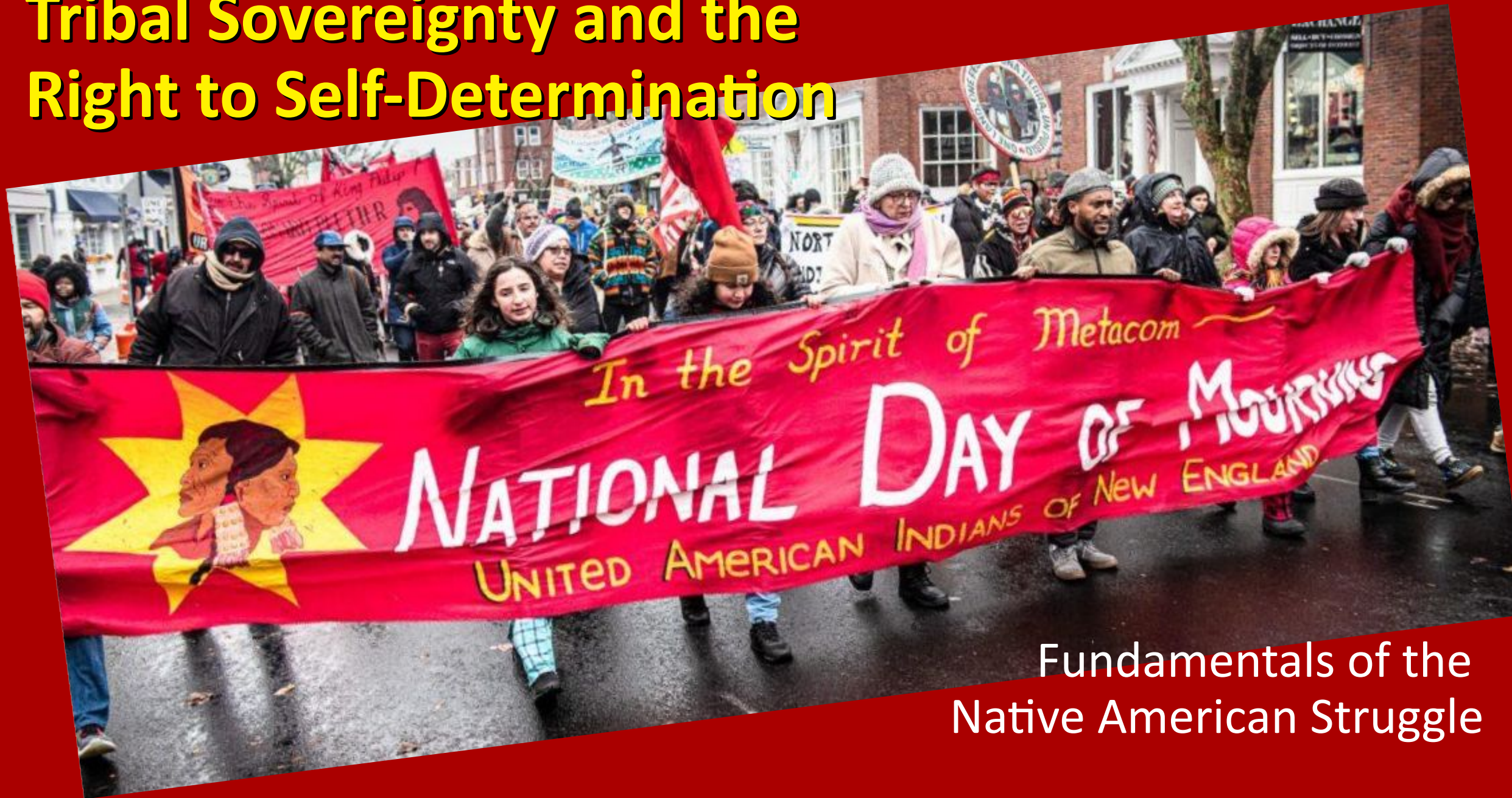


Tribal Sovereignty and the Right to Self-Determination



Fundamentals of the
Native American Struggle



Upcoming Presentations in this Series

- **Tribal Sovereignty and the Right to Self-Determination: Fundamentals of the Native American Struggle**
- Settler Colonialism
- 19th and 20th Century Native American Struggles from Wounded Knee to Standing Rock to the Apache Stronghold
- 21st Century Native American Struggles, the Red New Deal and Land Back

Three Main Takeaways:

- 1) The United States committed genocide against Native Americans
- 2) Genocide against Native Americans is ongoing
- 3) You are living on stolen land

“The history of the United States is a history of settler colonialism—the **specific form of colonialism whereby an imperial power seizes Native territory, eliminates the original people by force, and resettles the land with a foreign, invading population.**” - Nick Estes, *Our History is the Future*

Basics:

Who is a settler?

What is the difference between colonialism and settler-colonialism? What are some examples of settler-colonialism? Colonialism?



Core Concept:

Doctrine of Discovery

The Doctrine of Discovery established a spiritual, political, and legal justification for colonization and seizure of land not inhabited by Christians... (it) aimed to justify Christian European explorers' claims on land and waterways they allegedly discovered, and promote Christian domination and superiority... If an explorer proclaims to have discovered the land in the European ruler's name and returns to occupy it, the land is now his, even if someone else was there first... This ideology supported the dehumanization of those living on the land and their dispossession, murder, and forced assimilation. The Doctrine fueled white supremacy insofar as white European settlers claimed they were instruments of divine design and possessed cultural superiority. ([source](#))

Questions: How has the Doctrine of Discovery influenced world history? What Indigenous peoples have been impacted by this doctrine? How does the doctrine prop up colonialism and capitalism?





Core Concept: Manifest Destiny

Manifest Destiny, a phrase coined in 1845, is the idea that the United States is destined—by God, its advocates believed—to expand its dominion and spread democracy and capitalism across the entire North American continent. The philosophy drove 19th-century U.S. territorial expansion and was used to justify the forced removal of Native Americans and other groups from their homes. ([source](#))

Questions: What are your thoughts on this painting, entitled “American progress?” What did Manifest Destiny look like in action? How does Manifest Destiny continue to impact modern-day US foreign and domestic policy?

