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Tension and Complexity in Decolonial Advocacy: A Rhetorical Analysis of Situated  
Approaches in Western Shoshone, Bikinian, and Hawaiian Resistance to Militarized  
Colonialism

Taylor Johnson

A thesis submitted to the Graduate Faculty of

JAMES MADISON UNIVERSITY

In

Partial Fulfillment of the Requirements

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May 2017

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## TABLE OF CONTENTS

<b>ACKNOWLEDGEMENTS</b> .....	<b>ii</b>
<b>ABSTRACT</b> .....	<b>v</b>
<b>CHAPTER I</b> .....	<b>1</b>
RESEARCH GOALS.....	3
LITERATURE REVIEW.....	8
METHOD.....	15
CHAPTER PREVIEWS.....	20
CONCLUSION.....	28
<b>CHAPTER II</b> .....	<b>29</b>
LITERATURE REVIEW.....	30
THE TREATY OF RUBY VALLEY AND THE NEVADA TEST SITE.....	33
RESISTANCE STRATEGIES AT THE NEVADA NUCLEAR TEST SITE.....	35
IMPLICATIONS.....	47
CONCLUSION.....	55
<b>CHAPTER III</b> .....	<b>57</b>
LITERATURE REVIEW.....	58
BIKINIAN RELOCATIONS AND THE STRUGGLE FOR COMPENSATION AND RETURN TO BIKINI.....	62
PARADISE, PRISON, AND PRESERVE: RHETORICAL FRAMING OF THE BIKINI ATOLL BY BIKINIANS AND ENVIRONMENTALISTS.....	75
IMPLICATIONS.....	81
CONCLUSION.....	88
<b>CHAPTER IV</b> .....	<b>90</b>
LITERATURE REVIEW.....	90
A BRIEF HISTORY OF COLONIZATION AND RESISTANCE IN HAWAI’I.....	96
KA HO’OKOLOKOLONUI KĀNAKA MAOLI – PEOPLE’S INTERNATIONAL TRIBUNAL HAWAI’I (1993).....	98
<b>CHAPTER V</b> .....	<b>125</b>
CALCULATED CHOICES IN DECOLONIAL ADVOCACY.....	126
STANDING AT A CROSSROADS: ADVOCACY AND SOLIDARITY IN PRACTICE AND SCHOLARSHIP.....	129
<b>REFERENCES</b> .....	<b>133</b>

## ABSTRACT

Decolonial advocacy is a difficult, complex, tension-filled realm. Indigenous advocates working for decolonization must navigate decisions about whether or not to utilize rhetorics derived from the colonial systems they challenge, when to make material demands on colonial states and when to turn inward, and when and how to build coalitions with non-indigenous people. Decolonial movements in the Western Shoshone Nation, the Marshall Islands, and Hawai'i have approached these questions in differing but overlapping ways that address the varied colonial histories each nation faces.

This thesis argues that each of these movements has alternatively utilized and rejected colonial rhetorics to serve the decolonial aims of their advocacy. Throughout this thesis, I engage a variety of theoretical vocabularies, including rhetorical strategies and tactics (de Certeau, 1984), rhetorical maneuvers (Phillips, 2006), rhetorical appropriation (Black, 2009), and language theft (Minh-ha, 1989). Additionally, I consider the varied use of consummatory, instrumental, and coalitional rhetoric (Lake, 1991). I conclude that each of these rhetorical approaches is valuable in particular contexts, and that decolonial advocates may make use of any or all of these approaches as they fit the needs of a movement at a given moment.

CHAPTER I

The history of the United States is rife with militarized colonialism. Beginning with the invasion of North and South America by European explorers and settlers, continuing through Westward expansion justified via manifest destiny, and progressing to the present with militarized control of the Pacific and the Middle East, this colonial history is well-established and uninterrupted (Drinnon, 1997; Kauanui & Wolfe, 2012; Wolfe, 2006). It is also inseparable in many ways from the history of U.S. militarization. The growth of the U.S. military has depended on continual expansion to obtain space for bases, testing sites, and research facilities, and the expansion into new territories has been supported by a military strong enough to forcibly remove anyone who would oppose U.S. control of those territories. The combination of military power and expansionist goals have combined to create an ideology of colonialism designed to justify and sustain itself through rhetorical practices and material action.

