.

The incorporation of genetic tests is not entirely new in the tribal membership context. A few groups or individuals have attempted to use genetic ancestry test results as evidence to prove or confirm their rela-

tionship to an existing tribe. Federally recognized tribes in the United States have the power to determine their own tribal membership and have different criteria for determining what types of evidence they will accept. One notable example of the use of genetics to seek tribal membership is the Freedmen of the Five Civilized Tribes. The Freedmen were descendants of freed African American slaves who were once owned by the Cherokee or other tribes and, once freed, lived and integrated with the Five Civilized Tribes. After the Civil War, the Cherokee Nation signed a treaty that granted its former slaves “all the rights of Native Cherokees.” In 2011, however, they were disenrolled from the Cherokee Nation under the claim that they did not have actual Native American ancestry tracing back to an existing tribe. Descendants of the Freedmen then tried to utilize genetic tests to demonstrate a biological link to the tribes. In general, Native American tribes have rejected this type of genetic ancestry information in tribal citizenship applications.¹⁰

Still, results from genetic ancestry tests can pose challenges to tribes from individuals who use them to seek a tribal affiliation, especially if they have had no previous connection to the tribe. In determining membership, most tribes rely on proof of direct descent from an enrolled tribal member, typically in the form of blood-quantum documents. In some cases, individuals seeking tribal membership have utilized maternity and paternity genetic testing to demonstrate direct lineage with an enrolled parent; for example, to grant citizenship if an applicant’s father is not listed on a birth certificate or to confirm parentage with someone who is enrolled in a tribe. Conversely, some tribes have used paternity and maternity tests to disenroll tribal citizens when suspected parentage turns out to be false.¹¹ Tribal disenrollment may lead to loss of access to resources and support, social stigma, de-

nial of identity, and psychological harm. Others have used genetic testing to *limit* tribal enrollment eligibility.¹² These tests are genetic in nature, but are very limited in scope and only indicate whether there is likely a direct parent-child relationship.

Can ancestry tests provide enough precision to specify tribal affiliations? The short answer is no. In *Native American DNA*, Kim TallBear describes the limitations of genetic ancestry companies that purport to tell someone their percentage of Native ancestry and the tensions that these genetic results can have in terms of sociocultural identities.¹³ It is far too easy for individuals to erroneously cross-map statistically generated percentages (such as 3 percent Native American) to the well-established and problematic practice of blood-quantum measurement (such as one-thirty-second Cherokee). While some of the testing companies can certainly test for genetic markers that are found at much higher frequencies in Native Americans than other groups and thus make some predictions about Native ancestry, the markers are not enough to make a definitive claim to Nativeness, much less to a specific tribal identity. Often, I receive emails asking me for advice on which DTC test to use to determine Native American ancestry. Although I am not in the business of making recommendations for one ancestry testing company over another, I am particularly concerned if consumers tell me they are seeking out a test in order to gather additional evidence that their family stories of Native American ancestry from a particular tribe are indeed true. Despite advances in genetic tests’ capacity to pinpoint ancestral relationships, none of the companies can definitively state that ancestral relationships are aligned with any particular tribe. No genetic tests can determine tribal affiliation, nor can they definitively prove Native American ancestry.

As we have seen, the key reason behind these limits is simply that there are

Nanibaa’ A.
Garrison

not enough data in the databases to make strong conclusions. But it is worth interrogating that absence. Obviously, Indigenous peoples are a smaller demographic presence in most locations – the result of centuries of colonialism and violence – so there is simply a smaller pool from which to draw. It is also the case, however, that Native Americans have largely refused to participate in genetic research related to human migration and ancestry. The refusal took on a powerful salience after activists began protesting the Human Genome Diversity Project’s efforts to recruit “isolated human populations” (in other words, Indigenous people) before their genetic variation was “irretrievably lost” through admixture with other populations.¹⁴ The reticence to participate was on the grounds that the frame of “irretrievable” and inevitable loss reproduced older ideologies that insisted on Native Americans’ vanishing and disappearance. Additionally, the results of such projects have offered no direct benefit to the tribes or individuals; in that sense, they too are colonial in nature. It is also worth noting the multiplicity of tribes that exist across the United States; most are too small for a researcher to recruit enough members to definitively identify the necessary number of distinct genetic markers to make genealogy a condition for tribal membership.

Scientific challenges to tribal origins can have harmful implications for tribes more generally, as these claims can be used as points of leverage for those opposed to tribal claims to homelands, territory, or human remains. Significant psychological distress can arise if a person’s beliefs about their ancestors’ origins conflict with scientific interpretations of genetic data. Tribes have also been concerned that scientific evidence can be used to contradict or challenge their cultural and deeply held beliefs about their origins. Many of these genetic studies indicate that the ances-

tors to current Native Americans migrated across the Bering Strait from Asia. These results may carry political implications if they are used to challenge tribal sovereignty and land rights. Nor are they as clear-cut as they may seem. In terms of scholarly debate, they may also fail to align with the developing archeological record, or with other disciplines such as linguistics, both of which work with their own models of deep time and migration history.

In two separate cases, the Havasupai and the Nuu-Chah-Nulth peoples challenged genetic researchers for misuse of their DNA samples. Both tribes had donated their DNA samples for biomedical research (diabetes and arthritis studies, respectively), but in both cases samples were used for secondary analyses of human migration studies without permission and published with tribal identifiers.¹⁵ In both cases, scientific results suggested that the tribes originated from Asia and crossed the Bering Strait, which contradicted intergenerational beliefs about ancestral origins. In both cases, researchers failed to ask for permission to conduct such research and failed to communicate the findings with the tribes. This ethical breach thus further compromised the politics of traditional knowledge. It failed to allow tribes to raise concerns about stigmatizing interpretations, such as the reporting of inbreeding coefficients, which suggested to tribes that they had engaged in taboo activities. In response to such ethical issues, as sovereign political bodies, tribes have established their own institutional review boards in order to more effectively participate in research oversight.

In addition to being useful for learning about human biological relationships, genetic ancestry tests can also be employed by medical researchers in studies of disease susceptibility across human populations.¹⁶ Genetic ancestry tests have been used in medical research to tease out ancestral components that might reveal whether a

disease or trait is more prevalent in one population than another. By isolating the ancestral markers in DNA, researchers are able to hone in on the genetic variants that are associated with diseases or other phenotypes. In groups that have a long history of mixing – Hispanic populations, for example, which have ancestral contributions from Europe and the Americas – teasing out genetic ancestral components can help researchers determine if a particular trait or disease is associated with specific proportions of European or Native American ancestry.

Health research studies have also incorporated genetic ancestry estimates into analyses, controlling for ancestry in order to disentangle clinical phenotypes (physical characteristics) that are more common within a certain population. This generates some useful applications, such as precision medicine, which aims to utilize patients' genomic information – including ancestry estimates – in determining optimal therapeutic options for each individualized patient. Pharmacogenomics tailors drug and dosing prescriptions to individuals with certain genotypes, thus potentially enhancing clinical treatments to individuals.

In 2015, President Obama announced the Precision Medicine Initiative (renamed the *All of Us* Research Program), which conducts longitudinal studies of cohorts in order to gain deeper understandings of genomics, clinical treatments, and health outcomes. The program aims to recruit one million Americans, including a large number of American Indian and Alaska Native people, to further understand the relationships between genes and health. The program will follow this population cohort to learn which triggers – whether genetic or environmental – are likely to lead to a particular health outcome. For example, one precision-medicine study found that, if Hispanic children with acute lymphoblastic leukemia had a high proportion of Native American DNA, one ex-

tra round of chemotherapy improved their survival outcomes.¹⁷

Precision medicine seems to be a promising direction for genetic work, but its relationship to Indigenous people is not unproblematic. Furthermore, only a few genes have been directly connected to specific disease states (Huntington's Disease, for example) and even fewer genes have been directly connected to a better understanding of effective drug interactions. And while the incorporation of ancestry results in the clinical setting may potentially benefit patients, there are always dangers inherent in conflating social constructions of racial identity with genetic information. Combined with small population pools and a troubled ethical history surrounding consent and consultation, a better ethical standard is needed to structure the interaction between biomedical genetic research and Indigenous communities in a way that maximizes benefits while minimizing harm.

As shown in this essay, while the use of genetic ancestry tests may yield surprising and useful insights about a person's genetic history, much of the technology's commercial use is premature and may leave consumers with inconsistent results across companies. In this sense, the tests are truly best understood as recreational. Although genetic science and research continues to advance, one must proceed with caution with DTC test results, especially for populations that are historically underrepresented in databases, like Native Americans. While genetic identity science could take decades to realize its full potential, other forms of expression, such as social, political, and cultural identities, will continue to drive the insights and perspectives that people have about themselves. These expressions and identities are intertwined and complex, and they refuse the possibility of a seemingly "neutral" genetic science. The conjuncture of genetics and Indigeneity, it is clear, will remain one

of both potential and challenge. Research design and applied science must be reimagined in a landscape complicated both by the

recreational identity industry and by tribal assertions of sovereignty in relation to research, citizenship, history, and ethics.

ENDNOTES

- ¹ David Weigel, "Scott Brown says Warren could 'take a DNA test' to prove she's part Cherokee," *The Washington Post*, June 27, 2016, https://www.washingtonpost.com/news/post-politics/wp/2016/06/27/scott-brown-says-warren-could-take-a-dna-test-to-prove-shes-part-choerokee/?utm_term=.ba74fb790031; Katharine Q. Seelye and Abby Goodnough, "Candidate for Senate Defends Past Hiring," *The New York Times*, April 30, 2012, <http://www.nytimes.com/2012/05/01/us/politics/elizabeth-warrens-ancestry-irrelevant-in-hiring-law-schools-say.html>; and Philip Bump, "Sorry, Scott Brown: A DNA test can't tell us if Elizabeth Warren has Native American roots," *The Washington Post*, June 29, 2016, https://www.washingtonpost.com/news/the-fix/wp/2016/06/29/sorry-scott-brown-a-dna-test-cant-actually-say-if-elizabeth-warren-has-native-american-roots/?utm_term=.71f7943a2909.
- ² Charmaine D. Royal, John Novembre, Stephanie M. Fullerton, David B. Goldstein, Jeffrey C. Long, Michael J. Bamshad, and Andrew G. Clark, "Inferring Genetic Ancestry: Opportunities, Challenges, and Implications," *The American Journal of Human Genetics* 86 (5) (2016): 661 – 673, doi: 10.1016/j.ajhg.2010.03.011.
- ³ Kim TallBear, *Native American DNA: Tribal Belonging and the False Promise of Genetic Science* (Minneapolis: University of Minnesota Press, 2013); and Meagan Day, "No, You are Not Part Cherokee. And Neither is Elizabeth Warren," *Timeline*, July 5, 2016, <https://timeline.com/part-choerokee-elizabeth-warren-cf6be035967e>.
- ⁴ Mark D. Shriver, Esteban J. Parra, Sonia Diros, et al., "Skin Pigmentation, Biogeographical Ancestry and Admixture Mapping," *Human Genetics* 112 (4) (2013): 387 – 399, doi: 10.1007/s00439-002-0896-y; John Novembre, Toby Johnson, Katarzyna Bryc, et al., "Genes Mirror Geography within Europe," *Nature* 456 (7218) (2008): 98 – 101; and Nan Yang, Hongzhe Li, Lindsey A. Criswell, et al., "Examination of Ancestry and Ethnic Affiliation Using Highly Informative Diallelic DNA Markers: Application to Diverse and Admixed Populations and Implications for Clinical Epidemiology and Forensic Medicine," *Human Genetics* 118 (3) (2005): 382 – 392.
- ⁵ See, for example, 23andMe, <https://www.23andme.com/>; AncestryDNA, <https://www.ancestrydna.com/>; and African Ancestry, <http://www.africanancestry.com/>.
- ⁶ See "U.S. Chat Show Host Could Be a Zulu," BBC News, June 15, 2005, <http://news.bbc.co.uk/2/hi/africa/4096706.stm>; "DNA Testing Allows African-Americans to Trace Ancestry," ABC News, October 21, 2005, <http://abcnews.go.com/GMA/story?id=1236422&page=1>; and AncestryDNA, "Oprah Winfrey's Surprising DNA Test," May 27, 2014, <http://blogs.ancestry.com/cm/2014/05/27/the-surprising-facts-oprah-winfrey-learned-about-her-dna/>.
- ⁷ Henry T. Greely, "Genetic Genealogy: Genetics Meets the Marketplace," in *Revisiting Race in a Genomic Age*, ed. Barbara A. Koenig, Sandra Soo-Jin Lee, and Sarah S. Richardson (New Brunswick, N.J.: Rutgers University Press, 2008), 215 – 234.
- ⁸ Gregory D. Kutz, *Direct-to-Consumer Genetic Tests: Misleading Test Results Are Further Complicated by Deceptive Marketing and Other Questionable Practices*, GAO-10-847T (Washington, D.C.: U.S. Government Accountability Office, 2010).
- ⁹ Novembre et al., "Genes Mirror Geography within Europe"; Carlos D. Bustamante, Esteban G. Burchard, and Francisco M. De La Vega, "Genomics for the World," *Nature* 475 (7355) (2011): 163 – 165, doi:10.1038/475163a.; and Alice B. Popejoy and Stephanie M. Fullerton, "Genomics is Failing on Diversity," *Nature* 538 (7624) (2016): 161 – 164, doi: 10.1038/538161a.
- ¹⁰ Kevin Taylor, "Bitter Fight to Determine Who is an American Indian Turns to DNA Testing," *Indian Country Today*, October 13, 2011, <https://indiancountrymedianetwork.com/news/bitter-fight-to-determine-who-is-an-american-indian-turns-to-dna-testing/>; Marcos Barberly, "Slave

Descendants Seek Equal Rights from Cherokee Nation,” *Salon*, May 21, 2013, http://www.salon.com/2013/05/21/slave_descendants_seek_equal_rights_from_cherokee_nation_partner/; and Nanibaa’ A. Garrison
Brendan I. Koerner, “Blood Feud,” *Wired*, September 2005, <http://archive.wired.com/wired/archive/13.09/seminoles.html>.

¹¹ Koerner, “Blood Feud.”

¹² Eastern Band of Cherokee Indians, “Enrollment Application,” 2010, <http://nc-cherokee.com/enrollment/files/2010/09/enrollment-application.pdf> (accessed August 31, 2017).

¹³ TallBear, *Native American DNA*.

¹⁴ Debra Harry, Stephanie Howard, and Brett Lee Shelton, “Indigenous Peoples, Genes and Genetics: What Indigenous People Should Know about Biocolonialism,” *Indigenous Peoples Council on Biocolonialism* (June 2000): 1–41; and Luigi Luca Cavalli-Sforza, Allan C. Wilson, Charles R. Cantor, Robert M. Cook-Deegan, and Mary-Claire King, “Call For A Worldwide Survey of Human Genetic Diversity: A Vanishing Opportunity for the Human Genome Project,” *Genomics* 11 (2) (1991): 490–491.

¹⁵ Amy Harmon, “Havasupai Case Highlights Risks in DNA Research,” *The New York Times*, April 27, 2010; Paul Rubin, “Indian Givers: The Havasupai Trusted the White Man to Help with a Diabetes Epidemic. Instead, ASU Tricked Them into Bleeding for Academia,” *Phoenix New Times*, May 27, 2004; and David Wiwichar, “Nuu-Chah-Nulth Blood Returns to West Coast,” *Ha-Shilth-Sa Newspaper*, December 16, 2004.

¹⁶ David Burgner, Sarra E. Jamieson, and Jenefer M. Blackwell, “Genetic Susceptibility to Infectious Diseases: Big is Beautiful, But Will Bigger be Even Better?” *The Lancet Infectious Diseases* 6 (10) (2006): 653–663, doi: 10.1016/S1473-3099(06)70601-6; and Teri A. Manolio, Lisa D. Brooks, and Francis S. Collins, “A HapMap Harvest of Insights into the Genetics of Common Disease,” *The Journal of Clinical Investigation* 118 (5) (2008): 1590–1605, doi: 10.1172/JCI34772.

¹⁷ The White House Office of the Press Secretary, “President Obama’s Precision Medicine Initiative,” January 20, 2015, <https://www.whitehouse.gov/the-press-office/2015/01/30/fact-sheet-president-obama-s-precision-medicine-initiative>; National Institutes of Health, “All of Us,” <https://allofus.nih.gov/> (accessed August 15, 2017); and Jun J. Yang, Cheng Cheng, Meenakshi Devidas, et al., “Ancestry and Pharmacogenomics of Relapse in Acute Lymphoblastic Leukemia,” *Nature Genetics* 43 (3) (2011): 237–241, doi: 10.1038/ng.763.

Reclaiming Representations & Interrupting the Cycle of Bias Against Native Americans

Arianne E. Eason, Laura M. Brady & Stephanie A. Fryberg

Abstract: The most widely accessible ideas and representations of Native Americans are largely negative, antiquated, and limiting. In this essay, we examine how the prevalence of such representations and a comparative lack of positive contemporary representations foster a cycle of bias that perpetuates disparities among Native Americans and other populations. By focusing on three institutions – the legal system, the media, and education – we illustrate how the same process that creates disparate outcomes can be leveraged to promote positive contemporary ideas and representations of Native Americans, thereby creating more equitable outcomes. We also highlight the actions some contemporary Native Americans have taken to reclaim their Native American identity and create accurate ideas and representations of who Native Americans are and what they can become. These actions provide a blueprint for leveraging cultural change to interrupt the cycle of bias and to reduce the disparities Native Americans face in society.

ARIANNE E. EASON is a Ph.D. candidate in Psychology at the University of Washington.

LAURA M. BRADY is a Research Associate in the Department of Psychology at the University of Washington.

STEPHANIE A. FRYBERG is Associate Professor in the Department of Psychology and the Department of American Indian Studies at the University of Washington.

(Complete author biographies appear at the end of the essay.)

What white people see when they look at you is not visible. What they do see when they do look at you is what they have invested you with. . . . To survive this, you have to really dig down into yourself and recreate yourself, really, according to no image which yet exists in America. You have to impose who you are, and force the world to deal with you, not with its idea of you.

– James Baldwin
*The Last Interview and Other Conversations*¹

When you think about the most accessible representations of Native Americans in the United States, what comes to mind? You might conjure historical representations of buckskin-wearing, teepee-dwelling people with feathers, or contemporary images of impoverished, drug-abusing, uneducated people.² Such negative, limiting, and inaccurate representations are widely accessible in the United States. Now, take a moment to think about what it means to be suc-

cessful. You might think of someone who is highly educated, with a lucrative career in law, entertainment, education, or some other field. Do the aforementioned representations of Native Americans align with this image of success? How do you think these representations affect the way Native Americans are viewed and treated in consequential domains such as the legal system, the media, and education?

Social scientists largely agree that being human is a social project; people are shaped by the individuals around them and the cultural context in which they live.³ The dominant culture provides ideas, beliefs, and assumptions about what it means to be a person or a member of a group and, as such, offers a schema for understanding both oneself and others.⁴ For Native Americans, the most widely accessible ideas about their group, as well as the representations that stem from them, are not harmless misunderstandings or overgeneralizations. As Baldwin's quote highlights, White American institutions and individuals have overwhelmingly created and defined prevalent representations of racial minority groups, including Native peoples.⁵ The resulting representations reflect negative, inaccurate ideas about Native Americans while ignoring positive, accurate ideas. Consequently, biased understandings of how contemporary Native Americans look, sound, and behave permeate U.S. society. We contend that biased ideas and representations of Native Americans – particularly the scarcity of positive, accurate, and contemporary ideas and representations – constitute the modern form of bias against Native Americans and perpetuate a recursive cycle of low expectations, prejudice, and discrimination that reinforces disparities in domains from public health to education.

Breaking this cycle, as Baldwin contends, requires that new ideas and representations defined by Native American people accurately reflect who and what Native people

are, not who others imagine them to be. We draw upon the culture cycle framework to describe how ideas and representations of Native Americans become embedded in the social fabric (that is, within institutions, interactions, and individuals) and provide a roadmap for change. First, we highlight how widely accessible ideas and representations about Native Americans fuel a cycle of bias and create disparate outcomes, specifically in the legal system, the media, and education. Second, we call attention to actions of Native American tribes and individuals that have reshaped U.S. culture and promoted more equitable outcomes for contemporary and future Native people. We end with a discussion of how both Native and non-Native people can leverage cultural change to break the cycle of bias against Native peoples.

The *culture cycle* describes the relation between the surrounding cultural context and individuals' thoughts, feelings, and behaviors. Four levels of culture – *ideas*, *institutions*, *interactions*, and *individuals* – work together in a mutually constitutive manner to shape and reinforce social and cultural outcomes.⁶ The highest level of the culture cycle includes *ideas*, such as social, political, and economic histories, assumptions, and norms. These ideas include understandings of how to be a “good” or “moral” individual, stereotypes that shape expectations of group members, and the value placed on different ways of knowing or engaging with the world. *Institutions* include the legal system, the media, and the education system. The practices, policies, structures, and products of institutions reflect prevalent cultural ideas. For example, the legal system sanctions individuals who violate ideas about “good” and “moral” behavior, and the media produces movies, books, and news reports that reflect and reify cultural ideas. Institutional practices and policies in turn provide scripts and norms that

shape everyday *interactions* among people, institutions, and cultural products. Finally, ideas, institutions, and interactions all shape the thoughts, feelings, and behaviors of *individuals*. When individual behavior aligns with cultural influences, it reinforces the culture cycle; when behavior does not align, it pushes back in subtle and not-so-subtle ways against the dominant cultural ideas and reconstitutes the culture cycle.

While conversations about disparities focus on how individuals' characteristics – such as race, gender, or social class – relate to outcomes, the culture cycle framework highlights the importance of considering the role of the entire cultural system in perpetuating and alleviating disparate outcomes for Native Americans. In the next three sections, we highlight the mutual constitution of cultural ideas, institutions, interactions, and individuals by focusing on the legal system, the media, and education. These institutions reflect and foster a core set of negative and limited ideas about Native people that can lead influential individuals – for example, politicians, judges, lawyers, and educators – to lower expectations and ultimately bring about the exact same disparate outcomes society has come to expect of this group. Finally, we discuss the steps Native American individuals and communities have taken to create more accurate and positive cultural ideas of their groups, and how these actions reverberate throughout the culture cycle to promote more equitable outcomes, both today and in the future.

In historic and contemporary legal policy and practice, Native Americans have been represented as “uncivilized,” incapable of behaving according to mainstream American norms.⁷ For example, until the 1975 Indian Self-Determination and Education Assistance Act was passed, federal policies treated Native Americans as “wards of the government” and prevented Na-

tive American communities from making their own decisions about health care, education, and governance. Similarly, federal laws have restricted tribes' control over policing Native American communities; and federal agencies, such as the Bureau of Indian Affairs, have failed to provide adequate funding to keep Native communities safe.⁸ On one hand, restricting tribal control over law enforcement reifies the notion that Native Americans are incapable of policing their own communities.⁹ On the other hand, federal and state governments' failure to provide sufficient resources to Native communities causes the negative outcomes expected to arise from Native Americans' supposed inability to police themselves, thus reinforcing harmful stereotypes.

Biased institutional understandings of Native people also impact law enforcement officers' interactions with Native people and, ultimately, Native peoples' outcomes within the legal system. For example, interactions with law enforcement are more likely to end in the use of deadly force for Native Americans than for any other racial group relative to population size.¹⁰ A study of Native American individuals from seven states and eight tribal nations revealed that even when interactions with police do not lead to violence, police often use racial slurs or derogatory language.¹¹ Courtroom interactions are similarly biased; for example, Native youth are 30 percent more likely than White youth to be referred to juvenile court rather than having their charges dropped.¹² Given these outcomes, Native Americans report being reluctant to turn to the legal system when they need help because they believe that law enforcement will not take their complaints seriously or intervene when they are in danger.¹³ Interactions between Native Americans and the legal system not only perpetuate distrust, but also promote racial disparities that undermine Native peoples' well-being and livelihood.¹⁴

Construing Native people through a negative and limiting lens – as unable to govern themselves or as “uncivilized” – further justifies the perpetuation of disparate outcomes for Native Americans interacting with the legal system. The underlying assumption of these negative and limiting ideas is that anything non-Native legal institutions do on behalf of Native Americans is better than what Native people could have done on their own. According to this logic, in spite of Native Americans’ disparate outcomes in the legal system relative to other groups, changes do not need to occur because Native people are still better off than they would be if they were governing themselves. Yet such a biased and inaccurate view of Native people in the legal system obscures the fact that Native people have long governed themselves and worked to alleviate the disparate outcomes they face in the American legal system. According to the National American Indian Court Judge Association, 93 percent of federally and state-recognized tribes have their own tribal justice systems.¹⁵ Furthermore, Native American individuals and communities have long utilized Indian law to advocate for their well-being and to challenge federal and state laws. Two such examples include the Indian Child Welfare Act (ICWA) and the Violence Against Women Act (VAWA).

ICWA, which passed in 1978, gives Native American tribes jurisdiction over child welfare cases involving Native children. From 1969 – 1974, the U.S. government separated 25 – 35 percent of all Native children from their families and placed them in foster homes, adoptive homes, or institutions. A majority (85 percent) of these children were placed in non-Native homes even when Native homes were available, reflecting the bias that Native Americans are incapable of raising their own children.¹⁶ The Association on American Indian Affairs conducted surveys in states with large Native American populations to understand why

so many Native children were removed. These surveys revealed that many children were removed not because of abuse or neglect, but because their families practiced communal childrearing. Communal childrearing is normative in Native American communities, but it conflicts with the nuclear family model of childrearing that prevails in White, middle-class contexts.¹⁷ Thus, the research affirmed that the removal of Native children was fueled by cultural bias against Native ways of being.

By giving tribes control over child welfare cases, ICWA directly challenged negative beliefs about Natives’ ability to care for their own children and changed how the U.S. government intervened in these cases. Following ICWA, the number of Native children placed in foster care or adoption between 1978 and 1986 decreased significantly.¹⁸ ICWA’s passage set the stage for Native tribes nationwide to build child welfare agencies that keep Native families and communities together.¹⁹ By challenging biased understandings of Native families and ways of being, ICWA and the Native individuals, organizations, and communities that were essential to its passing improved both disparate child welfare outcomes and relationships among tribal governments, Native parents, Native children, and federal and state governments.

Just as ICWA was a direct response to the disproportionate removal of Native American children from their families, the 2013 reauthorization of VAWA came as a direct response to the disproportionate rates of violence experienced by Native women at the hands of non-Native men. Approximately 56 percent of Native American women report experiencing sexual violence in their lifetime, and 96 percent of these women report sexual assault by a non-Native man.²⁰ Native women are the only ethnic group more likely to be assaulted by a male of a different ethnicity than by a male of the same ethnicity.²¹ Prior to VAWA, federal and/or

state governments had jurisdiction over cases involving non-Native men assaulting Native women on reservations. Despite this jurisdiction, law enforcement agencies and prosecutors failed to investigate or litigate many cases involving non-Native individuals, leaving perpetrators free to reoffend and victims without justice.²² While rates of reporting and litigating against sexual assault perpetrators are low regardless of victim demographics, people of color, and Native American women in particular, face additional barriers rooted in racial bias.²³ Like many people of color, Native women are perceived as less worthy of protection than White women:²⁴ as recently as 1968, a federal appellate court upheld a statute that reduced sentencing for rape cases involving Native American women.²⁵ Furthermore, prosecutors often take Native women's sexual assault claims less seriously, assuming that Native victims were under the influence (in accordance with the stereotype of Native Americans as drunks), making it less likely that litigation will proceed.²⁶ In 2015, after a decade of Native American grassroots efforts and advocacy, Congress added a provision to VAWA granting tribes jurisdiction over cases of intimate partner violence involving non-Native individuals on reservations. Once VAWA passed, a pilot project gave three tribes early jurisdiction. In the span of seventeen months, these tribes charged a total of twenty-six offenders.²⁷ While advocates are seeking to expand VAWA protections to other types of violence, this legislation stands as an example of Native communities working to address the needs of their people and improving their outcomes by assuming control over their own legal processes.

ICWA and VAWA demonstrate how Native tribes have pushed back against biased legal policies and practices to better protect and serve their communities, thereby improving their lives in contemporary society. In particular, there is a direct relation-

ship between the number of self-determining actions a tribal community takes and the community's mental health. Specifically, First Nations bands (the Native people of Canada) who enacted more self-determining practices that reflected their cultural histories and values, such as making claims to traditional lands or taking community control over education and health services, had lower suicide rates than bands who enacted fewer self-determining practices.²⁸ The legal system's biased understanding and paternalistic treatment of Native Americans undermines equitable outcomes for Native American individuals and communities. Importantly, these outcomes are not predetermined or rooted in Native Americans' "inadequacies"; when Natives challenge biased legislation and self-govern, Native communities flourish.

The institution most responsible for creating and transmitting biased representations is the media. Psychologist Peter Leavitt and colleagues, for example, examined the content that emerged from search engine queries for the terms "Native American" or "American Indian."²⁹ Ninety-five percent of Google results and 99 percent of Bing results included antiquated portraits of Native American people in traditional clothing and feathers; contemporary images of Native Americans were scant. Although inaccurate, these antiquated images remain prevalent because people continue to consume them, so search engine algorithms continue to present them as valid representations of Native Americans.³⁰

Biased and inaccurate representations of Native Americans also persist in television, film, and advertising. While contemporary members of other racial groups are by and large represented, Native Americans are largely omitted.³¹ From 1987–2008, only three Native American characters were featured on primetime television (out of 2,336 characters).³² On the rare oc-

casion that Native Americans are represented in mainstream media, they often appear in stereotypical roles (such as the casino Indian, “Indian Princess,” or drunken Indian) or in secondary roles lacking character development.³³ Individuals responsible for creating new media representations, such as casting agents or directors, often reify the invisibility of contemporary Native peoples by passing over Native actors for roles that are “unrealistic” based on stereotypes about Native Americans (for example, by not casting Native people as doctors or lawyers).³⁴ While there is great variability in how Native Americans look, speak, and act, Natives who do not fit a narrow, prototypical image of a Native American are often excluded from roles intended for Natives.³⁵ The lack of positive and accurate contemporary representations denies Native Americans’ continued existence and literally and figuratively writes them out of contemporary life.

Widely available media representations of Native Americans carry significant consequences, as they undermine Native Americans’ psychological well-being and hopes for future success. For example, Stephanie Fryberg and colleagues demonstrated through multiple studies that negative stereotypes of Native Americans and sports mascots such as the Cleveland Indians’ Chief Wahoo depressed Native Americans’ self-esteem, decreased perceptions of their Native community’s worth, and made them less likely to envision successful futures (such as earning good grades, finding a job, or completing a degree).³⁶ Such representations set in motion a self-fulfilling prophecy that renders Native American accomplishments invisible, hindering Native people from imagining and pursuing their own successful futures.³⁷ While harmful for Native Americans, these biased representations have a positive impact on White individuals, which may exacerbate intergroup tensions and disparate outcomes. After exposure to widely

available representations of Native people, European American participants reported boosts in self-esteem and greater feelings of connection to their racial group. Both the negative effects of Native Americans and the positive effects for Whites at the expense of Native Americans suggest that it is critical to promote positive, contemporary representations of Native Americans that accurately reflect who Native people are and what they are capable of achieving. Breaking the cycle of discrimination and disparities in resources and achievement requires taking control of how Native people are portrayed both to the outside world and within Native communities themselves.

Although non-Native individuals created many of the prevalent representations of Native Americans, Native people are working to recreate representations that accurately reflect contemporary Native Americans. For example, in 2012, Matika Wilbur, a Swinomish and Tulalip photographer, launched Project 562, which aims to photograph members of all 562 federally recognized tribes. To date, Wilbur has photographed members of four hundred tribes. Wilbur’s photos depict Native people of all ages in both urban and rural settings, wearing contemporary Western and tribally appropriate traditional clothing. Unlike twentieth-century photographer Edward Curtis, who is responsible for many of the antiquated images of Native Americans that prevail today, Wilbur collaborates with her Native American subjects. She presents contemporary Native Americans in positive, contemporary ways that counter the systemic exclusion that characterizes the modern form of bias against Native people.³⁸

Similar video campaigns (including Buzzfeed’s “I’m Native, but I’m Not . . .” and Arizona State University’s “Native 101”) and websites (WeRNative.org) showcase Native Americans resisting negative cultural ideas and offering more positive contemporary representations of Native people.³⁹ Native-

defined representations offer accurate, nuanced understandings of Native Americans that have always existed but have been obscured by biased portrayals created by non-Natives. As accurate images of Native Americans take hold, they have the power to challenge harmful stereotypes and ideas about Native Americans and illustrate what is possible for them, breaking the cycle of bias and disparate outcomes.

For a final example of how negative cultural ideas and representations of Native Americans perpetuate a cycle of bias and disparities, we turn to the education system. In the United States, education is often viewed as the key to upward social mobility and “a better life.” Yet, just as in the legal system and the media, biased ideas about and representations of Native Americans limit Native students’ opportunities and outcomes. For centuries, Native Americans have been portrayed as intellectually inferior and Native ways of knowing have been viewed as incorrect and incompatible with mainstream U.S. education. Federal boarding schools, in which Native children were forcibly enrolled throughout the nineteenth and early twentieth centuries, aimed to eliminate Native cultures and languages and acculturate Native children into White society. Although this explicitly assimilationist agenda has faded, many of its ideas prevail within the education system today. Research reveals, for example, that Native students are often perceived to struggle or to be “problem” students.⁴⁰ School curricula also fail to incorporate – and sometimes actively exclude – Native Americans’ cultural history and practices from the learning environment, as these histories and practices are deemed irrelevant to the goals of mainstream education.⁴¹

Negative and limiting ideas and representations influence interactions between educators and Native students and contribute to Natives’ disparate outcomes. For ex-

ample, compared with White students with equivalent test scores and grades, teachers are less likely to recommend Native students for advanced coursework.⁴² Native students are also suspended at more than twice the rate of White students.⁴³ These inaccurate and biased understandings of what is possible for Native students systematically deprive them of the ability to engage with and succeed within a system intended to foster opportunities for upward mobility.

Changing the way Native students are understood and treated within educational institutions can break the cycle of bias and alleviate educational disparities. For example, Stephanie Fryberg, Rebecca Covarrubias, and Jacob Burack describe an intervention in a predominantly Native American school that resulted in an 18 percent increase in the number of Native students who met state performance standards.⁴⁴ Teachers were taught about Native cultural ways of being, and school guidelines and routines were created to validate Native American cultures. Each school day began with a welcome assembly that included a tribal song and dance and a culturally relevant welcome message. When the intervention began, the school ranked in the bottom 5 percent of schools in the state, and much like the state and national pattern for the past forty years, there were no notable positive changes among Native students.⁴⁵ However, during the intervention, Native students improved immensely, showing growth on the Measures of Academic Progress (MAP) test at a rate of 1 to 1.5 years’ advancement in half a school year. This intervention revealed that school culture was the problem, not Native students: Native students thrive when their ways of knowing and being are validated in educational contexts and when they are seen as having potential. Creating more accurate representations – and thus understandings – of Native students paved the way for their success.

The culture cycle framework demonstrates the power of cultural ideas and representations in shaping Native Americans' experiences. Prevailing harmful and limiting ideas and representations of Native Americans fuel a cycle of bias and reinforce disparate outcomes for Native people. These ideas and representations shape the policies and practices of consequential social institutions, promote low expectations for Native people that influence their interactions with non-Natives, and limit what both Native and non-Native individuals believe is possible for Native Americans. In addition to the prevalence of harmful and antiquated ideas and representations about their group, Native Americans *also* contend with the systematic exclusion of positive, contemporary ideas and representations. Consequently, Native Americans are effectively written out of contemporary existence, which creates barriers to their well-being and success. Hence, the modern form of bias against Native Americans includes not only negative ideas and representations, but also the omission of positive, multidimensional ideas and representations of their group.⁴⁶

Breaking this cycle requires challenging derogatory ideas and representations and also, as James Baldwin suggests, infusing the broader cultural context with more accurate contemporary representations defined by Native people themselves. The culture cycle framework can be leveraged to reclaim what it means to be Native American and promote equity. Indeed, Native people and communities have already begun harnessing this power for change. As we have shown, their actions in key institutions have brought light to positive, nuanced understandings of Native Americans as they live today and have challenged antiquated, biased representations. As Native Americans and their allies continue fighting systemic exclusion and bias, we must ensure that targeted action is implemented

at each level of the culture cycle. The ideas and representations put forth must reflect Native Americans' knowledge of who they are and what they are capable of achieving.

While it is essential for Native individuals and communities to have a voice in creating accurate representations of Native Americans, the onus for changing the culture cycle does not rest solely on Native Americans. Non-Native individuals and institutions must also actively foster cultural change. For White individuals specifically, this responsibility necessitates acknowledging the legacy of building and benefiting from a cultural system that has intentionally misunderstood and devalued Native people and ways of life and attempted to thwart Natives' well-being and, in many respects, their very existence. As such, the dominant institutions must ensure that their practices, policies, and products set the stage for positive and equitable interactions with Native American individuals and communities. More generally, this responsibility hinges on a commitment to building a more equitable system that uplifts people from all backgrounds and allows all people to understand and recognize the needs, voices, and contributions of communities of color.

As the opening quote suggests, Native Americans are living within a cultural system that was constructed neither for nor by them. By understanding cultural influences on institutions and individuals, and by taking strategic, targeted action to change biased cultural ideas and representations, we can reconstitute the culture cycle to reflect accurate understandings of who Native people are and what they can become. Ultimately, these actions will produce more equitable outcomes for Native peoples both in the present and in the future.

*Eason, Brady
& Fryberg*

AUTHOR BIOGRAPHIES

ARIANNE E. EASON is a Ph.D. candidate in Psychology at the University of Washington. Her interests lie at the intersection of social and developmental psychology, specifically how children and adults process environmental information related to race and interracial interactions. Her research has been published in *Developmental Psychology*, *Current Directions in Psychological Science*, and *Infancy*.

LAURA M. BRADY is a Research Associate in the Department of Psychology at the University of Washington. She has published in such journals as *Current Opinion in Psychology*, *Journal of Experimental Social Psychology*, and *Journal of Personality and Social Psychology*.

STEPHANIE A. FRYBERG is Associate Professor in the Department of Psychology and the Department of American Indian Studies at the University of Washington. Her work on representations of Native Americans has appeared in *Journal of Personality and Social Psychology*, *Journal of Social Issues*, *Basic and Applied Social Psychology*, *Cultural Diversity and Ethnic Minority Psychology*, and *Journal of Applied Social Psychology*, among other publications.