Eight Stages of White Settler-Colonial Denial

1. **“They didn't exist”** **(terra nullius)**
Complete denial of Indigenous presence in a given area (country, province, etc). Includes denial of Indigeneity, e.g. “Indigenous Peoples are Settlers too”.
2. **“If they did, they weren't here”** **(terra nullius)**
Denial that Indigenous People inhabit/travel/harvest/exist in a specific area. Often based on euro-centric definitions of evidence of occupation.
3. **“If they were, they didn't use the land”** **(doctrine of discovery)**
Denial that Indigenous People have a connection with the Land. Often based on euro-centric worldviews of the land as something to be owned and extracted.
4. **“If they did, they didn't deserve it”** **(great chain of being)**
Denial that Indigenous People have rights to their Lands. Often based on euro-centric value judgements of “primitive vs. civilized”, “nomadic vs. sedentary”.
5. **“If they did, they lost it”** **(right of conquest)**
Denial that Indigenous People retain their rights to their Lands. Often based on colonially imposed European systems of law / “might makes right” worldviews.
6. **“If they didn't, it doesn't matter any more”** **(Westphalian sovereignty)**
Denial that Indigenous Rights are still binding and take precedence. Often based on false claims of supremacy of colonial legal institutions and systems.
7. **“If it does, we need to move on”.** **(liberalism)**
Denial that violations of Indigenous Rights requires redress. Often based on claims redress is “disruptive/unfair/reverse racism” & false calls for “equality”.
8. **“If we can't, we are you”** **(self-indigenization)**
Denial of separateness of Indigenous Peoples and Rights. Often based on attempts to reduce Indigenous Rights to Human Rights, claim Indigeneity, etc.

Balkanization



Key Term: Tribe

What is a tribe?

“Any aggregation of people, especially in a primitive or nomadic state, believed to be of a common stock and acting under a central authority, as a chief.” (1974 definition from Miriam Webster)

Question: Today, many people prefer to use the term “Native Nations” instead of “Native Tribes.” Based on the above definition of “tribe,” why do you think that is?





Tribal Structure

Clan: Most Native nations have internal subdivisions. One of the most common is the clan, which consists of members who are related to each other theoretically or actually. Most tribes are matriarchal, where a child is "born into" one's mother's clan...In some tribes, clans own property, perform ceremonies, and control political offices. Some tribes have only a few clans, while others may have fifty or more. Members of the same clan are expected to show hospitality to fellow clan members.” ([source](#))

Band: In common usage, it means a sub-group, such as the Oglala band of the Lakota. A band might be considered somewhat comparable to a state of the United States, in that bands live together and have a headsman or council somewhat under the authority and somewhat autonomous of the headsman or council of the nation. Many bands have sub-bands. (BAND would also seem to carry the same derogatory connotation of primitiveness as TRIBE. It is another European designation for terms in native languages which do not carry the same connotations in the original language.) (From Elizabeth Parent, Glossary, 1974)

Confederacy: In Native American usage, a group of nations bound together by mutual agreements of aid and cooperation, usually having similar customs and modes of government, as in the Iroquois Confederacy. (From Elizabeth Parent, Glossary, 1974)

Core Concept: Tribal Sovereignty

“Native American” is first and foremost a political designation

Native Americans are citizens of their Tribal Nations – There are 574+ Tribal Nations in the US