While U.S. growth has been defined by continual use of force to support colonization efforts, these efforts have not been simply accepted by colonized peoples. Indigenous nations under threat of colonization by the United States have resisted fiercely (Deloria, 1988, 1998; Dussias, 1999; Lake, 1983, 1991). They have utilized a wide variety of approaches to resistance, including co-optation of traditional rhetoric, physical disruptions of colonial proceedings (such as refusing to vacate homes marked for demolition to make way for military bases or other government land use), and total rejection of colonial understandings of the world. Advocates have used instrumental rhetoric focused directly on colonizing institutions, consummatory rhetoric focused on other indigenous people, and coalitional rhetoric directed at non-indigenous subjects of

colonial governments who might join the decolonial effort (Lake, 1983). Recognizing these resistance movements is a means of acknowledging the agency of indigenous peoples who have largely been constructed as either docile bodies willing to accept colonial violence without a fight or as always already extinguished, leaving space for colonial expansion into “uninhabited” spaces.<sup>1</sup>

This thesis explores three such resistance movements: The Western Shoshone Nation’s resistance to the Nevada nuclear test site (now the Nevada National Security Site), the people of the Bikini Atoll in the Marshall Islands’ resistance to the dispossession of their homeland for the testing of hydrogen bombs, and indigenous Hawaiians’ resistance to U.S. occupation of Hawai’i. These movements incorporate environmental, anti-war, and decolonial concerns together in nuanced opposition to U.S. activities in indigenous spaces. They build on other indigenous independence movements, challenging audiences’ understandings of borders, nationhood, and sovereignty. And they reject narratives of global systems that would erase indigenous presence or naturalize U.S. dominance. The study of these movements has the potential to challenge the exclusion of indigenous perspectives from academic spaces that have often been guided by imperialist knowledges.<sup>2</sup> Building on previous scholarship that centers indigenous rhetoric, this project offers the opportunity to better understand how indigenous decolonial movements are formed and utilize innovative rhetorical

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<sup>1</sup> I am aware of poststructuralist critiques of calculated choice and agency. Nevertheless, within the context of this advocacy, it is valuable to assume some intentionality for rhetors to fully evaluate the value of particular rhetorical approaches to decolonization. I seek here to consider the weight of these choices in addition to recognizing the ways that they are constrained by colonial systems.

<sup>2</sup> This is not to downplay the important contributions of scholars such as Vine Deloria, Jason Edward Black, Randall Lake, and Danielle Endres. Rather, the goal of this thesis is to join these scholars in resisting the hegemony of colonial scholarship that is prevalent (but not uncontested) in the academy.



approaches to challenge colonial rhetorics. From this understanding springs new insight on the numerous means of resistance available to and useful for indigenous decolonial advocacy. In this chapter, I will explain the process by which I came to this project and the questions I set out to address in the thesis, explore current literature on decolonial rhetorics and indigenous protest, detail the theoretical vocabularies that will guide my rhetorical analysis, and provide a brief overview of the movements this thesis will analyze.

### **Research Goals**

I was first drawn to these movements as an extension of my interest in environmental justice. I began studying Western Shoshone resistance to the Nevada test site (NTS) during the 2012-2013 intercollegiate debate season, when my partner and I researched the effects of nuclear energy policy on people of color. In the course of my research, I discovered the University of Nevada Las Vegas Nevada Test Site Oral History Project, which offers a wealth of knowledge surrounding the test site from numerous perspectives. Numerous Western Shoshone protesters and American accomplices were interviewed for the project, and their stories immediately captured my attention. As I continued to research the history of nuclear testing, it became clear to me that communication scholarship lacked sufficient discussion of nuclearization as a manifestation of colonialism, and of the extensive indigenous resistance to nuclear testing. I was inspired by Huanani-Kay Trask (2006), Jack Niedenthal (2013), and Danielle Endres (2009) to better understand indigenous denuclearization movements.

This interest in denuclearization grew into a broader interest in the intersections between environmental justice and decolonial rhetoric that has guided my choice of case

studies and my understanding of the cases I have chosen. In particular, I became curious about the ways that decolonial movements work within and against the colonial systems in which they are necessarily embedded as a result of histories of conquest and control. This interest was surely influenced by my own anxiety about my position as a white scholar within the colonial academy. As a white scholar who cannot simply disavow the violence done in my name without also recognizing that my very existence positions me as complicit in that violence, it is unsurprising that I would pursue answers to questions about how individuals might resist violent systems from within. Similarly, my desire to understand how white individuals might participate in decolonial struggle in meaningful ways is shaped by my desire to divest from the systems that benefit me at the expense of others.

