

The Necessity of Native American Autonomy for Successful Partnerships

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Native Americans today live within a legacy that is the result of complex historical relationships, intimately interwoven with issues of cultural identity and human development. Acquiring understanding and compassion from an examination of our common national history is a spiritual enterprise. Therefore, we must tread gently together on the Sacred Ground that is the wounded story of America and the First Peoples' struggle for life freely and wonderfully lived.

World leaders from every nation are currently examining indigenous issues related to economic poverty. Recent international efforts indicate a growing commitment to promoting global development in regions with indigenous populations. Having some sense of how empowered culture frames indigenous issues globally can uncover the nature of the lens through which Native communities are viewed within the United States. Domestic national and local relationships with Native Americans could achieve greater mutual success by applying the lessons learned from the United Nations' research.

However, in considering the current understanding of "poverty," we must listen carefully for what constrains people and for what liberates them within the words and concepts that are used to shape us all. We must also listen for whose voice is telling the story of us; meaning and perspective shifts between tellers, as all sacred stories do.

This story, as I will share it with you, begins with the new millennium.

In the year 2000, the United Nations created eight international goals that the Episcopal Church knows and supports as the

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Millennium Development Goals. As a collaborative effort to alleviate poverty, hunger, illiteracy, and disease, the Millennium Development Goals established targets for achieving greater gender equality, environmental sustainability, and opportunities for mutually-enhancing global partnerships toward the development of a better world.

The goals focus on countries within the Third World (or Developing World) including those in Eastern, Western, and Southern Asia, as well as in Sub-Saharan and North Africa. Within the goals, global partnerships are initiated by supportive efforts from First World countries, such as the United States, Canada, the United Kingdom, and Australia. Despite recent global economic challenges, the United Nations' *Millennium Development Goals Report 2009* indicates that there has been improvement in alleviating extreme poverty, predominantly in Eastern and Southern Asia.¹

In the development and successful execution of the Millennium Development Goals, the United Nations looked to the World Bank for contextual research and economic guidance. In 1996, the World Bank articulated a vision for itself to become a "knowledge bank" as well as a monetary bank, mediating ideas in addition to finances. Because the highest rates of extreme poverty were associated with indigenous populations, the World Bank pursued international research and dialogue in order to learn the practices of indigenous communities in various areas of the Global South. As a result of their efforts, World Bank executives recognized the need for First World partners to approach Developing World indigenous communities not as recipients of knowledge, but as "contributors and protagonists of their own development."²

World Bank researchers came to three general conclusions: (1) human development is an integrated holistic process of change, including economic and income growth; (2) essential social conditions (meeting basic needs first) are necessary for promoting human agency and autonomy; and (3) the sustainability of indigenous culture has a critical impact on the success or failure of vital economic change.

¹ United Nations, *The Millennium Development Goals Report 2009*; <http://www.un.org/millenniumgoals/pdf/MDG%20Report%202009%20ENG.pdf>

² Knowledge and Learning Group, Africa Region, The World Bank, *Indigenous Knowledge: Local Pathways to Global Development* (2004); <http://www.worldbank.org/afr/ik/ikcomplete.pdf>.

In 1998, the President of the World Bank, James D. Wolfensohn, remarked:

We start from the proposition that you cannot have development without a recognition of culture and of history. In a world that is becoming increasingly globalized, in a world where there are pressures for a culture homogeneity across all our countries, what is abundantly clear is that it is essential for us to nurture, to prize, to revere and to support the culture and the history of the countries in which we operate. Very simply, we do not believe that you can move forward unless you have a recognition of the base and the past from which we have come.³

While the idea that culture plays a significant role in all human development is a familiar theme to cultural anthropologists and sociologists, many First World economists have apparently been surprised that culture matters as much as it does in economic change and growth in indigenous communities. For indigenous peoples, sustaining cultural life ways, community health, and cultural values and practices for future generations are the primary concerns.

World Bank researchers understood that a broader understanding of human development is necessary beyond one of social and economic advancement. An effective understanding of human development must encompass and comprehend the full range of social capital and human giftedness that inform the spectrum of operant values and practices in any given culture.

Former senior advisor in the Energy, Mining, and Telecommunications Department of the World Bank, Karl Jechoutek, stressed to his economist peers that the success of global partnerships relies on the ability of First World partners to appreciate and engage the dual forces of *conservation* of tradition and *innovation* for sustainability that are present within every culture and belief system. Jechoutek noted that conservation and innovation are the qualities of culture that facilitate its continuous adaptation. "Conserving and innovating,"

³ James D. Wolfensohn, "Remarks for Culture in Sustainable Development: Investing in Cultural and Natural Endowments, A Conference Sponsored by the World Bank and UNESCO," Washington, D.C., September 28, 1998; <http://web.worldbank.org/WBSITE/EXTERNAL/NEWS/0,,contentMDK:20023739~menuPK:3325365~pagePK:34370~piPK:42770~theSitePK:4607,00.html>.