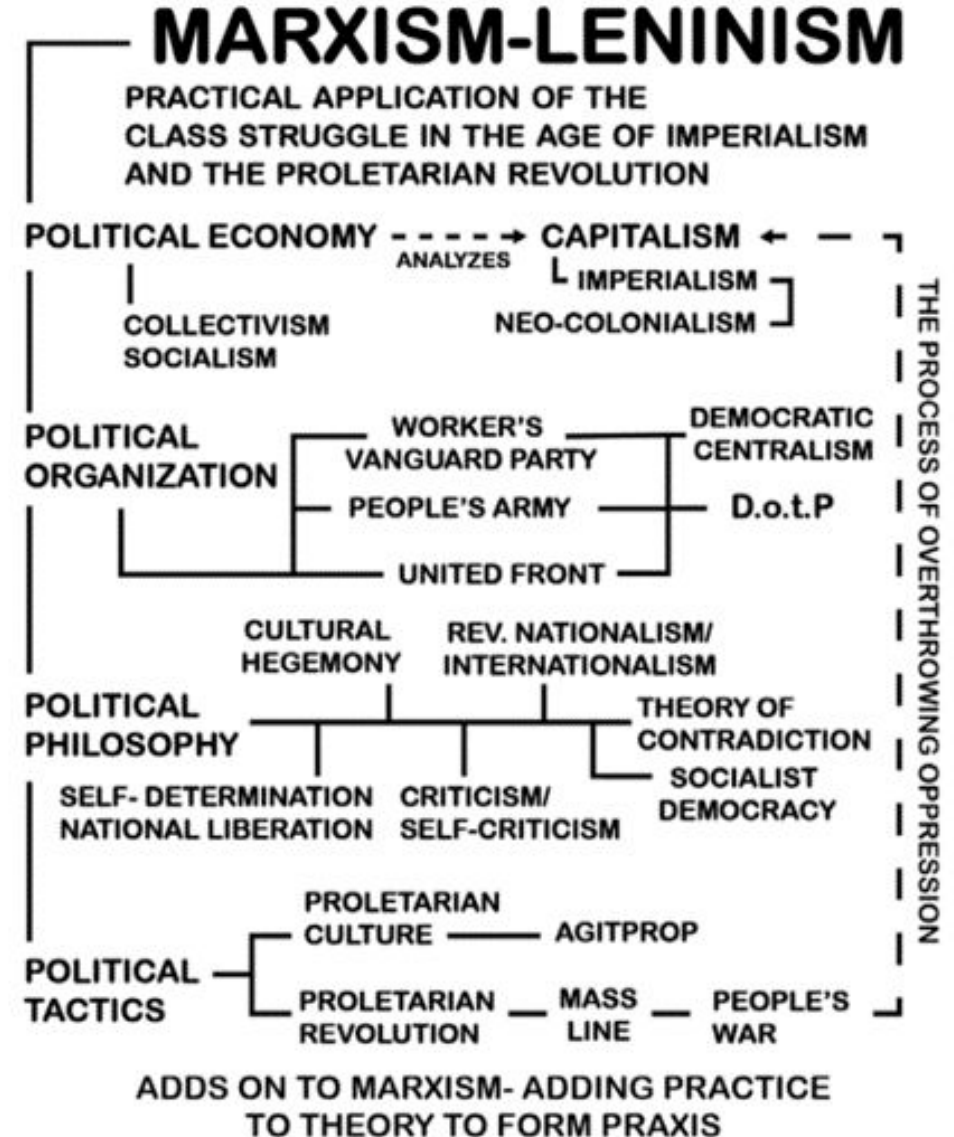
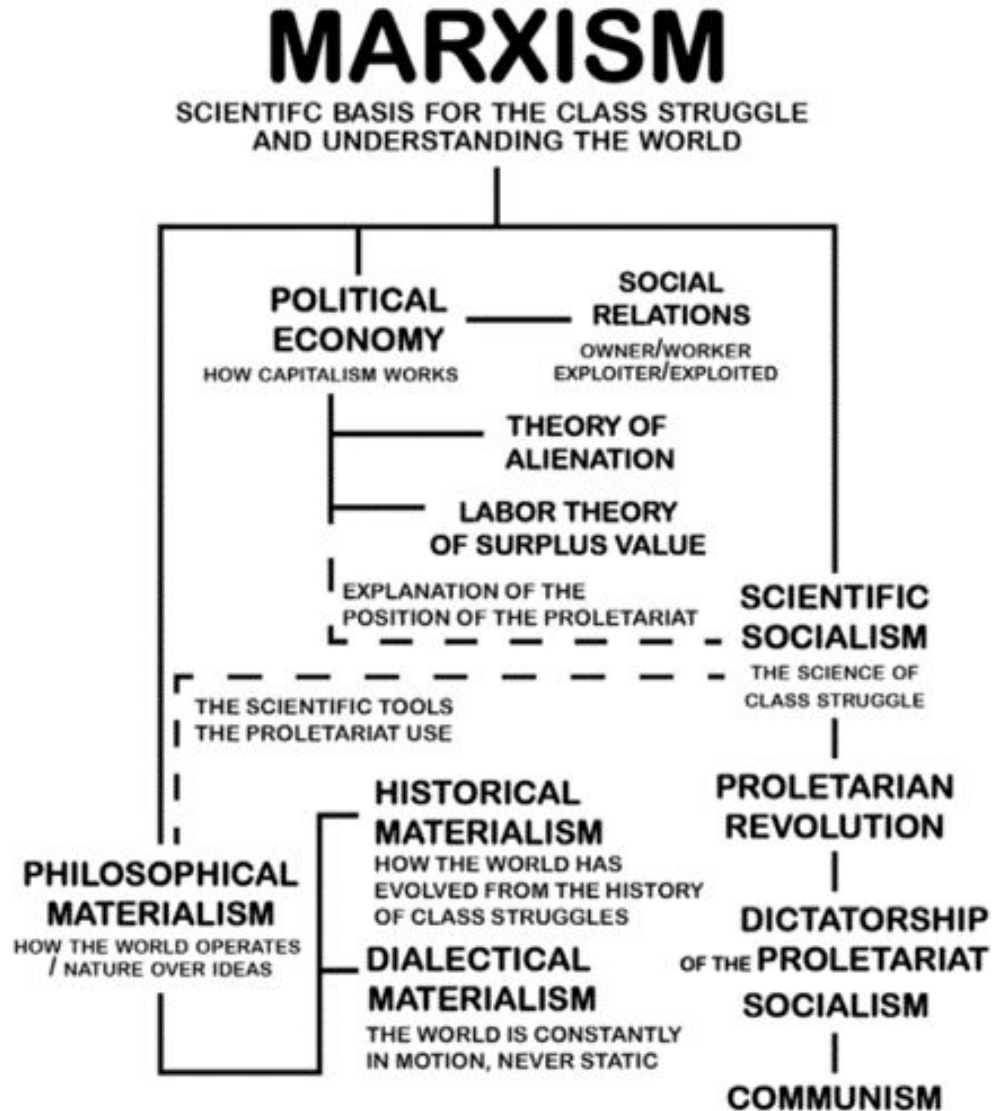
Tribes set citizenship requirements, issue tribal IDs etc.

Tribes are sovereign nations within the United States

Sovereignty is a type of political power, exercised through some form of government. Native American sovereignty is the ability of tribes to assert independent nationhood with the right to self-governance, including the ability to govern their territories, tax, and incarcerate. U.S. law recognizes that each federally recognized tribal government’s sovereignty is inherent, that it pre-dates the U.S. government, and it is not derived from an outside legal source, such as the U.S. government or earlier colonial government. Tribal nations’ sovereignty existed prior to colonization by Europeans. Many tribal nations continue to recognize their inherent sovereignty on their land bases regardless of federal recognition status. ([source](#))

Question: What does “inherent sovereignty” mean in your own words? What does bourgeoisie “self-governance” emphasize?

Core Concept: Marxism v. Marxism-Leninism



“Self Determination” from *What is Marxism All About?*

All workers, regardless of national background, have the same class interests. They all need to eliminate capitalist exploitation and replace the rule of the bosses with the rule of the workers — socialism.

It is clear that this tremendous task can't be achieved without the closest possible unity and trust among all workers. But when one or several sections of the working class are oppressed over and above the class as a whole, when in fact they belong to a people who constitute an oppressed nation, then the problems of unity are complicated...

An oppressed nation is subject to humiliation, deprivation, scorn and repression in every area of social life. Therefore, much of their struggle is a political one to achieve democratic rights denied them.