In order to address the interplay between my positionality and my scholarship, I include in each chapter a reflection on the ways my whiteness has interacted with my work. These reflections draw from whiteness theory, which helps to inform my understanding of myself in relation to my thesis. This work starts from the position that leaving whiteness as an uninterrogated category while investigating the ways that marginalized racial identities operate serves to perpetuate whiteness as an unspoken norm (Nakayama & Krizek, 1999). That is to say, our understanding of whiteness as a coherent and stable biological category, rather than as a set of discursive practices, allows the maintenance of systems that value certain people over others. It is necessary, then, not only to interrogate the ways that decolonial advocacy is carried out by indigenous people, but also how whiteness is constructed by systems of coloniality. I will work to interrogate whiteness throughout this thesis by exploring the ways that my writing performs

particular cultural logics that position me as white and afford me the benefits that are culturally associated with that identity.

At the same time, however, focusing on whiteness without critical reflexivity may serve to re-center whiteness without addressing the experiences of marginalized people (Warren & Hytten, 2004). When I explore the role of whiteness in my scholarship, then, I seek not to make this conversation about myself, but to locate myself in relation to this conversation and recognize the ways that my performance of whiteness and my research play on one another in significant ways. Therefore, each chapter of this thesis focuses primarily on the decolonial advocacy led by indigenous people, and turns toward questions of solidarity and my own positionality only after working through this material. The questions I have worked to address in this thesis, then, are twofold. First, how do individuals and groups who are embedded within colonial systems challenge those systems either by turning them against themselves or by calling on tools from outside of those systems? This project builds on extant indigenous rhetorical scholarship to situate these three under-studied movements into the broader context of indigenous resistance to colonization. I consider how these advocates use rhetorical approaches that are common within indigenous resistance, and how they innovate to create new methods to challenge colonial powers. Each of these movements has, in its own way, appropriated and adapted colonial rhetorics to deploy them toward decolonial ends, and has relied on rhetorics that emerge out of indigenous epistemologies and that are frequently antithetical to colonial goals. My analysis of the appropriation or rejection of colonial rhetorics for decolonial aims includes a particular focus on rhetorics of sovereignty, borders, nationhood, and citizenship. Colonial powers have deployed these discourses to support continued

colonial control and thus to foreclose the possibility of self-determination for many indigenous peoples, but the movements I consider in this thesis have also co-opted and/or appropriated these frames to advocate for material and symbolic changes to the conditions and functioning of colonialism.

My second question involves the ways that white individuals who benefit from colonial systems have worked within these movements, utilizing those privileged positions to break down such systems. I have developed my analysis of this question in two ways. First, I include in my analysis of each case study a discussion of the roles played by white people in the movements and how those behaviors inform an understanding of white solidarity with indigenous decolonial organizers and advocates. Much of this work has centered on the intersections of environmentalism, environmental justice, and decolonial advocacy. In each of these movements, there is clear overlap among environmentalist and decolonial concerns. However, there have also been, in many instances, tensions between white environmentalists and indigenous decolonial advocates. It is worthwhile to consider the ways in which non-indigenous environmentalists have misappropriated indigenous experiences for their movements without sufficient attention to decolonial concerns (Black, 2012; Butigan, 2003). However, it is also valuable to consider the ways in which environmentalism and decolonial movements are necessarily tied. Environmental justice scholars have long argued that the degradation of the environment often affects marginalized communities earlier and more severely than privileged communities, and colonialism helps to support unsustainable development by framing spaces inhabited by marginalized communities as already empty or otherwise open to environmental destruction for industrial benefit

(Bullard, 1990; Bullard & Wright, 1987; Kuletz, 1998). Environmental justice as a movement suggests that the overlap between environmental and social justice concerns offers important ground for advocacy (Ammons & Roy, 2015; Bullard, 1993, 2005). This thesis offers the chance to consider the ways in which environmentalists can participate in decolonial struggle, and can revise green movements to move away from rhetorical choices that rely on colonial systems of power to advance the environmentalist cause.