AUTHORS' NOTE

A Ford Foundation Predoctoral Fellowship to Arianne E. Eason, a grant to Stephanie A. Fryberg & Arianne E. Eason from the First Nations Development Institute and EchoHawk Consulting Firm, and a grant to Stephanie A. Fryberg from the Raikes Foundation supported work on this essay.

ENDNOTES

- ¹ James Baldwin, *James Baldwin: The Last Interview and other Conversations* (New York: Melville House, 2014), 4–5.
- ² Walter C. Fleming, "Myths and Stereotypes about Native Americans," *Phi Delta Kappan* 88 (3) (November 2006): 213–217.
- ³ Hazel R. Markus and Maryam G. Hamedani, "Sociocultural Psychology," in *Handbook of Cultural Psychology*, ed. Shinobu Kitayama and Dov Cohen (New York: Guilford, 2010).
- ⁴ Serge Moscovici, "The Phenomenon of Social Representations," in *Social Representations*, ed. R. M. Farr and S. Moscovici (Cambridge, United Kingdom: Cambridge University Press, 1984), 3–69; and Serge Moscovici, "Notes Towards a Description of Social Representations," *European Journal of Social Psychology* 18 (3) (1988): 211–250.
- ⁵ In the case of Native Americans, see Robert F. Berkhofer, *The White Man's Indian: Images of the American Indian from Columbus to the Present* (New York: Alfred A. Knopf, 1978), 96.
- ⁶ Hazel R. Markus and Alana Conner, *Clash! 8 Cultural Conflicts That Make Us Who We Are* (New York: Hudson Street Press, 2013).
- ⁷ Devon Abbott Mihesuah, *American Indians: Stereotypes & Realities* (Gardena, Calif.: SCB Distributors, 2013).
- ⁸ Stewart Wakeling, Miriam Jorgensen, Susan Michaelson, and Manley Begay, *Policing on American Indian Reservations* (Washington D.C.: National Institute of Justice, U.S. Department of Justice, 2001); and United States Commission on Civil Rights, Office of Civil Rights Evaluation, *A Quiet Crisis: Federal Funding and Unmet Needs in Indian Country* (Washington, D.C.: U.S. Commission on Civil Rights, 2003).
- ⁹ Rosemary M. Maxey, "Who Can Sit at The Lord's Table? The Experience of Indigenous People," in *Native and Christian: Indigenous Voices on Religious Identity in the United States and Canada*, ed. James Treat (New York: Routledge, 2012), 38–50.
- ¹⁰ Mike Males, "Who Are Police Killing?" Center on Juvenile and Criminal Justice, August 26, 2014, <http://www.cjcj.org/news/8113>.

- ¹¹ Barbara Perry, "Nobody Trusts Them! Under- and Over-policing Native American Communities," *Critical Criminology* 14 (4) (November 2006): 411 – 444; and Robynne Neugebauer, "First Nations People and Law Enforcement: Community Perspectives on Police Response," in *Interrogating Social Justice: Politics, Culture and Identity*, ed. Marilyn Corsianos and Kelly A. Train (Toronto: Canadian Scholar's Press, 1999), 247 – 269.
- ¹² Christopher Hartney, *Native American Youth and the Juvenile Justice System* (Washington, D.C.: National Council on Crime and Delinquency, 2008).
- ¹³ See Perry, "Nobody Trusts Them!"; and Neugebauer, "First Nations People and Law Enforcement."
- ¹⁴ Barbara Perry, "Impacts of Disparate Policing in Indian Country," *Policing & Society* 19 (3) (2009): 263 – 281.
- ¹⁵ "National Directory of Tribal Justice Systems," National American Indian Court Judges Association, <http://directory.naicja.org/directory> (accessed September 15, 2017).
- ¹⁶ Claire Palmiste, "From the Indian Adoption Project to the Indian Child Welfare Act: The Resistance of Native American Communities," *Indigenous Policy Journal* 22 (1) (2011): 1 – 4.
- ¹⁷ H.R. Rep. No. 95-1386, at 10 (1978); and Steven Unger, ed., *The Destruction of American Indian Families* (New York: Association on American Indian Affairs, Inc., 1977).
- ¹⁸ Ann E. MacEachron, Nora S. Gustavsson, Suzanne Cross, and Allison Lewis, "The Effectiveness of the Indian Child Welfare Act of 1978," *Social Service Review* 70 (3) (September 1996): 451 – 463.
- ¹⁹ Lakota People's Law Project, "5 Sioux Tribes Applied to Fund Their Own Foster Care Programs," *Indian Country Today*, June 26, 2014, <https://indiancountrymedianetwork.com/culture/health-wellness/5-sioux-tribes-applied-to-fund-their-own-foster-care-programs/>.
- ²⁰ André B. Rosay, *Violence Against American Indian and Alaska Native Women and Men: 2010 Findings from the National Intimate Partner and Sexual Violence Survey* (Washington D.C.: National Institute of Justice, U.S. Department of Justice, 2016).
- ²¹ Amnesty International, *Maze of Injustice: The Failure to Protect Indigenous Women from Sexual Violence in the USA* (New York: Amnesty International USA, 2007).
- ²² Ibid.
- ²³ Ibid.; International Indigenous Women's Forum, *Mairin Iwanka Raya: Indigenous Women Stand Against Violence. A Companion Report to the United Nations Secretary-General's Study on Violence Against Women* (Lima, Peru: FIMI, 2006); and Sarah Deer, "Toward an Indigenous Jurisprudence of Rape," *Kansas Journal of Law and Public Policy* 14 (2004): 121 – 154.
- ²⁴ Ibid.
- ²⁵ *Gray v. U.S.*, 394 F.2d 96, 98 (9th Cir. 1968).
- ²⁶ Amnesty International, *Maze of Injustice*.
- ²⁷ Jennifer Bendery, "At Last, Violence Against Women Act Lets Tribes Prosecute Non-Native Domestic Abusers," *Huffington Post*, March 6, 2015, http://www.huffingtonpost.com/2015/03/06/vawa-native-americans_n_6819526.html.
- ²⁸ Michael J. Chandler and Christopher Lalonde, "Cultural Continuity as a Hedge against Suicide in Canada's First Nations," *Transcultural Psychiatry* 35 (2) (1998): 191 – 219.
- ²⁹ Peter A. Leavitt, Rebecca Covarrubias, Yvonne A. Perez, and Stephanie A. Fryberg, "'Frozen in Time': The Impact of Native American Media Representations on Identity and Self-Understanding," *Journal of Social Issues* 71 (1) (March 2015): 39 – 53.
- ³⁰ Rand Fishkin, "The State of Searcher Behavior Revealed Through 23 Remarkable Statistics," March 17, 2017, <https://moz.com/blog/state-of-searcher-behavior-revealed>.
- ³¹ Dana E. Mastro and Susannah R. Stern, "Representations of Race in Television Commercials: A Content Analysis of Prime-Time Advertising," *Journal of Broadcasting & Electronic Media* 47 (4)

- (December 2003): 638 – 647; Russell K. Robinson, “Casting and Caste-ing: Reconciling Artistic Freedom and Antidiscrimination Norms,” *California Law Review* 95 (1) (February 2007): 1 – 73; and Riva Tukachinsky, Dana Mastro, and Moran Yarchi, “Documenting Portrayals of Race/Ethnicity on Primetime Television over a 20-Year Span and Their Association with National-Level Racial/Ethnic Attitudes,” *Journal of Social Issues* 71 (1) (March 2015): 17 – 38.
- ³² Tukachinsky et al., “Documenting Portrayals of Race/Ethnicity on Primetime Television.”
- ³³ Casey R. Kelly, “Representations of Native Americans in the Mass Media,” *Oxford Research Encyclopedia of Communication* (February 2017), <http://communication.oxfordre.com/view/10.1093/acrefore/9780190228613.001.0001/acrefore-9780190228613-e-142#acrefore-9780190228613-e-142-div2-5>, doi:10.1093/acrefore/9780190228613.013.142; and Robinson, “Casting and Caste-ing: Reconciling Artistic Freedom and Antidiscrimination Norms,” 1 – 73.
- ³⁴ Ibid.
- ³⁵ Hilary N. Weaver, “What Color is Red? Exploring the Implications of Phenotype for Native Americans,” in *The Melanin Millennium: Skin Color as 21st-Century International Discourse*, ed. Ronald E. Hall (Dordrecht, The Netherlands: Springer, 2013), 287 – 299.
- ³⁶ Stephanie A. Fryberg, Hazel R. Markus, Daphna Oyserman, and Joseph M. Stone, “Of Warrior Chiefs and Indian Princesses: The Psychological Consequences of American Indian Mascots,” *Basic and Applied Social Psychology* 30 (3) (July 2008): 208 – 218.
- ³⁷ Stephanie A. Fryberg and Sarah S. M. Townsend, “The Psychology of Invisibility,” in *Commemorating Brown: The Social Psychology of Racism and Discrimination*, ed. Glenn Adams, Monica Biernat, Nyla R. Branscombe, Christian S. Crandall, and Lawrence S. Wrightsman (Washington, D.C.: American Psychological Association, 2008), 173 – 193.
- ³⁸ Hilal Isler, “One Woman’s Mission to Photograph every Native American Tribe in the U.S.,” *The Guardian*, September 7, 2015, <https://www.theguardian.com/us-news/2015/sep/07/native-american-photographs-matika-wilbur-project-562>; Whitney Richardson, “Rejecting Stereotypes, Photographing ‘Real’ Indians,” *Lens*, February 19, 2014, <https://lens.blogs.nytimes.com/2014/02/19/rejecting-stereotypes-photographing-real-indians/?mcubz=1>; and Matika Wilbur, Project 562, <http://www.project562.com>.
- ³⁹ Chris Lam, “I’m Native, but I’m Not . . .” BuzzFeed, February 3, 2016, https://www.buzzfeed.com/chrislam/im-native-but-im-not?utm_term=.yvERRZyBPe#.py9JJKLdl8; Deanna Dent, “Native 101,” *ASU Now*, November 29, 2016, <https://asunow.asu.edu/20161129-sun-devil-life-native-101-asu-students-faculty-bust-stereotypes>; and WeRNative, <http://www.WeRNative.org>.
- ⁴⁰ Stephanie A. Fryberg and Peter A. Leavitt, “A Sociocultural Analysis of High-Risk Native American Children in Schools,” in *Cultural and Contextual Perspectives on Developmental Risk and Well-Being*, ed. Jacob A. Burack and Louis A. Schmidt (New York: Cambridge University Press, 2014), 57 – 80; and Katie Johnston-Goodstar and Ross VeLure Roholt, “‘Our Kids Aren’t Dropping Out; They’re Being Pushed Out’: Native American Students and Racial Microaggressions in Schools,” *Journal of Ethnic & Cultural Diversity in Social Work* 26 (1 – 2) (January 2017): 30 – 47.
- ⁴¹ U.S. Commission on Civil Rights, *A Quiet Crisis: Federal Funding and Unmet Needs in Indian Country* (Washington, D.C.: U.S. Government Publishing Office, 2003).
- ⁴² Claudia Rowe, “Gifted Programs across Washington Leave Out Black and Latino Students – But Federal Way is One Model for Change,” *The Seattle Times*, April 2, 2017, <http://www.seattletimes.com/education-lab/gifted-programs-across-washington-leave-out-black-and-latino-students-except-in-federal-way/>.
- ⁴³ Rebecca Clarren, “How America is Failing Native American Students,” *The Nation*, July 24, 2017, <https://www.thenation.com/article/left-behind/>; and U.S. Department of Education, *Civil Rights Data Collection 2011 – 12* (Washington D.C.: U.S. Government Publishing Office, 2014), <https://www2.ed.gov/about/offices/list/ocr/data.html>.

- ⁴⁴ Stephanie A. Fryberg, Rebecca Covarrubias, and Jacob A. Burack, “The Ongoing Psychological Colonization of North American Indigenous People: Using Social Psychological Theories to Promote Social Justice,” in *The Oxford Handbook of Social Psychology and Social Justice*, ed. Phillip L. Hammack Jr. (Oxford, United Kingdom: Oxford University Press, 2016), doi:10.1093/oxfordhb/9780199938735.013.35. Eason, Brady & Fryberg
- ⁴⁵ Kim Burgess, “‘Stagnant’ Test Scores for Native American Students,” *Albuquerque Journal*, April 10, 2017, <https://www.abqjournal.com/985310/stagnant-test-scores-for-native-american-kids.html>.
- ⁴⁶ Stephanie A. Fryberg and Arianne E. Eason, “Making the Invisible Visible: Acts of Commission and Omission,” *Current Directions in Psychological Science* 26 (6) (2017): 554 – 559.

Why Don't More Indians Do Better in School? The Battle between U.S. Schooling & American Indian/Alaska Native Education

*Bryan McKinley Jones Brayboy
& K. Tsianina Lomawaima*

Abstract: American Indian/Alaska Native education – the training for life of children, adolescents, and adults – has been locked in battle for centuries with colonial schooling, which continues to the present day. Settler societies have used schools to “civilize” Indigenous peoples and to train Native peoples in subservience while dispossessing them of land. Schools are the battlegrounds of American Indian education in which epistemologies, ontologies, axiologies, pedagogies, and curricula clash. In the last century, Native nations, communities, parents, and students have fought tenaciously to maintain heritage languages and cultures – their ways of being in the world – through Indigenous education and have demanded radical changes in schools. Contemporary models of how educators are braiding together Indigenous education and Indigenous schooling to better serve Native peoples provide dynamic, productive possibilities for the future.

The history of American Indian education can be summarized in three simple words: battle for power.

– K. Tsianina Lomawaima, 2000

BRYAN MCKINLEY JONES BRAYBOY is President's Professor and Senior Advisor to the President on American Indian Affairs at Arizona State University.

K. TSIANINA LOMAWAIMA is Professor with Justice & Social Inquiry and the Center for Indian Education within the School of Social Transformation at Arizona State University.

(Complete author biographies appear at the end of the essay.)

In 1927, Robert “Bob” Carlisle Carr and Curtis “Curt” Thorpe Carr entered Chilocco Indian Agricultural School, a federal boarding school in Oklahoma.¹ Bob was ten or eleven years old; Curt was nine. Their mother, Cora Wynema Carr, was a Muskogee (Creek) woman struggling to raise her children in Wichita, Kansas. She was Indian, she was a single mother, and, in those days, that's all it took for the county social workers to declare her incompetent and take her children away. Bob and Curt were Indians, too, of course, which meant they were a federal responsibility, and the local court therefore remanded them to Chilocco. Bob and Curt rebelled against Chilocco's harsh total-

© 2018 by the American Academy of Arts & Sciences
doi:10.1162/DAED_a_00492

itarian regime: Curt joined one of the boys' gangs that organized lives in the outdoor spaces where surveillance did not reach; Bob's behavior became "incorrigible" and he was expelled – no small accomplishment in a system devoted to institutionalizing Indian children. Curt did not see his mother again until he ran away from Chilocco at about age fifteen. By that time, their relationship was irreparably fractured. He survived life on the "hobo road" during the Great Depression, graduating from a high school in Missouri in which the commander of the Civilian Conservation Corps camp took him under his wing. Curt survived World War II and went on to become a loving husband for sixty-seven years and loving father of two daughters. Later in life, he came to appreciate much of Chilocco's training – in carpentry, for example – but he never lost the anger caused by the loss of his mother, family, and childhood. Bob passed away young, at about age twenty-one, while incarcerated in Leavenworth prison.

Many people use the term *education* interchangeably with *schooling*, as we might expect when the broad sense of *to educate* – passing along discrete knowledges *and* the cultural definition of what counts as useful, important knowledge – coincides with schools' content and practices. For Indigenous peoples, however, Indigenous education and colonial schooling (which includes contemporary U.S. schools) do not coincide. Curt Carr never confused education with schooling. He prized education and was an astonishing self-taught intellectual. He detested Chilocco and remained a life-long skeptic of the schools. Cora Carr, like many Native parents, wanted both schooling and education for her children. She did not want – nor should she have been expected, let alone forced – to sacrifice one for the other in her struggle to raise her family.

When the United States insists on schooling at the expense of Native education through heritage language, culture,

and specific knowledge systems; when curriculum fits hand in glove with land dispossession; and when schooling aims to destroy families and children, we can clearly see schools as a battleground of sovereigns, in which knowledge systems, knowledge production, cultural values, and children's lives are on the line.

What is knowledge and who gets to define it? Contests over knowledge(s) pervade schools. The knowledges that schools engender are considered academic. The products of schools – mathematics, science, writing, and reading – are rooted in the classics or in so-called logical reasoning. Schools exist, in part, to ensure that citizens across regions and the nation share a common knowledge. These knowledges are valued as ways to build a career and to become self-sufficient and contributing citizens. Schooling certainly enables individuals and communities to be more firmly embedded in the larger society. Axiological concerns, however, are at play: Indigenous peoples (and other ethnic, racial, and political communities) value other kinds of knowledges. These different values have led to epistemological clashes, clashes that raise key questions: Which knowledges count? Which systems of transferring knowledge are most effective? What curricular and pedagogical practices work best?

We tackle the following questions, as we tack back and forth between past, present, and future possibilities in Indigenous schooling and education: What is the state of Indigenous education in the United States? What is the state of American Indian students in schools? What history produced these states? How are education and schooling being braided together to chart a pathway into the future that sustains the well-being of Indigenous students, families, and nations?

What is the state of Indigenous education in the United States? Indigenous ed-

Bryan
McKinley Jones
Brayboy
& K. Tsianina
Lomawaima

education includes the systems designed and honed over millennia by Native societies to enculturate their citizens, as well as recent developments of Indigenous curriculum, pedagogies, and policies within schools. We first consider Indigenous education, which has been marginalized, even criminalized, over the past two centuries. For example, colonial schooling has been privileged as formal education, described as organized, systematic, and designed; while Indigenous education has been characterized as informal, unconscious, undirected, and even accidental. Writing in 1902, physician Charles Eastman (Dakota) observed: "It is commonly supposed that there is no systematic education of their children among the aborigines of this country. Nothing could be farther from the truth. All the customs of this primitive people were held to be divinely instituted, and those in connection with the training of children were scrupulously adhered to and transmitted from one generation to another."² Indigenous educational systems have always been consciously designed, intentional, sustained, and thus formal, even as they eschew the schooling practices we categorize as formal, such as lecturing, classroom discipline, and standardized testing.

Eastman "flipped the script" on Indigenous peoples, the role of schooling, and the transfer of knowledge across generations. Almost ninety years later, Inupiat scholar Leona Okakok defined education as a powerful Indigenous concept and process: "To me, educating a child means equipping him or her with the capability to succeed in the world he or she will live in." She made the forcefully political statement that "education is more than book learning, it is also value-learning."³ Okakok reminds us that education for and by Native peoples adapts and adjusts to a particular time, place, and context. How do Native peoples educate themselves, their children, and grandchild-

dren to succeed in the world in which they will live?

Children need to know something that is relevant to their world and that supports their fundamental ability to thrive. Many Native education systems stress engaging the world, and Okakok has outlined connections to the ways that some schools work: "The students, then, must demonstrate mastery of competencies before they are promoted to the next grade. This approach is similar to our traditional practices in which elders expected children to master certain competencies before they went on to more difficult tasks." Competencies in Barrow, Alaska (where Okakok lives and teaches), are critical. Competency can be the difference between life and death when managing relationships among peoples, the Arctic Ocean, and polar bears and whales. This view of the world is imbued with humility, cognizant of the arrogance that there is only one way of demonstrating knowledge or only one knowledge that counts. Okakok has concluded that, "we all know that we can go through life convinced that our view of the world is the only valid one. If we are interested in new perceptions, however, we need to catch a glimpse of the world through other eyes. We need to be aware of our own thoughts, as well as the way life is viewed by other people."⁴ Okakok has encouraged us to learn from and through others.

What is the state of Indian schooling? Native peoples and U.S. policy-makers began asking this question in the late 1800s, although schools for Indians had been in place for decades. The federal government asserted its right to educate Native people – that is, it asserted its sovereign power to "civilize" in a totalizing transformative way – as soon as the republic was established on Indian lands. In 1802, Congress enacted legislation to civilize the "aborigines" and, in 1819, the Civilization Fund Act autho-

rized federal dollars to underwrite Christian schools and missions. Mission efforts to civilize Indigenous peoples were constrained by Native resistance and lack of resources, and by the mid-nineteenth century, impatient policy-makers and Westward-focused settlers demanded more substantive results.⁵ The federal government gradually eliminated financial support to missions and began to build its own Indian schools, including on-reservation day schools and boarding schools and off-reservation boarding schools such as Carlisle Indian Industrial School (in existence from 1879 – 1918).⁶

Carlisle's superintendent Richard Henry Pratt designed an assimilationist institution to erase Indigenous cultures and incorporate Native individuals into the United States as citizens, hence his infamous quote: "Kill the Indian in him and save the man." Yet Pratt believed in the capacity of Indian people to excel, given educational opportunities. This view fell out of favor in the early twentieth century as scientific and popular opinion emphasized a hierarchical ladder of the races that privileged Whites. U.S. police powers were mobilized to erase Indian sovereigns and Indigeneity by criminalizing their culture. In that moment, federal powers over Indians crested. Hopi men who refused to enroll their children in federal schools were incarcerated at Alcatraz; Natives who refused to cut their hair were subject to imprisonment and hard labor.

As is so often the case in Indigenous schooling, such pasts connect directly to the present. In 2017, young Native boys are still being punished for their long hair. Four-year-old Jabez Oates was sent home from his Texas school for violating the dress code. The school district's superintendent noted:

Parents have a right to seek an appropriate educational setting for their child, just as Ms. Oates has the right to place her child

in a district that reflects her personal expectations for standards of appearance. There are procedures in place for addressing concerns over policy if it is Ms. Oates' desire to have her son educated in Barbers Hill ISD. But we would and should justifiably be criticized if our district lessened its expectations or long-standing policies simply to appease.⁷

Nearly 150 years have passed since Pratt established Carlisle, and it is still the case that expecting a school to respect Native culture and "lessen its expectations for standards of appearance" is called appeasement. The past is the present but we hope not the future of Indigenous schooling.

Until the 1924 American Indian Citizenship Act, Indians had no recourse in the courts, and the courts refused to intervene in the federal political (police) powers controlling Indian Country.⁸ Policy-makers waffled over whether off-reservation or on-reservation schools were the best sites to civilize Indians, but both schooling systems grew dramatically from 1890 to 1920. Colonial federal schools devastated Indigenous children and their communities. Long hair was cut, children were scrubbed with kerosene to kill lice, "home clothes" were locked away in trunks, and government-issue uniforms remade Indian bodies and identities. Future leaders were stolen from their communities, despite students like Bob and Curt Carr resisting such schooling. The peak of boarding school enrollment in the 1930s coincided with the Great Depression, when Native families were desperate to provide adequate housing and food for their children. How did relations among Native peoples and federal/state governments come to such a pass?

U.S.-Indian relations are shaped by principles of sovereignty and trust.⁹ Inherent sovereignty entails self-government, self-determination, self-education, and autonomy relative to other sovereigns. The trust rela-

Bryan
McKinley Jones
Brayboy
& K. Tsianina
Lomawaima

relationship refers to obligations to Native nations assumed by the federal government over time. Colonial schooling of Indigenous peoples has been embedded in far-ranging contests among sovereigns and shifting concepts of trust. Chief Justice Marshall escalated the contest over educating Indian children in the 1831 case *Cherokee Nation v. Georgia*. When Marshall proposed that Indians resembled wards, he implied that Native parents/guardians were like children as well, with the federal government acting as the guardian and assuming a trust responsibility to care for them. Marshall's legal fiction – which soon became reality – implicitly stripped Native parents of their right to raise their own children, setting the stage decades later for the removal of children to remote boarding schools absent parental consent. The government claimed that trust responsibilities justified seizing children. Interpretations of federal trust responsibilities can run amok, and implementations of trust have shifted over time.

Many treaties stipulated federal commitments to schooling; the 1868 Navajo Treaty, for example, promised a schoolhouse and teacher for every thirty students. Congress cast those responsibilities aside, however, with 1871 legislation that unilaterally ended treaty-making with Native nations. The federal-Indian trust relationship has been subject to fluctuations that reflect political agendas as well as legalistic interpretations. Federal agents had used trust to justify intervention, even police powers, while colonial schools have explicitly trained Indians in subservience to authority for generations. Native peoples, on the other hand, leverage trust to motivate fulfillment of federal treaties, laws, and commitments, which are constitutionally mandated as the supreme law of the land.

Federal trust responsibilities for schooling American Indians have been further complicated in the twentieth and twenty-first centuries as Native students have in-

creasingly enrolled in public schools.¹⁰ The U.S. public schooling infrastructure is a complex system of overlapping, sometimes conflicting, jurisdictions and funding sources: local funding through property taxes; administration by locally elected school boards; state funding and direction of standards; and federal funding and regulation of standards, assessment, and record-keeping. Add to that mix the jurisdictions and interests of Native nations, endeavoring to maintain distinctive languages, religions, land stewardship, economies, and laws – in short, dynamic ways of life – and we begin to see the challenges.

Reverberations of the U.S.-Native battle for power in schools echoed in the early twentieth century, but there was little data to understand what was happening. Systematic data collection and analysis about Indian schooling began in the early twentieth century, capped by the 1928 publication of *The Problem of Indian Administration* (known as the Meriam Report), an assessment of the work of the Office of Indian Affairs (later the Bureau of Indian Affairs). The report scathingly critiqued many aspects of mission and federal schooling, particularly boarding schools. The conclusions of the Meriam survey team remain telling: schools underserved children, emphasizing repetitive, menial labor over academics; and children suffered harsh discipline, malnutrition, physical abuse, and emotional impoverishment. The Meriam Report advocated for a curriculum including culture and tribal histories; locally embedded schools; enhanced financial support; more expansive adult education; and more humane early childhood education. Nearly ninety years later, similar calls for action remain.¹¹

In the aftermath of the Meriam Report, policy shifts opened some windows of opportunity for Native self-government and self-determination, even as Indian schools

frequently reinforced paternalism and treated Natives as wards. On the one hand, Bureau of Indian Affairs (BIA) schools developed bilingual readers and transitional bilingual programs in the 1940s; on the other hand, non-Native linguists, teachers, and administrators directed those efforts. Policy-makers advocated for local relevance of schooling, but then decreed that relevant meant vocational, not academic, training. As a consequence, Native students and parents mobilized walk-outs and vigorous protests when off-reservation boarding high schools were stripped of accreditation. The shift of student enrollment from federal to public schools swelled in the 1940s and continued over time, motivated by federal actions to divest trust responsibility and delegate jurisdiction to the states, increasing urbanization and Native dissatisfaction with federal schools. In 2017, 90 percent of school-age Indian children attended public schools.

Scholarship outlines the current state of American Indian schooling in the United States, and achievement data provide one perspective on that state.¹² The data have been called into question by important advocacy groups, including the National Congress of American Indians (NCAI) and the National Indian Education Association (NIEA). The NCAI and NIEA do not believe that the data are incorrect; rather, the problem is that there are so few data, with few baseline data sets to inform researchers and policy-makers. If the data are so sparse as to be suspect, how can we measure progress or identify places for improvement? How can we establish policies to address or understand concerns if we are unsure of the validity of the concerns?

Data uncertainty has been called the problem of the asterisk.¹³ When data are sparse, or when few Indigenous students are reported in sample sizes, Indigenous peoples are placed under an asterisk with a note that data are insufficient to make rea-

sonable claims. This structural implication of how data are collected can be addressed. Some policy-makers might argue that oversampling is prohibitive in terms of people power or expenses, or they may argue it is unnecessary. We argue that U.S. dismissal of citizens grouped under the asterisk is unacceptable. Through the trust relationship, the federal government has asserted responsibility for schooling American Indians, believing that schools were the appropriate institution to Americanize American Indians. In recent decades, the imperative to civilize Indians has been somewhat blunted by Native nations exercising sovereign rights to educate their own children, and by demands that schools better serve Native children, families, and communities. Honoring the responsibilities of the trust relationship, it is unacceptable to dismiss peoples as asterisks or data and data analyses as statistically insignificant. We must call for more systematic, defensible data collection and analyses. In the meantime, and with this caveat, we offer a brief overview of data that we believe are technically sound, if quantitatively insufficient.

Tables 1 and 2 highlight a disturbing trend. American Indians' grade 4 reading scores rose by one point over fifteen years under two presidents, multiple secretaries of education, and educational policies aimed at "leaving no child behind." For all racialized groups, this is the lowest score, reminiscent of the achievement of Native children one hundred years earlier. A similar phenomenon is evident in grade 8, with only a two-point gain over the same period. We question why the scores have stagnated, and are deeply concerned that the stagnation continues. It is clear to us that calls for assimilation for Native students have failed; Native children fight assimilation in schools every day. There is overwhelming evidence that Native students who excel in school are often also well-educated as tribal peoples.¹⁴

Bryan
McKinley Jones
Brayboy
& K. Tsianina
Lomawaima

Table 1
National Assessment of Education Progress Reading Scores, Grade 4, 2000 – 2015

	2000	2002	2003	2005	2007	2009	2011	2013	2015
American Indian/ Alaska Native	204	207	202	204	203	204	202	205	205
Asian/ Pacific Islander	229	224	226	229	232	235	235	235	239
Black	191	199	198	200	203	205	205	206	206
Hispanic	197	201	200	203	205	205	206	207	208
White	225	229	229	229	231	230	231	232	232

Source: National Assessment of Educational Progress, “The Nation’s Report Card: Reading Assessments, 2015,” https://www.nationsreportcard.gov/reading_math_2015/#reading/scores?grade=4.

Table 2
National Assessment of Education Progress Reading Scores, Grade 8, 1998 – 2015*

	1998	2002	2003	2005	2007	2009	2011	2013	2015
American Indian/ Alaska Native	‡	250	246	249	247	251	252	251	252
Asian/ Pacific Islander	264	267	270	271	271	274	275	280	280
Black	244	245	244	243	245	246	249	250	248
Hispanic	243	247	245	246	247	249	252	256	253
White	270	272	272	271	272	273	274	276	274

‡ Reporting standards not met. *NAEP data for grade 8 reading were not available for all students in 2000. Source: National Assessment of Educational Progress, “The Nation’s Report Card: Reading Assessments, 2015,” https://www.nationsreportcard.gov/reading_math_2015/#reading/scores?grade=8.

We are optimistic and encouraged by the rise in test scores in mathematics (see Tables 3 and 4). Over the same fifteen-year period, grades 4 and 8 saw significant changes in scores. A closer examination, however, raises some concerns. Major changes occurred between 2000 and 2003, and after 2003, the gains were minimal, with only

a four-point rise between 2003 and 2015. What happened in that initial three-year period and what failed to happen in the following twelve? It appears that achievement gains, as measured by these tests, are not hopeful; but the challenges confronting Indigenous academic achievement are not fifteen years old. Limited achievement gains

Table 3

National Assessment of Education Progress Scores in Mathematics, Grade 4, 2000 – 2015

Bryan
McKinley Jones
Brayboy
& K. Tsianina
Lomawaima

	2000	2003	2005	2007	2009	2011	2013	2015
American Indian/ Alaska Native	208	223	226	228	225	225	227	227
Asian/Pacific Islander	‡	246	251	253	255	256	258	257
Black	203	216	220	222	222	224	224	224
Hispanic	208	222	226	227	227	229	231	230
White	234	243	246	248	248	249	250	248

‡ Reporting standards not met. Source : National Assessment of Educational Progress, “The Nation’s Report Card: Reading Assessments, 2015,” https://www.nationsreportcard.gov/reading_math_2015/#mathematics?grade=4.

Table 4

National Assessment of Education Progress Scores in Mathematics, Grade 8, 2000 – 2015

	2000	2003	2005	2007	2009	2011	2013	2015
American Indian/ Alaska Native	259	263	264	264	266	265	269	267
Asian/Pacific Islander	288	291	295	297	301	303	306	306
Black	244	252	255	260	261	262	263	260
Hispanic	253	259	262	265	266	270	272	270
White	284	288	289	291	293	293	294	292

Source: National Assessment of Educational Progress, “The Nation’s Report Card: Reading Assessment, 2015,” https://www.nationsreportcard.gov/reading_math_2015/#mathematics?grade=8.

over the short term point not to incapacity, but to long-term, structural damages to capacity, which have been centuries in the making. Given this history, some may ask: Is there any hope? Are there any answers? Are there places of success? We believe the future for Indigenous children and communities can – and should – be filled with hope and promise.

How are education and schooling being braided together to help build and sustain the well-being of Indigenous students, families, and nations? We present three sites

emblematic of a hopeful, meaningful future in Indigenous education and schooling.

Calcedaever Elementary School sits almost thirty-seven miles north of Mobile, Alabama. Of the 250 students at the school, 87 percent are members of the MOWA Band of Choctaw Indians.¹⁵ Ninety percent of Calcedaever’s students qualify for free or reduced lunch, and yet the school received a Dispelling the Myth award from the Education Trust.¹⁶ As we noted earlier, academic achievement for American Indian children is among the lowest of all students, but at Calcedaever, 100 percent of students met

the math standards for Alabama and 91 percent met standards for reading (79 percent at an advanced level). The school building reflects the heritage of its students: "We wanted people to know that when they pull up at Calcedever and walk in the building, that this is a school that has a high population of Native American students."¹⁷ The school embraces the local culture, holds its students to high expectations, makes connections to their local lives, and envisions a great future for their children. At Calcedever, leaders and teachers are products of the school and community, demonstrating positive outcomes when local capacity is maximized and staff and community work together to braid the local culture with high academic standards.¹⁸ Calcedever thrives on its locality, without being provincial. The students understand that it is their school and see themselves as academic achievers. Ninety-one percent of the students graduate from high school.

In Flagstaff, Arizona, the trilingual Puente de Hózhó Elementary School (PdH) offers English, Spanish, and English-Navajo immersion programs. The school is adorned with a mural painted by the famed artist Shonto Begaye.¹⁹ Puente de Hózhó translates loosely to "Bridge of Beauty" (Spanish *puente* meaning bridge, Navajo *hózhó* meaning beauty) and signals the school's commitment to braid education and schooling. Students are first immersed in either Navajo or Spanish, with a gradual move to English over time. One of the remarkable stories of PdH is that its students, representing all walks of life, have outperformed many state schools in Arizona on third-grade tests. That achievement is remarkable when we consider that the tests are administered in English, while the curriculum at PdH is offered in either Navajo or Spanish. On the Navajo side, teachers work closely with the school district to develop and administer assessments in English and Navajo. The innovative Navajo assessments do not simply

translate English assessments; rather, they demonstrate that students are thinking in Navajo. The students can speak with their Navajo-speaking grandparents and excel on English standardized tests.²⁰

Principal Dawn Trubakoff tells a profound story of PdH's success. One winter, a Navajo woman came into the school asking to put her child on the school's waiting list. The secretary asked her the sex of her child, and she replied, "I don't know." Perplexed, the secretary asked, "Is it a boy or a girl?" The woman opened her winter coat and replied, "My baby hasn't been born yet."²¹ When education and schooling honor language and culture and assist children to perform at high academic levels, parents will want to send their children to school. Braiding education and schooling is possible; it is local, contextual, and addresses the needs of the community and its children.

The final example is located 158 miles south of Flagstaff in Tempe, Arizona. The Arizona State University (ASU) Pueblo Doctoral Cohort illustrates how education and schooling can also be braided at the graduate level.²² In the spring of 2011, two ASU faculty members linked efforts with colleagues at the Leadership Institute (LI) at Santa Fe Indian School in New Mexico. By the fall of 2012, ten students began a doctoral program that was customized around ten critical areas. The critical areas were identified through ten years of work by the LI, the nineteen Pueblos of New Mexico, thirty-five Indigenous think tank sessions, and mixed-methods research projects. ASU built a program, rooted in tribal nation-building, that sought to respond to the needs of the Pueblos as defined by the Pueblos.²³ Coursework included fifty-four hours of classes: encompassing both traditional doctoral studies courses (such as quantitative methods) as well as courses focused on the needs of Pueblo communities (such as Indigenous Knowledge Systems). In addition to dis-

Image 1

May 2015 Graduation of First Pueblo Doctoral Cohort at Arizona State University: (left to right) Professor Elizabeth Sumida Huaman, June Lorenzo, Richard Luarkie, Anthony Dorame, Carnell Chosa, Michele Suina, Shawn Abeita, Kenneth Lucero, Corrine Sanchez, Vince Lujan, Mark Ericson, Professor Bryan Brayboy

Bryan
McKinley Jones
Brayboy
& K. Tsianina
Lomawaima



Source: Center for Indian Education, Arizona State University.

sertations, students wrote policy briefs addressing a challenge in their communities; all the briefs – written in 2015 – have been enacted in some way by 2017. The students’ doctoral research addressed community needs. In 2015, ten students in the program graduated with the Ph.D. (see Image 1). A second cohort began in fall 2015, with expected graduation dates of 2018 to 2019.

These successful models do not offer silver-bullet answers to all the challenges of Indigenous education and schooling, but they help us stretch our thinking beyond best practices to principles of *promising* practices. The models are guided by common principles that are local and rooted in context; honor language and culture within the schooling practice; explicitly state

the possibility and necessity of achieving successful schooling practices without sacrificing ties to language and culture; set high expectations in both schooling and education; believe in possibilities for the student; and remain committed to justice.

Narratives of schooling often privilege individual achievement. Achievement is important, but this single measure erases the role of history and the impacts of systems and structures on American Indian students. We must look beyond the metric of achievement to question taken-for-granted notions and ideologies about what schooling should be. The long-term battle for power has been rooted, in part, in the goal of the assimilation of individual Native students, while the structures es-

tablished to assimilate have created a systemic effect. Assimilation, a focus on specific kinds of knowledges (devoid of the culture of tribal communities), and individualism have become embedded into the fabric of schooling. Engagement with communities and their cultures, listening to communities and their children, honoring the place on which the school sits, and recognizing different ways of knowing (and being and valuing as well as teaching and learning) are keys to a successful connection between schooling and education in the future.

Lomawaima's epigraphic reference to American Indian education as a "battle for power" contextualizes what it takes to achieve justice in Indigenous education and schooling: the sovereign rights to define knowledge and to educate citizens. Assimilationist agendas are still with us, and so battles lie ahead, yet to be fought. Native nations, communities, and citizens must be able to engage in futures of their own making. We do battle now to create possibilities so that generations from now, scholars are no longer rehashing the findings of the Meriam Report or lamenting the failures of the early twenty-first century.