Jechoutek writes, are “the two faces of spirituality.” He concludes that to collaborate successfully with traditional practices and worldviews, the relationship must be primarily understood as a spiritual one. Global partnership, therefore, is a relationship that must promote the best application of human freedom, in which “individuals can shape their own destiny while at the same time choosing to be helpful to each other.”⁴

In 2007 the General Assembly of the United Nations adopted a *Declaration on the Rights of Indigenous Peoples* by a majority of 144 states in favor, 11 abstentions, and 4 votes against. Those countries voting against the declaration were Australia, New Zealand, Canada, and the United States, all of which are classified as First World countries. Since its adoption, Australia and New Zealand have reversed their positions and now endorse the Declaration. In March 2010, the government of Canada announced it would take steps to endorse the Declaration. The United States indicated in April 2010 that it will also review its position regarding the Declaration. The Declaration gives prominence to indigenous collective rights to a degree unprecedented in international human rights law. Its adoption is the clearest indication yet that the international community is moving toward an earnest commitment to protect the individual and collective rights of indigenous peoples.

However, how perceived problems are framed and who gets to frame or name them is revealing of the complexity of our domestic cross-cultural relationships. For example: Is Native Country in America perceived as a First World ally, or are Indian reservations seen as hidden pockets of a local Developing World? Are Native Americans living in urban settings too dislocated to be fully accepted by either world? If communal belonging is based on percentages of Native blood, what is the loss to indigenous cultural identity to both conserve tradition and support innovation for sustainability throughout generations to come?

The answers to these questions and others have deep roots in our common past. Since the first collision of Europeans and indigenous people in North America, the driving force of European contact has

⁴ Karl G. Jechoutek, “Through the Eye of the Needle: Tradition, Spirituality and Human Development,” a presentation at the World Bank Seminar on Indigenous Knowledge, delivered from Paris, April 6, 2005; <http://info.worldbank.org/etools/docs/library/137722/Paper%20on%20Tradition%2C%20Prof%5B1%5D.%20Jechoutek%20.pdf>.

always been the free market economy. Expeditions to the New World were supported by European venture capitalists investing in the potential discovery of natural resources in lands beyond their own. Exploration had the literal blessing of Christian leaders as well as the funding of governments and business speculators in Europe. Those willing to take the risk to do the actual exploring were ordered to take immediate possession of any lands they encountered not belonging to a Christian sovereign.

The apparent European comfort with claiming to have *discovered* lands already occupied and owned by others came from their own cultural belief that Christians and white Europeans were superior to people of other races and religions. As a fifteenth-century European worldview informing early colonialism, the Discovery Doctrine continued to inform the relationship between the emerging United States government and Native peoples in America in the tenets of Manifest Destiny informing westward expansion in the 1840s. The Discovery Doctrine is one of our country's continuing traditions in need of reform for the sustainability of a pluralistic society.

However, there is another economic tradition we have inherited together from the same history that opposes the forces of conquest. Namely, in order to avoid European disputes over newly discovered territories, the countries that initially colonized North America related to Native peoples as sovereign nations with independent and supreme authority over their citizens and territories. Through the use of official diplomatic channels, European powers negotiated with Native communities by entering treaties which recognized Native governance and control. In this way, European investors hoped to protect their transactions so that other European countries could not contest what would appear as legitimate land sales.

As a consequence of the early recognition of tribal sovereignty, the United States has a history of governmental negotiations and policy development in its relations with indigenous people since its own inception. The United States Supreme Court has recognized treaties as contracts between two sovereign nations. Furthermore, the writers of the United States Constitution placed the sole power to negotiate with indigenous nations into the hands of Congress. Consequently, Native Americans and the United States' relationship with them are addressed in the United States Constitution.

Article 1 of the Constitution states that only Congress (as opposed to individuals and states) has the power "to regulate Commerce

with foreign Nations, and among the several States, and with the Indian Tribes.” Because Native peoples were viewed as sovereign nations, federal commissioners were assigned as United States representatives to negotiate economic contracts (treaties).

Benjamin Franklin and Patrick Henry were among the early commissioners who were charged with negotiating treaties with Native Americans and obtaining their neutrality during the American Revolutionary War. Subsequently, in 1789, the United States Congress placed Native American relations within the newly-formed War Department. Not long thereafter, the Office of Indian Affairs was formed (1834), which later became known as the Bureau of Indian Affairs.

Charged with administering the land *reserved* by recognized right for Native sovereign nations, the Bureau of Indian Affairs would later assist the federal government in forcibly relocating Native nations to lands with which they had no historical connection. However, the term “reservation” was still applied to the lands to which they were moved. For the emerging United States and European partners, the lands vacated by Native removal were an economic treasure trove of natural resources: animal, vegetable, and mineral.