Beginning with Karl Marx, communists or revolutionary socialists have always supported the right of oppressed nations to self-determination at the same time that they endeavored to unite the workers of all nationalities into a common fighting party of the working class.

Supporting the right of self-determination means supporting the oppressed people in whatever choice they may make about the type of political form that best suits their historical circumstances. This could be a federation of their national states with others; they might choose to form an autonomous region; they might feel that assimilation into the dominant nation with full equality can best serve their interests. Or they might want to establish a separate independent state of their own.

Questions: Why is the right to “self-determination” so essential? What is the alternative to “self-determination?”

“Busing and Self-Determination” by Sam Marcy (1975)

Separation or assimilation — it's up to the oppressed

It is the right of every oppressed people to demand and obtain self-determination, including the right of separation. Marxist-Leninists in the oppressing nation must firmly uphold this right, which includes the right of the oppressed nation to secede and set up a separate state.

But Marxist-Leninists must not advocate it or foist any kind of separatism upon an oppressed nation. It is up to the oppressed nation to decide its own destiny. The business of Marxist-Leninists, of Communists, is to firmly and resolutely prosecute the class war and fight for class solidarity between workers of the oppressing and oppressed nationalities.

From the point of view of the socialist future of humanity, the victory of socialism based on the solidarity of the working classes of the world will ultimately lead to an amalgamation of all the nations of the world. Unquestionably, it will also lead, on the basis of socialist solidarity and equality of all nations, to gradual assimilation of the nations of the world...





“Busing and Self-Determination” by Sam Marcy (1975) (cont.)

This concept, however, differs wholly from the concept of forced assimilation which is practiced by the oppressing imperialist nation against the oppressed. Their aim is to subjugate the oppressed, deprive them of their cultural heritage, reduce them to second-class citizenship or no citizenship at all, and foist upon them the language and the literature which is that of the oppressing ruling class.

Revolutionary Marxists and progressive people generally must fight against what amounts to **cultural and national genocide**. What has happened to the Native Americans of this country, the Chicano people, the Puerto Rican people, and the Black people is a clear-cut example of the damage U.S. imperialism has inflicted on the oppressed in the United States.

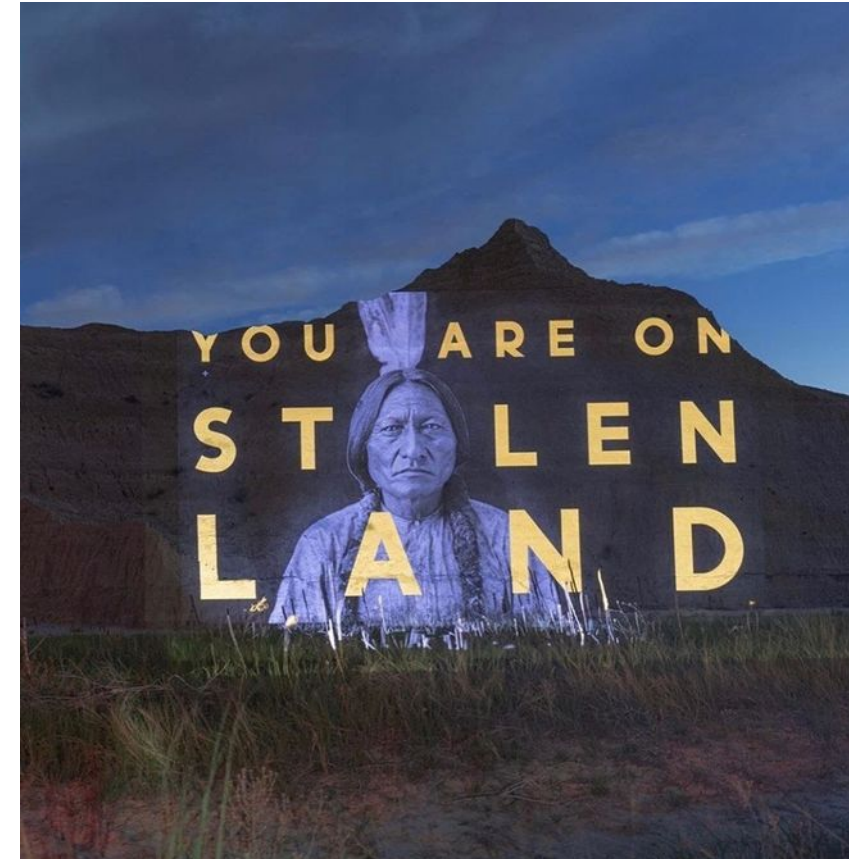
Question: What does Sam Marcy mean by “cultural and national genocide?” What does self-determination look like for Native Americans?

Core Concept: Land Back

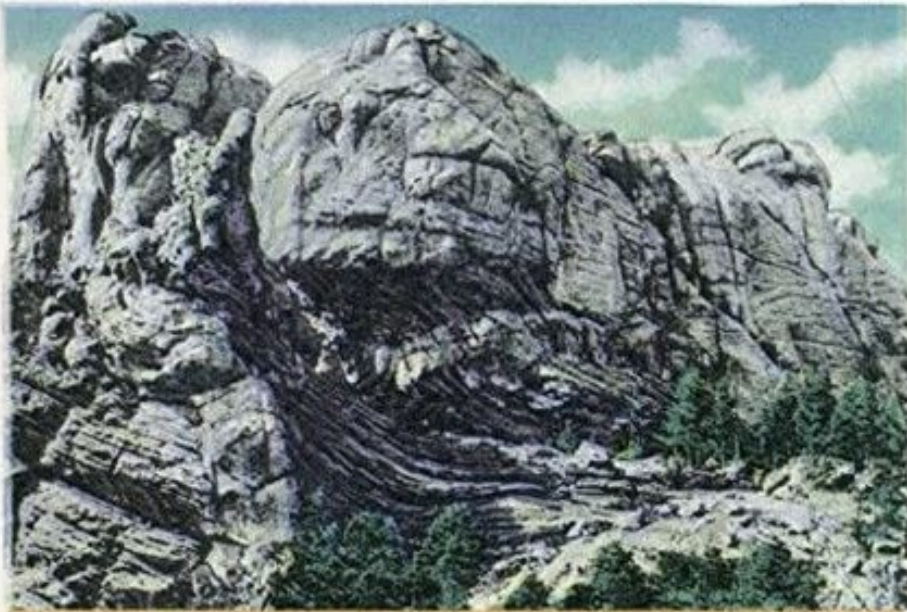
The origin of Land Back is as old as colonization itself. It means the literal return of stolen land from settlers to the Indigenous peoples who lost access and stewardship over their original lands.