AUTHOR BIOGRAPHIES

BRYAN MCKINLEY JONES BRAYBOY is President's Professor and Senior Advisor to the President on American Indian Affairs at Arizona State University. He is the author of *Post-secondary Education for American Indian and Alaska Natives: Higher Education for Nation Building and Self-Determination* (with Amy J. Fann, Angelina E. Castagno, and Jessica A. Solyom, 2012) and editor of *Indigenous Innovations in Higher Education: Local Knowledge and Critical Research* (with Elizabeth S. Huaman, 2017).

K. TSIANINA LOMAWAIMA is Professor with Justice & Social Inquiry and the Center for Indian Education within the School of Social Transformation at Arizona State University. She is the author of *To Remain an Indian: Lessons in Democracy from a Century of Native American Education* (with Teresa L. McCarty, 2006) and *Uneven Ground: American Indian Sovereignty and Federal Law* (with David E. Wilkins, 2002) and editor of *Away from Home: American Indian Boarding School Experiences, 1879 – 2000* (with Brenda J. Child and Margaret L. Archuleta, 2000).

ENDNOTES

¹ Curtis Thorpe Carr (1918 – 2012) was K. Tsianina Lomawaima's father.

² Charles Eastman, *Indian Boyhood* (Lincoln: University of Nebraska Press, 1991), 49.

³ Leona Okakok, "Serving the Purpose of Education," *Harvard Educational Review* 59 (4) (1989): 253 – 254, 405 – 422.

⁴ *Ibid.*, 262, 248, 405 – 422.

⁵ The Bureau of Indian Affairs was established in 1824 under the Department of War. Part of the BIA's mission was to administer the annuity from the Fund.

⁶ In a few locales, Native children were enrolled in public schools in the 1800s. Regions of the South with Native populations after Removal developed tripartite systems of segregated White, Black, and Indian schools. In most parts of the country, public school enrollment was not an option until after World War II.

⁷ Cristina Silva, "War on Boys with Long Hair? Texas Child Sent Home from School over Hair-style," *Newsweek*, August 22, 2017, <http://www.newsweek.com/texas-boy-sent-home-school-over-long-hair-653581>.

- ⁸ Two Supreme Court cases in the 1910s clearly stated that for Indians, wardship and citizenship are not incompatible. U.S. birthright citizenship conveyed access to the courts, but did little to curtail federal powers.
- ⁹ See Vine Deloria Jr. and Clifford Lytle, *The Nations Within: The Past and Future of American Indian Sovereignty* (New York: Pantheon Books, 1984); and David E. Wilkins and K. Tsianina Lomawaima, *Uneven Ground: American Indian Sovereignty and Federal Indian Law* (Norman: University of Oklahoma Press, 2001).
- ¹⁰ In Jill Feury DeVoe, Kristen E. Darling-Churchill, and Thomas D. Snyder, *Status and Trends in the Education of American Indians and Alaska Natives: 2008* (Washington, D.C.: U.S. Department of Education and National Center for Education Statistics, 2008). The National Center for Education Statistics notes that 7 percent of American Indian children attend Bureau of Indian Education schools, 90 percent attend public schools, and 3 percent attend parochial or independent private schools.
- ¹¹ See Bryan McKinley Jones Brayboy, Susan C. Faircloth, Tiffany S. Lee, et al., "Sovereignty and Education: An Overview of the Unique Nature of Indigenous Education," *Journal of American Indian Education* 54 (1) (2015); The White House, Office of the Press Secretary, "Executive Order 13592 – Improving American Indian and Alaska Native Educational Opportunities and Strengthening Tribal Colleges and Universities," December 2, 2011, <https://obamawhitehouse.archives.gov/the-press-office/2011/12/02/executive-order-13592-improving-american-indian-and-alaska-native-educat>; and National Congress of American Indians, "Education," http://www.ncai.org/policy-issues/education-health-human-services/education#FTN_2.
- ¹² Bryan McKinley Jones Brayboy and Margaret J. Maaka, "K – 12 Achievement for Indigenous Students," *Journal of American Indian Education* 54 (1) (2015): 63 – 98; NCAI Policy Research Center, *Higher Education Workforce Development: Leveraging Tribal Investments to Advance Community Goals* (Washington, D.C.: National Congress of American Indians, 2012); National Indian Education Association, "Information on Native Students," <http://www.niea.org/our-story/history/information-on-native-students/> (accessed August 12, 2017); A. M. Ninneman, James Deaton, and Karen Francis-Begay, *National Indian Education Study 2015* (Washington, D.C.: U.S. Department of Education and National Center for Education Statistics, 2017); The Education Trust, *The State of Education for Native Students* (Washington, D.C.: The Education Trust, 2013), http://edtrust.org/wp-content/uploads/2013/10/NativeStudentBrief_0.pdf; and Elise Trumbull, Ursula Sexton, Sharon Nelson-Barber, and Zannette Johnson, "Assessment Practices in Schools Serving American Indian and Alaska Native Students," *Journal of American Indian Education* 54 (3) (2015): 5 – 30. Note that the NAEP data contain inconsistencies across groups. Achievement and test scores should not be conflated with the future potential of Native or other minority children.
- ¹³ Heather Shotton, Shelly Lowe, and Stephanie Waterman, *Beyond the Asterisk: Understanding Native Students in Higher Education* (Sterling, Va.: Stylus, 2013).
- ¹⁴ See Angelina E. Castagno and Bryan McKinley Jones Brayboy, "Culturally Responsive Schooling for Indigenous Youth: A Review of the Literature," *Review of Educational Research* 78 (4) (2008): 941 – 993; and Mark J. Van Ryzin and Claudia G. Vincent, "Use of Native Language and Culture (NLC) in Elementary and Middle School Instruction as a Predictor of Mathematics Achievement," *Journal of American Indian Education* 56 (2) (2017): 3 – 33.
- ¹⁵ The MOWA band of Choctaw Indians takes their name from the first two letters of Mobile and Washington counties in Alabama. The state formally recognized the group in 1979, but the federal government has not. See Jacqueline Anderson Matt, "MOWA Band of Choctaw Indians," *Encyclopedia of Alabama*, October 10, 2007, <http://www.encyclopediaofalabama.org/article/h-1368>.
- ¹⁶ The Education Trust, "DTM: Caldecaver Elementary School," June 5, 2015, <https://edtrust.org/resource/dtm-caldecaver-elementary-school/>.
- ¹⁷ Nicole Williams quoted in Alyson Stokes, "'One of a Kind' Caldecaver Elementary School Opens," *Lagniappe Weekly*, January 7, 2015, <http://lagniappemobile.com/one-kind-caldecaver-elementary-school-opens/>.

- Why Don't
More Indians
Do Better in
School?
- ¹⁸ Corey Mitchell, "Lessons from a 'Hidden Gem' in Alabama," *Education Week*, September 27, 2016, <http://www.edweek.org/ew/articles/2016/09/28/lessons-from-a-hidden-gem-in-alabama.html>.
- ¹⁹ Shonto Begay, whose paintings sell for as much as \$10,000, painted the mural with the school's children.
- ²⁰ Teresa McCarty, "The Role of Native Languages and Cultures in American Indian/Alaska Native Student Achievement: The Puente de Hózhó Case Study," policy brief (Washington, D.C.: U.S. Department of Education, Office of Indian Education, 2010).
- ²¹ Authors' conversation with Teresa L. McCarty and Kristen Silver, 2010.
- ²² The cohort's work is published in two anthologies, coedited by the principal investigators. See Bryan McKinley Jones Brayboy and Elizabeth Sumida Huaman, "A Journey to Higher Education: Origins of an Indigenous Doctoral Program," *Journal of American Indian Education* 55 (3) (2016); and Elizabeth Sumida Huaman and Bryan McKinley Jones Brayboy, eds., *Indigenous Innovations in Higher Education: Local Knowledge and Critical Research* (Rotterdam, The Netherlands: Sense Publishers, 2017).
- ²³ For tribal nation-building in higher education, see Bryan McKinley Jones Brayboy, Amy J. Fann, Angelina E. Castagno, and Jessica A. Solyom, *Postsecondary Education for American Indian and Alaska Natives: Higher Education for Nation Building and Self-Determination* (San Francisco: Jossey-Bass, 2012).

Revolution in Higher Education: Identity & Cultural Beliefs Inspire Tribal Colleges & Universities

Cheryl Crazy Bull & Justin Guillory

Abstract: The public increasingly requires that higher education institutions demonstrate their return on investment by measuring graduation rates, cost per student, job placement rates, and income. The motivation is economic: public institutions are accountable to the investor, in this case, the taxpayer. Tribal Colleges and Universities (TCUs), on the other hand, are indebted to and inspired by the revolutionary vision of their founders: the ancestors, elders, and community members who believed that higher education rooted in tribal sovereignty, identity, systems, and beliefs would ensure the survival and prosperity of their people. TCUs are advancing Native student access and completion, developing scholars who are contributing to knowledge creation through community-based research, and promoting economic and entrepreneurial development in tribal communities.

CHERYL CRAZY BULL (Sicangu Lakota) is President and CEO of the American Indian College Fund.

JUSTIN GUILLORY (Nez Perce descendent) is President of Northwest Indian College.

(Complete author biographies appear at the end of the essay.)

The tribal college movement began with prayer and ceremony, according to the late Gerald One Feather (Oglala Lakota), a founder of the tribal college movement. The founders considered the history of American Indian education, which was guided by the problematic goal of assimilation and the rejection of being Indian, and understood that their efforts required strength and guidance from the Creator, as perceived by each tribal nation. The founders of the Tribal Colleges and Universities (TCUs) movement also understood that for Native people to survive and preserve what it means to be Indigenous, they had to assert control over the very educational systems and schools designed for assimilation. The tribal college movement was, and still is, about Native people taking control of their own lives.

In this essay, we outline three important aspects of the TCU movement. First, we offer a brief origin story of the concept of TCUs. Second, we high-

light the importance of the ways in which TCUs bridge historical and contemporary knowledge in a cultural context. We want to be clear that TCUs exist in a particular place – on Native lands – and that is important to our story. Third, we contend that TCUs are rooted in a tribal mission engaged with cultural preservation and revitalization, which creates healthy societies and offers an outlet for contemporary expressions of both the past and the future. The acts of the founders of TCUs, and the current and future iterations of these institutions, are rooted in the powerful fact that TCUs are self-determining locations for tribal higher education; they were created by Indigenous peoples and are focused on the futures of Indigenous peoples.

On March 2, 1911, August Breuninger, a self-described mixed-blood Menominee Indian, wrote to Dr. Carlos Montezuma, a well-known Apache physician:

A University for Indians is the greatest step that we educated Indians could make in uniting our people. ...It would eliminate the general conception of the people that an Indian consists of only feathers and paint. It would single us out to the Indians and the rest of the world as really progressive Indians. It would give us a better influence with the rising generation, by setting out our character in such conspicuous a manner as to be the means of being observed and imitated by them.¹

Breuninger's advice offers an early form of educational decolonization by advocating tribal unity, resisting the harmful impacts of stereotypes, striving for progress, and creating role models for future generations.² It is important to note, however, that although Breuninger was bold in advocating for a "university for Indians," the proposal merely served as a precursor to an even more radical ambition: a university created by American Indians.

Other essays in this issue of *Dædalus* address the history of Indigenous education and schooling in detail. We add, however, a few points that necessarily ground any treatment of TCUs. The specific history of American Indians in higher education is one of erasure. By the early 1960s, American Indian higher education was at its lowest point. Most Indian people did not attend college; of those who did, nine out of every ten dropped out.³ In 1961, only sixty-six American Indians graduated from four-year institutions, which were predominately White.⁴

Among Native people, the 1960s' passion for civil rights and social justice reform manifested itself in the creation of the American Indian Movement, a national group that supported dramatic interventions in education, health, and justice. The combination of the systematic failure of Indian education, the harsh social, political, and economic conditions that characterized the 1960s, and the desire of Indian people to reclaim their cultural heritage and undo the damaging effects of colonization proved a tipping point for a revolution in Indian education.⁵ The result was the establishment in 1968 of the first tribally controlled college in the United States: Navajo Community College, now Diné College. For the first time in American history, a post-secondary institution was created by Indians for Indians, representing hope and opportunity for the Indian people.⁶ The tribal college movement was born.

Today, thirty-six TCUs are members of the American Indian Higher Education Consortium (AIHEC) and serve more than twenty thousand Native and non-Native rural students, representing more than 250 tribal groups across the United States and Canada. Although each TCU is unique, they share characteristics that distinguish them from nontribal institutions. Their core mission and identity are to rebuild Indigenous nations through the teaching of

tribal histories, languages, and cultures.⁷ They accomplish this by emphasizing cultural preservation and revitalization and incorporating, when appropriate, Western models of learning offered through mainstream disciplinary courses and degrees that are similar and transferable to mainstream four-year or graduate institutions.⁸ TCUs focus on bridging historical and contemporary knowledge within a cultural context. Most TCUs are located on rural Indian reservations, began as two-year institutions, are less than forty years old, have relatively small student bodies (often fewer than five hundred students) that are predominantly American Indian, were chartered by one or more tribes, and have open admissions policies.

For our purposes, we reference the membership of the American Indian Higher Education Consortium, an organization established in 1976 to strengthen the shared interests of TCUs. As of this writing, thirty of the thirty-six members are tribally chartered institutions established by their governing tribe under the authority of the tribe as a sovereign nation and as the provider of education for their tribal citizens. The other six members include one federally chartered college, two colleges operated by the U.S. Department of Interior Bureau of Indian Education, two tribal corporations, and one tribal/state partnership. There are several other postsecondary tribal institutions in various stages of formation that are not members of the AIHEC.

Tribal colleges provide both community employment opportunities and serve as educators of current and potential employees on reservations. In 2013–2014, TCUs employed nearly 3,400 full-time and nearly 1,700 part-time faculty and staff. Their institutions brought in more than \$485 million in revenue, with 48 percent of their total expenses in payroll. They also educated 22,797 college students, 87 percent of whom were American Indian.

And TCUs serve thousands of other community members who take advantage of the community education opportunities they provide.⁹

TCUs represent an assertion of sovereignty in the form of self-determination. While there are significant legal implications in the definition of tribal sovereignty and citizenship, for TCUs, sovereignty is manifested in the ways that they engage their communities in preserving and revitalizing an identity that is unique to each tribe. Among the most important qualities of identity are tribal languages; each tribal language is the means of describing relationships and building understanding of values, origin, and place. Tribal colleges build national tribal identities in addition to state and U.S. citizenship. In that context, we recognize that our “culture groups are defined by their distinctive features; language is one distinguishing feature that is important to cultural identity development and maintenance.”¹⁰

The common thread that unites all TCUs, as evidenced by their mission statements, is a commitment to the revitalization and promotion of their people’s culture, language, and tradition to strengthen one’s tribal identity.¹¹ The goal is not necessarily for Native students to “find themselves,” but rather to see and discover themselves throughout their tribal college experience. This experience is rooted in relationships between the students and each other, the students and the place of the TCU, and the students and language and culture.

Thus, on a cultural level, TCUs are about relationships. TCU founders and leaders today believe that we are first and foremost human beings. American Indian tribes commonly call themselves *The People*, united by shared beliefs, customs, relationships, and a sense of belonging. Our ancestors and elders remind us to be proud of our identities and origins, and that pride

manifests itself in our educational work. The belief that we are a People is rarely taught in formal Western education. This is part of the ongoing struggle of tribal colleges, but also part of the essential work: to be places where Native students can simply *be*. Students are educated in a place where they are known as tribal people. That is, for us, the essence of authentic community.

Given their culture-based missions, the characteristics that distinguish tribal colleges from other higher education institutions center on the ways Indigenous values and beliefs are reflected throughout the institution, particularly within the curriculum, program offerings, course content and design, and the pedagogies used by the faculty who teach within this context. The place-based nature of TCUs, combined with their goals of supporting tribal prosperity and priorities, means that they are comprehensive in their academic and vocational offerings. An individual institution might offer everything from a short-term truck driving certificate to a master's degree in education. This level of responsiveness to the needs of the community – to The People – is critical to the purpose of TCUs to provide educational access where it does not otherwise exist.

James Shanley, former president of Fort Peck Community College and a national leader in Indian education, observed the progress of tribes and TCUs in *Capturing Education*: “Saving a culture is a difficult task, but there are now more people who know (the tribe’s) history, culture, and language than thirty years ago.” Shanley goes on to describe how TCUs inspire a deep “love of learning that is both empowering and liberating. . . . I’ve always equated education with freedom.”¹² TCUs are engaged in practices that weave together both freedom-making and nation-building.

Cultural identity builds nationhood. Cultural identity also develops a path of

individual achievement and leads to an improved quality of life for individuals and families. TCUs developed culturally responsive pedagogy in order to allow the “discovery of oneself . . . whether that is traditional, or whether that’s contemporary, or whether that is a combination of those things.”¹³ TCUs recognize the diversity of their student population and their communities and respond to these needs by providing a range of supportive programs, services, and opportunities.

Tribal colleges lead with the development of language immersion programs, with a primary focus on the restoration of conversational language for all tribal citizens. Language revitalization is viewed as a political act, and TCUs often overcome significant local political disagreement to establish language immersion programs, working through tensions about which orthography to use, the use of community dialects, and the choice and qualifications of language teachers. Despite these challenges, institutions have made tremendous strides. On the Standing Rock reservation, for example, which straddles North and South Dakota, Sitting Bull College’s language program exemplifies community-based instruction combined with a preservation focus and internal and external partnerships, all focused on the same aim: the restoration of the Lakota language. Many know Standing Rock as the site of the resistance to the Dakota Access Pipeline, but it is also a site of cultural resurgence in Sitting Bull College’s language efforts. These kinds of resurgences are often the result of partnerships between a TCU and middle and secondary schools. Aaniiih Nakoda College at Fort Belknap in Montana operates the White Clay Immersion School, which has graduated nearly fifty fluent or nearly fluent Aaniiih-speaking eighth graders. These efforts seek to ensure the future of the language and peoples of the region.

In a move that had far-reaching implications, TCUs established themselves as local mediators of culture. They became institutions in which tribal social norms, traditional practices, and kinship are revitalized in ways that are representative of the functional societies of our tribal past. TCUs believe that the social burdens experienced by our communities can be ameliorated by cultural restoration, which includes reviving kinship practices, using cultural values in decision-making, and employing creation and teaching stories as guides to how to live in today's society.

Education reinforces the very commitment to culture and language necessary to a healthy society. The diligence exhibited by cultural practitioners is enhanced by a TCU-educated tribal citizenry committed to maintaining traditions and knowledge and revitalizing language. Our spiritual leaders and our people pray for and believe in education and TCUs strengthen this, in part, through the work of their faculty.

For Native students, trust-building is essential to the learning process, and effective TCU faculty members will demonstrate the patience, trustworthiness, flexibility, and enthusiasm necessary to provide a caring environment for students. Faculty also foster relationships with Native students by asking about their family and their community, attending community gatherings, and by listening to their stories, challenges, and aspirations. This process takes time, space, and a high level of cultural expertise and nuance.

A veteran TCU faculty member might teach multiple generations of one family, enabling them to establish a connection and trust with the family, putting students at ease. TCU faculty are also embedded in the communities in which they live and work, and their community knowledge, cultural competency, and pedagogical skills are as essential as content knowledge for student

success. This is one critical manifestation of tribally controlled education.

Without strategies to gather culturally based knowledge, it would be difficult to achieve the academic and community impact that TCUs strive for. Because TCU faculty and staff are acutely aware of the loss of traditional knowledge as generations pass and interaction with a global population increases, TCUs are distinctly multi-generational in their approach to education, incorporating the wisdom of elders, traditional experts, heads of families, and cultural informants. These community members share their cultural and traditional knowledge, tools, and resources to inform today's society. The unique features of TCUs are also illustrated by faculty members' inclusion of diverse teaching methodologies and practices that skillfully weave the historical with the contemporary to achieve learning outcomes. In order to do so, TCU faculty must demonstrate high levels of cultural competency.

Since their inception, tribal colleges have devoted increasing resources to develop and build the capacity of Native and non-Native faculty to teach at their institutions. The American Indian College Fund, for example, implemented a five-year initiative called *Woksape Oyate* (Wisdom of the People) focused on strengthening the teaching, leadership, and scholarship capabilities of faculty across the TCU system. Through ongoing faculty development activities and initiatives, faculty members are able to use culturally relevant teaching strategies that also reinforce traditional values such as generosity, commitment to community, compassion, and humility. Faculty often come to TCUs with the desire to make a difference, and this is best accomplished when faculty become part of the people they serve.¹⁴ Indeed, many tribal colleges have adopted a philosophy of "grow your own" faculty: that is, identifying individuals with existing cultural

capability and academic interest and providing them with the support to obtain degrees in order to become teachers and administrators, stabilizing and strengthening the place-based nature of TCUs.

On a more philosophical level, the implicit idea within the mission statements of TCUs is the recognition that Indigenous people are a people of place. “Indigenous people,” asserted Vine Deloria Jr., “represent a culture emergent from a place, and they actively draw on the power of that place physically and spiritually.”¹⁵ This is vitally important because, in order for TCUs to fulfill their missions, they must continue to strive to develop an academic framework, curriculum, and course design that appropriately honor and reflect, to the extent possible, the cultural teachings and practices that derive from their place, which, in turn, foster a strong sense of identity and what it means to be both tribal and Indigenous.

Recognition of place within mission often requires the return to the origin or creation story of each institution. Like Tribal Nations, TCUs also have creation stories. This is a unique characteristic of tribal colleges and distinguishes them from other higher education institutions founded for different public and private purposes. The origin story of each institution honors the original intention of the founders and reinforces the manifestation of place reflected in each institution’s academic and community engagement. Retaining this individual institutional sense of purpose is critical to maintaining the vision and values of the communal nature of the tribal college movement.

In addition to supporting culturally appropriate, place-based curricula, TCUs train teachers and community educators, and collect and serve as repositories of tribal knowledge and information. Many TCU libraries serve as the tribal public library, and all house collections specific to

their tribal communities. Many TCUs have archives and museums in which both historical and contemporary memorabilia and documents are preserved.

TCUs do not just reinvigorate cultural and social prosperity in their communities, they also make significant economic contributions to their communities and the states in which they are located. A study commissioned by AIHEC found that for every dollar invested in TCUs in 2013 – 2014, the community saw a return of \$5.20 in added income and lifestyle improvement. Health, crime, and unemployment were all positively affected by education, representing a significant return on investment.¹⁶ But more studies are needed. The American Indian College Fund’s return-on-investment literature review, for instance, identified limitations on the data gathered on TCUs’ impact.¹⁷ While most descriptions of impact are anecdotal, this lack of data, usually explained by researchers in terms of population size, does not – and should not – diminish the invaluable ways that TCUs contribute to tribal prosperity and citizenship beyond language restoration and economic impact.

From the beginning, tribal colleges were rooted in community engagement. Many TCUs were founded on reservations where unemployment can be as high as 80 percent. The importance of TCUs to their communities “transcends their relatively small size.”¹⁸ TCUs are not just community centers; they are centers of the community. The mission of TCUs to build sovereign nations through excellence in tribal higher education is reflected in all aspects of tribal college life. Tribal college facilities are used not only for educational and training purposes, but also for ceremonies and social events such as funerals, celebrations, and wellness activities. TCUs often provide the only fitness or health facilities available to their communities.

In 1994, TCUs were given land-grant status through an act of the U.S. Congress,

making them part of a special group of higher education institutions supported by the Morrill Act, which also includes state land-grant institutions (1862) and Historically Black Colleges and Universities (1890). This status opened opportunities for additional research, program development, and partnerships that promote appropriate land use, water management, and services to rural populations.

In many tribal communities, TCUs provide citizens the opportunity to receive their entire education within a tribally controlled educational environment. Individuals can go to a tribally sponsored early learning center, attend a tribal pre-kindergarten program, and participate in a K – 12 education, leading to a TCU. This education path replicates the tribal socialization of children and youth that is highly valued by Indigenous people as the means to survival and prosperity. There is an important cultural and philosophical point to the fact that TCUs are located in place; it is also important to recognize that there are practical and economic return-on-investment components to being an institution located in place. Likewise, it is in *place* where TCUs translate and merge historical and contemporary aspects of knowledge.

TCUs reflect traditional teachings. Tom Sampson (Tsartlip and Nez Perce Elder), a frequent speaker on leadership and cultural values, has said that traditional teachings are about acknowledging that each person is born with special gifts; leaders are responsible for empowering and helping each person discover and use their gifts to contribute to the community and their families. He believes that this must occur in any educational context and in the rest of society. TCUs strengthen identity through self-discovery and self-expression.¹⁹

A strength of tribal colleges is their ability and capacity to offer exemplary Native studies degree programs that not only pro-

vide the tools to effectively integrate tribal knowledge into all aspects of learning, but also have unique access to elders, knowledge-holders, and sacred sites in the community. As tribal education scholar Wayne Stein has noted:

The Native studies department is that part of the indigenous college that makes it a unique institution. No other institution of higher education can or will teach the local culture and language with the love and accuracy that the locally controlled indigenous college's native studies faculty will offer, over time.²⁰

Ready access to Indigenous knowledge and experiences allows faculty and students to work together to construct deeply enriching educational experiences. The importance of access and its influence on the tribal college experience is best articulated by Cheryl Crazy Bull:

One of the great things about being in a tribal college is that you get to see tribal scholars every day. You get to see the native language expert. You get to see the people who know where the best fishing and hunting is based on historical and cultural knowledge. You get to see where people gathered at one time and where they camped – all that information, all that knowledge still exists in our communities.²¹

Merging the historical with the contemporary happens frequently in the tribal college context. Several TCUs and the AIHEC participate with science programs, research, and education through the National Institute of Health's Native American Research Centers for Health, National Science Foundation Experimental Program to Stimulate Competitive Research, and other National Science Foundation programs to engage health improvement, technology amplification, and partnerships that impact student and community health. Stone Child College on the Rocky Boy reservation in Montana facilitates a community-wide

health education program aimed at developing community health educators. Leech Lake Tribal College on the Leech Lake reservation in Minnesota grounded their health programming in traditional Anishinaabe values, recognizing sacred medicines such as tobacco, while simultaneously banning commercial tobacco from its campus.

TCUs are inextricably linked to the Civil Rights Movement, American Indian Movement, and to later social movements, such as the Stand with Standing Rock environmental and social justice movement. TCUs were established to provide the education necessary to fulfill self-determination using modern tools and traditional knowledge. Tribally controlled education has evolved into the dynamic and comprehensive education necessary to combat numerous social problems faced by Natives and the rest of society, including the challenges associated with poverty, environmental degradation, and lack of access to adequate infrastructure, health care, housing, and transportation. For example, many challenging health concerns such as heart disease and diabetes can be addressed through the use of tribal plants and medicines, combined with Native foods and fitness through Native games. Ceremonies and tribal medicines as well as language immersion can be used to alleviate posttraumatic stress disorders. Traditional child-rearing practices focused on the health and well-being of children in the context of their age, gender identity, and kinship promote healthier, happier children.

Cultural knowledge, in this context, is shared both inside and outside of the classroom by tribal scholars and researchers, local cultural teachers, Native language speakers, community leaders, advocates, and elders. Students and their extended families are the beneficiaries of this cultural knowledge, which, in turn, helps foster a positive self-identity development and future outlook for students and Native communities.

Some proponents of tribally controlled education want students to be able to address issues from a tribal viewpoint rather than only trying to advocate for tribal views through a Western lens. For example, Sharon Kinley, dean of Coast Salish Studies at Northwest Indian College (NWIC) on the Lummi reservation in Washington, has illustrated this distinction in her description of the purpose of new baccalaureate degree programs. Kinley has stressed the relationship of Lummi and other Coast Salish people to the sea. The sea is the place from which her people emerged; it is the place from which her people defined their homelands. It represents their economy, describes their social system, and serves as the source of food and other resources. To approach decision-making about the water without understanding the relationship of the people to the sea is to approach decision-making from a nontribal perspective. The goal of the Native studies leadership and Native environmental science degrees at NWIC is to teach students to approach decision-making through self-determination as tribal citizens.

TCUs recognize that inherent connections between the past and present are the strength of tribally based higher education. TCUs also recognize that education, in place, allows students an opportunity to see the context of learning as both an academic and a cultural enterprise. Students grow through the opportunity to remain embedded in their homelands and community and to receive access to an institution of higher education at the same time.

TCU founders were focused on access to higher education. As James Shanley has observed, the early TCUs modeled themselves after mainstream community colleges, which were designed to support local control and visibility and to promote access to education for all citizens, particularly for veterans returning from World War II.²²

The similarities between TCUs and mainstream community colleges diverge sharply from there, however. Tribal colleges were not created to be mainstream institutions with Western educational missions. “Tribal colleges and universities,” according to Cheryl Crazy Bull, “have emerged from the sacred to do the necessary, present-day work of our ancestors. They teach our languages, socialize our children and support their families, protect and manage our resources and assets, and preserve our identities and our ways of living for future generations.”²³ Access to education is more than obtaining skills to earn a credential. It is about access to tribal knowledge, community, role identification, purpose, kinship, family, and relationships. Because of TCUs, Native students have access to a source of strength and support in their own community and the resources necessary to be successful in college.

The vision of the TCU movement is fulfilled through this continuous, focused commitment to identity and place. The revolution that the tribal colleges manifest while rooted in the founders’ vision is one that is dynamic in its responsiveness to the evolution of TCUs as higher education institutions and as community-based institutions. TCUs demonstrate adaptability and creativity in their development of resources and programs as they respond to changing community priorities and tribal needs. The desire for tribal citizens to be educated in order to maintain cultural integrity and to facilitate self-determination is still the focus of the TCU movement.

Prayers and ceremonies both informed TCU visionaries and founders and served as their source of strength and power. Their sense of purpose – access to higher education *and* people restored to wellness and prosperity – motivates the founding of TCUs as well as their continued existence despite numerous financial and

social challenges. Symbolic representations of this sense of purpose permeate the environment of TCUs, ranging from course content to facility design. Most important, however, these representations occur in the actions of students, staff, and TCU leadership; they act as good relatives to each other and to the rest of creation; they keep the teachings of their ancestors alive; and they focus on being a people as defined by their own values and stories.

As revolutionaries, the founders of tribal higher education institutions committed to remaining unchanged as Indigenous, to resisting assimilation, and to serve as the pillars of modern tribal Indigenous societies. Their vision of transformation and wellness rooted in traditional educational practices, spirituality, and relationship remains at the heart of the tribal college movement.

The return on investment desired by TCU founders is being fulfilled. They wanted tribal people to be educated beyond survival. The founders wanted their people to prosper as Indigenous people. This prosperity rooted in tribal sovereignty, identity, the development of tribally controlled education systems, and the use of our values and beliefs to advance our goals is being accomplished.

AUTHOR BIOGRAPHIES

CHERYL CRAZY BULL (Sicangu Lakota) is President and CEO of the American Indian College Fund. She previously served as President of Northwest Indian College and has extensive experience in tribal K – 12 and higher education as well as community development. She has published articles in such journals as *Tribal College: Journal of American Indian Higher Education* as well as contributed to books focused on leadership, minority serving institutions, and tribal colleges.

JUSTIN GUILLORY (Nez Perce descendent) is President of Northwest Indian College. He previously served as Dean of Extended Campuses and Dean of Academics and Distance Learning at Northwest Indian College. He has published essays in such collections as *Understanding Minority-Serving Institutions* (2008).

ENDNOTES

- ¹ Steven Crum, “The Idea of an Indian College or University in Twentieth Century America before the Formation of the Navajo Community College in 1968,” *Tribal College: Journal of American Indian Higher Education* 1 (1) (1989): 20 – 23.
- ² Bryan McKinley Jones Brayboy, “Transformational Resistance and Social Justice: American Indians in Ivy League Universities,” *Anthropology & Education Quarterly* 36 (3) (2005): 193 – 211; and Linda Tuwahi Smith, *Decolonizing Methodologies: Research and Indigenous Peoples* (New York: Zed Books, 1999).
- ³ Margaret Szasz, *Education and the American Indian: The Road to Self-Determination since 1928* (Albuquerque: University of New Mexico Press, 1974).
- ⁴ Ibid.
- ⁵ Paul Boyer, *Native American Colleges: Progress and Prospects* (Princeton, N.J.: Princeton University Press, 1997).
- ⁶ Suzette Brewer, *Real Indians: Portraits of Contemporary Native Americans and America’s Tribal Colleges* (New York: Melcher Media, Inc., 2003).
- ⁷ Cheryl Crazy Bull, “Tribal Colleges and Universities: From Where We Are to Where We Might Go,” in *Tradition and Culture in the Millennium: Tribal Colleges and Universities*, ed. Linda S. Warner and Gerald E. Gipp (Charlotte, N.C.: Information Age Publishing, 2009), 209 – 217.
- ⁸ American Indian Higher Education Consortium and The Institute for Higher Education Policy, *Tribal Colleges: An Introduction* (Washington, D.C.: American Indian Higher Education Consortium and The Institute for Higher Education Policy, 1999); and Wayne J. Stein, “Tribal Colleges and Universities: Supporting the Revitalization in Indian Country,” in Warner and Gipp, eds., *Tradition and Culture in the Millennium: Tribal Colleges and Universities*, 17 – 34.
- ⁹ Economic Modeling Specialists International, *The Economic Value of American Indian and Alaska Native Tribal Colleges and Universities: An Analysis of the Economic Impact and Return on Investment of Education* (Moscow, Idaho: Economic Modeling Specialists International, 2015), 11 – 12.
- ¹⁰ Mara Krilanovich, “Bilingual Education: Why Culture Matters,” unpublished paper (2005), 6, <http://www.mjkrilanovich.com/files/BiliEd.pdf>.
- ¹¹ Crazy Bull, “Tribal Colleges and Universities,” 209 – 217; Wayne Stein, “Developmental Action for Implementing an Indigenous College: Philosophical Foundations and Pragmatic Steps,” in *The Renaissance of American Indian Higher Education: Capturing the Dream*, ed. Maenette K. P. Menham and Wayne J. Stein (Mahway, N.J.: Lawrence Erlbaum Associates, 2002), 25 – 60.
- ¹² James Shanley quoted in Paul Boyer, *Capturing Education: Envisioning and Building the First Tribal Colleges* (Pablo, Mont.: Salish Kootenai College Press, 2015), 104 – 105.
- ¹³ Ibid., 105.
- ¹⁴ Richard Voorhees, “Characteristics of Tribal College and University Faculty” (Denver, Colo.: American Indian College Fund, 2003), 4.

- ¹⁵ Vine Deloria Jr. and Daniel R. Wildcat, *Power and Place: Indian Education in America* (Golden, Colo.: Fulcrum Resources, 2001), 32.
- ¹⁶ Economic Modeling Specialists International, *The Economic Value of American Indian and Alaska Native Tribal Colleges and Universities*, 6.
- ¹⁷ Matthew Goldwasser, "Return on Investment for Tribal Colleges and Universities: A Synthesis of the Literature and an Exploration on its Institutional Value to Tribal Colleges and Universities" (Denver, Colo.: American Indian College Fund, 2016).
- ¹⁸ American Indian Higher Education Consortium and The Institute for Higher Education Policy, *Building Strong Communities: Tribal Colleges as Engaged Institutions* (Washington, D.C.: American Indian Higher Education Consortium and The Institute for Higher Education Policy, 2001), 51.
- ¹⁹ Authors' conversations with Tom Sampson.
- ²⁰ Stein, "Tribal Colleges and Universities," 48.
- ²¹ Cheryl Crazy Bull, keynote presentation, Stewarding Sacred Lands Conference, Native American Land Conservancy, 2007.
- ²² James Shanley, "Limitations and Alternatives to Developing a Tribally Controlled College," in *The Renaissance of American Indian Higher Education: Capturing the Dream*, ed. Maenette K. P. Menham and Wayne J. Stein (Mahway, N.J.: Lawrence Erlbaum Associates Publishers, 2003), 61–74.
- ²³ Cheryl Crazy Bull, "Journey to Freedom: Reflecting on our Responsibilities, Renewing our Promises," *Tribal College: Journal of American Higher Indian Education* 24 (2) (2012).

The New World of the Indigenous Museum

Philip J. Deloria

Abstract: Museums have long offered simplistic representations of American Indians, even as they served as repositories for Indigenous human remains and cultural patrimony. Two critical interventions – the founding of the National Museum of the American Indian (1989) and the passage of the Native American Graves Protection and Repatriation Act (1990) – helped transform museum practice. The decades following this legislation saw an explosion of excellent tribal museums and an increase in tribal capacity in both repatriation and cultural affairs. As the National Museum of the American Indian refreshes its permanent galleries over the next five years, it will explicitly argue for Native people’s centrality in the American story, and insist not only on survival narratives, but also on Indigenous futurity.

When Indigenous visitors from across the country and the world come to Washington, D.C., they often head for the Smithsonian National Museum of the American Indian (NMAI). Located on the Mall, in close proximity to the Capitol, the distinctive building captures the curvilinear forms of the natural world while simultaneously evoking the elaborate perched stone cities of Southwestern cliff-dwellers. Inside, visitors find flags from a host of tribal nations surrounding a vast domed space, a gathering place for local groups, national organizations, and museum programming.

In the original configuration, put in place at the museum’s opening in 2004, three permanent exhibition galleries anchored the museum, along with a theater and film documentary, two changing exhibits, and the Mitsitam Café, which served Native foods from North and South America. Embedded within those three large galleries were a series of smaller spaces featuring tribally curated exhibits meant to explore the history and culture of individual groups, even as the museum itself sought to

PHILIP J. DELORIA, a Fellow of the American Academy since 2015, is Professor of History at Harvard University. He is the author of *American Studies: A User’s Guide* (with Alexander Olson, 2017), *Indians in Unexpected Places* (2004), and *Playing Indian* (1998) and editor of *Blackwell Companion to Native American History* (with Neal Salisbury, 2002).

© 2018 by the American Academy of Arts & Sciences
doi:10.1162/DAED_a_00494

explore more general themes: Our Lives, Our Peoples, Our Universes. On opening day, some twenty-five thousand Indigenous people marched in celebration on the Mall, welcoming the museum into being. It was a joyous occasion, an assertion of Native pride, presence, and survival. What could possibly go wrong?