Finally, I work throughout the thesis to use my writing as a challenge to the colonial academy. I include theoretical and methodological vocabularies that reject stable and coherent notions of space, identity, and “appropriate” rhetorical approaches.<sup>3</sup> This is an attempt to contest scholarship that demands dichotomous understandings in favor of a dialectical approach that embraces the messy nature of resistance. This thesis is a call to understand decolonial work as always both-and: both using colonial structures against themselves and rejecting those colonial tools in favor of tools rooted in indigenous tradition; both making material demands on colonial governments to withdraw from colonized nations and enacting sovereignty and self-determination regardless of the compliance of those colonial states; both breaking down colonial ways of being in the world and participating in them. This approach is drawn from rhetorical scholars such as Burke (1973) who argue that we need not always choose between approaches, but may rather embrace multiple frames simultaneously. The conclusion of this thesis includes a

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<sup>3</sup> I conceptualize appropriateness here in terms of Western expectations for civil discourse carried out in approved forums. Many of the advocates in the movements this thesis discusses have rejected these notions of appropriateness in favor of appropriateness rooted in indigenous life-ways. This re-appropriation (both in the sense of taking and changing rhetoric and imbuing a particular sense of appropriateness) is a form of decolonial resistance. I consider the concepts of appropriate rhetoric and rhetorical appropriation, then, to be intimately connected.

reflection on the efficacy of this approach as a form of decolonial writing, and on the ways that my positionality as a white scholar benefiting from colonialism has influenced and been influenced by the writing of this thesis. In the following section, I lay out the current communication scholarship on indigenous decolonial rhetoric and detail how this project draws from and expands on that literature. Afterward, I briefly describe the case studies that, collectively, constitute the focus of this thesis.

### **Literature Review**

While there is little current communication scholarship focused on the three movements this thesis will address, there are a number of studies that investigate the rhetorical choices indigenous advocates have made in other contexts.<sup>4</sup> Lake (1983, 1991), in particular, has written extensively about the ways that indigenous protesters craft consummatory rhetoric – rhetoric directed at other indigenous people, rather than at colonial institutions or non-indigenous audiences – and utilize time as a rhetorical tool.<sup>5</sup> His findings indicate that colonial rhetors often attempt to situate indigenous peoples in the past to erase them from the present, thereby justifying the seizure of their lands for colonial purposes. This observation correlates with Kuletz’s (1998) and Rothman’s (1992) arguments that indigenous spaces are often characterized as empty or uninhabited

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<sup>4</sup> Because I find my academic home in communication, I foreground communication literature throughout this thesis. However, because of the interdisciplinary nature of rhetoric and advocacy, I have also drawn extensively from fields such as history, critical geography, and indigenous studies to ground and contextualize my work.

<sup>5</sup> Lake’s conception of consummatory rhetoric has some overlap with Charland’s (1987) description of “constitutive rhetoric.” Charland argues that rhetors may constitute their audience as subject through rhetoric, rather than addressing an already-constituted audience. While there is significant overlap between these terms, I will use consummatory rhetoric throughout this thesis as it is couched in indigenous rhetoric. Additionally, I will use the term instrumental rhetoric to describe demands made on the state or other colonial powers, and coalitional rhetoric to describe rhetoric directed at building solidarity between indigenous and non-indigenous actors.

to justify colonial use of those spaces. This temporal rhetoric is complemented by the centering of the future that Taylor (2010) has identified in rhetorics that promote nuclear weapons modernization. By situating indigenous peoples firmly in the past, and by forwarding nuclear weapons modernization as a key element of moving toward the future, colonial rhetors work to erase the negative consequences of nuclearization for indigenous peoples in their discussions of nuclear weapons programs. The assertion of presence, then, is a form of resistance to colonial narratives that should be emphasized in indigenous protest scholarship (Lake, 1991; Perelman & Olbrechts-Tyteca, 1969).