Land Back must include Indigenous peoples taking action to restore our relationships with the Land, because this action is vital to strengthening and ensuring that our cultures, ways of knowing, languages, and ceremonies thrive in the future. From this perspective, having our Land back allows both us and the Land to heal from the traumas of colonialism, because as many of us know healing the land is healing us.

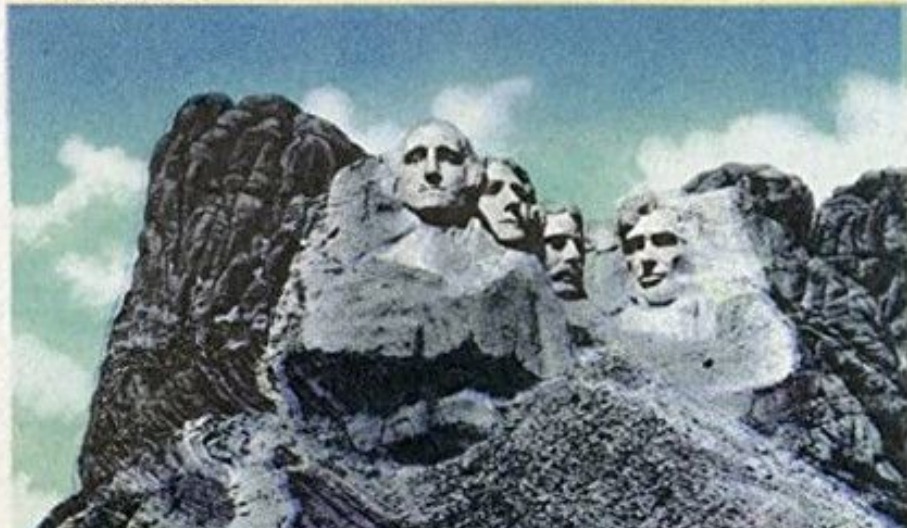
For some, Land Back means taking back stewardship and management of the lands that we once cared for. Today, Indigenous people make up less than 5% of the world's total population; however, we protect 80% of its biodiversity. Imagine all the good that would result if the 85 million acres that make up the National Parks were returned to Indigenous people to steward. ([source](#))



MT. RUSHMORE, AS IT LOOKED BEFORE



MT. RUSHMORE NATIONAL MEMORIAL
WORLD'S GREATEST SCULPTURAL WORK BEGAN IN 1927. GUTZON BORGLUM, WORLD'S ARTIST AND SCULPTOR, PLANNED AND SUPERVISED THE MONUMENT. FINANCED BY CONTRIBUTIONS AND FEDERAL FUNDS. BUSTS ARE PROPORTIONATE TO MEN 465 FT. HIGH. TOP OF WASHINGTON'S HEAD TO TIP OF CHIN 60 FT. ROCK IS AGELESS GRANITE. BUSTS ARE OF WASHINGTON, JEFFERSON, THEODORE ROOSEVELT AND LINCOLN.



Key Term: Treaty

"An agreement made by negotiation or diplomacy; specifically, an agreement, league, or contract between two or more states or sovereigns, formally signed and usually ratified." Webster's New Collegiate Dictionary (From Elizabeth Parent, Glossary, 1974)

The United States has broken all 368 treaties it made with Native Nations

For discussion: Land Back, the treaty of Fort Laramie (1868) and Mount Rushmore

Question: Does the US have legal title to the land?



How Did the U.S. Steal Land?

Key Term: Indian Termination Era

The 1950s are called the 'termination era' in federal Indian policy because Congress adopted policies aimed at terminating federal obligations to tribes. The three main tools the federal government used to accomplish this were the Bureau of Indian Affairs (BIA) relocation program, actual termination of some tribes, and by extending state jurisdiction into Indian country through Public Law 280. ([source](#))

Core Concept: Federal Recognition

Federal acknowledgement or recognition means that the United States government recognizes the right of an Indian tribe to exist as a sovereign entity...Indian tribes today are still considered domestic dependent nations. Federally recognized tribes are those Indian groups that the United States acknowledges to be domestic dependent nations that have a right to tribal self-government in regard to their internal affairs. It is something like the divided sovereignty that the states possess in relation to the federal government, although there are many differences. Federal recognition of Indian tribes is also similar to the diplomatic recognition that the United States extends to foreign nations. ([source](#))

Questions: Why is Indian Termination an example of the “cultural and national genocide” Sam Marcy spoke about in “Busing and Self-Determination?”

For discussion: Why isn't federal recognition an example of true sovereignty?



Key Terms: Bureau of Indian Affairs, Indian Reservation

Bureau of Indian Affairs (BIA)

Interior Department agency that serves as the principal link between federally recognized Native American populations (officially, American Indian tribes) and the U.S. government. (Merriam Webster)

Indian Reservation

An area of land reserved for a tribe or tribes under treaty or other agreement with the United States, executive order, or federal statute or administrative action as permanent tribal homelands, and where the federal government holds title to the land in trust on behalf of the tribe. Some reservations are the remnants of a tribe's original land base. Others were created by the federal government for the resettling of Indian people forcibly relocated from their homelands. ([source](#))