Same-day negative reviews appeared in both *The New York Times* and *The Washington Post* accusing the NMAI of a lack of scholarly rigor and haphazard exhibits marked by vagueness and superficiality. Disappointment and harsh words also came from Indigenous critics, who wanted a more visibly confrontational politics. Many visitors, who could not pigeonhole the museum into a familiar category, became disoriented: Was it an art museum full of beautiful, well-lit aesthetic objects? (Not really, though the lighting was often excellent.) A history museum? (No, it presented nothing like a linear history.) An anthropological museum, full of “culture areas” and representative ethnographic pieces? (Definitely not!)¹

The NMAI was (and is) a disorienting museum. It gleefully decontextualized ethnographic artifacts, assembling arrowheads, ceramic masks, and small gold pieces into new forms, creating aesthetically oriented swirls and patterns bundled together into display cases. The small “pods” of tribal self-presentation interrupted and punctured viewers’ efforts to find a linear argument as they moved through a gallery. And those pods were themselves uneven: some focused on only a few objects, some on text-heavy recounting of tribal history and culture, some aiming to create an experience of Indigenous home space. Some were simply more compelling than others. Many visitors wanted a recounting of a painful history, around which they could organize viewing experiences of guilt, empathy, and painless redemption, before heading to the café for quasi-exotic food. (No hamburg-

ers here; only bison burgers!) The museum studiously avoided the tone of dispassionate anthropological expertise found on so many wall labels in other museums. In other words, it seemed to have willfully walked away from the capital-M authority of the Museum itself. Visitors’ confusion was the result of an assertive Indigenous museum practice – nonlinear and holistic – that doubled down on the absence of the forms and language of the classic Western museum.

The authority of the Museum had been a long time in the making. Beginning in the sixteenth century, Renaissance rulers, aristocrats, merchants, and scientists assembled eclectic collections of material – natural history, art, religious relics, and antiquities – into what we commonly refer to as “cabinets of curiosities.” These cabinets – sometimes a literal cabinet, but often a discrete room overstuffed with material – served as both the venue for scholarly study and the performative basis for claims to knowledge, authority, and power. The cabinets demonstrated the commanding reach of elites, for they often featured objects from trade routes, explorations, and conquests stretching across the globe. Native cargo from the New World and the Pacific frequently made its way to such cabinets, marking “the Indigenous” as a key element in an Enlightenment project that married power and knowledge with European imperial and colonial endeavors around the planet.

In such cabinets, one can see the germs of what would become long-standing museum practices. A collection of disparate objects required categories and cataloging; in that process, one might create knowledge. A collection required care; it became a proprietary site for new forms of archival science and storage. A collection required management of objects coming in and objects going out; the arts of accession, deaccession, and provenance were

Philip J.
Deloria

constituted and consolidated. A collection required collecting: out of the cabinets were borne the field agent and the collecting expedition, a venture with no purpose other than the acquisition of objects. And a collection created a vast web of possibilities for recontextualization, for moving objects out of one location (a utilitarian cooking pot, for instance) and into another (as a definitive example of American Indian life). The most important recontextualization may have centered on the authority of collectors themselves, for the objects constituted them as unique figures of authority.

At the same time, the cabinets – and the more formalized museums that soon followed – also constituted and displayed the Indigenous as a category and object: non-European, defined in light of colonial encounters, and primitive – either as “natural” or as “savage” in relation to the “civilized.” Indigenous people and their things were quickly incorporated into emergent scientific discourses: natural history (they were like animals), ethnology and anthropology (they were “earlier” forms of human social organization), archeology (you found them when you started digging), and craniology (skull comparisons might reveal racial differences in intelligence and capacity). They had cultural functions as well. Indigenous objects had a trophy-like quality to them, serving as evidence of past conflict and Western military and civilizational superiority. Indigenous material culture could function as a kind of fetish or token for the claims to Indigenous lands.

In this light, it is unsurprising to find that, in the early United States, collecting and cabinets took on particularly nationalist forms as they were gradually reshaped into that thing we call the museum. Philadelphia artist Charles Willson Peale developed a museum out of a collection of portraits, placed on public display in his home. The exhibit – for we can truly name

it that and identify it as a characteristic of museums – proved popular, and when Peale realized he could charge admission, he began collecting not simply art, but also antiquities, natural history specimens, fossils, and American Indian artifacts, among other objects. His son Titian Ramsay Peale would sign on as an artist/naturalist/collector to a number of exploring expeditions in the American South and West as well as the 1838 – 1842 Wilkes Expedition, which explored the globe. In 1794, the Peale Museum moved to the American Philosophical Society, thus constituting its authority around the nation’s first scientific association, even as it revealed that the museum and its things could also serve as experiential commodities.

In New York, John Pintard’s 1791 American Museum featured more curiosities than natural history specimens, and it changed hands several times before becoming, in 1841, P. T. Barnum’s American Museum, a combination of display, freak show, amusement, theater, and zoo that proved a central venue in the development of American popular culture. In Virginia, Thomas Jefferson, likely in 1783, made the first systematic archeological investigation in the United States, trenching and carving an Indian burial mound on the Rivanna River, an effort that he recounted in *Notes on the State of Virginia* (1785). Philadelphia physician Samuel George Morton’s *Crania Americana* (1839) based its argument – racial differences demonstrated by cranial capacity, which indexed intelligence – on an ever-growing collection of human skulls. Many of these were of Indigenous people; most were not archeological specimens, but were procured by Army surgeons on battlefields and by robbing graves and recent burials. In 1829, British scientist James Smithson died, leaving his estate to the United States for the founding of “an establishment for the increase and diffusion of knowledge among men,” thus creating the Smithsonian In-

stitution, which formalized the meeting of what we now recognize in terms of scientific research, collecting and collections management, exhibition and programming, and the imagined community of the nation.²

This potted history suggests only some of the ways that American Indian people might be incorporated into the project that was “the museum.” They were the objects of knowledge, rarely active subjects in its production; others would speak about them and occasionally for them. This dominating knowledge was matched by the accompanying devastation of Indigenous lands and peoples; museums and their collections were not neutral or innocent. They were full of Indian things. In the latter half of the nineteenth century, for example, frontier officers and doctors sent in a steady stream of human remains from battlefields and graves (to the Army Medical Museum, for example), accompanied by a vast array of material culture that dispersed across any number of American museums. Founded in 1879, the Bureau of Ethnology (later, Bureau of American Ethnology) was created to transfer records and organize the anthropological knowledge of the United States under the rubric of the Smithsonian Institution. It housed information from the great geographical surveys of the 1870s and established its own fieldwork and collecting programs. The Bureau’s first effort – the 1879 Stevenson expedition to the Zuni Pueblo – acquired thousands of items, anchoring a collection that would eventually surpass ten thousand objects, all taken from a single location!³ By the early twentieth century, as historian Douglas Cole and others have documented, the long-held belief that Indigenous cultures were “vanishing” led to a rush of collection activity and the establishment of major museum collections in New York, Chicago, Denver, and elsewhere.

Those museums established expectations for Indians: Native peoples were

vanished, racially and socially primitive, voiceless, and spoken for by knowledgeable authorities. Their material traces were commonly organized around three categories: American history, in which they made a quick appearance and then disappeared; anthropology, in which they illustrated social evolution or, at best, cultural relativism; or art, in which their objects were recontextualized around form more than function, and in which they served as a primitivist foil for American and European modernism.

Museums have exploded in number and popularity over the last century, and Indian people have sought to undo these histories, contesting the politics of museum representation and demanding the repatriation of human remains and material culture taken during the rush to build collections. In 1978, the Zuni people petitioned the Denver Art Museum for the return of the *Ahayu:da*, commonly referred to as “war gods”: that is, carved poles placed around the Zuni homeland and meant, in a sacred process, to deteriorate over time. It was the first episode in a long struggle to repatriate, from museums and collectors, scores of *Ahayu:da*, as well as other objects of cultural patrimony. Around the same time, tribal people, led by Indian veterans, began drawing parallels to the extraordinary efforts of veterans’ groups and the United States to repatriate human remains from Vietnam. They noted the large number of Indian war dead that were shamefully acquired and finding no rest in American museum collections.⁴

Repatriation – which would be formalized in the 1990 Native American Graves Protection and Repatriation Act (NAGPRA) – was first articulated as policy a year earlier, in the 1989 act that created the National Museum of the American Indian. In other words, while NAGPRA would establish a process used by tribes and mu-

Philip J.
Deloria

seums to reconsider past practices of collecting that lived on in various collections across the country, the critical precedent was the creation of the NMAI, which was dedicated “exclusively to the history and art of cultures Indigenous to the Americas.”⁵ The NMAI enabling act rests on four arguments: first, that there was no national voice or clearinghouse for American Indian perspectives on the role of the Indigenous in American history and life; second, that the acquisition of the Heye Museum of the American Indian in New York City offered an opportunity to create a national museum on the basis of an already-strong collection; third, that a site was available on the National Mall, and was designated for the use of the Smithsonian; and finally, that a national museum would enable and support a program of repatriation. The act states:

(6) by order of the Surgeon General of the Army, approximately 4,000 Indian human remains from battlefields and burial sites were sent to the Army Medical Museum and were later transferred to the Smithsonian Institution;

(7) through archaeological excavations, individual donations, and museum donations, the Smithsonian Institution has acquired approximately 14,000 additional Indian human remains;

(8) the human remains referred to in paragraphs (6) and (7) have long been a matter of concern for many Indian tribes, including Alaska Native Villages, and Native Hawaiian communities which are determined to provide an appropriate resting place for their ancestors;

(9) identification of the origins of such human remains is essential to addressing that concern.⁶

The NMAI came into existence – from a Native American perspective – to repair and reconcile a long and painful history of

relations between Indian people and American museums. And that history was not only defined by grotesque practices of collecting. Representations of Indian people in American museums had long reinforced deep ideological formations about Indian disappearance, savagery, and exoticism. As Indigenous studies scholar Jean O’Brien has demonstrated, one of the most important vectors for “vanishing” (as an active verb) Indians was the local historical society.⁷ In countless small museums, the local and regional histories of Indians were framed in terms of their disappearance, which made for a harmless, curious prehistory of the White settlement of towns and counties. Sometimes, these frames included gestures toward past violence, framing historical narratives usually based on a kind of innate Indian aggression. A “defensive” victory over such Indians not infrequently rooted the local origin myth. Often such museums did not hesitate to display Indian remains. In Illinois, for example, a local chiropractor named Don Dickson began excavating mounds in the 1920s, eventually uncovering 237 Indian skeletons. Rather than removing them from the ground, however, Dickson removed the dirt and covered the site with a building, creating a kind of “dig” museum that exposed an entire Indian cemetery to visitors. Faced with substantial and ongoing Indian protest, and in the wake of NAGPRA, the state closed down the private museum in 1992, entombing the remains in limestone and building a new museum on the site.

Larger museums with bigger budgets created life displays, arranging their material culture artifacts on manikins and posing them in family groupings. The diorama proved a favorite mechanism for placing Indians in the context of precontact “life-ways” displays that linked subsistence, social life, and culture firmly in the past. At the University of Michigan museum, for example, the single most popular display

for decades was a collection of miniature dioramas, remembered by generations of locals who first saw them on school-sponsored field trips. The dioramas *were* compelling: they were beautifully made, fascinating acts of human craft. But there was also something magical about tiny, primitive people encased in small transparent boxes. And for fifth-grade boys, the “accurate” representation of bare breasts put a touch of the erotic on top of the exotic. Ann Arbor residents loved the dioramas; Native American students, faculty, and visitors did not. At Chicago’s Field Museum, the Hopi diorama contained life casts of real people who were recognizable to other Hopis as family members and friends.

These histories of display and representation bring us back to 2004 and the mixed receptions to the first iteration of the National Museum of the American Indian. Non-Native audiences came to the beautiful new building with a firm set of expectations about what they would see, all part of these long and familiar traditions of American museology: there would be sad, nostalgic regret and a little guilt; there would be cultural difference on display; and there would be something about environmentalism and spirituality. The (mostly) Indian people who consulted with Native communities and then planned, curated, crafted, and labeled the exhibits offered a very different (and utterly understandable) message: “We are still here! We have not vanished!”

This, in itself, made the NMAI unlike other museums. But the curators were also part of important questionings in the museum world itself, and their exhibits – nonlinear to the point of confusion, multivocal to the point of uncertainty – spoke to the possibilities of a postcolonial and postmodern practice. In that sense, the museum was trying not simply to repair the past, but also to shape the future. Other museums had made similar efforts to rethink represen-

tation. The University of British Columbia Museum, for example, is justly recognized for its “open storage” systems, in which visitors can see not simply a few objects in tightly organized curations, but, to a large extent, the full reach – many would say the “overkill” – of early collecting. The very form of the display revealed a different kind of history. In Paris, the Musée du Quai Branly mounted spatially disorienting galleries organized around structuralist arguments in which war clubs, canoe paddles, and money belts from Indigenous cultures around the world demonstrated meaningful affinities.

If these were some of the contexts for the NMAI, however, they were insufficiently widespread to seem familiar. The NMAI did, in fact, prove confusing to the average visitor, and attendance began a slow, though not always even, decline in the years following the opening. The nonlinear spatiality of the museum got in the way of its message – “we are still here!” – which, if it was emotionally imperative for Indian people, proved insufficient (even as it was received) to hold the affective, intellectual, and visual imagination of viewers.

At the moment of its creation, that message was – appropriately – central to the museum’s mission and its Native constituency. Equally critical to that constituency, however, was the question of repatriation. The Native American Graves Protection and Repatriation Act followed close on the heels of the creation of the NMAI, and their respective processes developed in close parallel to one another, to the point that the NMAI now runs more or less in sync with NAGPRA.

NAGPRA requires federal agencies, museums, and other entities receiving federal funding to prepare inventories of their holdings across key categories – human remains, funerary objects, cultural patrimony, and sacred objects – and to convey those inventories to interested tribes.

*Philip J.
Deloria*

Holdings may be affiliated (the museum knows the provenance of an item, including tribal origin) or unaffiliated (there is no way to know origin). Many items occupy a space in between: they are not yet affiliated, but there are grounds to think that they could be through a process of investigation. Tribes are able to request consultations on the inventories. Typically, these consultations involve site visits to museums and examination of items. Following the consultation, a tribe can prepare a claim (the burden of proof is on the tribe, not the museum); if the claim meets NAGPRA criteria, the museum must deaccession and repatriate the object. An appeals board hears cases in which a tribe disputes a museum's judgment on its claims.

In the early 1990s, as NAGPRA was being implemented, museum curators and anthropologists feared that newly empowered Indian people would be backing trailers up to museum loading docks and spiriting off vast parts of collections. They needn't have worried. NAGPRA requires a deliberative process and does not empower Indian people all that much. And most Native people have complex ideas on the ways repatriation might work, particularly in relation to objects. I witnessed a consultation in the mid-1990s, for example, in which the museum laid out on tables literally hundreds of objects from its inventories. The tribal consultants – a team of elders and administrators – spent a long day examining them. A couple of things soon became apparent to all. First, these people treasured the objects in the museum's collections. They greeted them, held them, and discussed them with a kind of happy reverence. Second, they were not reflexively hostile to the museum as a custodial site; in the end, they said that they planned to proceed on a cultural patrimony claim on five or six items. Third, the museum, which recorded the discussions, gained far more from the exchange than it ended up giving to the

tribe. The consultants offered detailed descriptions of the use, meanings, and stories surrounding many of the objects, and curators told me later that they were eager to fill in their databases with this proliferation of new information. Ideally, as now happens with many museums, the actual NAGPRA claim takes shape in a collaborative and consultative setting (though that is of course not always the case). NAGPRA has forced tribes to build a new capacity around cultural affairs, which has, in turn, redounded to tribal benefit. In the best cases, museums have served as valuable partners and supporters for tribes; in the worse cases, they have been recalcitrant, obstructionist, and distrustful.

As the new flagship Smithsonian museum, the NMAI has consistently sought to take a leadership position on repatriation issues. It has long hoped – and is getting close – to repatriate all human remains from its collections, demonstrating the possibilities for a humane resolution to a difficult history. The NMAI has also insisted that repatriation claim assessments rely on the highest caliber of scholarly research; lengthy reports offer comprehensive discussions of cultural affiliation claims, collecting histories, and museum provenance. They adhere to a rigorous interpretation of guidelines. The museum has, at the same time, modeled ways in which repatriation claims can serve as partnerships that are productive for tribes. NMAI repatriation staff members have developed strong working relationships with tribal repatriation officers. These same kinds of relationships are in reach for all museums, and many have taken similar paths.

The NMAI comprises three – or perhaps four – museums. The original Heye Museum in New York City had a loyal following, and many insisted that it retain some presence in the City. The NMAI-New York museum continues that history, exchanging exhibits with the Washington, D.C., mu-

seum. Like many Smithsonian museums, the NMAI also maintains a storage and research site in a third museum in Suitland, Maryland. In its earliest incarnation, NMAI leaders also insisted on a kind of virtual “Fourth Museum,” which was to be its tangible connections to Indian Country. The NMAI would consult on exhibition topics and future collecting, train community people to help develop shows (and tribal pods within galleries), train interns in museum practice, and send traveling exhibitions across Indian Country. The aim was not simply to host a national museum on the Mall, but to help support and grow a range of tribal museums across the country.

One should not assume that the NMAI represented the first effort on the part of Indian people to intervene in museum practices. The early twentieth-century Seneca intellectual and activist Arthur C. Parker spent his entire career as a museum specialist. Native anthropologists such as J. N. B. Hewitt (Tuscarora), William Jones (Fox), and Ella Deloria (Dakota) found themselves working in or with museums, including both large institutions such as the Smithsonian and the Field Museum in Chicago as well as small ones such as the W. H. Over Museum in Vermillion, South Dakota. In 1931, Mohegan medicine woman and intellectual Gladys Tantaquidgeon, along with her father John and brother Harold, founded the Tantaquidgeon Indian Museum in Uncasville, Connecticut.

Most of the credit for tribal museums goes to tribes, communities, and visionary local museum leaders. The list of innovative, beautifully designed, Indigenous museums is long and getting longer: the Tamastlikt Cultural Institute (Oregon), the Mashentucket Pequot Museum (Connecticut), the Chickasaw Nation Museum (Oklahoma), the Zibiwing Center of Anishinabe Culture and Lifeways (Michigan), the Southern Ute Cultural Center (Colorado),

the Acoma Sky City Cultural Center (New Mexico), and the Alaska Native Heritage Center (Alaska), among others. The National Association of Tribal Historic Preservation Officers lists over sixty tribal museums on its website.⁸ Many of these, such as the Seminole Ah-Tah-Thi-Ki Museum, have state-of-the-art conservation facilities; others, such as the long-running and beautiful Tantaquidgeon Museum, function as less-formal structured sites of community memory and self-representation. Many of these institutions have staff members who have passed through the NMAI or other tribal museums.

And of course, tribal museum professionals have found many other routes into museum leadership. Roberta Conner (Cayuse) of the Tamastlikt Cultural Institute entered the field through journalism and management, for example. Hartman Lomawaima (Hopi) went to Harvard and worked his way through the museum world to become Director of the Arizona State Museum. James Nason (Comanche) earned a Ph.D. at the University of Washington, staying in Seattle as curator at the Burke Museum. Lomawaima and Nason, among others, worked hard to foster a national organization for tribal museums, libraries, and archives, planting seeds for today’s Association of Tribal Archives, Libraries, and Museums, incorporated in 2010.⁹

If “we are still here!” was the right note for the NMAI to strike in 2004, it is also the case that permanent exhibitions are never permanent, and audiences and tribal needs have changed since the opening. Over the last few years, the NMAI has been replacing its original galleries in an effort to look squarely to the future and to continuing its role in leading the museum world on all things Indigenous. Its *Nation to Nation* show, launched in 2014 and meant to bridge gallery renovations, demonstrates that future, which is based upon a contin-

Philip J.
Deloria

ual insistence that one cannot know anything significant about the American past or present without foregrounding Indian people – their treaties, in the case of *Nation to Nation* – their sovereignties, and their lands. The first permanent gallery reinstallation, “Americans” (scheduled to open in early 2018), will directly engage the history that many visitors found lacking in 2004, retelling the classic stories of the United States through an Indigenous lens.

American museums with Native American collections – including the NMAI – have also been engaged with Indigenous museum practice in an international context. The Australia National Museum’s largest gallery is dedicated to First Australians; local museums in Melbourne and Sydney have collaborated with Aboriginal people in designing exhibits that speak to their local communities. Taiwan has an equivalent of the NMAI, a dedicated Aboriginal (prehistory) museum, located in Taitung, as well as the private Shung Ye Museum of Formosan Aborigines, which sits directly across from the massive Palace Museum. In Canada, the outcome of the Truth and Reconciliation Commission and recent 150th Anniversary Celebrations has created particularly visible national conversations and debates concerning First Nations people and museums. In Hokkaido, Japan, the Shiraoi Ainu Museum (Porotokotan) offers both an Ainu-centered representational politics and a local anchor for Indigenous culture and institutional capacity. In Aotearoa/New Zealand, the National Museum, Te Papa Tongarewa in Wellington, as well as major museums in Auckland, Christchurch, and Dunedin, began with natural history and moved, like early American museums, seamlessly into Maori ethnological collecting. The 1980s U.S. tour of Maori arts, Te Maori, marked a new point of engagement for New Zealand museums and Maori people. In 2016, the Smithsonian repatriated fifty-four human remains through the Te Papa Museum,

as part of Karanga Aotearoa, an international repatriation effort that has returned over four hundred human remains to New Zealand. These kinds of global exchanges – and these are only a few examples – have been driven in part by the institutional infrastructures made possible through big museums and in part through global Indigenous networks.

Tribal museums, like all museums, not only document the past and educate the present; they also reach out toward an Indigenous future. One part of that mission surely involves technical transformations: new digital collections – management tools and web access offer the opportunity for the cultivation of new audiences; new display strategies create different kinds of museum-going experiences; and new exhibits seek to transform the old narratives surrounding Indigenous peoples. But the leadership of Indigenous museums goes beyond the technical. It returns, in the end, to the *thingness* of things themselves. Across a global range of traditions, Indigenous people have consistently located power in objects. If the institution that is the Museum makes any generalizable argument, it is that its collections are more than distant objects locked in glass cases or hidden in storage facilities. All museums aspire to be something other than, as philosopher Theodor Adorno once suggested, mausoleums, the homes of no-longer vital dead objects.¹⁰

The very nature of the Indigenous museum, engaged with Indigenous epistemologies, suggests in important ways the possibility that one might invest objects with the power to return one’s gaze. In the Indigenous museum, one is reminded – perhaps more than elsewhere – to maintain a relation of reciprocity between object and viewer, to find in the institutional setting an occasion for *musings* – the generation of living, creative knowledge. The National Museum of the American Indian was confusing to its first visitors, confounding them

through presentations that spoke with a strong Indigenous accent. That accent, like Indian people themselves, will not be going anywhere. It speaks of histories of pain and resistance, as it must. But it also speaks – to all museums – of the capacity of seemingly inanimate objects that are empowered to ask us to *muse*: to contemplate. To become

be-mused by intellectual and ethical challenges. To become *a-mused*, not in the superficial way we imagine amusement, but in a deep way that situates us as new kinds of perceivers, thinkers, and knowers, and thus as new and better actors in a world in which Indigenous people continue to struggle, survive, and prosper.

Philip J.
Deloria

ENDNOTES

- ¹ For an excellent introduction to the controversies and critiques surrounding the NMAI, see Amy Lonetree and Amanda J. Cobb, eds., *The National Museum of the American Indian: Critical Conversations* (Lincoln: University of Nebraska Press). On media coverage specifically, see Aldona Jonaitis and Janet Catherine Berlo, "'Indian Country' on the National Mall: The Mainstream Press versus the National Museum of the American Indian," in *ibid.*, 208–240.
- ² David R. Brigham, *Public Culture in the Early Republic: Peale's Museum and its Audience* (Washington, D.C.: Smithsonian Institution Press, 1995); Thomas Jefferson, *Notes On the State of Virginia* (Chapel Hill: The University of North Carolina Press, 1982); Samuel George Morton and George Combe, *Crania Americana: Or, A Comparative View of the Skulls of Various Aboriginal Nations of North and South America. To Which Is Prefixed an Essay on the Varieties of the Human Species. Illustrated by Seventy-Eight Plates and a Colored Map* (Philadelphia: J. Dobson, 1839); Ann Fabian, *The Skull Collectors: Race, Science, and America's Unburied Dead* (Chicago: University of Chicago Press, 2010); David Hurst Thomas, *Skull Wars: Kennewick Man, Archaeology, and the Battle for Native American Identity* (New York: Basic Books, 2000); and James W. Cook, *The Arts of Deception: Playing with Fraud in the Age of Barnum* (Cambridge, Mass.: Harvard University Press, 2001).
- ³ See, for example, Chip Colwell, *Plundered Skulls and Stolen Spirits: Inside the Fight to Reclaim Native America's Culture* (Chicago: University of Chicago Press, 2017).
- ⁴ T. J. Ferguson, Roger Anyon, and Edmund J. Ladd, "Repatriation at the Pueblo of Zuni: Diverse Solutions to Complex Problems," *American Indian Quarterly* 20 (2) (Spring 1996): 251–273. My understanding of the importance of American Indian veterans in the early discussions surrounding repatriation comes from conversations with Suzan Shown Harjo.
- ⁵ National Museum of the American Indian Act, Pub. L. 101-185, 103 Stat. 1336, November 28, 1989.
- ⁶ *Ibid.*
- ⁷ Jean M. O'Brien, *Firsting and Lasting: Writing Indians Out of Existence in New England* (Minneapolis: University of Minnesota Press, 2010).
- ⁸ Tribal Museums & Cultural Centers, <http://tribalmuseums.org/index.html>.
- ⁹ Association of Tribal Archives, Libraries, and Museums, <http://www.atalm.org/node/27>.
- ¹⁰ Adorno was purposefully misreading the etymologies of the words in order to advance his argument. Theodor Adorno, "Valéry Proust Museum," in *Prisms*, trans. Samuel Weber and Sherry Weber Nicholsen (Cambridge, Mass.: The MIT Press, 1977), 177. For a longer treatment of this theme, including more specific origins in the writing of Walter Benjamin, see Philip Deloria, "Wealth of Nations," in *Infinity of Nations: Art and History in the Collections of the National Museum of the American Indian*, ed. Cécile Ganteaume (New York: HarperCollins, 2010), 13–18.

The Story of Indian Health is Complicated by History, Shortages & Bouts of Excellence

Mark N. Trahant

Abstract: One of the primary goals of the U.S. government's entry into health care was to protect soldiers by isolating tribal populations and inoculating them against infectious disease. When tribes signed the legally binding treaties, the United States promised them doctors, nurses, facilities, and basic health care. Yet this promise has never been fully funded by Congress. The Indian Health Service, which includes tribal and nonprofit health agencies, is tasked with defying gravity, and this has led to a regular cycle of heart-breaking stories about a system that fails American Indian and Alaska Native patients. Yet, at the same time, the Indian health system has achieved remarkable innovation and excellence.

MARK N. TRAHANT, a Fellow of the American Academy since 2017, is an independent journalist. He is the former Editorial Page Editor of the *Seattle Post-Intelligencer* and a Kaiser Family Foundation Media Fellow. He is the author of *The Last Great Battle of the Indian Wars* (2010) and *Pictures of our Nobler Selves: A History of Native American Contributions to News Media* (1996) and has contributed to such collections as *Lewis and Clark through Indian Eyes: Nine Indian Writers on the Legacy of Expedition* (ed. Alvin M. Joseph, 2006).

Every so often, the “story” of Indian health is told by a news organization. For example, *The Wall Street Journal* reported the death of several Native American patients in Pine Ridge and Sisseton, South Dakota, and Winnebago, Nebraska: “In some of the nation’s poorest places, the government health service charged with treating Native Americans failed to meet minimum U.S. standards for medical facilities, turned away gravely ill patients and caused unnecessary deaths, according to federal regulators, agency documents and interviews.” The report adds that the Indian Health Service (IHS) “operates a network of hospitals and clinics, much like the Veterans Health Administration. Under U.S. treaties that date back generations, the service is legally responsible for providing medical care to about 2.2 million tribal members. But that system has collapsed in the often-remote corners of Indian Country, where patients live hours from other medical providers, often have no insurance and depend on the federal service.”¹ A few days later, at a budget hearing on Cap-

© 2018 by the American Academy of Arts & Sciences
doi:10.1162/DAED_a_00495

itol Hill, a number of senators weighed in on *The Wall Street Journal* report. “The stories are heartbreaking,” said Senator Lisa Murkowski, R-Alaska, chair of the Appropriations subcommittee that funds Indian health programs. She added that though the then-Acting Director of IHS, Mary Smith, had indicated that “the agency was committed to doing ‘whatever it takes’ to deliver quality care,” Murkowski still found that serious problems continued, including hospitals operating without having received recertification from the Center for Medicare and Medicaid Services despite an additional \$29 million approved to address these problems.² Murkowski stated that she was “very concerned” that the Trump budget request

does not adequately meet the needs for health care in Indian Country. The disparities between health outcomes for American Indian and Alaska Native people compared to the population at large are staggering. For example, American Indians and Alaska Natives are three times more likely to die from diabetes. The drug-related death rate for Native Americans has increased 454 percent since 1979 to almost twice the rate for all other ethnicities. And, the suicide rate among our First Peoples is roughly twice that for the rest of the population. In order to improve health care delivery, the IHS must do a better job at hiring and retaining an adequate number of qualified doctors and nurses. The IHS must also do a better job of maintaining a large facilities infrastructure that serves 2.2 million American Indians and Alaska Natives. This requires significant resources. Currently, the vacancy rate for Indian Health Service doctors, dentists, and physician assistants is roughly 30 percent. The backlog of facilities maintenance at IHS hospitals is over half a billion dollars, and according to the agency’s own budget documents, the average age of its facilities is roughly four times that of its private sector counterparts. Additional resources are

not the only answer – the agency must also do more to improve the quality of its existing work force.³

Mark N.
Trahan

Another member of the subcommittee, Jon Tester, D-Montana, was frustrated by the administration’s budget request and the refusal of the agency’s current acting head, Michael Weahkee, to admit whether there would be an increase or a decrease in the agency’s ability to hire staff. When questioned directly about the budget, Weahkee replied only that the IHS was prioritizing “maintaining direct care services.”⁴ But this was not an isolated incident; there has been a long history of Indian Health Service directors who were unable or unwilling to answer that question. If we consider the Senate exchanges as a story, it becomes one that tells of incompetence, poor management, too few doctors, and, most certainly, not enough money.

Because we only have sparse evidence about Indian health problems prior to European contact, this story of Indian health begins with European colonization, when serious health challenges such as smallpox reached catastrophic proportions. As history of medicine scholar and physician David S. Jones has written, “Estimates of pre-contact American populations vary between 8 and 112 million (2 to 12 million for North America), and estimates of total mortality range from 7 to 100 million. Whatever the exact numbers, the mortality was unprecedented and overwhelming.” Europeans introduced several diseases, including smallpox, measles, influenza, and malaria, to Native populations from the sixteenth to nineteenth centuries. “Populations often decreased by more than 90% during the first century after contact. As recently as the 1940s and 1960s, new highways and new missionaries brought pathogens to previously isolated tribes in Alaska and Amazonia.”⁵ It’s impossible to over-

state the consequences of a 90 percent mortality rate. This is the root of historical trauma: the collective memory of a people nearly wiped off of their homeland.

Greg Bourland, then-chairman of the Cheyenne River Tribe in South Dakota, shared in *The New York Times Magazine* a personal familial history of epidemic. He wrote about his great-great-grandmother Blue Earnings:

She was a powerful Lakota medicine woman. They say that she drank water all the time. She got sick from smallpox, and when she was getting ready to die, she asked for a bowl of water. She said, "I'm going to show you part of my powers, and why I'm sick." They put the bowl in front of her, and she spit into it, and out of her mouth flew four little water creatures. Here in the Dakotas, around the edge of lakes, there are these insects. They look as if they can walk on the water. They skitter. Three of them were jumping around in the bowl, and the other was dead. She pointed and said: "See, that one got sick from this white man's disease, from smallpox. If that one can't live, I can't live, either." And she died.⁶

Indeed, it was the epidemics that defined the early public health initiatives of the United States. The Army sent doctors to military posts in order to protect soldiers from infectious diseases, leading Army doctors to care for tribal communities, at least on an irregular basis. In 1832, the War Department negotiated a treaty with the Winnebago Tribe in Wisconsin that promised two physicians as partial payment for ceded acres. The cost was budgeted at \$200 per year. (As a comparison: an Indian agent's salary in that region was \$800 per year and that was considered low. Missouri River agent John Sanford wrote to Superintendent of Indian Affairs William Clark and asked for a \$400-a-year salary increase because he deserved a job with less risk and

better pay.) Not every treaty was as specific, but most of the nearly four hundred treaties that Congress ratified included the promise of doctors. Some spelled out the construction and operation of hospitals as a part of the deal. But treaties only made the promise. Congress still had to appropriate the money, and that has never happened.

By 1880, there were seventy-seven physicians serving the entire American Indian population in the United States and its territories. Commissioner of Indian Affairs Thomas J. Morgan urged Congress shortly before the turn of the century, "in the name of humanity," to fund hospitals and every agency because their absence was a "great evil that in my view amounts to a national disgrace." Morgan calculated the disparity in resources, finding that the Army spent \$21.91 per soldier and the Navy \$48.10 per sailor, while the government only appropriated \$1.25 per Indian patient.⁷

The first direct appropriation for Indian health programs was made in 1911 for the "relief of distress and prevention of diseases" among the Indians. President William Howard Taft said it was not enough: the conditions were "very unsatisfactory" and the Indian death rate was more than twice that of the general population. He asked Congress to increase wages because the "smallness of the salaries" affected the qualifications and ability of the physicians in the Indian Service. The average salary was \$1,186 per year, less than half of the average salary for a government employee. "As guardians of the welfare of the Indians," the president told Congress, "it is our duty to give the race a fair chance for an unmaimed birth, healthy childhood, and a physically efficient maturity."⁸

The Bureau of Indian Affairs (BIA) created a health division in 1921. But poor funding, low salaries, inadequate supplies, and deficient facilities contributed to an unsatisfactory health care system. "All we re-

ally need,” Michael J. Pijoan, a doctor at the Navajo Medical Center, wrote in 1951, “are good doctors, facilities and pharmaceuticals. I am weary.” A month later, he resigned, saying, “the system is no longer medical. It is only bureaucratic. No more ceremonies are allowed in hospitals. Indians are now numbers, not people. We are machines. This is intolerable. We leave.”⁹ In 1955, Congress recognized at least part of the problem and transferred health programs away from the BIA to the new Indian Health Service. Ray Shaw, the IHS’s director at the time, promised Congress that he would make improvements. While working at the BIA, he noted that Congress had appropriated \$30 million to treat tuberculosis, but the money was never used for that purpose. According to Shaw, the director of the BIA said he needed the money for other things. “I never forgot that,” Shaw said. As a new agency, the Indian Health Service budget increased from \$10 million per year to \$17.7 million. This is where the story gets complicated. The new Indian Health Service was ambitious and innovative despite being underfunded.

In 1976, Congress proposed a sweeping new authorization for Indian health programs. The Indian Health Care Improvement Act “declares that it is the policy of this Nation, in fulfillment of its special responsibilities and legal obligation to the American Indian people, to meet the national goal of providing the highest possible health status to Indians and to provide existing Indian health services with all resources necessary to effect that policy.”¹⁰ The legislation called on Congress to appropriate at least \$1.6 billion in new funding for Indian health, spending resources on improving staffing, facilities, access to care for urban Indian populations, and, for the first time, opened up Medicare and Medicaid revenue. “While there have been improvements in health status of Indians in the past 15 years, a loss of momen-

tum can further slow the already sluggish rate of approach to parity. Increased momentum in health delivery and sanitation as insured by this bill speed the rate of closing the existing gap in age at death,” White House advisor Ted Marris wrote in support of the legislation. “In 1974 the average age at death of Indians and Alaska Natives was 48.3. For White U.S. citizens the average age of death was 72.3. For others, the average age was 62.7.”¹¹ For Marris, the “bottom line” was an unavoidable connection between “equity and morality” when there is a more than twenty-year differential in age at death between Indians and non-Indians. Yet this idea – the improvement of Indian health programs – divided the Nixon and later the Ford administrations.

Marjorie Lynch, Undersecretary of Health and Human Services, sent a letter to Republicans in the House saying the administration “strongly opposed” the legislation because of the costs: “scarce Federal health dollars are directed to the areas of greatest need, and that the Congress will agree that existing authorities are sufficient to continue addressing the health needs of American Indians and Alaska natives.” She added that having Medicaid fund Indian health programs would be unfair both in terms of cost and equity. States’ reimbursement rates range from 50 to 83 percent. “To provide a 100 percent match for services to Indians would be inequitable to other poor recipient groups, and to those States with many families and individuals at poverty levels, who happen not to be Indians.”¹²

Marris pressed President Gerald R. Ford to sign the bill into law. “Admittedly, I am biased as a physician in favor of equity in length of life so you will have to excuse my considering the humanitarian aspect along with the budgetary, pragmatic and political,” he wrote. “Failure to adjust the present course is in my opinion a flagrant deprivation of human rights in a measurable as well as dramatic way.” Marris’s pitch

Mark N.
Trahant

worked. On October 1, 1976, President Ford stated:

I am signing S. 522, the Indian Health Care Improvement Act. . . . This bill is not without its faults, but after personal review I have decided that the well-documented needs for improvement in Indian health manpower, services, and facilities outweigh the defects in the bill. While spending for Indian Health Service activities has grown from \$128 million in FY 1970 to \$425 million in FY 1977, Indian people still lag behind the American people as a whole in achieving and maintaining good health. I am signing this bill because of my own conviction that our first Americans should not be last in opportunity.¹³

While the federal government has, from time to time, recognized that the system is underfunded and it cannot improve without adequate revenue, professional staff, and facilities, serious money always lags behind health care spending for the general population. IHS is expected to defy gravity.

So what happened after the Indian Health Care Improvement Act became law? According to pediatrician Abraham Bergman and colleagues:

Few bright spots exist in the shared history of the American Indian and the federal government. . . . A notable exception is the sustained campaign by a little-known agency, the Indian Health Service, to improve the health of this population. Except for the intractable problems associated with the abuse of alcohol, the health status of Indians has been raised to approximately the level attained by the rest of the U.S. population. This achievement is amazing when one considers the appalling poverty and harsh physical environment in which many Indians live.