Similar to the rhetorical erasure of indigenous peoples, (de)bordering discourse has been a common tool of colonial powers. While borders are most commonly understood as static objects that exist to demarcate one place from another, some scholars argue that borders are, in fact, discursive creations; DeChaine (2012), for example, suggests that we shift our understanding from one of *borders* to one of *bordering*. Once we understand borders as rhetorically created, we can begin to see that borders are imposed onto individuals – that bodies are bordered (Anzaldúa, 1987; Ono, 2012). White bodies, in this context, are understood to be unmarked, making them presumptively natural, belonging, and unsuspecting while black, brown, and red bodies are marked as unnatural, out-of-place, and requiring investigation (Luibhéid, 2002). From this perspective, it is also clear that (de)bordering can be a tool for colonial expansion. By removing the borders between indigenous territories and colonial spaces, states can remove the barriers to their continued expansion. DeChaine (2005) refers to this process as *sans frontièrime* (without borderism). This (de)bordering is also a tool of assimilation: once borders are removed, U.S. citizenship can be imposed on indigenous peoples who

would otherwise reject it. Once U.S. citizenship has been imposed, citizenship in or sovereignty of indigenous nations can be revoked – for example, by denying indigenous Hawaiian nationhood via claims that indigenous Hawaiians enjoy first-class citizen status through statehood (Justice, 2010; H.K. Trask, 1999; Witkin, 1995)

Colonial powers have also utilized legal rhetoric that appeals to institutions created by those same colonial powers to subjugate indigenous populations. Trask (H.K. 1999) has discussed the ways supporters of continued colonization in Hawai'i appeal to the U.S. constitution as a means of defining indigenous rights, despite indigenous Hawaiians' rejection of the U.S. constitution as a governing document for their people. Similarly, Churchill (1994) has discussed trusteeism – a process in which the U.S. government declares indigenous nations to be wards of the state, then create government trust accounts into which money is deposited as “compensation” for indigenous lands seized for use by settlers – as a particular category of legal rhetoric used to justify colonial expansion. Trusteeism alone, however, has not been sufficient for the U.S. government to maintain control over indigenous groups. Because wards of the state are offered a set of legal protections and the promise of material protections and benefits, the government has turned to other definitions for indigenous nations to avoid offering those protections. Deloria (1988) has discussed the re-defining of indigenous peoples as dependent nations to exempt them from the protections offered to wards of the state. Black (2009) charts the history of this re-defining of indigenous peoples to suit the desires of colonial powers as beginning in the early twentieth century with the 1903 Lone Wolf vs Hitchcock case, and calls this particular brand of colonial choreography as



“plenary rhetoric.”<sup>6</sup> Morris and Wander (1990) have argued that indigenous peoples have resisted this pernicious legalism by recalling historic understandings of indigenous behavior to create coalitions with enough influence to challenge powerful institutions. Lake (1983), however, has challenged this interpretation, arguing that it places too much power with white audiences and that indigenous movements (particularly the Red Power movement) have, in fact, been misunderstood as unsuccessful attempts to appeal to white audiences when they are, in reality, designed to mobilize indigenous actors for self-liberation.

Indigenous nations have largely resisted oppression via legal definition by asserting the inherent nature of their sovereignty and rejecting Western definitions of sovereignty that rely on colonial powers giving sovereignty as a gift to colonized nations. Reaching a unified definition of sovereignty has proven difficult for scholars of Native American studies. Deloria (1998) has argued that “the definition of *sovereignty* covers a multitude of sins, having lost its political moorings, and now is adrift on the currents of individual fancy” (pp. 26-27). He argues that the value of defining terms like sovereignty and self-determination is lost when the terms are so scrutinized that their meanings become overly broad. Cobb (2005) responds to this concern by exploring existing definitions of sovereignty and attempting to develop a cohesive understanding of the necessary elements of sovereignty. She, along with a number of other scholars, concludes that sovereignty is inherent and ancient, and that understandings of sovereignty that view

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<sup>6</sup> The decision in this case granted Congress the power to revoke treaties without any obligation to consult indigenous nations. The ruling rested on the argument that the U.S. federal government held ultimate power over the territories of the United States, and that indigenous nations were wards of the state who were subject to U.S. federal authority.

colonial powers as able to give sovereignty to colonized peoples misunderstand the nature of sovereignty (Cobb, 2005; Coffey & Tsosie, 2001; EagleWoman, 2012; Fairbanks, 1995; Hannum, 1998). For these authors, a defining characteristic of sovereignty for indigenous nations is its internal origin – sovereignty cannot be defined and offered as an earnable prize by colonial powers, rather it comes from within indigenous societies. Even given this understanding of sovereignty as inherent rather than earned, there are material consequences of having sovereignty recognized by colonial states, and there are situations in which indigenous nations might want or need to work for recognition of their sovereignty. Fairbanks (1995) suggests that exercising this sovereignty by reviving language and cultural practices, and by demonstrating the institutional power of national structures might be a way for indigenous nations to gain recognition of their sovereignty from Western nations. Similarly, Coffey & Tsosie (2001) indicate that self-governance and reclaiming a land base by acquiring land resources outside of the bounds of reservations created by colonial powers are ways that some indigenous nations have begun the process of repatriation and reclaiming of sovereignty.