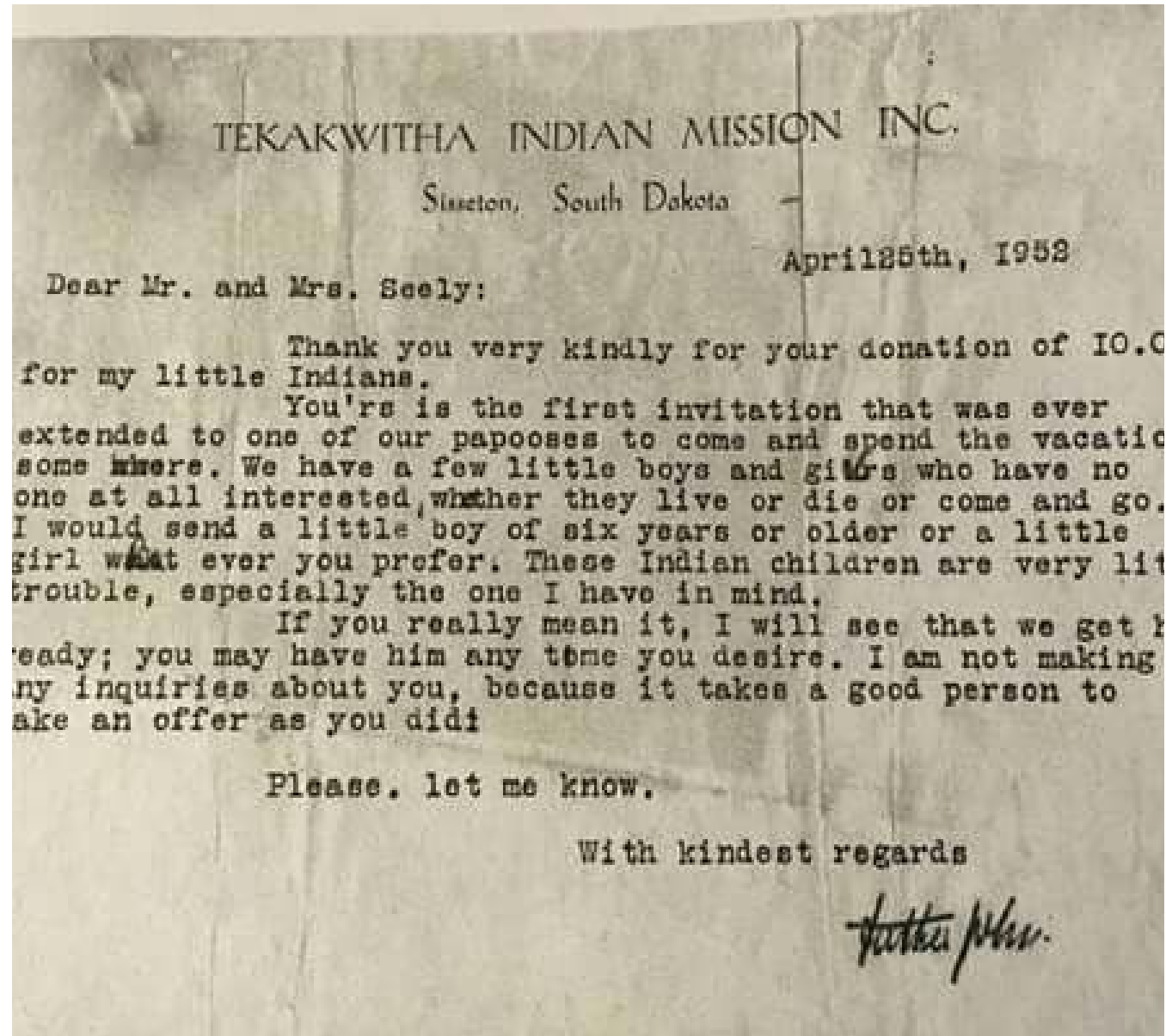
For discussion: US paternalism and the federal government holding land “in trust” for tribal nations.

Key Term: Indian Child Welfare Act (ICWA)

The Indian Child Welfare Act (ICWA) was enacted in 1978 in response to a crisis affecting American Indian and Alaska Native children, families, and tribes...research found that 25%–35% of all Native children were being removed (from their homes); of these, 85% were placed outside of their families and communities—even when fit and willing relatives were available.

Congressional testimony documented the devastating impact this was having upon Native children, families, and tribes. ([source](#))

For discussion: Why is ICWA so important?



Key Term: Native American Graves Repatriation and Protection Act (NAGPRA)

Recent estimates have placed the number of Native American remains in U.S. museums as high as **500,000**.

The Native American Graves Protection and Repatriation Act of 1990, or NAGPRA, provides a process for federal agencies and museums that receive federal funds to repatriate or transfer from their collections certain Native American cultural items -- human remains, funerary objects, sacred objects and objects of cultural patrimony -- to lineal descendants, and to Indian tribes, Alaska Native Corporations, and Native Hawaiian organizations. ([source](#))



WIN RETURN OF AN ANCESTOR'S BONES — Pilgrim Museum Director L. D. Geller hands over box containing the bones of a 16-year-old Wampanoag girl to Wamsutta (Frank James), center, of West Chatham, after they signed a "treaty" in Plymouth. The bones were dug up on Cape Cod in 1863 and later were put on display in a showcase at the museum. Wamsutta said the girl's bones were to be taken to a burial ground in Barnstable on Cape Cod for reburial. At left is Ray Fields of American Indian Movement. —AP Wirephoto.

Indians Win Old Bones

PLYMOUTH, Mass. (AP) — A group of Indians who staged a peaceful Thanksgiving Day march on the Pilgrim Museum won the return of an ancestor's bones.

The bones of a 16-year-old Wampanoag girl were dug up on Cape Cod in 1863 and later were on display in a showcase at the museum in the town where Mayflower landed in 1620.

"We ask you what your feelings would be if they were the bones of your mother or a relative on display," Frank James, co-president of the United Alliance of Indians of New England, told a rally of about 75 Indians and 150 onlookers before the march on the museum.

"We want them from the museum," James said. "Put them back in the sacred burial ground where they belong."

Museum Director L.D. Geller gave up the bones after signing a "treaty" with the Indians.

They "were in such force, we had no choice but to hand over the bones," he said.