But there remain huge challenges related to diabetes, obesity, and mental health. “We do not mean to present a rosy pic-

ture. . . . We wish to emphasize, however, that given their isolation and harsh living conditions, many health status measures are better than might be expected, in large measure owing to the efforts of the IHS.”¹⁴

The story needs to account for the IHS successes as well as the challenges. Consider infant mortality rates. In 1955, infant deaths were nearly three times higher than that of the general population and accounted for one-quarter of all early deaths among infants under one year of age. But over the next twenty-five years, infant mortality rates dropped by 82 percent, outpacing the health gains of other disadvantaged populations.

The Centers for Disease Control and Prevention reported that, in the United States, from 2004 to 2008, 84 percent of American Indians and Alaska Natives have a “usual place for health care.” That compares with 86 percent for White Americans, 85 percent for African Americans, and 72 percent for Hispanics. And Native Americans are living longer. “The AIAN population has a life expectancy at birth that is 2.4 years less than that of all U.S. populations combined.”¹⁵ There is not a health care parity with the general population, not by a long shot, partly because of the chronic nature of so many diseases that afflict Indian Country. But efforts to close the existing gap in age at death have certainly been improving over the last four decades.

The 1976 Indian Health Care Improvement Act created a new statutory authority for the Indian Health Service to direct funds to urban populations in which most American Indians and Alaska Natives live. A 2007 report by the Urban Indian Health Commission called this “a population in crisis”: “Reliable health statistics on urban Indians are scarce because this demographic has been studied so little and its members are often misclassified on vital records as belonging to other races or ethnicities. But what we do know about

urban Indians' health is enough to warrant immediate action." The report cited dismal statistics: the infant mortality rate among urban American Indians and Alaska Natives was 33 percent higher than that of the general population; the death rate due to accidents was 38 percent higher; the death rate due to diabetes was 54 percent higher; the rate of alcohol-related deaths was 178 percent higher; up to 30 percent of all American Indian and Alaska Native adults suffer from depression, and there is strong reason to believe the proportion is even greater among those living in cities; and cardiovascular disease, now a leading cause of death, was virtually unheard of among American Indians and Alaska Natives as recently as forty years ago. The report concluded: "Urban Indians have less access to health care than other Americans. Often, their living conditions are literally sickening. Persistent bias against them and their mistrust of government keep many from getting the health care they need."¹⁶

Only about 1 percent of the Indian Health Service budget is spent on urban Indian health. There is another underappreciated impact from the growth of Indian health programs following the Indian Health Care Improvement Act. Around 1996, the Indian Health Service became Indian Country's largest employer. Indian health was once a small slice of the Bureau of Indian Affairs. But by 1996, the agency's budget was larger than the BIA's and there were likely more workers as well. In 2017, for example, the BIA employed approximately 6,770 full-time workers compared with the 15,119 at the Indian Health Service (including 1,928 uniformed Public Health Service officers). This makes sense and reflects what is happening with health care generally: clinics, hospital systems, and university medical centers are often a region's largest employer. But there is another story that has largely been missed by both policy-makers and the

public: the shift of the Indian Health Service from a federal, government-operated health care system to one that's more than 60 percent operated by tribes, intertribal organizations, and nonprofits.

This is where the story gets lost in translation. Both the government-operated system – which includes the facilities profiled by *The Wall Street Journal* at Pine Ridge, Sisseton, and Winnebago – as well as the tribally operated health care initiatives do not have enough resources. The system as a whole spent \$3,688 per capita on its user population compared with \$9,523 for the U.S. population.

Don Berwick, who ran the Centers for Medicaid and Medicare, has called the Indian Health Service a model of efficiency: "The Indian Health Service can and will be one of the leading prototypes for health care in America. The Indian Health Service is trying to deliver the same or better care with half the funding of other systems in the United States." Berwick added that the very nature of the agency's underfunding has resulted in a discipline that's "an example for us all."¹⁷

That discipline goes hand in hand with innovation. The Southcentral Foundation in Anchorage set out to reinvent its program by surveying its patients. "Are you sure you want to do that?" CEO Katherine Gottlieb was asked. "I was, like, delighted because I knew what the answers were going to be. I was not surprised at all when the answers came back. Long waits. Everybody hated waiting." Most of the primary care back then was in the hospital's emergency room where they handled everything from "heart attacks, broken arms, strep throat, to you name it, and here we were coming in with our baby for just an appointment," Gottlieb said. "I personally waited up to seven hours, waiting for an appointment, just to get in the door."

The Southcentral Foundation set out on a new course, starting with a change in

the language. The phrase “patients” was swapped for “customer-owner”: “We are literally customer-owners, Alaska Natives. Our board of directors are all Alaska Natives.”¹⁸ When people are hired, they are told this system is customer-owned. That’s part of the deal: every patient is one of those owners.

The Alaska Native Medical Center was designed with a team-based approach to health care that uses smaller waiting rooms, so many people can be seen without long waits. The medical team approach is different, too. The team sits together without hierarchy. Members include doctors, medical assistants, nurses, care coordinators, and often a behaviorist. Customer-owners can choose their own team and make changes if they are unhappy. The ideal is an integrated system and a relationship with the patients, resulting in less return visits.

In most cases, expenses increase at the end of a person’s life in terms of health care dollars spent. What if that were reversed? What if dollars instead were invested early on prevention, focusing on early root causes of diseases to prevent the development of heart disease, diabetes, depression, or domestic violence? And the treatment of root causes can reduce the health disparities that are so much a part of the Native American experience. Gottlieb described this model as especially necessary because, as the baby boom generation ages, those costs will be unaffordable.

The Southcentral Foundation calls this the “Nuka” model, and the data back up their experience. There has been a 40 percent reduction in emergency room and urgent care visits; a 50 percent decrease in specialty care visits; a 20 percent decrease in primary care visits; and more than a 35 percent decrease in admissions. Staff turnover has dropped dramatically and the overall rating by customers of their care stands with a score of 91.7 percent. The Nuka model is not about money. “We still have a poor-

ly funded IHS system. We are not fully funded,” claimed Gottlieb. In fact, she said, the government has not fulfilled its treaty-trust obligations to American Indians and Alaska Natives. Southcentral’s system is about 45 percent funded by the Indian Health Service, 50 percent from “aggressive” billing of third-party insurers or Medicaid, and the remaining 5 percent from foundation or other government grants.

“You won’t find anything in Indian Country like this campus,” said Douglas Eby, the Alaska Native Medical Center’s vice president for medical services. There is less direct funding from IHS, and this is by far the biggest, most sophisticated campus in the Indian health system. It’s also far better off than most for a variety of reasons ranging from leadership to the structure and resources of Alaska Native corporations. “We were smart enough to say we need to optimize revenue, and we’ve done very well at doing that,” Eby said. But the growth in population, people moving in from the villages, flat funding from IHS, and health care being such a “wasteful” business drove a rethinking of the business model. “Our real hope lies in controlling costs, doing things smarter, better and avoiding high care cost as much as possible.”¹⁹

When you consider historical trauma, coupled with persistent underfunding by the federal government, it’s remarkable to think of any health facility accomplishing innovation. The Indian Health Service, tribal health centers, nonprofits, and urban centers are tasked with delivering health care at a fraction of the cost spent anywhere else in America. And yes, sometimes that falls short, sometimes dramatically so, as in the case at the Winnebago Hospital. But that story has been told so often we forget there is another one: the narrative of excellence, innovation, and creativity in a system that remains critically underfunded.

ENDNOTES

Mark N.
Trahant

- ¹ Dan Frosch and Christopher Weaver, "'People Are Dying Here': Federal Hospitals Fail Tribes," *The Wall Street Journal*, July 7, 2017.
- ² Subcommittee on the Department of the Interior, Environment, and Related Agencies, Chairman Lisa Murkowski Opening Statement, "Review of the FY2018 Budget Request for the Indian Health Service," July 12, 2017, <https://www.appropriations.senate.gov/imo/media/doc/071217-Chairman-Murkowski-Opening-Statement.pdf>.
- ³ Ibid.
- ⁴ Subcommittee on the Department of the Interior, Environment, and Related Agencies, "Review of the FY2018 Budget Request for the Indian Health Service," July 12, 2017, <https://www.appropriations.senate.gov/hearings/review-of-the-fy2018-budget-request-for-the-indian-health-service>.
- ⁵ David S. Jones, "The Persistence of American Indian Health Disparities," *American Journal of Public Health* 96 (12) (2006): 2122 – 2134.
- ⁶ Gregg Bourland, "A Pox on Our House," *The New York Times Magazine*, September 9, 2002.
- ⁷ Michelle Sarche and Paul Spicer, "Poverty and Health Disparities for American Indian and Alaska Native Children: Current Knowledge and Future Prospects," *Annals of the New York Academy of Sciences* 1136 (2008): 126 – 136.
- ⁸ William Howard Taft, "Diseases Among the Indians: Message from the President of the United States in Relation to the Present Conditions of Health on Indian Reservations and Schools," August 10, 1912, Senate Document no. 907, 62nd Congress, 2nd Session (Washington, D.C.: Government Publishing Office, 1912), 1 – 3.
- ⁹ James P. Rife and Alan J. Dellapenna, *Caring & Curing: A History of the Indian Health Service* (Lanover, Md.: PHS Commissioned Officers Foundation for the Advancement of Public Health, 2009).
- ¹⁰ Declaration of National Indian Health Policy, 25 U.S.C. 1602 (1976).
- ¹¹ Ted Marrs, Memo to the Secretary of the Interior, March 12, 1975, Box 2, Folder "Health Care Legislation – S. 522 (2)," Bradley H. Patterson Files at the Gerald R. Ford Presidential Library.
- ¹² Letter from Under Secretary of the Department of Health, Education and Welfare Marjorie Lynch to H.R. Minority Leader John J. Rhodes, June 30, 1976, Folder "Health Care Legislation – S. 522 (3)," Bradley H. Patterson Files at the Gerald R. Ford Presidential Library.
- ¹³ Gerald R. Ford, "Statement on Signing the Indian Health Care Improvement Act," October 1, 1976, hosted at "The American Presidency Project," <http://www.presidency.ucsb.edu/ws/?pid=6399>.
- ¹⁴ Abraham B. Bergman, David C. Grossman, Angela M. Erdrich, et al., "A Political History of the Indian Health Service," *The Milbank Quarterly* 77 (4) (1999): 571 – 604.
- ¹⁵ Patricia M. Barnes, Patricia F. Adams, and Eve Powell-Griner, "Health Characteristics of the American Indian or Alaska Native Adult Population: United States, 2004 – 2008," *National Health Statistics Reports* 20 (2010), <https://permanent.access.gpo.gov/gpo26027/nhsr020.pdf>.
- ¹⁶ Urban Indian Health Commission, *Invisible Tribes: Urban Indians and Their Health in a Changing World* (Seattle: Urban Indian Health Institute, 2007), <https://www.uihi.org/download/invisible-tribes-urban-indians-health-changing-world/>.
- ¹⁷ Mark Trahant, "The Double Standard of Government-Run Health Care: Indian Health Service," *Indian Country Today*, July 7, 2009, <https://indiancountrymedianetwork.com/news/trahant-the-double-standard-of-government-run-health-care-indian-health-service/>.
- ¹⁸ Mark Trahant, "Customer/Owners are Key to the Nuka Model of Health Care in Anchorage," *Indian Country Today*, February 16, 2010, <https://indiancountrymedianetwork.com/news/trahant-customerowners-are-key-to-the-nuka-model-of-health-care-in-anchorage/>.
- ¹⁹ Ibid.

Indigenous Leadership

Gary Sandefur & Philip J. Deloria

Abstract: A short contextual overview of the past and present opens up a discussion of the challenges surrounding American Indian leadership in the contemporary world and into the future. We survey some of the literature on Native American leadership and consider leadership issues in institutional settings such as academia, tribal governments, pan/inter-Indian organizations, public interest and NGO groups, and global Indigenous structures, suggesting ways in which non-Native organizations can better recognize, respect, and partner with American Indian leaders.

GARY SANDEFUR is Provost and Senior Vice President of Academic Affairs and Professor of Sociology at Oklahoma State University. He is the author of *Growing Up with a Single Parent: What Hurts, What Helps* (with Sara McLanahan, 1994) and has published essays in such collections as *Quality and Inequality in Education* (ed. Japp Dronkers, 2010) and *Key Indicators of Child and Youth Well-Being* (ed. Brett Brown, 2008).

PHILIP J. DELORIA, a Fellow of the American Academy since 2015, is Professor of History at Harvard University. He is the author of *American Studies: A User's Guide* (with Alexander Olson, 2017), *Indians in Unexpected Places* (2004), and *Playing Indian* (1998) and editor of *Blackwell Companion to Native American History* (with Neal Salisbury, 2002).

In 1993, leadership consultant Emmett Murphy suggested that American businesses could learn valuable lessons by studying American Indian leaders. He dissected the Battle of the Little Big Horn, comparing the leadership style of George Armstrong Custer – self-centered, top-down, predatory, one-dimensional – with that of Sitting Bull, whom he framed as “heroic.” Murphy’s *Sitting Bull* offered a role model for leadership that was powerfully confident, but also collectivist, organic, strategic, and smart. Two decades later, football coach Mike Leach saw a biography of Geronimo as the most effective way to convey his own set of leadership lessons. Unsurprisingly, these focused on preparation, leverage, nimbleness, toughness, indefatigability, and other tropes drawn from the sport.¹ Indian leadership – at least as it was viewed from the outside – was a bit about what you wanted it to be.

Over the last several decades, the idea of leadership has become something of an American obsession. The Murphy and Leach books were part of a long wave of prescriptive writing on the subject, often focused on business and government. That writing has been supported by a consulting, coaching, and leadership training industry, itself backed by a range of academic studies, and given additional

heft through an ill-defined but well-subscribed set of leadership classes and experiences for high school and college students. Though we struggle to define it and to teach it, most of us think we know leadership when we see it, and we understand that, somehow, it *matters*.

Leadership matters to American Indian people as well, not only in relation to deep historical traditions of strong leadership, but also to contemporary challenges and opportunities. Modern leadership challenges emerge from tribal obligations to both maintain and transform Indigenous social and cultural practice, intertribal organizing across Indian Country around a host of issues, and the constant imperative to develop and assert a sovereign futurity in a national and global world of proliferating institutional obligations, relationships, and responsibilities. Native American leadership carries its own particular sets of dangers, and these play out across a full range from the intimate, local, and tribal to the international and Indigenous. The tasks are many and they are hard.

Murphy and Leach situated American Indian leadership in terms of military conflict, a set of historical contexts that can make leadership seem obvious after the fact. Step outside those contexts, into the everyday nuts and bolts of contemporary leadership, and one may well find (particularly from non-Native observers) a different reading: a set of critiques. These often frame Indian leadership as being full of culture-bound deficiencies – nepotism, factionalism, corruption, and general ineffectiveness – that limit Indigenous potential in today’s world. Consider, for example, the discourse surrounding the 2016 protests against the Dakota Access Pipeline, which took place on the Standing Rock reservation in North and South Dakota. Pipeline advocates accused Indian people of what were essentially failures of tribal leadership: they had not been proac-

tive on administrative issues and had mobilized too late to be truly effective. The implication was that better leaders would have anticipated problems before they became crises and, once in crisis, would have managed affairs more forcefully.

At the same time, the Dakota Access Pipeline protest camps – with large numbers of shifting participants over a period of several months – self-consciously refused to churn out visible media-friendly leaders, as the American Indian Movement had done in the early 1970s during its takeover of the village of Wounded Knee, South Dakota. If one familiar aspect of leadership seems to be the generation of charismatic figures able to organize and speak for others, those people were not readily apparent – at least to the outside world. Where were the leaders? It was not until relatively late in the occupation that mainstream media actually began to identify the movement and its tribal leaders. *The New York Times*, for example, published its profile on Joseph White Eyes, Jasilyn Charger, Bobbi Jean Three Legs, and other youth leaders in January 2017, as the occupation was already winding down. And it framed tribal council and traditional leaders as being as late to the game as the *Times* itself.²

Other observers looked at Standing Rock and saw something different. To them, leadership was everywhere, active in alternative – and often highly laudable – forms. Leaders combined localism and Indigenous practice with global social media networking and developed a complex web of partnerships with environmental and anticapitalist organizers. Standing Rock suggested a more human set of leadership values: decentralization, spirituality, self-deflecting humility, collectivism, the navigation of subgroup interests, and a sometimes contentious but epistemologically distinct diffusion of authority. In this sense, Indian leadership was not so much an object of

Gary
Sandefur
& Philip J.
Deloria

critique, or a set of lessons drawn from the past, but a model for thinking about “new ways” of organizing and leading people that pointed to the future.

How might we make sense of this landscape? First, we should admit that our thinking is likely to be colored by a long tradition in which (mostly) White Americans offer stereotypical visions of Indian leadership, usually cast in terms of conflict. Emmett Murphy and Mike Leach echoed familiar (if often grudging) American appreciation for figures such as Powhatan, King Philip, Osceola, Black Hawk, Red Cloud, Chief Joseph, Quanah Parker, and others. These men knew how to unify, organize, strategize, and lead people. The evidence for their leadership was clear: it lay in their resistance to American colonial incursions. Their eventual defeat made them safe to celebrate. To tell their story was to receive Indian leadership lessons while confirming the supposed essential superiority of American society. It was, as in the cases of Murphy and Leach, yet another form of appropriation.

Second, when considering Indian leaders outside the military – or the *militant*, in the case of the American Indian Movement – Americans have been slow to recognize three essential aspects: a much wider range of individual leaders (where are the business books on Zitkála-Šá, Arthur C. Parker, or Wilma Mankiller?), intertribal organizations (such as the Society of American Indians, the National Congress of American Indians, or the Council of Energy Resource Tribes), or the existence of tribal governments themselves. Despite the existence of a deep roster of Indian political leaders, Americans fail to recognize Indian equivalents of Martin Luther King, Malcolm X, John Lewis, or Jesse Jackson. Despite a proliferation of American Indian institutional leadership structures, for most non-Native observers, there is no visible analogue to the National Association for the

Advancement of Colored People (NAACP), the Urban League, or the Southern Christian Leadership Council. The intricacies of tribal leadership remain a mystery. The cumulative weight of often-negative reporting on tribal activities has created, if anything, a shallow stereotype about deficiencies in Indian vision and management in the contemporary world. And it remains only barely possible to imagine Indian leadership in non-Indian institutional or political contexts. American Indian senators, business leaders, or university administrators are marked as exceptions that prove a rule of absence.

In short, general views of Indian leadership are often marked by positive misunderstandings, negative misunderstandings, and general ignorance. These views sit in tension with Indigenous understandings of American Indian leadership, and they do so whether the focus is on historical leaders like Sitting Bull or Geronimo, on tribal officials and intertribal organizers, or on the work of emergent leaders like the activists at Standing Rock. In these gaps lie a series of questions about leadership in general, and more particularly about past, present, and future leadership in Indian Country. How do contemporary Indian leaders function in relation to historical legacies and new institutional structures? What are the achievements, needs, and opportunities for leadership in Indian Country in the future? Are there commonalities among different tribal leadership experiences? Can one usefully identify specifically “Indian” styles of leadership in the historical and sociological record? If so, how have their elements changed in relation to conquest and colonization? How might Indian leadership practices transform the wider world of leadership? What *is* leadership, anyway?

To be human is to be part of many different kinds of social groupings, and to or-

der and organize those groups around such concepts as responsibility, kinship, rights, reciprocity, hierarchy, delegation, representation, opportunity, initiative, freedom, restraint, and decision-making. As part of such social organization, individuals find, take, and are assigned roles as *leaders*: people able to mobilize “social influence” in order to “enlist the support of others in the accomplishment of a common task.”³ Leadership can range from flexible and situational (“You lead the discussion this time”) to absolute and dictatorial (“I am in charge until I die and will kill you if you disagree”). It can be structured in terms of representational politics, institutional roles, personal achievement, social role modeling, and interpersonal charisma, among others. Over both historical time and geographic and social space, American Indian people, not surprisingly, have built a wide range of leadership practices.

How are those practices to be known? Scholarship on American Indian leadership has tended to fall into three broad categories. Many writers take a historical and biographical approach, tracing the rise of individual tribal leaders and their responses to situations – specific crises and structural changes – that demanded leadership. Others work with what are essentially ethnographic models, developing theories of leadership out of social and cultural understandings of Indian lives and worldviews. Still others make comparisons, often delineating Western leadership styles, and then outlining differences with a generalized picture of Indian leadership style. Considerations of contemporary leadership have often used all three approaches, applying them to various institutional frames, including tribal governance, education administration, law, policy, and lobbying.

Biography is usefully considered one of the earliest and most productive pathways into the question of Indigenous leadership, and perhaps no scholar has done as much

to consolidate the questions as historian R. David Edmunds, who edited *Native American Leaders: Studies in Diversity* (1980) and *The New Warriors: Native American Leaders Since 1900* (2001), while authoring books on the Shawnee Prophet and Tecumseh that explicitly considered the question of leadership. Edmunds has been committed to complicating the kinds of shallow understandings that underpinned writers like Murphy and Leach, who saw leadership in terms of the mobilization of followers around crisis events rather than everyday social life, and framed leadership actions in terms of strategy and tactics. Many of the contributors to the Edmunds volumes (and those edited by L. G. Moses and Raymond Wilson, Margot Liberty, and Frederick Hoxie, among others) are themselves biographers. Along with substantial numbers of “as told to” narratives and memoirs, they help make visible an enormous world of Indian leadership – if we are willing to see it – diverse across time, space, tribe, social identity, and function. Not all Indian leaders are war leaders; not all leaders are chiefs; not all leaders live in the past.⁴

Biography helps us understand these different kinds of leadership, carried through past to present and future. Tribal nations have had visionary leaders, able to see big pictures and chart courses through the challenges of military conquest and colonial domination. Edmunds’s work on Tecumseh, for example, details his concept of a massive pantribal military alliance and the traveling diplomacy he undertook to bring it to life. Tribes have had intellectual and ideational leaders, generating new ideas and figuring out strategies for working within the structures of the United States. Historian Frederick Hoxie’s treatments of Paiute author and activist Sarah Winnemucca, Omaha lawyer Thomas Sloan, Crow lawyer and administrator Robert Yellowtail, and Seneca journalist and lobbyist Alice Jamison, among others, offer excellent ex-

Gary
Sandefur
& Philip J.
Deloria

amples. Tribes have had underappreciated managerial and administrative leaders, skilled at maintaining the everyday functioning of their people. During the Dakota Access Pipeline struggle, for example, Standing Rock Tribal Chair David Archambault II – a pragmatic and capable leader – emerged as an important public voice articulating arguments for tribal sovereignty, due process, and respectful consultation (and consent) between tribes and the federal government.

Despite the ways that biographers have given us a broad range of leaders, the form does not always lend itself to clear understandings of tribal leadership writ large. The questions surrounding leadership get caught up in tracing the life course of the individual and are too easily framed around the central problems – or even crises – that they engaged in during their lives. For all its virtues, the form tends to assume that leaders are made by the contexts in which they operate, or by the upbringings that shaped their characters, or both. Biography moves more readily toward specifics and thus away from generalizable concepts that might be transferred or compared in a larger study of leadership itself.

Another way to think about tribal leadership springs from the broader – but still contained – context of particular Indigenous cultures or, in many cases, of intertribal organizing. Anthropologist Ruth Benedict's 1934 study *Patterns of Culture*, for example, used three Indigenous case studies in which leadership was framed not in the Western terms of individual exceptionalism, but through culturally shared social roles: sacred priesthoods and medicine societies, lineage nobility titles, clan obligations, and shamanism. These forms did not require crisis-centered leadership; instead, good leaders concerned themselves with the daily maintenance of social structures, which encouraged a proliferation of leadership roles centered on "being a good

relative," "doing things with care," "acting like a human being," or similar ideas that framed leadership largely as a shared enterprise. These are valuable lessons. But it is also the case that Benedict was writing out of an ahistorical ethnographic present, focused on exhibiting culture as much as history. The static nature of her interpretation failed to account for changes in leadership practice in relation to the challenges of colonial domination and conquest.⁵

Hoxie's detailed history of Crow politics at the turn of the twentieth century, by contrast, reveals exactly how these culturally centered everyday leadership styles and interests might proliferate in a colonial context, often functioning within and in relation to new institutional structures – tribal councils, church organizations, the Office of Indian Affairs – each of which encouraged new kinds of governance. The transition between earlier structures – charismatic leadership, collective governance, and the importance of social role and behavior – to hybrid political models that included forms of electoral representation marked a series of reorganizations in the very nature of tribal leadership. What did it mean to map voting, districting, and elections onto existing political structures? Inevitably, these things created dissension about the very idea of shifting structures and about the leaders who would navigate them. And yet, at the same time, everyday Crow cultural values cushioned and mediated those changes, creating new possibilities. Across North America, tribes working to maintain and create social and political structures in relation to ongoing colonial domination have also generated new leaders and new forms of leadership. Anthropologist Loretta Fowler has revealed the importance of long-standing Arapahoe age-graded leadership structures, which knit Arapahoe society together across both generations and kin groups and underpinned a symbolic politics centered on ideas of progress (rather than tradition)

that proved effective as they developed new forms of political leadership.

In the early twentieth century, Indian people developed a wide range of business councils, church-based groups, issue-centered lobbying organizations, and cultural networks, each of which created significant Indian leadership opportunities, often for women. These new-old social forms arose in relation to colonialism, of course, but also through increased mobility, Western education, and new forms of political engagement. The Society of American Indians (SAI), for example, offers a powerful example of new intertribal leadership structures. Modeled after the NAACP, engaged with academic sociology, and focused on a wide range of issues, the SAI allowed a diverse group of leaders to build what was essentially the first Indian think tank. It was notable, among other things, for the leadership of activists Zitkála-Šá (Gertrude Bonnin), Marie Baldwin, and Laura Cornelius Kellogg, who took on critical roles in organizing and articulating an intellectual agenda for the group. Indeed, reviewing the first organizing meeting, one finds that Kellogg's energy and boldness stands out among her colleagues. Zitkála-Šá proved an intellectual and organizational force of nature, and Baldwin's expertise in both law and the culture of the Office of Indian Affairs modeled new kinds of institutional political and policy leadership. The SAI and other intertribal organizations, in tandem with the representation-based tribal councils created following the 1934 Indian Reorganization Act, laid a template for groups such as the National Congress of American Indians, the National Indian Youth Council, the American Indian Movement, the Native American Rights Fund, the American Indian Science and Engineering Society, and a range of other organizations that sought to exert national and international leadership in both tribal and intertribal contexts in the years following World War II.

These groups helped nurture and push to prominence a diverse collection of Indian leaders and strategists: Lucy Covington, Helen Peterson, Robert Bennett, Tillie Walker, Vine Deloria Jr., Ada Deer, Louis Bruce, Clyde Warrior, Hank Adams, Mel Thom, Helen Maynor Schierbeck, Russell Means, Dennis Banks, John Echo Hawk, Norbert Hill, Janine Pease, Elouise Cobell, and many others. They helped create a new world of Indian leadership that functioned in relation to American political and economic institutions, enabling the host of contemporary organizations and leaders that characterize Indian Country today and that are planning for its future.

The question of tribal leadership raises the question of cultural influence: is there, for example, an identifiably Iroquois (or Sioux or Seminole or x, y, or z) style of leadership that is the product of particular sets of values and particular histories? Tribal leadership does, in fact, rest upon both Indigenous historical memory and practice *and* the adjustments and necessities of navigating American politics and law. Historical contexts – long-standing family, clan, and kin alignments, for example, or embedded cultural logics – help explain some of the challenges of tribal leadership such as factionalism or deeply deliberative decision-making. In a similar manner, intertribal leadership raises the possibility of commonality across tribal lines, and thus something like a generalizable American Indian style of leadership. Intertribal leadership also rests upon the contexts of American colonialism, which seeks to present (at least in theory) unified policies to diverse Indian peoples, requiring Indigenous leadership and organization at a national scale. It is in this juxtaposition – American (or Western) and pan-Indian (or Indigenous) – that one finds analytical efforts to make sense of American Indian leadership by isolating character-

Gary
Sandefur
& Philip J.
Deloria

istic pantribal elements, an interpretive move that is enabled by comparison.

The danger in such an analysis is readily visible in the efforts of a writer like Emmett Murphy, who frames Custer's leadership in crude terms, and thus finds himself essentializing Sitting Bull as well, creating timeless Indian characteristics and styles. Since almost all of these characteristics carry positive (usually antimodernist) values, they are appealing as objects of desire not simply to non-Indian readers, but to Indigenous ones as well. Amidst the messy complexity of actual leadership practice, though, the effort to consolidate cautiously a few categories of Indigenous practice remains valuable – not in terms of fixing essential and generalized ideals, but as heuristic devices used to think more deeply about Indigenous worlds past, present, and future.

Education researcher Miles Bryant has made a useful effort to identify such general categories, arguing that American Indian views of leadership might be seen in terms of six characteristics.⁶ Many of these remain useful descriptors and will, in fact, be familiar to Native leaders and to scholars of Indigenous leadership. Bryant emphasized the decentralized nature of Indian leadership. Across a range of social roles and needs, different people move through different positions as leaders in, for example, ceremony, war, governance, teaching, or subsistence. They might, in other contexts, be followers, according to their expertise and the circumstance. Few individuals are leaders in every context. This diffusion requires a more flexible posture on authority, which shifts situationally across a range of individuals. Such decentralized structures produce leadership that is less directive and even noninterventionist. Is the role of a leader to diagnose individual and collective problems and then organize others to fix them? Doing so may imply a lack of trust, a sense that one person – the leader – somehow knows better than oth-

ers. Indigenous leaders are often content to wait to be asked for help, and to place value on both leader-like patience and the social meaning of an eventual request to take the lead.

Is Western leadership instrumental in terms of decision-making? Bryant has suggested that such is indeed the case: it seeks to identify a future state, set a clear direction, break apart goals, delegate tasks, minimize resource investment, rationalize structures, and emphasize speed and efficiency. These elements may also be present in Indigenous decision-making, but Native American leaders tend to utilize processes that emphasize the nurturance of the collective. Questions are more readily talked to consensus (or exhaustion) rather than enunciated as a winning argument aimed at establishing the dominance of one position over another. It is less a question of convincing a powerful leader to take a particular action than convincing everyone of the rightness of a certain course. Indeed, it is in that process of persuasion that Indigenous leaders demonstrate confidence and project power. Charisma, personal magnetism, social-cultural status, spiritual favor, intelligence, and articulateness all help individuals rise in the eyes of the collective. This kind of process requires a leadership willing to think differently about time, in which efficiency is not inevitably the highest value. The path to action, in Indigenous leadership, lies not strictly through a projection of a future outcome or completed task, but through the maintenance of the social and spiritual condition of the present. From that beginning, Indigenous leaders have been challenged to fuse past histories, practices, and values together with a future that engages the possibilities of change. That condition is characterized by a broader view of the world in which all things have immanent value: that is, an understanding of not simply obvious human

relationships, but also less obvious ones, and with relationships characteristic of a complex nonhuman spiritual world that is itself part of the everyday.

All of these factors bear on the ways that leaders, ideally, present themselves. If Machiavelli gave us the Prince as a Western model of visibility, pragmatism, and individuality, many tribal leaders take pains to project a very different public image. While there are plenty of instances of performative boasting, Indigenous leadership often has a strong current of humility, self-deprecation, deflection of praise, and the absence of self-promotion, or has included the deliberate redistribution of accumulated property such as in the potlatch and gift-giving leadership structures of the Northwest Coast. Leaders may accumulate substantial material possessions, but they often do so in order to funnel resources to others, and thus either look poor or move through cycles of wealth and redistribution. The historical record is replete with examples in which Europeans in diplomatic negotiations mistook orators for leaders or sought to appoint leaders when they could not readily identify them.

Bryant's categories offer ideal-type characteristics. Clearly, they do not apply to all tribes, past or present; nor is it likely that any single leader would exemplify all these traits at all times. As descriptive categories, they tend to float above historical change. And they speak more easily to small social groups than they do to the abstractions of an imagined national Indigenous community, for example, or perhaps to intertribal organizations with diverse constituents and interests. Indeed, reading Bryant's description, one is struck by a twinned kind of affect. On the one hand, these factors seem to be present, in one form or another, among many contemporary American Indian leaders; on the other hand, the feel and tone of the categories – and their origins as the opposites of Western traits –

suggest something like a precontact social organization. In that sense, they are in danger of producing a picture of leadership located somewhere outside of new institutional structures such as tribal councils, tribal colleges, intertribal organizations, and tribal and intertribal businesses.

The characteristics referred to by Bryant – humility, self-deprecation, deflection of praise, and the absence of self-promotion – continue to serve as guides for non-Native leadership. They appear, for example, in one of the most read and praised books on leadership in the past several years: Jim Collins's *Good to Great*.⁷ They are part of what Collins refers to as Level Five leadership, the most effective kind of leadership in the companies that he studied. Level Five leaders are both modest and strong-willed. They are ambitious not for themselves but for their company. They are self-effacing and understated. They are determined to do whatever it takes to help the company be successful.

Nonetheless, the general nature of such categories threatens to leave contemporary American Indian leaders betwixt and between. There is every possibility that a leader exemplifying Bryant's value system might be accused by outsiders of dysfunctional leadership of tribal institutions that have to function successfully in American political and economic contexts. In those contexts, speed often matters – but consensus requires time. Shared decentralized authority can look like collective weakness. Too much humility seems like a lack of confidence and power. By non-Native standards, the culturally successful Indian leader can look like a failure. And the reverse is also dangerously true. Leaders who may be effective in broader American economic and political contexts may be accused of having moved too far from their cultural roots. The Indigenous complaint is easily launched and is powerful: *this* is how we Indians lead; why are you not doing it?

Gary
Sandefur
& Philip J.
Deloria

Outside critiques of Indian leadership tend to emerge from the first position. Bernard Bass, coauthor of a long-running and comprehensive manual on leadership, suggests that Indian people are “repressed and apathetic,” with the heroic leadership of past chiefs only a faded memory, while they are subject to “tribal councils that discourage participatory democracy and collaborate with state bureaucracies to maintain the status quo.” As university administrator Linda Warner and public leadership scholar Keith Grint have suggested, Western leaders are often defined by their position more than their actual skills (though this reality is usually denied). Indian people who lead differently are read as ineffectual leaders, a mapping that racializes difference as deficit. Not only is Indian difference racialized, but it is also rendered ahistorical, as the very real deficits and impingements of colonial history and cultural destruction are erased. Changing leadership – and leadership demands – as scholar Lawrence J. Wise-Erickson has suggested, should be traced historically through challenges of demographic change, forced assimilation, and imposed institutional structures.⁸

All of these challenges confront American Indian leaders. And yet, leadership is alive and well in Native communities across the country. How do we know? A view that accounts for a full range – biographical, cultural, and comparative/cross-cultural – reveals both new and old institutions, movements, and networks, each requiring and generating Indigenous leaders. At Standing Rock, for example, young leaders emerged out of grassroots youth care and environmental and social justice moments. They joined a range of spiritual and cultural leaders, social media-savvy networkers, Native logistics leaders, national intertribal organization leaders, and, of course, local tribal council leaders, among others. Tribal chair David Archambault was arrested at a protest, wrote editorials for *The New York*

Times, spoke frequently to media, helped manage logistics and strategy, testified at the United Nations Human Rights Council in Geneva, kept the discourse focused on prayer and nonviolence, managed disappointment following the closing of the protest camps, and continued the effort through legal and administrative channels. Heroic leader? Here’s how Archambault described himself: “I earn my own living and don’t seek glory, fame, or wealth. . . . I live a simple, prayerful life and strive to make our home, community, and nation a better place.”⁹ Leadership such as this – often explicitly framed in terms of Dakota or other Indigenous cultural values – made Standing Rock the most effective Indian political mobilization in decades.

Or consider a leader such as Governor Bill Anoatubby of the Chickasaw Nation in Oklahoma. Governor Anoatubby lost his father when he was less than three years old. His mother raised him and his siblings, and all were surrounded by family, friends, and community in Tishomingo, the old capitol of the Chickasaw Nation. Governor Anoatubby’s first experiences with leadership came in high school, where he served as president of his class and on the student council. When asked if he sought out these positions, he replied, “No, I didn’t ask for it. I wasn’t quite that assertive, but when asked to do something I did it.” When told that others must have seen leadership potential in him, he said “I often wondered what they saw . . . I was co-captain of the football team. I was selected All-Around Boy by the teachers. I was always surprised when these things happened. I thought it was very cool, but I guess I never realized any potential I may have had and just stepped in when I was needed or asked to.”¹⁰

Governor Anoatubby went to work for the Chickasaw Nation in 1975 as its first health director. He became accounting director in 1976, then special assistant to the governor, and then ran for lieutenant gov-

error in 1979. He became governor in 1987 and continues in this position today, having served for thirty years. When Governor Anoatubby began his first term, the Chickasaw Nation had approximately 250 employees. It now has fourteen thousand employees and operates more than one hundred businesses. As author Millie Craddick has noted, “While the quiet, humble, unassuming Chickasaw works hard to deflect attention from his accomplishments, the importance of the Chickasaw Nation under Governor Anoatubby to Oklahoma’s economy cannot be downplayed.”¹¹

And one might trace similar patterns of leadership, fusing everyday culture with new possibilities, in a number of spheres: tribal and intertribal business, academia, politics, energy, land, and environmental management, among others. From the most local social services effort to global Indigenous organizing, Indian leadership – often working hard to embody values of reciprocity, respect, service, and futurity – remains part of the legacy and the future of Indian Country.

How, then, should non-Native institutions engage Indian Country through its leaders? We conclude with a few possibilities. First, it is critical to understand the ways that tribal leaders, specifically, are representatives of sovereign nations. Models for communication and engagement with tribes might do well to draw more from the sensibilities of diplomacy and administration than from business; from the model of the treaty as much as from the contract. A university that wants tribal representation at an event, for example, might have done well to establish permanent relations on an entity-to-entity basis, and engage in periodic consultation on issues of mutual interest, of which there may be a surprising number.

Second, in that context, it should be understood that Native leaders will likely try

to embody complicated – and sometimes contradictory – social meanings in their leadership practices. Respect for differences around time, authority, and decision-making are exactly what is meant by the word “diplomatic.” Patience and persistence are respectful recognitions of the structural challenges – *not* some racialized dysfunction – that Indigenous leaders are working hard to navigate.