The re-defining of indigenous peoples to erase them has been a tool not only of colonial expansion, but also of nuclearization. Scholars have isolated this strategy of imperial control, terming it “nuclear colonialism” (Churchill, 1993; Churchill & LaDuke, 1992; Grinde & Johansen, 1995; Kuletz, 1998; LaDuke, 1999). In this process, colonial powers capitalize on ambiguous understandings of indigenous sovereignty (understandings that were constructed through conflicting legal definitions) to claim land for nuclear development (Endres, 2009). This seizure of indigenous land to fuel nuclear programs has been exacerbated by economic systems in which indigenous communities

are disadvantaged, often acquiescing to demands that colonial powers be allowed to mine uranium or store nuclear waste on indigenous lands to acquire enough money to ensure their survival (Yamamoto & Lyman, 2001).

Rhetorical moves that center on legal definitions of indigenous identity and control of access to particular legal statuses may be helpfully understood through the lens of critical legal studies. Scholars in critical legal studies recognize that the law is not a fixed thing, but rather an amalgamation of ideals that are shaped by historical context (Ekstrand, Famiglietti, & Berg, 2013; Hasian, 2001; Unger, 1983). Therefore, they consider the ways that various ideals have been used to justify competing arguments and have been deployed in service of oppression or liberation. In this thesis, I will employ some of the ideas forwarded in critical legal studies as I consider the ways indigenous advocates have utilized colonial ideas for decolonial ends, particularly in chapter 3 as I discuss a series of court battles between Bikinians and the U.S. government.

In addition to legal rhetorics used to erase or obscure the physical existence of indigenous peoples, colonizers have used technical rhetorics designed to undermine the credibility of those who oppose nuclearization. Taylor (1993) employs a gendered analysis approach to explore the ways that nuclear weapons production has historically valued technical knowledge over embodied knowledge, to the detriment of those working in nuclear facilities. Indigenous advocates have called on environmental justice movements to be more skeptical of the emphasis placed on scientific knowledge in our understanding of the harms of nuclearization, and to instead recognize the value of traditional indigenous forms of knowledge in identifying the dangers of nuclear weapons (Harney, 1995; Vickery & Hunter, 2015).

Such inquiry foregrounds the importance of recognizing the intersections of environmental concerns and decolonial concerns, that an understanding of contemporary environmental justice movements is necessary to further exploration of nuclear colonialism. Just as some white environmentalists have attempted to co-opt indigenous identities to lend authenticity to their advocacy, others have largely ignored the concerns of indigenous peoples that did not line up with their environmentalist ideals (Black, 2012; Butigan, 2003; Yamamoto & Lyman, 2001). For instance, protesters have ignored the financial necessity of mining for many communities, assuming that their knowledge of the environmental and health costs of nuclearization trump indigenous peoples' own concerns for the economic survival of their nations (Ishiyama, 2003; Yamamoto & Lyman, 2001). Others have demanded the development of "green energy" on indigenous lands as a means of reducing greenhouse gas emissions, even when the development of that energy has been devastating to indigenous peoples (Finley-Brook & Thomas, 2013). While environmental concerns are certainly worth considering, and the impacts of environmental devastation are often experienced first by indigenous peoples, the privileging of technocratic solutions to environmental harm over the immediate needs of indigenous people has become a problematic and constant element of environmental movements. A more nuanced and intersectional approach to environmental justice movements must be achieved to alleviate the negative effects of uncritical environmental advocacy.

This thesis will expand on this body of extant scholarship by interrogating the complicated nature of decolonial struggle. While much of this literature depicts sovereignty and decolonization as a black-and-white matter, I will argue that the

entrenched nature of colonial systems requires a more nuanced picture of decolonial work. I will do this by exploring the ways that imposed colonial systems such as American citizenship might be called upon by indigenous protesters as a means of challenging the violence of colonialism. At the same time, I will recognize the value of rejecting colonial ways of knowing in decolonial movements. This section has explored current scholarship surrounding indigenous protest rhetoric and the intersections between colonization, nuclearization, and environmentalism, and how environmental justice as a frame might usefully address the tensions and intersections between these perspectives. The rhetorical choices made by the nations discussed in this thesis, and by indigenous decolonial activists more broadly, are calculated moves to undermine the colonial power structures that have justified violence against them. The following section will detail my methodological and theoretical approach to the case studies.