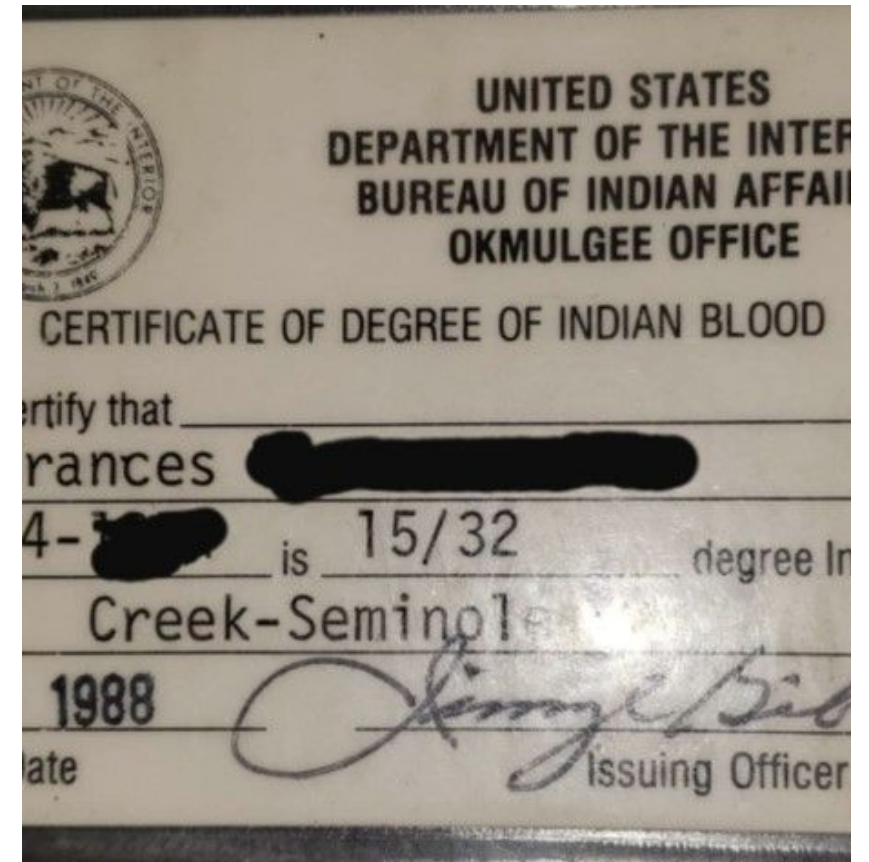
Geller said the museum would make no effort to get the bones back. The Indians said they would be taken to Barnstable, on Cape Cod, for burial.

Core Concept: Blood Quantum

Blood quantum simply is the amount of "Indian blood" that an individual possesses. The federal government, and specifically the Department of the Interior, issues what is called a "Certified Degree of Indian Blood," and that is a card similar to an ID card. So the way that blood quantum is calculated is by using tribal documents, and usually it's a tribal official or a government official that calculates it. ([source](#))

“What blood quantum does is racialize American Indian identity...It is an outside concept used to disenfranchise Native people and tribes from their legal and political status. And it's the best way to eliminate ongoing treaty obligations.” ([source](#))

For discussion: Why do so many Native people find blood quantum problematic? Where did blood quantum come from?





“Settler Colonialism and the Elimination of the Native” from the *Journal of Genocide Research* by Patrick Wolfe, 387 - 388

As practiced by Europeans, both genocide and settler colonialism have typically employed the organizing grammar of race... Indians and Black people in the US have been racialized in opposing ways that reflect their antithetical roles in the formation of US society. Black people’s enslavement produced an inclusive taxonomy that automatically enslaved the offspring of a slave and any other parent. In the wake of slavery, this taxonomy became fully racialized in the “one-drop rule,” whereby any amount of African ancestry, no matter how remote, and regardless of phenotypical appearance, makes a person Black...

For Indians, in stark contrast, non-Indian ancestry compromised their indigeneity, producing “half-breeds,” a regime that persists in the form of **blood quantum** regulations. As opposed to enslaved people, whose reproduction augmented their owners’ wealth, Indigenous people obstructed settlers’ access to land, so their increase was counterproductive. In this way, the restrictive racial classification of Indians straightforwardly furthered the logic of elimination...Indigenous North Americans were not killed, driven away, romanticized, assimilated, fenced in, bred White, and otherwise eliminated as the original owners of the land but as Indians... So far as Indigenous people are concerned, where they are is who they are, and not only by their own reckoning. As Deborah Bird Rose has pointed out, to get in the way of settler colonization, all the native has to do is stay at home.

Questions: How are the Black and Native American struggles interlinked? Apply what you have learned about self-determination to the Black struggle.



Core Concept: Paper Genocide

Throughout history, blood quantum was used to define a point at which responsibilities to tribes, entitlement programs, treaty rights, and reservations would end. The government hoped that using blood quantum would eventually eliminate Native peoples—that intermarriage would “dilute” the amount of “Indian blood” in the population, causing descendants of Native peoples to become indistinguishable from the rest of the population. ([source](#))

For discussion: How have the US’s racial policies- particularly as they pertain to Native people - impacted the rest of the world? Who has been “inspired” by them?