Third, it is important to understand the full range of temporality that Indian leaders necessarily engage. The first context for Indigenous leadership is the historical past, which is always deeply alive and visibly present, rich with local interpersonal histories that are inevitably weighed down by the very real traumas of colonial domination. A second context is the contemporary, which demands an engagement with the past, even as it presents a series of possibilities, hybridities, contradictions, dilemmas, and imperatives that are difficult to manage. But perhaps the most important context is that of the future. We say this only partly in the context of leader-like planning for the future. That matters, of course. But because Indian people and Indian leaders have so often been relegated to the past, it remains challenging for non-Native people to see them in the present and future. And yet, for American Indian leaders, futurity – not just survival but self-determination, prosperity, and happiness – is *everything*. When non-Native institutions engage Indigenous leaders on the ground of a productively shared future that recognizes and takes responsibility for the past, good things will follow in the present.

Fourth, non-Native leaders can support Indigenous leadership in nurturing the next generation of American Indian leaders. For the last several centuries, many of the best Indian leaders have figured out how to move in both Native and non-Native worlds. Today, despite the deeply lingering hurts of history, the possibilities for young

people to remain grounded in the everyday of a cultural home – no matter its physical location – while also mastering the world have never been better. Why not look for ways to support that cultural home, both for those future leaders in the making and for the leaders who hope to nurture them? A contemporary example worth emulating is the Ambassadors Program run by Americans for Indian Opportunity, which has been assisting early-career Native American professionals to develop their leadership capacities within Indigenous cultural contexts since 1993.¹²

Finally, it is worth following the impulse – if not always the lessons – of Emmett Murphy and Mike Leach. Indigenous leadership is not an instrumental resource

upon which to draw in search of success in business or football coaching. But, as observers of the Standing Rock effort noted, it may in fact be a resource for a powerfully humanistic rethinking of what leadership is, how it functions, and how it might be adapted and improved to better serve the interests and needs of communities in the contemporary world. Sitting Bull and Geronimo may well have something to say about that future. But perhaps it is just as likely that productive insights will come not from reading a book, but from active engagement with and support of American Indian leaders, the institutional forms in which they work, and the people who have granted them authority.

ENDNOTES

- ¹ Emmett C. Murphy and Michael Snell, *The Genius of Sitting Bull: Thirteen Heroic Strategies for Today's Business Leaders* (New York: Prentice Hall, 1995); and Mike Leach and Buddy Levy, *Geronimo: Leadership Strategies of an American Warrior* (New York: Gallery Books, 2014).
- ² Saul Elbein, "The Youth Group that Launched a Movement at Standing Rock," *The New York Times Magazine*, January 21, 2017, <https://www.nytimes.com/2017/01/31/magazine/the-youth-group-that-launched-a-movement-at-standing-rock.html> (accessed July 25, 2017).
- ³ Martin M. Chemers, *An Integrative Theory of Leadership* (Mahwah, N.J.: Lawrence Erlbaum Associates, 1997). See also Bernard Bass, *Bass and Stogdill's Handbook of Leadership: Theory, Research and Managerial Applications*, 3rd ed. (New York: Free Press, 1990).
- ⁴ David R. Edmunds, *American Indian Leaders: Studies in Diversity* (Lincoln: University of Nebraska Press, 1980); David R. Edmunds, *The New Warriors: Native American Leaders since 1900* (Lincoln: University of Nebraska Press, 2001); David R. Edmunds, *Tecumseh and the Quest for Indian Leadership* (Boston: Little, Brown, 1984); David R. Edmunds, *The Shawnee Prophet* (Lincoln: University of Nebraska Press, 1985); Frederick E. Hoxie, "The History of American Indian Leadership: An Introduction," *American Indian Quarterly* 10 (1) (Winter 1986): 1–3; Frederick E. Hoxie, *This Indian Country: American Indian Political Activists and the Place They Made* (New York: Penguin Press, 2012); L. G. Moses and Raymond Wilson, eds., *Indian Lives: Essays on Nineteenth- and Twentieth-Century Native American Leaders* (Albuquerque: University of New Mexico Press, 1985); and Margot Liberty, *American Indian Intellectuals* (St. Paul, Minn.: West Publishing, 1978).
- ⁵ Ruth Benedict, *Patterns of Culture* (Boston: Houghton Mifflin, 1934).
- ⁶ Miles Bryant, "Contrasting American and Native American Views of Leadership," presentation at the Annual Meeting of the University Council for Educational Administration, October 25–27, 1996, http://www.academia.edu/26861740/Contrasting_American_and_Native_American_Views_of_Leadership (accessed July 25, 2017).
- ⁷ Jim Collins, *Good to Great: Why Some Companies Make the Leap and Others Don't* (New York: Harper Business, 2001).

- ⁸ Bernard Bass, *Bass and Stogdill's Handbook of Leadership: Theory, Research and Managerial Applications*, 3rd ed. (New York: Free Press, 1990), 755; Linda Warner and Keith Grint, "American Indian Ways of Leading and Knowing," *Leadership* 2 (2) (2006): 226; and Lawrence J. Wise-Erickson, *Community-Based Leadership: A Study of American Indian Leadership* (Ph.D. diss., unpublished, Seattle University, 2003) quoted in Warner and Grint, "American Indian Ways of Leading and Knowing," 231.
- ⁹ "Standing Rock Sioux Tribe Issues New Fact Sheet in Form of Q & A with Chairman Archambault," *Indian Country Today*, March 16, 2017, <https://www.standingrock.org/content/standing-rock-sioux-tribe-issues-new-fact-sheet-form-q-chairman-archambault> (accessed July 25, 2017). For other treatments of Indian leadership, see Elgin Badwound and William G. Tierney, "Leadership and American Indian Values: The Tribal College Dilemma," *Journal of American Indian Education* 28 (1) (1988): 9 – 15; Patrick D. Lynch and Mike Charleston, "The Emergence of American Indian Leadership in Education," *Journal of American Indian Education* 29 (2) (1990): 1 – 10; and David A. Cowan, "Profound Simplicity of Leadership Wisdom: Exemplary Insight from Miami Nation Chief Floyd Leonard," *International Journal of Leadership Studies* 4 (1) (2008): 51 – 81.
- ¹⁰ John Erling, interview, *Voices of Oklahoma: Gov. Bill Anoatubby*, 2010, <http://www.voicesofoklahoma.com/interview/anoatubby-bill/>.
- ¹¹ Millie J. Craddick, "Hall of Fame Member Spotlight: Bill Anoatubby," *Oklahoma: Magazine of the Oklahoma Hall of Fame*, December 2015, 26 – 30, https://issuu.com/okheritage/docs/okhof-december_2015_spreads-med_res.
- ¹² For an overview, see Americans for Indian Opportunity, <http://aio.org/about-the-aio-ambassadors-program/>.

Gary
Sandefur
& Philip J.
Deloria

Critical Investigations of Resilience: A Brief Introduction to Indigenous Environmental Studies & Sciences

Kyle Whyte

Abstract: Indigenous peoples are among the most active environmentalists in the world, working through advocacy, educational programs, and research. The emerging field of Indigenous Environmental Studies and Sciences (IESS) is distinctive, investigating social resilience to environmental change through the research lens of how moral relationships are organized in societies. Examples of IESS research across three moral relationships are discussed here: responsibility, spirituality, and justice. IESS develops insights on resilience that can support Indigenous peoples' struggles with environmental justice and political reconciliation; makes significant contributions to global discussions about the relationship between human behavior and the environment; and speaks directly to Indigenous liberation as well as justice issues impacting everyone.

KYLE WHYTE is the Timnick Chair in the Humanities, Associate Professor of Philosophy, and Associate Professor of Community Sustainability at Michigan State University. His research addresses moral and political issues concerning climate policy and Indigenous peoples, the ethics of cooperative relationships between Indigenous peoples and science organizations, and problems of Indigenous justice in public and academic discussions of food sovereignty, environmental justice, and the anthropocene. He is an enrolled member of the Citizen Potawatomi Nation.

One telling of *Anishinaabe/Neshnabé* (Ojibwe, Odawa, Potawatomi) history emphasizes how our peoples have always found ways to adapt to the dynamics of ecosystems.¹ Our ancient migration story describes our ancestors moving from the Atlantic Coastal region to the Great Lakes, learning how to adjust to the diverse ecosystems along the route, memorializing these places through stories, and keeping lessons learned for future generations. Knowledge Keeper and Grandmother Sherry Copenace describes one dimension of the concept of *bimaadiziwin* (the good life) as a society's or nation's capacity to respond best to the challenges it faces.² Academic environmental studies and sciences have recently developed the related idea of social *resilience*: a society's capacity to learn from and adapt to the dynamics of ecosystems in ways that avoid preventable harms, promote the flourishing of all human and nonhuman lives, and generate wisdom to sustain future generations.

© 2018 by the American Academy of Arts & Sciences
doi:10.1162/DAED_a_00497

A well-known set of Anishinaabe stories tells about one of the stopping points of the migration: a land where food grows on water, and a place where the people encountered wild rice for the first time (*manoomin/mnomen*, translated as the good berry). Waterfowl showed the people that wild rice is edible and guided them to habitats of low-lying waters where wild rice grows best and different plants, animals, and insects flourish. The people studied wild rice habitats as webs of interdependent responsibilities. Ecologically, wild rice is responsible for feeding humans, birds, and animals; for providing protective cover for fish and birds; for supplying material for muskrat lodges; and for supporting clean water. Water is responsible for giving life to wild rice. The people then developed their own responsibilities to harvest in ways that leave enough wild rice for nonhumans and to work out diplomatic protocols for sharing or respecting the wild rice beds needed by other human communities, thereby securing justice for all beings. They delegated special responsibilities to women and certain clans to develop expert knowledge of water quality and wild rice habitats and to provide leadership to guide harvesting and habitat conservation.³ The people created ceremonies that honor wild rice as a spiritual being because of its significance within ecological webs of interdependent responsibilities.

Anishinaabe storytelling on migration and wild rice tell us how the people adapted to new environments by developing moral relationships, including responsibility, spirituality, and justice, which are at the heart of how we understand resilience. The massive environmental changes imposed on Indigenous peoples by U.S. and Canadian colonization and settlement include deforestation, draining wetlands, damming, recreation, mining, commercial agriculture, shipping, petrochemical and industrial manufacturing, and burning fossil fuels.

Settlement affects ecosystems, including hydrological systems and wetlands that support wild rice, that are crucial to Anishinaabe peoples for exercising moral relationships. From nineteenth-century testimonies, we know that some of our ancestors were particularly concerned that settlement was inflicting rapid and harmful environmental changes on our peoples, which offset the flourishing moral relationships that supported Anishinaabe resilience. The history of Canadian and U.S. colonialism can be read as the establishment of the conditions for their own resilience in North America at the expense of Indigenous peoples' resilience.

Today, Anishinaabe peoples are leaders of environmental movements that advocate for the continuance and renewal of moral relationships of responsibility, spirituality, and justice. Anishinaabe grandmother Josephine Mandamin began the Mother Earth Water Walk to motivate people to take responsibility for clean water in the Great Lakes, honoring water's role as a sacred life-giver. A coalition of Potawatomi, Ojibwe, and Menominee peoples worked for years to stop the water pollution risks of the proposed Crandon zinc and copper mine in Northeast Wisconsin, a mine seeking to boost the settler economy at the expense of Indigenous peoples' health and ways of life, including fishing and wild ricing. Five Odawa and Ojibwe tribes in Michigan successfully resecured U.S. respect for the rights that their ancestors stipulated in the 1836 Treaty of Washington to protect future generations' capacity to exercise moral relationships with fish, plants, and animals living off-reservation. The Shoal Lake 40 Ojibwe Nation, through the leadership of community members such as Daryl Redsky, have worked to mitigate the impacts of Canadian settlers sacrificing its water quality and land base for the sake of extracting clean water for the city of Winnipeg. Anishinaabe nations, from the Citizen

Kyle Whyte

Potawatomi Nation to the Sault Ste. Marie Tribe of Chippewa Indians, are frontrunners in experimenting with renewable energy, such as geothermal power, and green building standards. Diverse scholars, including Megan Bang, Leanne Simpson, Patty Loew, Melissa Nelson, and Deborah McGregor, have increased the awareness and practice of Anishinaabe pedagogical philosophies, environmental values, histories, and knowledge systems in the spheres of science, education, public policy, and media.

Globally, nearly four hundred million Indigenous peoples live on 22 percent of the world's land surface, interacting with 80 percent of the planet's biodiversity.⁴ And they lead some of the most significant environmental movements, educational programs, and research that seek to protect humans' abilities to live respectfully within these diverse ecosystems. The Whanganui Iwi (Aotearoa), for example, succeeded in getting the New Zealand government to confer legal personhood on the Whanganui River, which is ancestrally, spiritually, nutritionally, and economically significant to the Iwi members. The College of Menominee Nation founded its own Sustainable Development Institute in 1994, based on the idea that sustainability has always been part of Menominee life, including values such as "respect for the land, water, and air; partnership with other creatures of earth; and a way of living and working that achieves a balance between use and replenishment of all resources."⁵ Quechua peoples of the Andes region, specifically the Paru Paru, Chawaytiri, Sacaca, Pampallacta, Amaru, and Kuyo Grande communities, have created the Potato Park, a biodiversity conservation zone protecting over nine hundred varieties of native potato. The North American Standing Rock Sioux Tribe recently energized one of the largest Indigenous mass movements to stop the oil-transporting Dakota Access Pipeline, publicizing their *Mni Wiconi* (wa-

ter is life) philosophy as the ground of their resistance. Indigenous scholars and activists, like lawyer and professor Sarah Deer, are calling attention to the continued abuses Indigenous peoples face, such as the exploitation of women and children through sex trafficking at oil and gas industry worker camps in the Bakken region of the United States at the hands of the extractive industries that also contribute to pollution and climate change. And the leaders of Indigenous environmental movements have sometimes paid the ultimate sacrifice. In 2016, Berta Cáceres, a leader in the Lenca people's movement to protect themselves from the risks of the Agua Zarca Dam, was murdered in Honduras.

Today, resilience is on everyone's mind. Vulnerability to climate change, extreme weather events, biodiversity loss, and food insecurity raise pressing concerns about the well-being of human and nonhuman lives. The World Health Organization estimates that between 2030 and 2050, an additional 250,000 annual human deaths will be caused by climate change.⁶ Thousands of species are either extinct or are in danger of extinction from habitat destruction.⁷ The Global Coral Reef Monitoring Network estimates that 19 percent of the world's coral reefs are already lost.⁸ These are pressing challenges, but many human societies – like the Anishinaabe peoples – have long-standing sciences, collective practices (such as agriculture and ceremonies), arts, and philosophies that seek to maintain moral relationships with ever-changing environments that lessen harms and risks to humans and nonhumans alike.

Indigenous Environmental Studies and Sciences (IESS) is an emerging field that centers Indigenous historical heritages, living intellectual traditions, research approaches, education practices, and political advocacy to investigate how humans can live respectfully within dynamic ecosystems.⁹ While environmental studies

and sciences involve diverse scholarly communities studying every imaginable topic, IESS, in particular, investigates how moral relationships – including responsibility, spirituality, and justice – within a society yield empirical and humanistic insights about resilience.

IESS research centers on Indigenous peoples' historical heritages and living intellectual traditions as starting points for investigating the topic of resilience. Yet IESS investigations do not seek to mine Indigenous histories for lessons about the success of certain harvesting techniques or technologies, like fish traps. Nor are many IESS scholars concerned about establishing whether it is, in fact, true that Indigenous peoples lived sustainably. Rather, IESS centers on Indigenous heritages and traditions for the sake of understanding how the moral fabric of a society is related (or not) to its capacity to adjust to various ecosystems.

In diverse studies of Nuu-chah-nulth and related Northwest Coast peoples, Indigenous studies scholars Ronald Trosper, Marlene Atleo, and Richard Atleo focus on moral relationships of responsibility that connect humans to salmon, whales, and many other animals, plants, and habitats. Speaking on responsibility, Richard Atleo has described how, for the Nuu-chah-nulth, "The salmon does not give its life, but rather, in an act of transformation, is prepared to give and share its 'cloak' in endless cycles, provided the necessary protocols are observed, which indicate mutual recognition, mutual respect, mutual responsibility, and mutual accountability."¹⁰ For Atleo, the relationship between humans and salmon, which can be critical to human nutrition, is a moral relationship of mutual responsibility. Salmon will carry out their responsibilities through reincarnation if humans carry out their responsibilities to the salmon, especially tending salmon habitats. The spiritual responsibility associat-

ed with salmon's reincarnation motivates humans to take care of salmon, or else the fish may not return to take care of humans.

Human/salmon responsibilities permeate the fabric of society, operating at many levels. In Trosper's historical studies, titleholders, or leaders of houses (the polities governing particular watersheds), were responsible for ensuring adequate abundance of salmon in their territories. To become accepted as a titleholder, one had to organize a feast, often called a potlatch ceremony. At the feast, titleholders not only paid respect ceremonially to salmon's value to humans, but they also gave away abundant wealth in the form of gifts, including bountiful salmon harvests, to the guests. While hereditary lineage was often one criterion for titleholder candidates, their candidacy was also judged publically and critically through the potlatch ceremonies. Titleholders' ability to give salmon as gifts proved their knowledge and skills at stewarding salmon habitats. During times of salmon shortage in particular areas, mutual responsibility meant houses with plenty helped suffering houses; houses receiving aid were responsible to reciprocate aid when needed. If a person trespassed in another house's territory and was killed, the punishing house was responsible for organizing a feast to stop trespassing and killing for the sake of future generations.

Nuu-chah-nulth peoples have long-standing traditions of making places sacred by endowing them with moral significance. Marlene Atleo has written that "Sacred sites are 'natural' places in which the spiritual work of *hahuulhi* (social fabric) roles intersect with the environment of the territory and have been carried out there for millennia, a place where the past, present and future crystallizes for a particular position and role."¹¹ She has described places where young women learn to cut salmon for the winter. In addition to acquiring the skills and scientific knowledge,

Kyle Whyte

they tell stories at these places about salmon and the sacred responsibilities between salmon and humans across many generations. Learners come to see themselves as endowed with sacred responsibilities connecting them to past and future generations and the continued flourishing of their peoples. Making places sacred serves as a powerful motivator for people to continue to observe and take seriously their responsibilities to salmon and other humans and to maintain and pass on lessons.

The moral relationships of responsibility are not trivial. They facilitated peoples' capacity to adjust to the dynamics of ecosystems to avoid preventable harms. Ronald Troster argues that responsibilities were organized to "buffer, self-organize, and learn in response to environmental issues."¹² Critically, this research teaches us more than just the idea that there are some responsibility-based practices that support resilience that occur now or occurred at some time in history. We learn to see the fabric of society as including responsible practices and the necessary moral qualities for carrying them out: trust, consent, and reciprocity. For example, leaders and knowledge keepers must pass vetting processes and ceremonies that vouch for their trustworthiness as stewards of salmon habitats. Ceremonies serve as public occasions to secure consent. Reciprocity, the moral quality of being accountable for returning what one has been given, is expected to help cope with shortages, restore social relationships damaged by trespass, and ensure, in a spiritual sense, the salmon's reincarnation. Salmon is just one species within a web of responsibilities knit together by trust, consent, and reciprocity. Salmon is not considered a "species," but as a people or nation who honor their responsibilities to humans.

Moral qualities of responsibility facilitate resilience. High levels of trust, consent, and reciprocity allow us to rely on each other transparently and productively

when faced with environmental changes. Food and water shortages, for example, can spark conflicts within and across societies, especially as people challenge the trustworthiness and legitimacy of leaders, scientists, and those vested with authority. Spiritual relationships with nonhumans, the cultivation of places as sacred (or not), and social rules that commit people to help one another and repair fraught relationships motivate us to see ourselves as bound to a "covenant of reciprocity."¹³ Environmental scientist Robin Kimmerer defines this covenant as the complex mutual responsibility – connecting human and nonhuman beings – to be conscientious gift givers and gracious gift receivers.

The environmental dimensions of resilience are just as much issues of genuine moral responsibility – trust, consent, reciprocity, and more – as they are issues of biology and ecology. Morality and resilience are key topics in environmental studies and science fields, including adaptive management, religion and ecology, and environmental ethics. IESS furnishes curricula, research, and programs that arise from and center the historical heritages and living intellectual traditions of numerous Indigenous peoples. These heritages and traditions, which continue to be tied to Indigenous peoples' current practices and identities, treat moral relationships as complex systems working to promote adaptive capacity, not stagnancy.

The term *spirituality* is often reserved for beliefs that are not grounded in evidence. Many scientists are suspicious of the role of spirituality or religion in a "rigorous" empirical study of an environmental topic such as resilience. Some IESS scientists, however, explicitly assert that scientific research must always be spiritual. For many Indigenous peoples, spirituality refers to moral relationships, especially accountability, that are tied to the pursuit of sci-

entific knowledge. In IESS, the connection between spirituality and science reveals how empirical inquiry provides information about resilience; and how spiritually oriented processes of empirical inquiry promote accountability within societies and respect for our interdependence with nonhumans and the environment.

Yupiaq scientist Oscar Kawagley discusses how the field of ecology is “closest to Yupiaq science,” however, ecology often ignores “spirit” and hence “ignores the interaction and needs of societies and cultures within ecosystems.” Kawagley has written that, “[Indigenous] scientific knowledge is not segregated from other aspects of daily life and it is not subdivided into different fields of science.” He has claimed that, “to design a fish trap . . . one must know how the river behaves, how the salmon behave, and how the split-willow of which the trap is made behaves (i.e. one must understand physics, biology, and engineering).” Spirituality fosters accountability between humans and the environment, what Kawagley has described as the “incorporation of spirit in the Yupiaq worldview [which] resulted in an awareness of the interdependence of humanity with the environment, a reverence for and a sense of responsibility for protecting the environment.”¹⁴ This way of thinking about science privileges empirical inquiry that is designed to achieve goals beyond the production of information. Science must be part of moral relationships, increasing human accountability to nonhumans and the environment. Science must also be interdisciplinary and include diverse sources of knowledge. And investigating systems of interdependence must be rooted in and applicable to the practical activities of everyday environmental stewardship and subsistence, like designing a fish trap!

A powerful example of Indigenous science as a process of coupled spiritual and empirical inquiry can be found in the Great

Lakes, where research about sturgeon biology and habitat is designed to recover abundant sturgeon populations. For the Odawa, Ojibwe, Potawatomi, and Menominee, sturgeon populations provided nourishment as people emerged from winter with nearly exhausted food supplies. The sturgeon habitat was so important that some peoples had sturgeon clans, which were responsible for protecting the environmental conditions necessary to support the fish’s anadromous life cycle. Some of these clans continue to honor their responsibilities today, and the sturgeon is still referred to as a “grandparent” by some Anishinaabe because sturgeon can outlive humans and possess incredible wisdom. These anadromous fish remember the exact streams in which they were born, returning to them for spawning. Tragically, sturgeon populations have plummeted due to the U.S. colonial impacts of overfishing, dam construction, industrial pollution, and recreation activities such as sportfishing. In Michigan, for example, by the early 2000s, well under one hundred fish per year came to spawn in the Manistee rivershed.¹⁵

Historic studies show that Indigenous peoples across the U.S. and Canadian sides of the Great Lakes sustained abundant sturgeon yields. Seasonal knowledge of sturgeon fisheries includes watching for “pink [wild] rose buds to come out or the [wild] plum trees bloom,” which signaled the onset of spawning, a prime time for fishing.¹⁶ Ancient place names, such as Sturgeon Lake, Sturgeon River, and Sturgeon Falls, indicate historic or still current sturgeon abundance. Indigenous peoples who seek to rekindle sturgeon populations, however, have goals that exceed the recovery of historic knowledge of sturgeon. They are dedicated to returning the fish to abundance and using the process to renew humans’ own sense of accountability for the relationships of ecological interdependence they are part of but often ignore.

Kyle Whyte

The Little River Band of Odawa Indians in Michigan has engaged in extensive sturgeon recovery. Jimmie Mitchell, a program founder, has described sturgeon recovery as providing a “connection between spirit-world and our own.... The spirit that is connected to our belief system guides the Anishinaabek to our respective responsibilities [to the environment].”¹⁷ Tribal biologist Marty Holtgren describes how the scientific research was designed by a community-based committee of elders, scientists, and tribal members. For Holtgren, the Cultural Context Committee facilitated a voice that “was an amalgamation of cultural, biological, political, and social elements, all being important and often indistinguishable.” Their meetings were punctuated by ceremonies and feasts. Holtgren has discussed how the tribe worked to develop a process to “restore the harmony and connectivity between [Lake Sturgeon] and the Anishinaabek and bring them both back to the river.”¹⁸ Here, the goal of scientifically investigating sturgeon biology and habitat for the sake of population recovery includes restoring human accountability to sturgeon and rekindling the philosophies of ancient moral relationships that link humans and sturgeon in an interdependent ecosystem. The involvement of non-scientists on the committee exemplifies accountable science: the idea that empirical inquiry should be designed so that communities can trust and consent to the research design, the implementation of its methods, and its outcomes.

Bringing people back to the river built awareness of and human accountability for the major environmental factors degrading sturgeon habitats, especially dams and pollution. Important components of the science of sturgeon recovery included learning about historic relationships of accountability between humans and sturgeon and renewing that accountability today. The Little River Band, Menominee, White Earth

Ojibwe, Rainy River First Nation, and other Tribes working to restore sturgeon in the Great Lakes have designed public ceremonies and community feasts to commemorate the ways sturgeon plays a key role in highly interdependent, local ecosystems. Little River’s sturgeon-release ceremony invites the public to attend when juvenile sturgeon are released into the river each fall, exposing many non-Natives to Indigenous histories, culture, and traditional knowledge of sturgeon, as well as sturgeon biology and life cycles and environmental challenges. The Menominee sturgeon feast each spring is also public, bringing Menominee and non-Menominee together for educational and cultural immersion in sturgeon-related history, values, and practices, including dance. Some Odawa and Menominee attendees see the ceremony and feasts, which attract hundreds of people, as a chance to commemorate accountability to the fish, to create intercultural conversations about sturgeon science, to heal relationships with settlers through a public discussion of environmental degradation, and to engender responsibilities in future generations. At the Odawa ceremony, many children of all heritages personally release a juvenile sturgeon into the river. Of course, these events are significant parts of Indigenous sturgeon recovery projects that frame provocative empirical inquiry into sturgeon; Little River’s and Menominee’s research on anadromous sturgeon add to knowledge about sturgeon biology, genetics, life cycles, and habitats.¹⁹

Both Little River and Menominee sturgeon programs seek to rekindle moral relationships between humans and sturgeon, and thus couple science and spirituality. The programs are interdisciplinary, aimed at understanding complex human interdependence with sturgeon, and committed to bringing sturgeon back to sustenance levels. The ceremonies and feasts bring people together to strengthen moral qualities, in

this case accountability, but also trust, consent, and reciprocity. They seek not only to rebuild the social fabric of Indigenous peoples, but also to repair the fraught relationships with settler and other non-Indigenous populations in the region. IESS activist and scholar Winona LaDuke, writing on the restoration of sturgeon at White Earth, has expressed hope that “Maybe the fish will help a diverse set of people work together to make something right. . . . The fish help us remember all of those relations, and in their own way, help us recover ourselves.”²⁰

IESS’ focus on responsibility and spirituality yields lessons about another moral relationship relevant to resilience: justice. Scholarship on environmental justice shows that groups such as Indigenous peoples around the world and U.S. people of color bear high burdens of environmentally related harms, such as lower health outcomes and losses of cultural integrity. IESS research often takes an additional step to demonstrate that environmental injustice can be understood as threatening the moral relationships that empower all societies’ resilience. Consider how Haudenosaunee peoples and their allies have developed a portfolio of IESS research studying the relationship among pollution, health, self-determination, and cultural vitality in the Saint Lawrence River watershed. They designed this research to respond to widespread industrial pollution burdening Mohawk communities on both the U.S. and Canadian sides, including toxicants like polychlorinated biphenyls.

Mohawk scholars, activists, and scientists have documented the history of pollution in the region.²¹ The United States and Canada permitted giant industrial facilities of General Motors, the Aluminum Company of America, Domtar, and Reynolds Metals to operate in close proximity to the Mohawk communities. The nations and industries neglected to be responsible

for cleaning up immediately after some of these facilities closed. Some areas within the Saint Lawrence River watershed near Mohawk communities have been among the most polluted in North America. The pollution is no accident. Winona LaDuke has argued that the United States and Canada set the Mohawks up for these circumstances by coercing them into ceding much of their lands.²² In addition to land dispossession, Canada and the United States forced many Mohawks into boarding schools that attempted to divest them of their cultures, languages, and potential to pass on skill sets.

The pollution of fish is a particular concern. Indigenous studies scholar Elizabeth Hoover has written that, in Akwesasne, “the relationship between fish – whose duty it is to cleanse the water and offer themselves as food – and humans – whose role it is to respectfully harvest these fish – has been interrupted by environmental contamination.”²³ Those most at risk from pollutants include women of childbearing age, pregnant and nursing women, and children under fifteen, especially given the bioaccumulation of some toxicants in breast milk. Indigenous environmental scientists Alice Tarbell and Mary Arquette estimate that 50 percent of the economy used to be based on fishing before the pollution started. Beyond fish, they tell how the contamination of medicinal plants leaves traditional health care providers unable to recommend natural remedies that some elders in Mohawk communities rely on.²⁴

For the Haudenosaunee, the harms of pollution strike at the heart of the moral relationships that make up the fabric of their societies. Indigenous environmental scientist Henry Lickers has said that when pollution makes it hard to continue fishing, “people forget, in their own culture, what you call the knot that you tie in a net. And so, a whole section of your language and culture is lost because no one is tying

Kyle Whyte

those nets anymore. . . . That whole social infrastructure that was around the fabrication of that net disappeared.”²⁵ For Lickers, the “whole social infrastructure” and “language and culture” refer to the convergence of responsibilities and spiritual relationships connecting people to each other, to fish, to biota, and to the ecosystem. These relationships sustained trust, consent, reciprocity, and accountability within the community and made it possible for people to live respectfully within dynamic ecosystems. Tarbell and Arquette describe Mohawk people as in mourning due to the loss of their capacity to exercise their moral relationships.²⁶

The Haudenosaunee have developed a comprehensive strategy for responding to pollution through the environmental divisions of the Mohawk Council of Akwesasne and the St. Regis Mohawk Tribe, the Akwesasne Task Force on the Environment, the Mother’s Milk Project, the Traditional Mohawk Nation Council of Chiefs, and the leadership of Mohawk scientists in the Saint Lawrence River Institute. Their IESS portfolio is diverse. At one level, they have produced peer-reviewed research on the environmental and human impacts of pollution, often collaborating with universities, such as the University at Albany, in ways that ensure scientific expertise and education stay in the Mohawk communities after particular projects end. They also work at the level of ethics, human rights, and justice.²⁷

In terms of the scientific research, Arquette and her collaborators at Akwesasne have emphasized how studying moral relationships is crucial for understanding the impacts of pollution. Challenging the notion – common in some environmental science circles – that if there is no exposure, then there are no adverse health effects, they have shown how, when moral relationships between humans, fish, and plants break down, “alternative diets are

consumed that are often high in fat and calories and low in vitamins and nutrients,” which produces additional negative health outcomes that affect Mohawks acutely, including diabetes.²⁸ The study of environmental health is not only about degrees of exposure, but also about peoples’ moral relationships.

Mohawk advocate Katsi Cook, through the Mother’s Milk Project, has worked to make environmental health science accessible to affected communities so that people can respond to pollution by observing moral relationships with fish, medicinal plants, and other beings. Cook sees the Mohawk responses to pollution through the lens of moral relationships. She said “the beauty of the response of the mothers . . . is that they saw everything in a bigger picture. Many of us bless the seeds, pray to corn, and continue a one-on-one relationship with the earth.”²⁹ Regarding innovative solutions, Tarbell and Arquette have discussed aquaculture, for example, not as a permanent solution, but “one that allows the skills associated with fishing to continue” and provides a “healthy protein.”³⁰ The same concern for moral relationships has also inspired Mohawk leadership in the fight against climate change. The publically available climate change plan of the St. Regis Mohawk Tribe, organized according to the Mohawk Thanksgiving Address, uniquely focuses on moral relationships, including sections on the “Three Sisters,” “The Four Winds,” and “Grand Mother Moon.”

Injustice is a form of domination that works to undermine Indigenous peoples’ capacity to have moral relationships with nonhumans and the environment, which are crucial to their resilience. The pollution in the Saint Lawrence River watershed exemplifies U.S. and Canadian injustice against the Haudenosaunee peoples. And the Akwesasne Task Force has argued that fighting pollution is about

Mohawk self-determination, whether by supporting environmental health or creating new economic options that are safe and sustainable. Injustice occurs when one society seeks to upend the moral relationships that constitute another society's resilience, in this case, Canada and the United States establishing the conditions for their own resilience at the expense of the Mohawk peoples. Establishing justice, however, as the Mohawk leaders and institutions demonstrate, involves the continuance and renewal of moral relationships that support their capacity to live respectfully with a changing environment.

IESS centers on Indigenous historical heritages, living intellectual traditions, research approaches, education practices, and political advocacy to investigate how humans can live respectfully within diverse ecosystems. IESS makes critical contributions to environmental research by showing the value of moral relationships as lenses through which to learn about sustainable social norms (such as the potlatch ceremony), scientific research on fish habitats (such as sturgeon recovery science), or the social dimensions of environmental health (such as

the decline of fishing at Akwesasne and diabetes). On the flipside, IESS frames efforts to empower people to form moral relationships as a type of resilience. IESS supports Indigenous peoples' capacity to achieve sustainability and environmental justice and provides global insights into key challenges pertaining to resilience, including lowering carbon footprints, achieving gender justice, conserving biodiversity, strengthening peoples' senses of responsibility, and remediating polluted places.

Perhaps most important for the well-being of Indigenous peoples everywhere, IESS makes strong statements about what Indigenous reconciliation with settler and colonial nations will require. While apologies and forgiveness have symbolic value, Indigenous peoples are demanding reclamation of Indigenous lands and waters, and recognition of Indigenous sovereignty and self-determination on those lands and waters. IESS sheds light on how reclamation and sovereignty entail the capacity of Indigenous peoples to rebuild and continue complex moral relationships that can promote economic, cultural, and social resilience for the sake of future generations' well-being.

ENDNOTES

- ¹ Anishinaabe will be used as shorthand for the diversity of spellings, including but not limited to Neshnabé. Future references to words in this language will include a secondary spelling option.
- ² Author conversation with Sherry Copenace, July 7, 2017.
- ³ While many Anishinaabe persons identify in the English language as women and discuss women's responsibilities, it is also the case that Anishinaabe language and culture do not admit of nor aspire to a binary gender system. Readers should mind the complexity framing Anishinaabe utterances of the English language words "women" and "girls."
- ⁴ Claudia Sobrevila, *The Role of Indigenous Peoples in Biodiversity Conservation: The Natural but Often Forgotten Partners* (Washington, D.C.: The World Bank, 2008), xii.
- ⁵ Diana Morris, "Letter from the President," College of Menominee Nation, http://www.menominee.edu/About_CMN.aspx?id=1233 (accessed December 24, 2017).
- ⁶ World Health Organization, Climate Change and Health Fact Sheet, July 2017, <http://www.who.int/mediacentre/factsheets/fs266/en/>.
- ⁷ Ronald Sandler, *The Ethics of Species: An Introduction* (Cambridge: Cambridge University Press, 2012).

- ⁸ Clive Wilkinson, ed., *Status of Coral Reefs Around the World*: 2008 (Townsville, Australia: Global Coral Reef Monitoring Network, 2008), 5.
- ⁹ For an introduction to this topic, see Brigitte Evering and Dan Longboat, "An Introduction to Indigenous Environmental Studies," in *Contemporary Studies in Environmental and Indigenous Pedagogies* (New York: Springer, 2013); Eve Tuck, Marcia McKenzie, and Kate McCoy, "Land Education: Indigenous, Post-colonial, and Decolonizing Perspectives on Place and Environmental Education Research," *Environmental Education Research* 20 (1) (2014): 1–23; and Warren Cariou and Isabelle St-Amand, "Introduction to Environmental Ethics through Changing Landscapes: Indigenous Activism and Literary Arts," *Canadian Review of Comparative Literature* 44 (1) (2017): 7–24.
- ¹⁰ Richard E. Atleo, "Discourses in and About the Clayoquot Sound: A First Nations Perspective," in *A Political Space: Reading the Global through Clayoquot Sound*, ed. Warren Magnusson and Karena Shaw (Kingston, Canada: McGill University Press, 2002).
- ¹¹ Marlene Renate Atleo, "The Ancient Nuu-Chah-Nulth Strategy of Hahuulthi: Education for Indigenous Cultural Survivance," *International Journal of Environmental, Cultural, Economic and Social Sustainability* 2 (1) (2006).
- ¹² Atleo, "Discourses in and About the Clayoquot Sound"; Atleo, "The Ancient Nuu-Chah-Nulth Strategy of Hahuulthi"; and Ronald L. Trosper, *Resilience, Reciprocity and Ecological Economics: Northwest Coast Sustainability* (New York: Routledge, 2009).
- ¹³ Oscar Kawagley, Delena Norris-Tull, and Roger Norris-Tull, "The Indigenous Worldview of Yupiaq Culture: Its Scientific Nature and Relevance to the Practice and Teaching of Science," *Journal of Research in Science Teaching* 35 (2) (1998): 133–144, esp. 138–139.
- ¹⁴ Angayuq Oscar Kawagley, *A Yupiaq Worldview: A Pathway to Ecology and Spirit* (Long Grove, Ill.: Waveland Press, 2006).
- ¹⁵ Marty Holtgren, "Bringing Us Back to the River," in *The Great Lake Sturgeon*, ed. Nancy Auer and Dave Dempsey (East Lansing: Michigan State University Press, 2013), 133–147.
- ¹⁶ Christopher James Hannibal-Paci, "His Knowledge and My Knowledge": *Cree and Ojibwe Traditional Environmental Knowledge and Sturgeon Co-Management in Manitoba* (Ph.D. diss., University of Manitoba, 2000).
- ¹⁷ Jimmie Mitchell, "N'me," in *The Great Lake Sturgeon*, ed. Nancy Auer and Dave Dempsey (East Lansing: Michigan State University Press, 2013), 22. *Anishinaabek* is the plural of *Anishinaabe*.
- ¹⁸ Holtgren, "Bringing Us Back to the River."
- ¹⁹ See, for example, Jonathan D. Pyatskowit, Charles C. Krueger, Harold L. Kincaid, and Bernie May, "Inheritance of Microsatellite Loci in the Polyploid Lake Sturgeon (*Acipenser fulvescens*)," *Genome* 4 (2) (2001); and Holtgren, "Bringing Us Back to the River."
- ²⁰ Winona LaDuke, "Return of the Sturgeon: Namewag Bi-Azhegiwewaad," *News from Indian Country*, August 31, 1999.
- ²¹ Alice Tarbell and Mary Arquette, "Akwasasne: A Native American Community's Resistance to Cultural and Environmental Damage," in *Reclaiming the Environmental Debate: The Politics of Health in a Toxic Culture*, ed. Richard Hofrichter (Cambridge, Mass.: The MIT Press, 2000).
- ²² Winona LaDuke, "Akwasasne: Mohawk Mothers' Milk and PCBs," *All Our Relations: Native Struggles for Land and Life* (Cambridge, Mass.: South End Press, 1999), 11–26, esp. 13.
- ²³ Elizabeth Hoover, "Cultural and Health Implications of Fish Advisories in a Native American Community," *Ecological Processes* 2 (1) (2013): 1–12.
- ²⁴ Tarbelle and Arquette, "Akwasasne."
- ²⁵ Henry Lickers quoted in *ibid*, 5.
- ²⁶ Tarbell and Arquette, "Akwasasne."