### **Method**

Throughout this thesis, I will employ a close reading of texts stemming from the movements discussed. My interpretation of the word “text” is a loose one. In addition to transcripts, court filings, signs, and protest permits, I will also analyze videos and images to bring a richer understanding of the multitude of approaches employed in these movements. My reading of these texts will be guided by three related but different theoretical vocabularies: Michel de Certeau’s (1984) theory of rhetorical tactics and strategies and Kendall Phillips’s (2006) addition of rhetorical maneuvers; Jason Edward Black’s (2009) understanding of rhetorical appropriation as an indigenous rhetorical tactic; and Trinh Minh-Ha’s (1989) discussion of “stealing language” as a process of both working within and challenging colonial structures (p. 15). Each of these theoretical

vocabularies considers the ways that marginalized peoples might turn the structures that oppress them against themselves in creative ways, but each provides a unique perspective for analyzing these rhetorical approaches. While all three of these vocabularies influences my analysis and I will use these terms somewhat interchangeably, each chapter has drawn more significantly from one of these theories than the others, and will therefore include a discussion of the ways that the theories have been applied to the case studies. In this section, I will provide a more detailed description of each of the theories, the relationships between them, and the unique contributions each perspective offers to this thesis.

In *The Practice of Everyday Life*, Michel de Certeau (1984) explores the way groups who lack institutionalized power “‘make do’ (*bricolent*)” within systems they cannot escape (p. 66) For de Certeau, resistance often comes in manipulating elements of a power structure to one’s advantage – using systems that were designed to disempower in empowering ways. He offers the example of indigenous people under Spanish rule making the “rituals, representations, and laws imposed on them something quite different from what their conquerors had in mind” (de Certeau, 1984, p. xiii). By using the imposed structures of colonialism in ways unimagined by the Spanish conquistadors, indigenous people subverted the colonial system from within. From this perspective, those who are marginalized have the opportunity to challenge their marginalization by refusing to cooperate with their oppressors – by refusing to behave as intended within their designated place in the system.

De Certeau (1984) identifies the rhetoric used, respectively, by the powerful and the disempowered as strategies and tactics. Strategies, he argues, are “the calculation (or

manipulation) of power relationships that becomes possible as soon as a subject with will and power (a business, an army, a city, a scientific institution) can be isolated” (pp. 35-36). Strategies depend on institutionalized or spatial place – they rely on the power of authority or belonging within a particular context. Strategies are practiced by individuals or groups who have the ability to isolate themselves from the Other – they have the privacy to strategize. Those who utilize tactics, on the other hand, have no such spatial privilege. De Certeau (1984) defines a tactic as “a calculated action determined by the absence of a proper locus” (p. 37). Those who rely on tactics have no isolated space in which to plan their attack, and so must rely on their memories of previous situations to anticipate the actions of the powerful and take advantage of opportunities as they arise. Tactics, then, are the purview of the Other, of the marginalized groups who exist under the panoptic gaze of the powerful and must “make do” with what tools are available to them.

To strategies and tactics, Phillips (2006) adds the “rhetorical maneuver” (p. 312). Phillips explains that “the rhetorical maneuver is performed at those moments when we choose to violate the prospective limits of our subject position to speak differently by drawing upon the resources of another subject position we have occupied” (p. 312). Like tactics, maneuvers rely on memory to accomplish their goal, but their reliance on memory differs significantly from that of tactics. Rather than calling on memories of past situations to anticipate and act upon the behaviors of the powerful at opportunistic moments, maneuvers call on memories of other subject positions to act in a way that disturbs the power relations of a given interaction without needing to rely on kairotic opportunities. For Phillips, everyone occupies numerous subject positions – at work one

might occupy the position of professor, while at home the same individual's subject position is that of a mother. I seamlessly move between the positions of student, instructor, coach, and daughter as I go about my day. Phillips posits that there are appropriate and inappropriate times in which to deploy different subject positions – when speaking with a professor, for example, the appropriate (i.e. expected) subject position to deploy is that of student. Individuals can manipulate interactions, however, by calling on inappropriate subject positions – I might explain my failure to submit a paper on time by speaking from my subject position as a granddaughter whose grandfather has recently died. Those who seek to call on inappropriate subject positions may, like those using tactics, act to subvert power relations in which they lack the spatial privilege to utilize rhetorical strategies.