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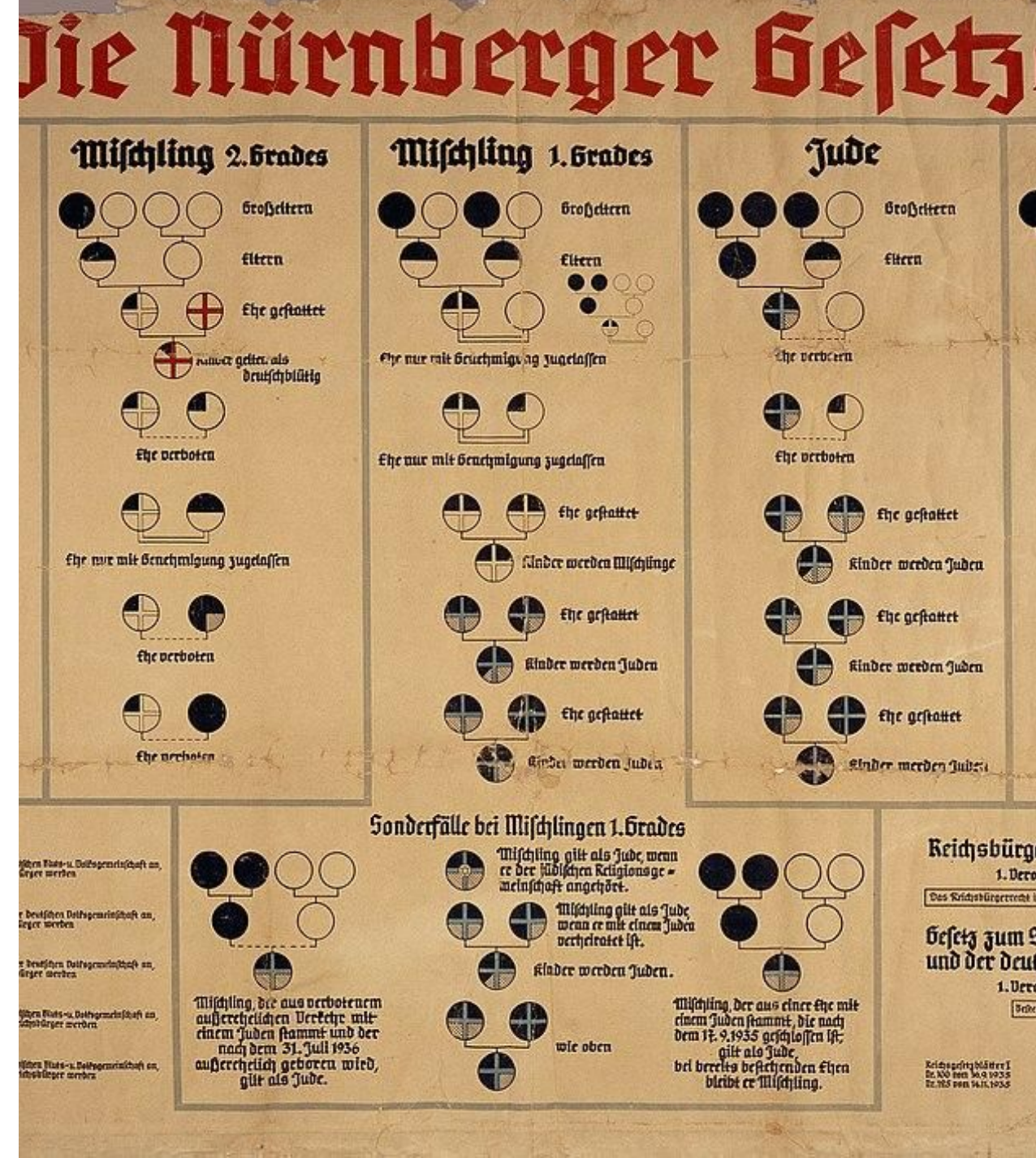
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US Racial “Science” and Nazi Germany

U.S racial laws such as Blood Quantum and the “One Drop Rule” served as the inspiration for the Nazi Nuremburg Laws

While making these laws, the Nazis sent their lawyers to the U.S to study American laws based on race “science”

“Nazi lawyers regarded America, not without reason, as the innovative world leader in the creation of racist law”
(Whitman, James Q, Hitler’s American Model, p. 5)



US Racial “Science” cont.

The Nazis also followed the model of U.S settler colonial genocide in its conquest of Eastern Europe and the genocides of its inhabitants, who they considered “subhuman”

Manifest Destiny inspired the concept of Lebensraum (“living space”) that the Nazis used to justify their own settler-colonial genocide

Friedrich Ratzel, the 19th Century German geographer who originally came up with the idea of Lebensraum spent many years in America “researching” its colonization



U.S. Racial “Science” cont.

Hitler and other Nazi leaders referenced repeatedly the U.S genocide of Indigenous peoples in talking about their plans to colonize Eastern Europe and the Soviet Union

“There is only one task: Germanization through the introduction of Germans (to Eastern Europe/Russia) and to treat the original inhabitants like Indians” - Adolf Hitler, October 17, 1941:“

Despite what many scholars claim, Nazi genocide was not an aberration, but the logical result of a centuries-long tradition of settler-colonial genocide against Indigenous peoples and nations



To recap, we have learned about...

Core Concepts

Discovery Doctrine/Manifest Destiny

Tribal sovereignty

Marxism vs. Marxism-Leninism

Self-Determination

Federal Recognition

Land Back

Blood Quantum

Paper Genocide

U.S. racial “science”

Key Terms

Tribe

Tribal Structure

Treaty

Indian Termination Era

Bureau of Indian Affairs

Indian Reservation

Indian Child Welfare Act (ICWA)

Native American Graves Protection and Repatriation Act (NAGPRA)

What is wrong with this map?

Apply what you've learned in the class





What will the Future Look Like?



“Terms of Admission into Communist International” by V.I Lenin

8. Parties in countries whose bourgeoisie possess colonies and oppress other nations must pursue a most well-defined and clear-cut policy in respect of colonies and oppressed nations. Any party wishing to join the Third International must ruthlessly expose the colonial machinations of the imperialists of its “own” country, must support—in deed, not merely in word—every colonial liberation movement, demand the expulsion of its compatriot imperialists from the colonies, inculcate in the hearts of the workers of its own country an attitude of true brotherhood with the working population of the colonies and the oppressed nations, and conduct systematic agitation among the armed forces against all oppression of the colonial peoples.

Further Reading

The Right of Nations to Self-Determination by V.I. Lenin

An Indigenous Peoples' History of the United States by Roxanne Dunbar-Ortiz

Our History is the Future by Nick Estes

An Afro-Indigenous History of the United States by Kyle T. Mays

The State and Revolution by V.I. Lenin

What is Marxism all About? by F.I.S.T.

Critical Remarks on the National Question by V.I. Lenin

Hitler's American Model by James Q. Whitman

The American West and the Nazi East by Carroll P. Kakel