²⁷ See, for example, Haudenosaunee Environmental Task Force, *Words that Come Before All Else: Kyle Whyte Environmental Philosophies of the Haudenosaunee* (Ontario, Canada: North American Travelling College, 1992) on human moral relationships with the environment; and Haudenosaunee Environmental Task Force, *Haudenosaunee Environmental Restoration: An Indigenous Strategy for Human Sustainability* (Cambridge: Indigenous Development International, 1995).

²⁸ Mary Arquette, Maxine Cole, Katsi Cook, et al., “Holistic Risk-Based Environmental Decision-Making: A Native Perspective,” *Environmental Health Perspectives* 110 (2) (2002): 261.

²⁹ LaDuke, *All Our Relations*, 20.

³⁰ Tarbell and Arquette, “Akwasasne.”

If Indigenous Peoples Stand with the Sciences, Will Scientists Stand with Us?

Megan Bang, Ananda Marin & Douglas Medin

Abstract: Indigenous sciences are foundationally based in relationships, reciprocity, and responsibilities. These sciences constitute systems of knowledge developed through distinct perspectives on and practices of knowledge creation and decision-making that not only have the right to be pursued on their own terms but may also be vital in solving critical twenty-first-century challenges. “Science” is often treated as if it were a single entity, free of cultural influences and value-neutral in principle. Western science is often seen as instantiating and equivalent to this idealized, yet problematic, view of science. We argue for engagement with multiple perspectives on science in general, and increased engagement with Indigenous sciences in particular. As scholars focused on human learning and development, we share empirical examples of how Indigenous sciences, sometimes in partnership with Western science, have led to new discoveries and insights into human learning and development.

MEGAN BANG is Associate Professor at the University of Washington College of Education.

ANANDA MARIN is Assistant Professor at the UCLA Graduate School of Education and Information Studies.

DOUGLAS MEDIN, a Fellow of the American Academy since 2002, is Professor of Psychology at Northwestern University.

(Complete author biographies appear at the end of the essay.)

For many years, wildlife biologists who observed coyotes and badgers hunting in the same area hypothesized that they were competing for game and speculated that badgers would follow coyotes in hopes of snatching their prey. After further observation, the biologists realized that badgers and coyotes often hunt cooperatively and that this in fact makes them more successful. The logics in these studies mirrored reasoning patterns within some Indigenous communities: that is, Indigenous peoples often focus on and inquire about reciprocal relationships between entities. It is possible, therefore, that different cultural orientations may facilitate different insights into badger and coyote behavior. To further test this insight and place these findings in a cultural context, we removed all the text from a children’s book on coyote/badger hunting, asked U.S. college students and Indigenous Panamanian Ngöbe adults to look at the book’s illustrations, and listened to what they thought the book depicted. U.S. college students interpreted the story

© 2018 by the American Academy of Arts & Sciences
doi:10.1162/DAED_a_00498

as competitive, while Ngöbe adults saw it as cooperative.¹ This study shows that cultural orientations influence how we interpret and explain our observations – both in our everyday lives and when we build systems of knowledge.

Indigenous sciences build knowledge about the world through a distinct set of orienting values, concepts, and questions. These include: What is worthy of attention? What needs explanation? Who is related? How? Why does it matter? Tewa scholar Gregory Cajete has articulated one of the most important concepts of Indigenous science in this way: “everything is related, that is, connected in dynamic, interactive, and mutually reciprocal relationships.”² This foundational premise shapes Indigenous sciences both in principle and in practice through methods of knowledge building. Cajete goes on:

The ultimate aim [of Native science] is not explaining an objectified universe, but rather learning about and understanding responsibilities and relationships and celebrating those that humans establish with the world. Native science is also about mutual reciprocity, which simply means a give-and-take relationship with the natural world, and which presupposes a responsibility to care for, sustain, and respect the rights of other living things, plants, animals, and place in which one lives.³

As Cajete argues, Indigenous sciences are relationally organized. This has implications for the way humans live and for the responsibilities we carry to each other and to our relatives who make up the rest of nature, including not only plants and animals but also the sun, stars, waters, and land that constitute our ecosystems. This ecological axiom grounds the questions and methods of most Indigenous sciences, fulfilling ethical responsibilities that ultimately contribute to the larger collective good.

In the twenty-first century, climate change will require human communities

to adapt and reimagine interdependent relationships with and responsibilities to the natural world and each other. Science will play a critical role in meeting these challenges and developing policy that facilitates the collective good. But what kind of science, and mobilized by whom?

Responding to recent political attacks on scientific inquiry, the March for Science, held on April 22, 2017, drew more than 1.3 million people to over six hundred marches across the United States and around the world. The organizers emphasized the importance of science in policy and decision-making, insisting that they were “championing science for the common good.” As a collective social benefit, the organizers argued, science “should neither serve special interests nor be rejected based on personal convictions.”⁴ “Science” was framed in the singular, as a neutral, value-free practice understood by all.

Among the many banners at the Washington, D.C., March for Science, one read “Let us march not just for science – but for sciences!” The sign was the inspiration of Professor Robin Kimmerer, Director of the Center for Native Peoples and the Environment at the SUNY Syracuse College of Environmental Science and Forestry. Professor Kimmerer herself was an invited speaker at the D.C. rally,⁵ where she argued that Indigenous science constitutes an important accompaniment to the dominant paradigm of Western science – one that may be vital in addressing contemporary problems related to climate change and sustainability. Reactions to Kimmerer’s argument were mixed. Some critics argued that qualifying terms like “Western science” demeaned science itself, and that talking about an “Indigenous” science was “crossing a line.”⁶ Many were willing to concede that Indigenous peoples have accumulated substantial knowledge of the natural world (often termed “traditional ecological knowledge”

or TEK by Western scientific communities) but recognize that knowledge as significant only when it has been “verified” by modern science – such as when wildlife biologists confirm the cooperative hunting behaviors of badgers and coyotes.⁷ To these critics, there is only one science, which is defined by a scientific method assumed to be transparent and objective and which produces data replicable by other scientists.

Like all human activity, science is not infallible. Humans are cultural beings influenced by the contexts and times in which we live. Colonialism, and the racism that accompanied it, shared a partnership with sciences that used biased, ethnocentric tests and measurements to support claims of colonizers’ cultural superiority. Has Western science – and the policies associated with it – been somehow liberated from its ethnocentrism? Unsurprisingly, the answer is no. The mythology of a cultureless, value-neutral science continues to capture the popular imagination as well as that of science itself, and it can and does cause harm to communities. A culturally contingent theory of infant-parent attachment, for example, has been treated as a universal standard and has served as a justification for removing children from families with communal cultural practices (including Indigenous families).⁸ Furthermore, the myth of value-free Western science prevails in many school curricula, contributing to the ongoing problem of differential achievement and engagement in science by underrepresented communities – including Indigenous people.

Kimmerer does not call for the “inclusion” of TEK in (Western) science; instead, she calls for a heterogeneity of sciences, which would both value multiple systems of knowing and engage with methodologies developed within different cultural communities. Kimmerer’s admonition to recognize multiple sciences is critical. In a way, however, the point has already been conceded in another

context: across disciplinary differences within Western science. After all, the United States has a National Academy of Sciences, not a National Academy of Science.⁹ Although these sciences do not have clear borders or boundaries, the methods of geology differ from those of sociology; and sociological methods in turn differ from those found in neuroscience or economics. Disciplinary labels themselves conceal substantial variability. The National Academy of Sciences, for example, has more than a dozen divisions focused on different aspects of biology alone. These variations within Western science exhibit differences in worldview (even as they are unified by practices such as being public and subject to replicability). Furthermore, the academy at large has no difficulty recognizing the power of problem-centered interdisciplinary work that crosses boundaries of methodological and even epistemological difference. The National Science Foundation and National Institutes of Health, for instance, provide guides to encourage interdisciplinarity and collaborative research efforts and even earmark funding streams for such research.

Why, then, the resistance to calls like Kimmerer’s? Resistance to expanding the possibilities of sciences is often driven by the assumption that one “true” science emerged from the history of Western civilization and that Western ways of knowing are therefore inherently superior. (However, even much of what is popularly imagined to be “Western” originated in China or in the Middle East.) Non-Western peoples, as the subjects of Western conquest and colonialism, are even today inevitably read as less able to observe, deduce, hypothesize, experiment, and make sense of their worlds than their European or European American counterparts. Skeptics of Indigenous sciences frequently assert that non-Western ways of knowing do not aim for objectivity or are incapable of achieving objective knowledge.

We hold that Indigenous sciences are no less objective than Western science; they value truths, not agendas. Indigenous science operates around a set of values, as does Western science. Values enter into the practice of science in all kinds of ways, including decisions about what to study and how to study it, the framework in which findings are interpreted, and how knowledge ought to be shared. “Objectivity” therefore cannot and should not be equated with “value-neutrality.” We must pose the question: whose values and whose knowledge systems are accepted as legitimate in a multicultural, multi-epistemological world? The policing of disciplinary borders has been, and continues to be, a constitutive factor in the common sense surrounding “science.” We propose that the practice of excluding the values and methods of Indigenous science from science and from society more generally poses significant dangers, not only to Indigenous peoples but to all peoples. Further, these exclusionary practices unnecessarily reify tensions and conflict between communities.

Indeed, Western sciences and Indigenous sciences are not necessarily incommensurable in principle. Indigenous methods sometimes align, diverge, or conflict with Western science and may also be critical complements to it in answering the most pressing questions of the twenty-first century. Engaging heterogeneous sciences – specifically Indigenous sciences – can expand our collective knowledge and are critical if sciences (in their plurality) are to become champions of the common good and adequately respond to contemporary problems.

Imagining science for the common good requires exposing the ethnocentrism embedded within science and science education and appreciating how values guide scientific activity. Achieving commensurability in the sciences will also require the formation of new ethical partnerships with

Indigenous peoples, partnerships that prioritize Indigenous self-determination and leadership. If Indigenous peoples stand with the sciences – as we will – will scientists also stand with us?

As Indigenous social and behavioral scientists, engaging both Indigenous sciences and Western science(s), we always consider how to stand with the communities with whom we work. We espouse a two-tiered engagement with Indigenous sciences: first, through foundational knowledge building about human learning and development, and second, through engaging youth, families, and communities in Indigenous science-learning environments.

We also build our scientific pursuit on foundational premises of Indigenous science through a framework of *relational epistemologies*.¹⁰ What do we mean by this? With respect to the more-than-human world, scientists engaging relational epistemologies will:

1. view humans as a part of the natural world, rather than apart from it;¹¹
2. attend to and value the interdependencies that compose the natural world;¹²
3. attend to the roles actors play in expanded notions of ecosystems from assumptions of contribution and purpose, rather than assumptions of competition;
4. focus on whole organisms and systems at the macroscopic level of human perception (also a signature of complex-systems theory);
5. see all life forms as agentic, having personhood and communicative capacity (as distinct from anthropocentrism);¹³
6. adopt multiple perspectives, including interspecies perspectives, in thought and action; and
7. weigh the impacts and responsibilities of knowledge toward action.

These relational epistemologies suggest patterned cultural differences in ways of

Megan Bang,
Ananda Marin
& Douglas
Medin

looking at and making sense of the world. Still, these dimensions may not be equally important for or shared by all Indigenous sciences and thus cannot be assumed to be valid across all Indigenous communities. Also, we recognize the extent to which many “Western” natural scientists have arrived at some of the same conclusions. However, Western science rarely combines all of these dimensions in a coherent and intentional way.

As learning scientists, we are interested in what relational epistemologies look like in the context of knowledge and reasoning. Recently, we have partnered with the American Indian Science and Engineering Society (AISES) to explore the values and orientations of professionally accomplished Native scientists and Native students pursuing STEM degrees.¹⁴ Interviews with Native scientists and scholarship essays written by Native STEM students both highlight the persistent themes of giving back to the community and of education as a process of transformation. These students’ choices about what degree to pursue were motivated by both personal experience and the desire to give back to their communities. They strive to acquire knowledge and tools generated from the sciences as a way to contribute to community needs and goals, based on principles of relationality, reciprocity, and responsibility commonly found in Indigenous knowledge systems.¹⁵

Cultural comparisons can also reveal how Indigenous knowledge systems shape human epistemic actions and behaviors. Broadly speaking, we can make comparisons between Indigenous and non-Indigenous belief to see if there is a systematic variability in knowledge-building practices and frameworks. We conducted interviews with parents and grandparents from Menominee and intertribal urban communities as well as with non-Native parents and grandparents, in which we asked:

“What are the five most important things for your children (or grandchildren) to learn about the biological world?” and “What are four things that you would like your children (or grandchildren) to learn about nature?” Almost all the respondents expressed beliefs about the need to respect nature, but their perspectives differed. The European American respondents typically described nature as an external entity, saying things like, “I want my children to respect nature and know that they have a responsibility to take care of it.” In contrast, Native American adults were more apt to say that they want their children to understand that they are a part of nature.¹⁶ The distinction between being *a part of* nature versus *apart from* nature reflects qualitatively different models of the biological world and the position of human beings with respect to it.

This sharp difference in orientations is easily demonstrated through a quick Google Image search of the term “ecosystem.” In one search, about 98 percent of the illustrations Google returned did not contain human beings and about half of the remaining images depicted schoolchildren as existing outside the ecosystem (“observing it” through a magnifying glass, for example).¹⁷ Despite the efforts of ecologists, environmental historians, and American Indian sciences and philosophies, the dominant cultural view continues to suggest that people are not part of ecosystems. U.S. policies clearly reflect the belief that earth, energy, animals, and plants exist solely as resources for human betterment.

This divide has been a continual topic of interest in our research, which has focused on the broad question of cultural differences in orientations within and about the natural world among Indigenous and non-Indigenous peoples. We operate according to the axiom that peoples’ epistemologies are implicitly reflected in their words, actions, and interactions with others in spe-

cific times and places, including the way in which they engage with the rest of nature and with science.¹⁸ We will summarize some of this work as a series of short and suggestive examples, acknowledging that our scholarship derives from leading Native scholars like Vine Deloria, Gregory Cajete, Oscar Kawagley, Linda Smith, and Manu Meyer, among many others.

Our first example is a project in which we asked Menominee and non-Native fishing experts from the same area of rural Wisconsin to sort names of local fish into sensible groups. Non-Native experts tend to sort taxonomically (“these fish belong to the bass family”) while Menominee experts are more likely to sort ecologically (“these fish live in cool, fast moving waters”). Non-Native experts describe and value fish in terms of utility to human beings (“good as baitfish”) while Menominee experts take a more ecosystem-based perspective, evidenced by such statements as “I don’t know much of anything about gar but they are important because everything has a role to play.”¹⁹

In a parallel study, we asked Menominee and European American hunters in the same part of rural Wisconsin to name the most important plants and animals in the forest, how they value each kind, and how important each kind is to the forest: a way of asking about their perception of relationships.²⁰ Game animals were rated as equally important across communities, but Menominee hunters rated nongame animals to be more important both for themselves and for the forest than did European American hunters. Menominee hunters often said that if something was important to the forest it was important to them. In other studies we found that Menominee children were more likely to spontaneously take the perspective of an animal than were their non-Native counterparts.²¹

In one assessment of attention to context, we simply asked rural Menominee

and European American adults to tell us about the last time or a memorable time when they went fishing. Our dependent variable was the number of words spoken before the informant mentioned the goal (the fish). The median number of words European Americans spoke before mentioning fish was twenty-seven; in contrast, for Menominee adults, “fish” was the eighty-third word – a striking difference. In fact, the reason we had to use the median rather than the mean is that several Menominee adults never got around to mentioning fish at all. Instead, they tended to describe the context (the weather, place, and who and what else was present) in detail. Informally, Menominee adults have told us that their goal in telling a story is to put a picture in the listener’s head, one that might allow listeners to obtain a first-person perspective on the entire scene.

Such attention to context may be critical to sustainability efforts. In a Menominee community meeting we attended, the discussion turned to the role of research studies in forest-management proscriptions. Research studies were criticized for basing their findings on ideal growing conditions that “do not necessarily apply here because our soils are different and rely on rain, not watering.” Vandana Shiva has documented how crops developed for “ideal” growing conditions can lead to profound environmental damage when farmers are forced to distort normal conditions to achieve these ideals by, for example, using unsustainable amounts of water.²²

Indigenous sciences expand concepts of life, agency, and personhood. This phenomenon manifests in children’s reasoning. For example, in a study of the core biological concept of life, we asked children to identify what their elders thought was alive and what their science teacher thought was alive. Native children reported that their elders considered rocks, water, and the sun to be alive.²³ Some dismiss

these differences simply by saying that the elders are wrong about rocks, water, and the sun because they are not, in fact, alive. A more open-minded alternative considers the possibility that the Indigenous elders have a different conception of life, one that is generative from an ecological perspective since these so-called natural inanimates play important roles in ecological relationships.

In addition, Indigenous concepts of agency may define it in terms of relationships and communication rather than on taking humans as prototypical agentic beings and evaluating agency in terms of a supposed index of human intelligence (such as brain size). For instance, from a Western perspective, plants have little agency. This logic has arguably held back emerging research on plant abilities and intelligence,²⁴ as Western scientists now understand that some plants can recognize and selectively favor kin and that many plants can signal the presence of threats.²⁵ In line with the cultural differences we have described, however, a study has shown that U.S. college undergraduates still deny that plants can recognize kin, while Panamanian Indigenous Ngöbe adults say they can. Despite significant differences, however, we also find points of commensurability through which Western “science” might actually embrace multiple “sciences.” Some branches of ecological sciences and anthropology, for example, are expanding their definitions of life even further than what we have described here to understand interspecies relations and communication, using ideas that have been central to the relational epistemologies of Indigenous peoples.²⁶

We have investigated the values and principles underpinning Indigenous sciences; what else do we want to highlight about Indigenous methodologies? It is a commonplace that all good science starts with ob-

servation. Like Yogi Berra, who famously stated “You can observe a lot by just watching,” many people assume that observation is straightforward. Observation can produce empirical knowledge, though it is easy to forget that such knowledge – and indeed observation itself – is influenced by culture and social practice. In our research, we define observation as a rich multimodal practice, involving the simultaneous coordination of attention, prior knowledge, and explanatory frameworks. Protocols and methods of observation are culturally inflected, as are the values about where and when to observe.²⁷ For example, when asked whether porcupines help or harm the forest, non-Native hunters commonly noted that porcupines are destructive due to their habit of girdling and killing trees. Menominees know about this effect too, yet some viewed it positively, because tree death opens the forest up to light, which allows smaller plants to grow, which in turn provides ground cover that helps maintain soil moisture. The Menominees’ wider observational scope and understanding of causal links with porcupines’ behaviors enabled them to see porcupines as contributors to the forest when European Americans did not. Menominee understanding led them to differently value porcupines as members of the forest community.

Many Indigenous communities use this type of dense observation to know, build relationships with, and “story” the world.²⁸ Such communities are today creating Indigenous science, Indigenous political economy, and Indigenous arts and humanities – reflecting that Indigenous sciences are but one part of Indigenous knowledge systems. Ethnographic research with Indigenous-heritage Mexican and Guatemalan communities has led to the articulation of a useful framework – Learning by Observing and Pitching In (LOPI) – that acknowledges the central role of observation in learning. LOPI, developed by Barbara Rogoff and

colleagues, accounts for understudied dimensions of learning, including who is seen as constituting community, how communities are organized, forms of communication, and the kinds of motives or goals individuals and groups have. Indigenous models of education, such as those described by LOPI, are usually intergenerational and focus on contributing to community. In contrast, Western formal education typically segregates by age and stresses utilitarian individualism. We have built on the LOPI framework to consider the role of land and more-than-human life in learning through observing. (We use the term “more-than-human” instead of nonhuman in a rhetorical effort to break away from human/nonhuman binaries in reasoning, to challenge anthropocentric worldviews, and to draw attention to multiplicities of life.) We view the practice of observation as being central to both Indigenous and Western science, though they may be enacted in different ways or find points of agreement and overlap.

Science educators tend to describe observation in unidirectional terms, saying that humans observe the world around us. Indigenous sciences are more likely to approach observation using a systems perspective, remaining aware that while we observe the world around us, our relatives are also observing us. Humans live as part of a watchful world. Land, animals, plants, and other beings have agency and influence the structure of human interactions, most notably the movement of our bodies in relation to others.

For generations, Indigenous communities and intellectuals have described the roles of motion, mobility, migration, and land in learning.²⁹ Here, learning is conceived as the work of collective knowledge production across generations in support of activities necessary for sustaining and promoting life.³⁰ Building on scholarship in Native sciences and perceptions of the en-

vironment,³¹ we suggest that walking relationships with land are important to knowledge-making processes, especially when it comes to knowing the complex relations in ecosystems. Learning to “read” and “story” land – to make observations and develop explanations based on engaged observation – are critical ways of being in relationship with the natural world.³²

In one study of this phenomenon, we invited caregivers and young children to go on walks in forest preserves while wearing cameras to capture their walks. After collecting the footage, we synchronized caregivers’ and children’s videos so that they were layered side by side. The individuals’ subjective views paired with the side-by-side synchronized views allowed us to walk along with families and hear/see their stories. Through this multidimensional view, the structure of walks became apparent. Just as conversations have turns of talk, Marin noticed turns of walking, or “ambulatory sequences,” which were observable in multiple families’ walks. In these sequences, families noticed phenomena, asked questions, and storied their observations.³³

We have come to think about *walking, reading, and storying land* as one methodology for making sense of physical and biological worlds.³⁴ Storying land or observations of the lifeworld are iterative processes. They coordinate attention with the development of preliminary theories and the search for evidence. These dimensions are assembled through the layering of discursive, embodied, and ambulatory micropractices (questions and directives, pointing gestures, shifts in movement). They involve a kind of navigation in which people weave their way through emergent understandings of local phenomena. Crucially, the land itself also acts in this process. In forest walks, the trail one follows and the movement of walking are human decisions, but they are influenced by the contours of land and our feet feeling the

ground. Walking along a deer trail feels quite different from walking along a floodplain or a bike path, and what is available for observation differs across these contexts. The “where” and “when” of human activities makes a difference in observations. Place foundationally shapes human activity and figures centrally in the process of knowing.³⁵

Kimmerer develops an analogous theory about questions: we do not ask them in a vacuum, but in a context; what we ask, how, and when are all related.³⁶ Asking questions about relations illuminates answers that true-false questions may not. For instance, Kimmerer explores how reciprocal mutualisms (or symbiosis) between algae and fungus can become invisible in laboratory conditions that facilitate “optimal conditions” for each organism. In such conditions a scientist might focus on the growth and reproduction of the individual. Scientists have become increasingly aware, however, that algae and fungus have coevolved to the point that they cannot survive alone. A more appropriate question might be how relationships themselves shape growth and adaptation.

Indigenous sciences presume that knowledge carries ethical obligations and responsibilities. Relationality matters: it shapes *who* is doing the explaining, *how* they are explaining, *to whom* they are explaining, *why* they are trying to explain, and the impacts such explanations may have. The March for Science actively advocated for science for the public good, holding that science should be applied to policy and contribute to human life. The reliance on a principled attitude toward science is valuable, but in specific instances, Western science continues to be conducted, shared, and used in ways harmful to Indigenous peoples, including in legal attacks on Indigenous sovereignty.³⁷ Any engagement with Indigenous sciences must recognize how

Western “science” is historicized, cultured, and empowered in relation to Indigenous peoples’ ecological, political, economic, and social interests. At best, engagements among sciences will help achieve just and ecologically sustainable futures; at worst, they will perpetuate additional harms to Indigenous peoples.

Engagement with Indigenous sciences requires the knower to recognize, cultivate, and support Indigenous peoples and their efforts to create thriving communities. Non-Indigenous scientists, policy-makers, and institutions (especially nation-state governments and educational institutions in their many forms) need to recognize the powerful historical accumulations and institutional structures that have consistently undermined Indigenous communities and ways of life. Engagement with Indigenous sciences will require commitment to transform processes that uphold and assert Western epistemic supremacy. Importantly, this is not intended to suggest that Western epistemic practices have not been productive or should not continue; rather, we object to the insistence on their singularity.

Scholars of education are coming to understand the critical roles of identity and motivation in disciplinary learning, as well as the ways in which disciplinary identities are formed at very young ages. Learning environments must also make the shift to engage heterogeneous ways of knowing as foundational to learning.³⁸ We are raising new generations of young people who will inherit some of the most challenging problems human communities have ever faced. We need new understandings of relations between humans as well as to more-than-humans and the lands and waters we dwell in.

Humanity is receiving clear messages that our ways of doing are no longer sustainable. Indeed, human responses, adaptations, and reimagining of interde-

pendent relationships with, and responsibilities to, the natural world may be the central challenge of the twenty-first century and will figure centrally in the stories told to future generations.³⁹ However, the kinds of relations between humans and other life forms, and the lands and waters we all dwell in, are yet to be determined

and enacted in these stories. The role of the sciences in meeting the challenges, developing policy, and shaping the stories of the future is critical. But what sciences? Indigenous sciences may be critical in cultivating the just and sustainable futures that will be part of our survival.

Megan Bang,
Ananda Marin
& Douglas
Medin

AUTHOR BIOGRAPHIES

MEGAN BANG is Associate Professor at the University of Washington College of Education. She is the author of *Who's Asking? Native Science, Western Science, and Science Education* (2014, with Douglas L. Medin). She has published widely in journals such as *Proceedings of the National Academy of Sciences*, *Nature Behavior, Cognition and Instruction*, *Science Education*, and the *Journal of Research in Science Teaching*.

ANANDA MARIN is Assistant Professor at the UCLA Graduate School of Education and Information Studies. Her work on learning has been published in such publications as *Journal of Research in Science Teaching*, *Journal of American Indian Education*, and *Harvard Educational Review*.

DOUGLAS MEDIN, a Fellow of the American Academy since 2002, is Professor of Psychology at Northwestern University. His publications include *Who's Asking? Native Science, Western Science, and Science Education* (with Megan Bang, 2014) and *The Native Mind and the Cultural Construction of Nature* (with Scott Atran, 2008).

AUTHORS' NOTE

This essay is based upon work supported by AFOSR grant FA9950-14-1-0030 and National Science Foundation grant DRL 1713368 (awarded to Medin) and National Science Foundation grant DRL 1712796 (awarded to Bang).

ENDNOTES

¹ bethany ojalehto and Douglas Medin, "Emerging Trends in Culture and Concepts," in *Emerging Trends in the Social and Behavioral Sciences: An Interdisciplinary, Searchable, and Linkable Resource*, ed. Robert A. Scott and Stephen Michael Kosslyn (New York: John Wiley & Sons, 2015); and bethany ojalehto, Douglas L. Medin, William S. Horton, Salino G. Garcia, and Estefano G. Kays, "Seeing Cooperation or Competition: Ecological Interactions in Cultural Perspectives," *Topics in Cognitive Science* 7 (4) (2015): 624–645.

² Gregory Cajete, *Native Science: Natural Laws of Interdependence* (Santa Fe: Clear Light Publishers, 2000). See also Manu Aluli Meyer, "Native Hawaiian Epistemology: Sites of Empowerment and Resistance," *Equity & Excellence* 31 (1998): 22–28; Vine Deloria, *A Brief History of the Federal Responsibility to the American Indian* (Washington, D.C.: Department of Health, Education, and Welfare, Office of Education, 1979); Robin W. Kimmerer, *Braiding Sweetgrass: Indigenous Wisdom, Scientific Knowledge and the Teachings of Plants* (Minneapolis: Milkweed Editions, 2013); Robin W. Kimmerer, "Weaving Traditional Ecological Knowledge into Biological Education: A Call to Action," *BioScience* 52 (2002): 432–438; Audra Simpson, *Theorizing Native Studies* (Durham, N.C.: Duke University Press, 2014); Kyle Powys Whyte, "Now This! Indigenous Sovereignty, Political Obliviousness and Governance Models for SRM Research," *Ethics, Policy & Environment* 15 (2012): 172–187; Oscar A. Kawagley, "Yup'ik Ways of Knowing," *Canadian Journal of Native Education* 17 (2) (1990): 5–17; and Linda Tuhiwai Smith, *Decolonizing Methodologies: Research and Indigenous Peoples* (New York: St. Martin's Press, 1999).

³ Cajete, *Native Science*.

- 4 “Mission,” March for Science, <https://www.marchforscience.com/mission> (accessed September 28, 2017).
- 5 “Native Americans Stood up for Indigenous Science,” BuzzFeed News, April 23, 2017, https://www.buzzfeed.com/buzzfeednews/people-are-marching-around-the-world-to-stand-up-for-science?utm_term=.pbV1dOqYwb-.eodowjVAr1.
- 6 Steven Novella, *The Skeptics’ Guide to the Universe* No. 619, May 20, 2017, podcast audio, <http://www.theskepticsguide.org/podcast/sgu/619>.
- 7 Deborah McGregor, “Traditional Ecological Knowledge: An Anishnabe Woman’s Perspective,” *Atlantis: Critical Studies in Gender, Culture & Social Justice* 29 (2005): 103–109.
- 8 Heidi Keller, *Cultures of Infancy* (New York: Psychology Press [Taylor and Francis Group], 2013).
- 9 Currently NAS has fifty-four separate sections.
- 10 Cajete, *Native Science*; and Oscar A. Kawagley, *A Yupiaq Worldview: A Pathway to Ecology and Spirit* (Long Ridge, Ill.: Waveland Press, 2006).
- 11 Megan E. Bang, *Understanding Students’ Epistemologies: Examining Practice and Meaning in Community Contexts* (Ph.D. diss., Northwestern University, 2009).
- 12 Cajete, *Native Science*; and Kawagley, *A Yupiaq Worldview*.
- 13 Meyer, “Native Hawaiian Epistemology: Sites of Empowerment and Resistance”; and Douglas L. Medin, Norbert O. Ross, Scott Atran, Douglas Cox, John Coley, Julia B. Proffitt, and Sergey Blok, “Folkbiology of Freshwater Fish,” *Cognition* 99 (3) (2006): 237–273.
- 14 Kimmerer, “Weaving Traditional Ecological Knowledge into Biological Education.”
- 15 Janet Page-Reeves, Ananda Marin, Maurice Moffett, Karen Deerinwater, and Douglas L. Medin, “Wayfinding as a Concept for Understanding Success among Native Americans in STEM: ‘Learning How to Map through Life,’” *Cultural Studies of Science Education* (forthcoming 2018).
- 16 Megan Bang, Douglas L. Medin, and Scott Atran, “Cultural Mosaics and Mental Models of Nature,” *Proceedings of the National Academy of Sciences of the United States of America* 104 (35) (2007): 13868–13874.
- 17 Douglas L. Medin and Megan Bang, *Who’s Asking? Native Science, Western Science, and Science Education* (Cambridge, Mass.: The MIT Press, 2014).
- 18 Ibid; Megan Bang and Douglas Medin, “Cultural Processes in Science Education: Supporting the Navigation of Multiple Epistemologies,” *Science Education* 94 (2010): 1008–1026; and oja-lehto and Medin, “Emerging Trends in Culture and Concepts.”
- 19 Medin et al., “Folkbiology of Freshwater Fish.”
- 20 Norbert Ross, Douglas Medin, and D. Cox, “Epistemological Models and Culture Conflict: Menominee and Euro-American Hunters in Wisconsin,” *Ethos* 35 (2007): 478–515.
- 21 Sara J. Unsworth, Wallis Levin, Megan Bang, Karen Washinawatok, Sandra R. Waxman, and Douglas L. Medin, “Cultural Differences in Children’s Ecological Reasoning and Psychological Closeness to Nature: Evidence from Menominee and European American Children,” *Journal of Cognition and Culture* 12 (1) (2012): 17–29.
- 22 Vandana Shiva, *Monocultures of the Mind: Perspectives on Biodiversity and Biotechnology* (London: Palgrave Macmillan, 1993).
- 23 Bang, *Understanding Students’ Epistemologies*.
- 24 Francisco Calvo Garzón, “The Quest for Cognition in Plant Neurobiology,” *Plant Signaling & Behavior* 2 (2007): 208–211; and Michael Gross, “Could Plants have Cognitive Abilities?” *Current Biology* 26 (5) (2016): R181–R184, doi:10.1016/j.cub.2016.02.044.
- 25 bethany oja-lehto, Douglas Medin, and Salino G. García, “Grounding Principles for Inferring Agency: Two Cultural Perspectives,” *Cognitive Psychology* 95 (2017): 50–78, doi:10.1016/j.cogpsych.2017.04.001.

- ²⁶ Eduardo Kohn, *How Forests Think: Toward an Anthropology Beyond the Human* (Berkeley: University of California Press, 2013); and Robin W. Kimmerer, *Gathering Moss: A Natural and Cultural History of Mosses* (Corvallis: Oregon State University Press, 2003).
- ²⁷ Linda Tuhiwai Smith, *Decolonizing Methodologies: Research and Indigenous Peoples* (New York: St. Martin's Press, 1999).
- ²⁸ Cajete, *Native Science*; and Gregory A. Cajete, *Indigenous Community: Rekindling the Teachings of the Seventh Fire: Toward an Evolving Epistemology of Contemporary Indigenous Education* (St. Paul, Minn.: Living Justice Press, 2015).
- ²⁹ Kate McCoy, Eve Tuck, and Marcia McKenzie, *Land Education: Rethinking Pedagogies of Place from Indigenous, Postcolonial, and Decolonizing Perspectives* (Abingdon, United Kingdom: Routledge, 2016).
- ³⁰ Cajete, *Indigenous Community*.
- ³¹ For example, see Cajete, *Native Science*; Medin and Bang, *Who's Asking? Native Science, Western Science, and Science Education*; Tim Ingold, "The Temporality of the Landscape," in *Contemporary Archaeology in Theory: The New Pragmatism*, ed. Robert W. Preucel and Stephen A. Mrozowski (Hoboken, N.J.: John Wiley & Sons, 2011); and Rita Astuti, Gregg E. A. Solomon, Susan Carey, Tim Ingold, and Patricia H. Miller, "Constraints on Conceptual Development: A Case Study of the Acquisition of Folkbiological and Folksociological Knowledge in Madagascar," *Mono-graphs of the Society for Research in Child Development* 69 (3) (2004): 1–161.
- ³² Cajete, *Native Science*; and Kawagley, *A Yupiaq Worldview*.
- ³³ Ananda Marin, *Learning to Attend and Observe: Parent-Child Meaning Making in the Natural World* (Ph.D. diss., Northwestern University, 2013).
- ³⁴ Cajete, *Native Science*; and Kawagley, *A Yupiaq Worldview*.
- ³⁵ Scott Richard Lyons, "Rhetorical Sovereignty: What Do American Indians Want from Writing?" *College Composition and Communication* 51 (3) (2000): 447–468.
- ³⁶ Kimmerer, *Braiding Sweetgrass*.
- ³⁷ Rebecca Tsosie, "Indigenous Peoples and Epistemic Injustice: Science, Ethics, and Human Rights," *Washington Law Review* 87 (2012): 1133–1201.
- ³⁸ Ann S. Rosebery, Mark Ogonowski, Mary DiSchino, and Beth Warren, "'The Coat Traps All Your Body Heat': Heterogeneity as Fundamental to Learning," *The Journal of the Learning Sciences* 19 (2010): 322–357.
- ³⁹ Daniel Wildcat, *Red Alert! Saving the Planet with Indigenous Knowledge* (Golden, Colo.: Fulcrum, 2009).

Megan Bang,
Ananda Marin
& Douglas
Medin

Hear Our Languages, Hear Our Voices: Storywork as Theory and Praxis in Indigenous-Language Reclamation

*Teresa L. McCarty, Sheilah E. Nicholas, Kari A. B. Chew,
Natalie G. Diaz, Wesley Y. Leonard & Louellyn White*

Abstract: Storywork provides an epistemic, pedagogical, and methodological lens through which to examine Indigenous language reclamation in practice. We theorize the meaning of language reclamation in diverse Indigenous communities based on firsthand narratives of Chickasaw, Mojave, Miami, Hopi, Mohawk, Navajo, and Native Hawaiian language reclamation. Language reclamation is not about preserving the abstract entity “language,” but is rather about voice, which encapsulates personal and communal agency and the expression of Indigenous identities, belonging, and responsibility to self and community. Storywork – firsthand narratives through which language reclamation is simultaneously described and practiced – shows that language reclamation simultaneously refuses the dispossession of Indigenous ways of knowing and re-fuses past, present, and future generations in projects of cultural continuance. Centering Indigenous experiences sheds light on Indigenous community concerns and offers larger lessons on the role of language in well-being, sustainable diversity, and social justice.