Initially, as a consequence of recognizing Native communities as sovereign nations, Native people were not counted as United States citizens unless they paid taxes. Most individual Natives were excluded from United States citizenship until 1924, when Congress passed a law making all Native Americans United States citizens. The right to vote, however, was governed by state law. In some states, Native Americans were barred from voting until 1957.

Because vocal European philosophers espoused that Native people had a legal right as *free people* to continue to own their lands, the political belief emerged that a European country (and later, the United States government) could only take lands by force in an “honorable war.”⁵ On this basis, in 1823, the United States Supreme Court set aside the opinion (with which it in principle agreed) that Natives possess natural rights to their lands. The Court relied, instead, on the Discovery Doctrine and the historical reality that the United States had conquered certain Native nations in war, determining that only the United States could buy Indian lands:

⁵ Robert J. Miller, “American Indians and the United States Constitution,” *Flash-Point Magazine* (2006): 3.

Conquest gives a title [to the land] which the Courts of the conqueror cannot deny. . . . The British government, which was then our government, and whose rights have passed to the United States, asserted a title to all the lands occupied by Indians, within the chartered limits of the British colonies. . . . These claims have been maintained and established as far west as the river Mississippi, by the sword.⁶

As subsistence cultures reliant on the land and its resources, indigenous cultural life ways and concurrent identity are intimately bound to the land in which that culture has arisen. From the colonial perspective, however, Natives were identified with the category “wilderness” and as such were viewed as another aspect of what needed to be domesticated in order to be made more useful.

In the 1940s, on behalf of the federal government, the Bureau of Land Management removed Native children from their families and sent them to boarding schools in order to separate them from the influence of their native language and traditions. Beginning in 1887, the federal government attempted to “Americanize” Native Americans, largely through the education of Native children. By 1900 thousands of Native Americans were studying at almost 150 boarding schools around the United States. The sentiment of the time was, “Kill the Indian in him, and save the man.”⁷

Over the succeeding years, continuing commercial and economic claims on Native lands and natural resources have also extended into the realm of Native American cultural and intellectual property. From material culture housed in American museums to the use of Indian images in popular culture, Native American communities continue to have the experience of being co-opted and consumed in the marketplace. There is currently no governmental legislation that specifically protects the ability of Native Americans to control the use or application of their symbols, images, arts, stories, dress, music, or rituals. Popular culture trades freely in them all.

Indigenous cultures across the globe share a foundational economic concept in common. Namely, the universe is designed as a giving system. In such a system, prosperity is not the accumulation of

⁶ *Johnson v. McIntosh*, 21 U.S. (8 Wheat) 543 (1823), at 588.

⁷ Richard H. Pratt, “The Advantages of Mingling Indians with Whites,” in *Americanizing the American Indians: Writings by the “Friends of the Indian” 1880–1900*, ed. Francis Paul Prucha (Cambridge, Mass.: Harvard University Press, 1973), 260.

things for one's exclusive use. Rather, the people prosper within a system of giving to others for communal and personal well-being. Creation gives life to the people, serving as a model for how the people need to share and pass along what they have for the promotion of the spiritual, mental, and physical health of the community. In a system in which everything is viewed as a gift (teachings, ceremonies, life, stories, songs, animals, plants, language, land), all of life is an endless circle of relationship of giving, of which even ancestors and future generations are a part.

For Native American communities today, traditional cooperative economy and the competitive market economy exist side by side. However, American history presents us all with a legacy of economic structures of subjugation. When those with more are empowered to define those with less as people in "poverty," the term can become a pejorative cultural judgment made by a dominant system about a subordinate system.

Many Native American communities continue to experience very real hardship in terms of the struggle to meet basic human needs. Unfortunately, historical experience informs an awareness that economic systems that create and sustain dependence tend to be neither health-giving nor just. Based on the conclusions drawn by the United Nations and the World Bank, Native Americans must be contributors and protagonists in their own development if our domestic partnerships are to succeed.

In light of our country's history, self-determination is the most important factor within a Native sense of wealth and health. From the perspective of human development, the quest of any culture is to work first in meeting basic needs (including health and education), in order to provide security and autonomy.

In keeping with the Millennium Development Goals, recognition, respect, and support of the autonomy of indigenous cultures are necessary criteria for just economic partnerships. Essentially spiritual in nature, cross-cultural partnerships must be committed to both conserving the integrity of Native tradition and working toward innovations for the sustainable future of Native American communities—"living simply so that others may simply live."

As an international community, we who live within the United States do not yet have a relationship in which we prize, revere, and

support the culture and history of either Native Americans or European Americans. Only by remembering, recognizing, and reconciling with Native American autonomy can we truly be helpful to each other and enjoy together the truest freedoms that all humanity strives to realize.