In 2007, following twenty-two years of Indigenous activism, the United Nations General Assembly approved the Declaration on the Rights of Indigenous Peoples (UNDRIP). Among its provisions is the right of Indigenous peoples “to revitalize, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures.”¹ This right goes unchallenged for speakers of dominant languages, but is systematically violated for speakers of Indigenous languages throughout the world. Of approximately seven thousand known spoken languages, 50 to 90 percent are predicted to fall silent by century’s end. Two-thirds of those would be Indigenous languages.² In these contexts, languages are not replaced but rather *dis-*

placed through policies designed to eradicate linguistically encoded knowledges and cultural identifications with those associated with dominant-class ideologies. The result of state-sponsored linguisticide – which novelist and postcolonial theorist Ngũgĩ wa Thiong’o has called “the linguistic equivalent of genocide”³ – is worldwide Indigenous-language endangerment.

We take as foundational premises the inherent human right to learn, use, and transmit a language of heritage and birth and the fact that linguistic diversity is an enabling resource for individuals and society. However, more than universalist notions of linguistic rights and the quantification of Indigenous-language endangerment, we valorize an enduring tradition of Indigenous persistence in which linguistic diversity is the most reliable guide toward the future for Indigenous peoples. As Mary Hermes and Keiki Kawai’ae’a write, diverse Indigenous languages have persisted over many centuries, sometimes going “underground” during the most oppressive times; thus, it is ahistorical to speak of reclamation as “new.”⁴ We foreground the possibilities inherent in a vital Indigenous-language reclamation movement, which represents the forward-looking legacy of the survivors of assimilation programs. Centering Indigenous experiences sheds light on Indigenous community concerns and offers broader lessons on the role of language in individual and communal well-being, sustainable diversity, and social justice for all oppressed peoples.

We develop three themes in this essay. First, we privilege what Stó:lō scholar Jo-ann Archibald calls storywork: experiential narratives that constitute epistemic, theoretical, pedagogical, and methodological lenses through which we can both study and practice language reclamation.⁵ As method, storywork provides data in the form of firsthand accounts⁶ through which to gain insight into the *meaning* of language reclamation in diverse Indigenous communities.

Lumbee scholar Bryan Brayboy asserts the role of storytelling in theory building: “Locating theory as something absent from stories is problematic. . . . Stories serve as the basis for how our communities work.”⁷ And Paul Kroskrity notes, Native storytelling contains “an action-oriented emphasis on using . . . narratives for moral instruction, healing, and developing culturally relevant tribal and social identities.”⁸

Second, we distinguish between language and voice. Language, bilingual education scholar Richard Ruiz writes, “is general, abstract, and exists even when it is suppressed”; in contrast, “when voice is suppressed, it is not heard – it does not exist.”⁹ Like Ruiz, we equate voice with agency; as the storywork that follows illuminates, this is not simply an intellectualized experience of identity (it is not about language in a general or abstract sense), but an embodied experience of personal belonging and responsibility. From this perspective we explore the ways in which language reclamation is part of larger Indigenous projects of resilience, rediscovery, sovereignty, and justice.

Third, we argue that language reclamation is not about returning to an imagined “pure” form of an ancestral language. Instead we highlight the dynamic, multisited, heteroglossic, and multivocal character of Indigenous-language reclamation,¹⁰ underscoring that the “success” of these efforts must be locally defined but also externally shared – a movement toward mobilizing strategic new global alliances and protocols of collaboration.¹¹

We first present five narrative accounts of language renewal: Chickasaw, Mojave, Miami, Hopi, and Mohawk. The narratives represent “storywork in action”;¹² in telling individual and communal journeys, each author demonstrates the significance of stories as empirically grounded cultural resources for recovering and sustaining Indigenous knowledges and identities.¹³ We conclude with a final narrative that speaks to our

*McCarty,
Nicholas,
Chew, Diaz,
Leonard &
White*

anchoring themes and the meaning of storywork for Indigenous language reclamation.

Chikashshanompa' is a Muskogean language spoken by less than fifty people, most of whom reside within the Chickasaw Nation in south-central Oklahoma. As Kari Chew relates, Chickasaw people consider Chikashshanompa' a gift "with which to speak to each other, the land, the plants, the animals, and the Creator."¹⁴ Though centuries of colonization have disrupted the continuity of intergenerational language transmission, the Chickasaw Nation is actively undertaking a multipronged language reclamation effort.

The story of language loss and reclamation in my family begins in 1837, when the U.S. government forced my great-great-grandparents from their Southeastern homelands to present-day Oklahoma. Their children, who attended English-language boarding schools, were the last generation in my family to learn Chikashshanompa' as a first language. I was raised in Los Angeles, where my grandparents relocated after leaving the Chickasaw Nation. Though it was important to my family to visit and maintain a connection "back home," the language was not spoken or talked about among my relatives.

I did not know my language as a child, but I believe it has always been within me – a gift from my ancestors and Creator – waiting to be resurfaced. In my young adulthood, during a college internship with my tribe, I had my first opportunity to take a Chikashshanompa' class. It did not take long for the language – my language – to captivate my soul. One phrase I learned was, "*Chikashsha saya*," "I am Chickasaw." Though I had said these words many times in English, they never fully conveyed my sense of who I was: saying them in Chikashshanompa', I had finally found my voice. The experience inspired me to continue learning the language and to use my education to support other Chickasaw people in their pursuit of language reclamation.

Throughout my work, I have built relationships with Chickasaw people deeply committed to learning and teaching Chikashshanompa'. One was Elder fluent speaker Jerry. While I knew Jerry as a patient and dedicated language teacher, he had not always been that way. For many years, Jerry was skeptical of younger generations' interest in Chikashshanompa' because he believed that the language was destined to perish with his generation. He asked those who approached him wanting to learn, "If I teach you, who are you going to speak to? There's nobody else that speaks it and I'm not going to live forever."

In time, persistent language learners convinced Jerry to teach them. Despite his initial reluctance, Jerry came to embrace language work as his life's calling. The younger people he taught were eager to learn and began to speak the language well. Seeing their dedication and progress made Jerry reconsider his perception of Chikashshanompa' as a "dying" language. He posed his question again: "If I weren't here anymore, who's going to carry [Chikashshanompa'] on?" But this time he had an answer: the younger generations of committed language learners "would carry it on."

Coming from a family that did not "carry" the language, I was thankful that Jerry wanted to give Chikashshanompa' to learners of my generation. Not only did Jerry teach me Chikashshanompa', he taught me about what language reclamation means: speaking the language proudly, and, most important, sharing it with others.

One of the ways Jerry envisioned sharing the language with future generations was through children's books. Inspired by Jerry, a small group of language learners and I created stories in Chikashshanompa' with beginning and youth language learners in mind. I couldn't wait to show Jerry our work. About two weeks before I planned to see him, however, I received news that Jerry had passed.

As I mourned the loss of a dear teacher, I thought also of the hope that Jerry held for the language. When I asked Jerry about what he thought would happen to the language during my lifetime, he said he foresaw a new generation of speakers. “Right now is just the beginning [of our language reclamation story],” he reminded me. “There’s a lot more.” While I never had the chance to share our stories with Jerry, I know he would be proud to see language learners sharing in his vision to give the language to emerging generations of Chikashshanompa’ speakers.

Pipa Aha Macav, The People With the River Running Through Their Body and the Land (the Mojave), trace their origins to Spirit Mountain near present-day Needles, California. Mojave is a Yuman language spoken by peoples indigenous to the southern California, Nevada, and Arizona desert. At Fort Mojave, there are approximately twenty tribal elders who learned Mojave as a first language. Natalie Diaz is one of a small group of young adults, parents, and youth who embarked on a journey to learn the Mojave language from the elders and to create a repository of language resources for future generations.

In *Decolonising the Mind*, Ngũgĩ wa Thiong’o writes, “the most important area of domination was the mental universe of the colonized. . . . To control a people’s culture is to control their tools of self-definition in relationship to others.”¹⁵

Language negotiates the way I know myself – what I believe I am capable of, how I know myself in relationship to others, what I can offer others, what I deserve from others in return. Language is where I am constructed as either possible or impossible.

To lose a language is to lose many things other than vocabulary. To lose a language is also to lose the body, the bodies of our ancestors and of our futures. What I mean is: Language is more than an extension of the body; it is the body, made of the body’s

energy and electricity, developed to carry the body’s memories, desires, needs, and imagination.

When a word is silenced, what happens to the bodies who spoke it? What happens to the bodies once carried in those erased words?

When a verbal expression of love is crushed quiet, how long can the physical gesture of love continue in such oppressive silence? How can the gesture answer if nobody calls out for it verbally?

In Mojave, the word *kavanaam*, which carries within it a very physical and caring gesture, was lost. We didn’t know it was lost, since we’d never felt it, never had it offered to us or acted out upon us. This is a small story of how we returned to *kavanaam* – first the word, and eventually the gesture.

In a language class, an adult learner told our Elder teacher, who was her aunt, “I want to tell my son ‘I love you.’” Many of us had already heard the teacher’s reply: “Mojaves don’t have a phrase for ‘I love you.’” We were given this data by White linguists who had studied our language, and found it scribbled in their numerous notes. Studying a language differs greatly and dangerously from feeling a language. Luckily, the learner did not accept a White linguist’s detached “knowing” of a language built in a Mojave body and meant to be delivered onto another Mojave body. The learner further shared that she’d never heard her father or mother say they loved her. She didn’t want her experience to be her son’s inheritance. She needed to tell him she loved him, in his Mojave language.

“What do you really want to say?” the teacher asked.

Emotional beyond words, the learner answered in gesture, reaching her hands out as if her son were in front of her, then returning her hands back to her own body, pressing them to her chest.

“Okay,” the Elder teacher said, “We have many ways to say this.”

McCarty,
Nicholas,
Chew, Diaz,
Leonard &
White

And we learned those ways, none of which translated to “I love you.” Our ways were too urgent to fit within three small English words.

This is how we found kavanaam. Later that evening, the learner stopped by my mother’s house, still wanting to process the emotional moment from class. She shared another story about the last time she and her sister saw her father; he was being wheeled into the emergency room. Her sister said again and again, “I love you, Dad.”

He didn’t reply. He didn’t say, “I love you too.” Instead he reached out and pressed her arm repeatedly, squeezing his large hand around her forearm, wrist, and palm.

After a moment, my mother responded, “He told your sister he loved her, just not with words.”

My mother recounted how her mother, grandmother, and aunts pressed her and her siblings’ legs, shoulders, and arms, as babies in cradleboards and into their teens. My aunt pressed my great-grandmother’s body well past her hundredth birthday. This pressing was a gesture of care, of tenderness, a conversation between two Mojave bodies, a way of saying that was more powerful than words.

The next morning, when I visited my Elder teachers and told them this story, they remembered: kavanaam, to press the body. “I haven’t heard it in a long time,” my teacher said.

Mojaves didn’t say the English phrase “I love you,” but not because we did not feel tenderness. “I love you” meant little to us – how could we have trusted the English-language expression of *love* when its speakers had been so unloving to us, our human bodies, and the bodies of our earth and water?

When we lost our languages, we lost many ways of expression. We did not speak the word kavanaam and shortly thereafter we ceased to gesture or enact it. We were altered – our bodies were changed because the

ways we knew to care for one another’s bodies were changed. We couldn’t say the tenderness, and soon we began to believe our bodies did not deserve such tendernesses.

American violence inflicted on Indigenous bodies, throughout history and today, doesn’t define our capacity for tenderness. We found kavanaam where it had been waiting, in our bodies. We took back a part of our culture that held the Mojave way of perceiving ourselves and our relationship to the world. Yes, America has given us violence, and still we deserve tenderness – moreover, we are as capable of delivering it to one another as we are of receiving it from one another.

To reclaim a language is many things, one of which is to regain the verbal and gestured language of tenderness and the autonomy to love ourselves.

Myaamia – Miami – is a major dialect of Miami-Illinois, an Algonquian language spoken by peoples indigenous to the Great Lakes region. Multiple forced relocations, first into what is now Kansas and later into Oklahoma (then called “Indian Territory”), left in their wake diaspora, language loss, and massive population decline. Miami people today reside in forty-seven U.S. states, with approximately five thousand citizens enrolled in the Miami Tribe of Oklahoma and an estimated ten thousand more who may claim Miami or Illinois as a heritage language. This is the context for *myaamiaki eemawiciki* (Miami Awakening), a personal and community-based language and cultural reclamation process, described below by Wesley Leonard.

In his final State of the Nation address to the citizens of the Miami Tribe of Oklahoma in 2007, my grandfather, akima waapimaankwa (Chief Floyd E. Leonard, 1925 – 2008), called for tribal elders “to teach those who are rising up to become the elders of tomorrow” and recognized the “many middle-age and young people who are working hard to gain knowledge of [Miami] culture, language and traditions.”

He acknowledged how a series of historical ruptures created a situation in which contemporary Miamis often must actively seek tribal cultural knowledge and learn our language, *myaamia*, as a second language. These ruptures include the forced removal of part of the Miami community from tribal homelands in Indiana, U.S.-run boarding schools in which Native American children were not allowed to speak their tribal languages, and the nearly complete silence of *myaamia* to the point where linguistic science erroneously labeled it “extinct.”¹⁶ In fact, we have been successful in bringing our language back into the community – a process that ironically began by applying tools of linguistic science to analyze archival documentation of *myaamia*.

By acknowledging both this history and the contemporary response, my grandfather referenced a core idea of my tribe and of other Native American groups, which is that the past informs the present and the present looks to the future (that is, today’s tribal youth will become elders). Appropriately, within the archival documentation of *myaamia* was our language’s grammatical particle *kati*, which marks that something will occur. This gives us the grammar to talk about the future, including learning, speaking, transmitting, and expanding *myaamia* in a way that aligns with changing Miami community needs and values.

My experience with wider society’s view of Native Americans and our many languages is that while nobody forgets the existence of the past (however inaccurate their accounts of it may be), the present and future are comparatively overlooked. While complex forces underlie this phenomenon, many of them can be captured by one word: colonization. By extension, our response must be *decolonization*. Today’s Miami people are engaged in decolonization as we reclaim our language, not only by learning and speaking it, but also by identifying beliefs and practices that

perpetuate colonial values and voicing alternatives to them, which I will now do.

Much of my work focuses on educating about how colonialism relegates Native American languages and peoples to the past and thus doubly silences Native languages, first through policies that coerce communities to replace their languages, and then through relegating those languages to “disappearing” or “extinct” status even when they are still spoken. (The latter sometimes still occurs with *myaamia*, even though *myaamiaataawiaanki noonki kaahkiihkwe* – “we speak Miami today” – and *myaamiaataawiaanki kati*.) Sadly, such erasure is frequently reinforced in academia despite its contemporary calls for inclusion, diversity, responsibility to communities, and broad inquiries into the arts and sciences.

In linguistics, my field of training, erasure can occur when linguists fervently document “the last speakers” of Indigenous languages and frame this work around preservation of the past rather than reclamation, which looks to the future. Though many linguists put significant effort into facilitating community language goals, this work tends to be marginalized within academia as superfluous or unnecessary in comparison with “pure” scientific work. Still worse is when community goals get removed from the discipline’s focus under the claim that “linguistics is the scientific study of language,” a phrase that demonstrates a failure to recognize that Indigenous peoples’ engagement with science may offer epistemologies that can expand the scope of scientific inquiry. For example, one *myaamia* language teacher defines language as “how a community connects to each other and how they express . . . themselves and their culture to each other.” By this definition, “community” becomes a vital part of language, and, following my grandfather’s call, helping today’s young people become the elders of tomorrow becomes a central part of linguistic inquiry.

McCarty,
Nicholas,
Chew, Diaz,
Leonard &
White

Hopiit, the Hopi people, a kin-based matrilineal society, are the westernmost Puebloans, residing in their aboriginal lands in what is now northeast Arizona. Contemporary Hopi village life continues to revolve around a rich secular and ceremonial calendar, which is the mainstay of this cultural community. Nevertheless, the Hopi language is rapidly losing ground to English. Here Sheilah Nicholas relates her personal journey to recover Hopi, her language of birth.

“Um tsayniqe paas Hopiningwu.” (“When you were a child, you were fully Hopi.”) My mother directed these words to me as she observed me struggle to carry on a Hopi conversation as an adult. I recall turning to English and defensively yet feebly responding, “I’m still Hopi.” My mother’s words struck deeply and produced an acute linguistic insecurity. This brief linguistic exchange opened the floodgate to a critical consciousness about the intimate bond between language, culture, and identity and the profoundly affective nature of language.

When my mother reiterated a similar comment on another occasion, I countered with my memory that it was she who advised me to “put away” my Hopi so I could do well in school; yet she was now subjecting me to comments I interpreted as questioning my Hopi identity. My defensive retort was disrespectful, but she acknowledged that she should have advised, “Pay um uuHopilavayiy enangni” (“Along with [learning to use English], continue with your Hopi language”).

It would be many years before I would understand that I had misinterpreted her critical comments, which I perceived at the time as an assault on my cultural identity – how could a mother do this? Today, I acknowledge she was rightfully perplexed about my struggle to speak Hopi; it was my first language and I spoke it with ease as a child. My reinterpretation of her statement – “When you were a child, you were a fluent speaker of Hopi” – expressed her astonishment at my loss of fluency. Although initially pain-

ful, my mother’s words became the catalyst for my personal language reclamation journey – to assert that I have remained Hopi and to reclaim the ability to “describe the Hopi world, not only the physical in the sense of touch, sight, and hearing, but also mentally, intellectually, because the words conjure up . . . images that are not necessarily borne out by reality.”¹⁷ These images allow us to visualize and conceptualize the ontological perspectives of the Hopi world held by our ancestors transported through time and language.

My journey was inspired by two questions: What happened to my Hopi? Could I claim a Hopi identity if I could no longer speak or think in Hopi? Mentors at the American Indian Language Development Institute propelled me forward in my journey of language reclamation. Akira Yamamoto, in response to my first question, imparted hope, explaining that Hopi acquired in childhood still resided in the deep recesses of my mind and body; I only needed to “pull it up and out.” Emory Sekaquaptewa, also my clan uncle, provided the vehicle for my reculturalization: literacy instruction. While this journey has been an immense undertaking, the outcomes include reclamation of cultural identity and belonging, return and reconnection, responsibility and reciprocity, self-empowerment and self-determination, persistence – the right to remain Hopi – and agency and voice. For the most part, this was a solitary journey to rectify my “responsibility” to my children by ensuring that a strong cultural and linguistic foundation is there for them when they are ready to seek it out. This responsibility extends to the grandchildren I hope to have. A useful analogy for this pursuit is the emergency instructions on a passenger aircraft – you need to place the oxygen mask on yourself before assisting others. I cannot hope to foster Hopi reculturalization in my children and grandchildren if I have not taken the first steps myself.

This journey brings a profound understanding of the Hopi expression “*Hakso'on-qa nimangwu*” (“One always returns home”), referring to the journey to elderhood and onward toward spiritual eternity. Many individuals in my parents’ and grandparents’ generation who guided me to this milestone have passed on; now it is my generation to which the younger generations will look for guidance. My journey led me back home to undertake the responsibilities of *Hopilavay-naa'aya* (attending to the Hopi language), and now of becoming family matriarch. I do not view these processes as separate. Both my ongoing work with community language practitioners and preparation for assuming the role of matriarch led me to reestablish connections in our Hopi world and refurbish my mother’s house in our maternal village, thus preparing a cultural place for our family to return to when they begin their journey homeward. In the Hopi perspective, this trajectory of reclamation is embedded in the Hopi word *itumalmakiwa*, “my lifework.”

Kanien'ke:ha – Mohawk, a Dutch barbarization of an Algonquian term – is a Northern Iroquoian language spoken by peoples indigenous to what is now upstate New York, southern Quebec, and eastern Ontario. As Louellyn White relates, the Indigenous self-referential term is Kanien'keha:ka, People of the Place of the Flint. The Akwesasne Freedom School about which she writes grew out of activist efforts determined to prepare Kanien'keha:ka children in the ways of their culture. The school remains one of the leading Indigenous language immersion-revitalization programs today.

“You’re *Onkwehon:we*¹⁸ just like me!” said my three-year-old son to his daycare teacher. She’s a Kanien’keha:ka substitute teacher from the community of Kahnawà:ke. He continued to tell her about “bad pipelines” and how they were going to “poison the water and hurt all the *Onkwehon:we*.” I didn’t think he paid much attention to my

rants about the controversial oil pipeline under construction near the Standing Rock Sioux reservation¹⁹ until he made his own “black snake”²⁰ by taping together empty paper towel rolls to resemble the pipeline and loudly sang out in English and Lakota, “WATER IS LIFE . . . *MNI WICONI!*”

It was a proud moment knowing my son was connecting to our language, Kanien’ke:ha, and understanding our relationships and responsibilities to the natural world. I had been consciously trying to use our heritage language at home as much as I could, which was in part a push-back against the French he was learning at daycare (I had migrated back to the Northeast after many years away and landed in French-speaking Quebec). I figured if he was going to learn French, I had better teach him what I could of Kanien’ke:ha too. So at bedtime I tell him about Creation and the story of Skywoman. He’s trying to make sense of himself when he says things like: “I came from the Sky” and makes up songs about “*Onkwehon:we* dogs” or “*Onkwehon:we* trucks” and *Sonkwiatisu* (Creator). So, in this way, my own journey in language and identity reclamation is reflected through my son’s journey. Like most Kanien’keha:ka, I don’t know how to speak or understand much of our language, but I’m making a conscious effort to pass on what I can in hopes my son will grow up with a stronger sense of self and cultural identity as *Onkwehon:we* than I did. Our journey of language reclamation goes beyond the mechanisms of language as communication and honors the ways that language encapsulates culture and identity.

I grew up in the homeland of the Kanien’keha:ka in the Mohawk Valley of central New York. Born to a mother of European descent and a Kanien’keha:ha father with roots in the community of Akwesasne,²¹ my upbringing lacked a strong cultural and linguistic connection to my Indigenous heritage. My father wasn’t a flu-

McCarty,
Nicholas,
Chew, Diaz,
Leonard &
White

ent speaker of our language but he always made sure I knew my family in Akwesasne and I try to do the same for my son. My parents split before I was born, so growing up as the only Native in a dirt-poor household full of non-Native half-siblings wasn't easy. The burdens of poverty, abuse, and dysfunction compounded those of being mixed and were often difficult to bear; there was never enough of this, always too much of that. Over the years those burdens were made lighter and my connection to my identity stronger due in part to the research I conducted with the Akwesasne Freedom School,²² a pre-K through ninth-grade school with a Mohawk-immersion curriculum, long before my son was born.

Accurate estimates of Kanien'ke:ha fluent speakers are hard to come by. Some claim that out of seven Kanien'keha:ka communities within the geopolitical borders of the United States and Canada, constituting a population of about twenty-five thousand, 10 percent are fluent speakers.²³ Even though the language is currently spoken by all generations in some communities, it remains vulnerable. Thus, I became an advocate for Indigenous language reclamation through my work, which also led me back home to my community and helped strengthen my family connections and sense of belonging.

During my research on the intersections of language and identity within the Akwesasne Freedom School community, I was on a parallel path of learning my heritage language and culture, building community, and developing a stronger sense of my own identity. As this process unfolded, I struggled with the existential questions of life's meaning. I attempted to shift my focus from my personal struggles with identity to one of a higher purpose of understanding from a Kanien'keha:ka perspective. I still struggle with the uneasy feelings that accompany the balancing act of growing up without a strong cultural founda-

tion, but through my ongoing work with language and cultural reclamation I have found my way home and feel closer to where I belong.

It's my responsibility as Onkwehono:we to pass on cultural values to my son so he grows up with a strong sense of who he is, where he comes from, and where he's going. I have the same difficulties as any parent, but I know he's embodying what it means to be Onkwehono:we when he asks for the story of Skywoman at bedtime and he's learning about his responsibility to care for the earth when he sings lullabies to the spiders he finds hiding in our house and talks about Standing Rock. After I told him that the pipeline might be rerouted away from Standing Rock, he said, "Yay, I get to drink more water! But, are they going to build it near the elephants, the bugs, and the animals? They need water too."

We come to our final question: How can storywork help build a theory of language reclamation in practice? Stories and storytelling are central to "explaining and theory-building," Ananda Marin and Megan Bang maintain.²⁴ Theories through stories "are roadmaps for our communities and reminders of our individual responsibilities to the survival of our communities," Bryan Brayboy emphasizes.²⁵ The stories shared here possess explanatory power; when we "hear our languages, hear our voices," we gain insight into what language reclamation means in diverse Indigenous communities and for individual community members. Storywork provides both a theory and a guide for praxis.

It is clear from this storywork that language reclamation is about much more than matters purely linguistic; as Wesley Leonard notes for myaamia, language reclamation is not about preserving the past, but rather using accumulated wisdom to inform present action and future planning. Language reclamation is soulful work; as

Kari Chew relates her initial encounters in a Chikashshanompa' language class, "It did not take long for the language – my language – to captivate my soul." Language reclamation is also embodied work, as reflected in Natalie Diaz's account of finding *kavanaam*, love, "where it had been waiting for us," in Mojave gestures of tenderness and care. On the surface level we "know" we are Chickasaw, Mojave, myaamia, Hopi, Kanien'keha:ka, but, as the stories show, feeling that identity is deeply experiential. This speaks to a common metaphor in language reclamation research and practice: "We *are* our language."²⁶

Language reclamation is both individual and communal – a personal yet community-oriented responsibility, Sheilah Nicholas relates. "I was on a parallel path of . . . building community and a stronger sense of my own identity," Louellyn White reflects. "Though I had said 'I am Chickasaw' many times in English," Chew stresses, saying those words in Chikashshanompa', "I felt I had finally found my voice." Language reclamation is thus a journey of belonging, of restoring hope for cultural continuance by connecting youth and parents with the knowledge and wisdom of elders. Finally, language reclamation is decolonizing; it both *refuses* the dispossession of Indigenous ways of knowing and being,²⁷ and *re-fuses* and reconnects, pointing "a way home."

We close with a story from Teresa McCarty, a non-Indigenous scholar-educator and "allied other"²⁸ in this work.

What I share here grows out of teachings learned in the context of collaborative work over many years with Indigenous educators, communities, and schools. One of those teachers was a Navajo Elder, Dorothy Secody, whom I met early in my work on a bilingual-bicultural curriculum development project at the Diné (Navajo) Rough Rock Demonstration School. "If a child

learns only English," Mrs. Secody said in Diné, "you have lost your child."

Those words have stayed with me over the years. Indigenous-language reclamation is multifaceted; there are many pathways, as we see in the stories shared here and in accounts of language reclamation throughout the world. At the heart of these efforts is an intense desire and commitment not to "lose" the next generation – or the next, or the next – and to strengthen intergenerational connections through the ancestral language.

More than thirty years after Mrs. Secody spoke those words, a colleague and I were visiting an Indigenous Hawaiian-language immersion school, one of many Hawaiian schools dedicated to Indigenous-language reclamation. On the day of our visit, a nine-month-old child had just been enrolled in the infant and toddler program. As the teacher cradled the sleeping child in her arms, she explained that the infant-toddler program prepares children for the Pūnana Leo or "language nest" preschool. Once children reach preschool, "it only takes a few months for them to become fluent" in Hawaiian, she said. The infant-toddler program is "like yeast," we were told, providing the initial leavening for this rapid language development.

And so, as we listened and were guided through the school, I couldn't help but think back to the words of Dorothy Secody those many years ago. I wondered, what language and education trajectory awaits this young child, just launched on her first day of school?

If she is like other students we met at this school, she will go on to complete her entire pre-K–12 education there. The students in her classes will be peers she has known since infancy. "They are like family," a teacher told us as she looked out on her ninth-grade class. In her pre-K–12 education, I imagine this child will come to appreciate, in a profound way, a lesson we

*McCarty,
Nicholas,
Chew, Diaz,
Leonard &
White*

heard repeatedly expressed by older students: “One of the most important things we value is our genealogy.”

As the young child helps tend the gardens that produce food for the school, she will learn not only ethnobotany and the scientific language for traditional plants, but reciprocity; responsibility; belongingness; a sense of place; and respect for the land, the people, and the language. Those lessons were brought home to us by a senior when we asked about her postgraduation plans. “I want to start a Hawaiian photography business,” she told us. What motivated that career choice, we asked? Without hesitation, she replied: “I’m just trying to give back to my community and revitalize our language.”

To rephrase Dorothy Secody’s point, with which I began: If a child learns her ancestral

language, you have strengthened the links to countless generations – those who have passed, those present, and those to come.

Nearly twenty years ago Sam No‘eau Warner, a Hawaiian-language scholar, educator, and activist, reminded us that language issues are “always people issues . . . inextricably bound to the people from whom the language and culture evolved.” Language reclamation is not about saving a disembodied thing called language, he insisted. Rather, it is about voice, community building, wellness, equality, self-empowerment, and hope. We leave readers with this broader lesson of language reclamation – a lesson, Warner emphasized, that contains within it the seeds of transformation and “social justice for all.”²⁹

AUTHOR BIOGRAPHIES

TERESA L. MCCARTY is the G. F. Kneller Chair in Education and Anthropology and Faculty in American Indian Studies at the University of California, Los Angeles. She is the author of *Language Planning and Policy in Native America: History, Theory, Praxis* (2013) and *A Place to Be Navajo: Rough Rock and the Struggle for Self-Determination in Indigenous Schooling* (2002) and editor of *Indigenous Language Revitalization in the Americas* (with Serafín M. Coronel-Molina, 2016).

SHEILAH E. NICHOLAS is Associate Professor of Teaching, Learning & Sociocultural Studies and Faculty in American Indian Studies at the University of Arizona College of Education. She is the editor of *Indigenous Youth and Multilingualism: Language Identity, Ideology, and Practice in Dynamic Cultural Worlds* (with Leisy T. Wyman and Teresa L. McCarty, 2014), and her research has appeared in *Review of Research in Education* and *International Multilingual Research Journal*, among other publications.

KARI A. B. CHEW is a Project Coordinator at the Indigenous Teacher Education Project at the University of Arizona College of Education. She holds a Ph.D. from the University of Arizona College of Education. Her research has appeared in *The American Indian Quarterly* and *International Journal of Multicultural Education*, among other publications.

NATALIE G. DIAZ is Assistant Professor of English at Arizona State University. Her work has been featured in *Poetry*, *The New York Times*, and the *Los Angeles Review of Books*, among other publications. She is the author of the poetry collection *When My Brother Was an Aztec* (2013).

WESLEY Y. LEONARD is Assistant Professor in the Department of Ethnic Studies at the University of California, Riverside. His research on language reclamation has appeared in *American Indian Culture and Research Journal*, *Gender & Language*, and *Language Documentation and Conservation*, among other publications.

LOUELLYN WHITE is Associate Professor of First Peoples Studies in the School of Community and Public Affairs at Concordia University Montreal. She is the author of *Free to be Mohawk: Indigenous Education at the Akwesasne Freedom School* (2015), and her work has appeared in *American Indian Culture and Research Journal* and *Journal of Native American Education*, among other publications.

ENDNOTES

- ¹ United Nations General Assembly, *Declaration on the Rights of Indigenous Peoples* (New York : United Nations, 2007).
- ² Teresa L. McCarty, Tove Skutnabb-Kangas, and Ole Henrik Magga, “Education for Speakers of Endangered Languages,” in *The Handbook of Educational Linguistics*, ed. Bernard Spolsky and Francis Hult (Malden, Mass. : Blackwell, 2008), 297 – 312.
- ³ Ngũgĩ wa Thiong’o, *Something Torn and New: An African Renaissance* (New York : BasicCivitas Books, 2009), 17.
- ⁴ Mary Hermes and Keiki Kawai‘ae‘a, “Revitalizing Indigenous Languages through Indigenous Immersion Education,” *Journal of Immersion and Content-Based Language Education* 2 (2) (2014) : 303 – 322.
- ⁵ Jo-ann Archibald, *Indigenous Storywork: Educating the Heart, Mind, Body, and Spirit* (Vancouver and Toronto : UBC Press, 2008).
- ⁶ Hermes and Kawai‘ae‘a, “Revitalizing Indigenous Languages through Indigenous Immersion Education.”
- ⁷ Bryan McKinley Jones Brayboy, “Toward a Tribal Critical Race Theory in Education,” *The Urban Review* 37 (5) (December 2005) : 425 – 446.
- ⁸ Paul Kroskrity, *Telling Stories in the Face of Danger: Language Renewal in Native American Communities* (Norman : University of Oklahoma Press, 2011), 3 – 20.
- ⁹ Richard Ruiz, “The Empowerment of Language-Minority Students,” in *Empowerment through Multicultural Education*, ed. Christine E. Sleeter (Albany : State University of New York Press, 1991), 217 – 227.
- ¹⁰ Anthony K. Webster and Leighton C. Peterson, “Introduction : American Indian Languages in Unexpected Places,” *American Indian Culture and Research Journal* 35 (2) (2011) : 1 – 18.
- ¹¹ Linda Tuhiwai Smith, *Decolonizing Methodologies: Research and Indigenous Peoples*, 2nd ed. (London : Zed Books, 2012).
- ¹² Archibald, *Indigenous Storywork*.
- ¹³ Pausauraq Jana Harcharek and Cathy Tagnak Rexford, “Remembering Their Words, Evoking Kinuniivut : The Development of the Iñupiaq Learning Framework,” *Journal of American Indian Education* 54 (2) (2015) : 9 – 28.
- ¹⁴ Kari Ann Burris Chew, *Chikashshanompa’ Ilanompohóli Bíyyi’ka’chi [We Will Always Speak the Chickasaw Language]: Considering the Vitality and Efficacy of Chickasaw Language Reclamation* (Ph.D. diss., University of Arizona, 2017), 13.
- ¹⁵ Ngũgĩ wa Thiong’o, *Decolonising the Mind: The Politics of Language in African Literature* (Portsmouth, N.H. : Heinemann, 1986).
- ¹⁶ Wesley Y. Leonard, “When Is an ‘Extinct’ Language Not Extinct? Miami, a Formerly Sleeping Language,” in *Sustaining Linguistic Diversity: Endangered and Minority Languages and Language Varieties*, ed. Kendall A. King, Natalie Schilling-Estes, Lyn Fogle, Jia Jackie Lou, and Barbara Soukup (Washington, D.C. : Georgetown University Press, 2008), 23 – 33.
- ¹⁷ Emory Sekaquaptewa, personal communication to Sheilah E. Nicholas, September 9, 2004.
- ¹⁸ Onkwehon :we is a Kanien’ke :ha concept meaning “the original people.”
- ¹⁹ Since Spring 2016, thousands of people have gathered near the Standing Rock Sioux reservation opposing the Dakota Access Pipeline Company oil pipeline (see <http://www.sacredstonecamp.org>).
- ²⁰ Many Lakota believe the pipeline represents the “black snake” foretold in their prophecies. See Jeff Brady, “For Many Dakota Access Pipeline Protesters, The Fight is Personal,” NPR, Novem-

McCarty,
Nicholas,
Chew, Diaz,
Leonard &
White

- ber 26, 2016, <https://www.npr.org/2016/11/21/502918072/for-many-dakota-access-pipeline-protesters-the-fight-is-personal>.
- ²¹ Located where present-day New York, Quebec, and Ontario intersect, *Akwesasne* means “Land Where the Partridge Drums.”
- ²² Louellyn White, *Free to Be Mohawk: Indigenous Education at the Akwesasne Freedom School* (Norman: University of Oklahoma Press, 2015).
- ²³ Kate Freeman, Arlene Stairs, Evelyn Corbière, and Dorothy Lazore, “Ojibway, Mohawk, and Inuktitut: Alive and Well? Issues of Identity, Ownership, and Change,” *Bilingual Research Journal* 19 (1) (1995): 39–69.
- ²⁴ Ananda Marin and Megan Bang, “Designing Pedagogies for Indigenous Science Education: Finding Our Way to Storywork,” *Journal of American Indian Education* 54 (2) (2015): 29–51.
- ²⁵ Brayboy, “Toward a Tribal Critical Race Theory in Education,” 427.
- ²⁶ Barbra A. Meek, *We Are Our Language: An Ethnography of Language Revitalization in a Northern Athabaskan Community* (Tucson: University of Arizona Press, 2010).
- ²⁷ Audra Simpson, *Mohawk Interruptus: Political Life Across the Borders of Settler States* (Durham, N.C. and London: Duke University Press, 2014).
- ²⁸ Julie Kaomea, “Dilemmas of an Indigenous Academic: A Native Hawaiian Story,” in *Decolonizing Research in Cross-Cultural Contexts*, ed. Kagendo Mutua and Beth Blue Swadener (Albany, N.Y.: State University of New York Press, 2004), 27–44.
- ²⁹ Sam L. No‘eau Warner, “*Kuleana*: The Right, Responsibility, and Authority of Indigenous Peoples to Speak and Make Decisions for Themselves in Language and Cultural Revitalization,” *Anthropology and Education Quarterly* 30 (March 1999): 68–93.

AMERICAN ACADEMY
OF ARTS & SCIENCES

Board of Directors

Nancy C. Andrews, *Chair of the Board*

Jonathan F. Fanton, *President*

Diane P. Wood, *Chair of the Council*;
Vice Chair of the Board

Alan M. Dachs, *Chair of the Trust*;
Vice Chair of the Board

Geraldine L. Richmond, *Secretary*

Carl H. Pforzheimer III, *Treasurer*

Kwame Anthony Appiah

Louise H. Bryson

Ira Katznelson

Nannerl O. Keohane

John Lithgow

Cherry A. Murray

Venkatesh Narayanamurti

Don M. Randel

Larry Jay Shapiro

Natasha Trethewey

Pauline Yu

Louis W. Cabot, *Chair Emeritus*

Inside back cover: Hannah Tomeo, Confederated Tribes of Colville Reservation, 2017 (top) and Sharlyce and Jennie Parker, Northern Cheyenne, 2014 (bottom). © Matika Wilbur, Project 562.



on the horizon:

Anticorruption: How to Beat Back Political & Corporate Graft
edited by Robert I. Rotberg

with Sarah Bracking, Paul M. Heywood, Michael Johnston,
Sérgio Fernando Moro, Alina Mungiu-Pippidi, Minxin Pei,
Jon S.T. Quah, Susan Rose-Ackerman, Bo Rothstein,
Louise Shelley, Rotimi T. Suberu, Matthew M. Taylor,
Zephyr Teachout, and Mark L. Wolf

Science & the Legal System
edited by Shari Diamond and Richard Lempert

Why Jazz Still Matters
edited by Gerald Early and Ingrid Monson

*Representing the intellectual community in its breadth
and diversity, Dædalus explores the frontiers of
knowledge and issues of public importance.*



U.S. \$15; www.amacad.org;

 @americanacad