De Certeau (1984) and Phillips (2006) offer a valuable perspective for understanding the differences between rhetorical approaches employed by those with colonial power and those without. The combination of these two outlooks helps to explain the simultaneous employment and rejection of colonial rhetorics in decolonial advocacy. However, I am unsatisfied with the rootedness of these theories in continental philosophy and Western thought. Therefore, I have turned also to scholars from within the field of indigenous studies to enrich this theoretical vocabulary. Black (2009) draws on de Certeau's explanation of rhetorical tactics and argues that appropriation may be a tactic specifically used by indigenous people to co-opt the values of colonial societies and highlight the inconsistency of those values with violent colonial action. He situates this analysis in the debate over Native American removal in the 1830s, suggesting that Choctaw, Chickasaw, Creek, and Seminole advocates appropriated American "discourses



of territoriality, republicanism, paternalism, and godly authority” to expose the incoherencies of these discourses and removal policies (p. 65). Black’s analysis adds to de Certeau’s understanding of rhetorical tactics by suggesting that it is not only the physical resources and structures that may be used in resistance, but also the values and discourses of dominant society. Additionally, he allows us to understand the value of appropriative tactics for indigenous people whose oppression is a clear site of contradiction between expressed values of colonial governments and the means of achieving those values for specific bodies.

Finally, I will draw from Trinh Minh-Ha’s (1989) work that analyzes tension as a decolonial tool. She argues that Western colonial systems rely on coherence, clarity, and unity to self-sustain, and that paradox and tension are decolonial approaches to knowledge. One way in which this tension emerges for Minh-Ha (1989) is in the decision of whether or not to utilize colonial tools to challenge colonial systems. She concludes that the use of the “master’s tools” in decolonial work is both a necessity and an impossibility (in contrast, for instance, to Lorde, 2003). Minh-ha forwards “stealing language” as one way in which this tension might play out, suggesting that women – particularly indigenous women writers – challenge masculine and colonial systems when they participate in the systems of knowledge production created by and for white men, but that this process of stealing language simultaneously requires them to adhere to oppressive norms and to reject those oppressive norms in an act of reconstructing the systems in which they participate (p. 15). I will draw on Minh-ha’s (1989) work as I explore the ways that rhetorical tactics and appropriation both serve to break down the colonial systems from which they are drawn and influence the identities and behaviors of

those who employ them. In this section, I have explained the ways that my reading of the texts analyzed in this thesis will be guided by the theoretical vocabularies offered by de Certeau (1984), Phillips (2007), Black (2009), and Minh-ha (1989). In the following section, I will provide an overview of each case study and a brief description of the texts I will analyze.

## **Chapter Previews**

### ***Chapter II: The Western Shoshone and Newe Segobia***

Founded in 1950, the Nevada Nuclear Test Site (now called the Nevada National Security Site) has been an essential component of the U.S. military's technology development programs (Beck, 2002). The site has hosted 928 of the 1,054 nuclear tests conducted by the United States (Kuletz, 1998). During the site's four-decade tenure as a nuclear testing grounds, the Western Shoshone and Southern Paiute people living on reservations near the site were exposed to unthinkable levels of radiation, and watched parts of the desert with significant cultural value ravaged by the effects of the bombs (Harney, 1995). Since the end of full-scale nuclear testing in 1992, the site has been used for subcritical testing, experiments with hazardous materials, radioactive waste management, and high explosives experiments (National Security Administration, 2005). While the U.S. government no longer conducts atmospheric and underground nuclear tests, the Nevada National Security Site continues to serve as a key element of the U.S. nuclear program, and to fuel military technological developments of the non-nuclear variety.

For the Western Shoshone, the location of the test site was problematic because of its inclusion in the 1863 Treaty of Ruby Valley. The Treaty defined a land area

encompassing most of present-day Nevada and parts of California, Idaho, and Utah, as the territory *Newe Segobia*, which was acknowledged as the sovereign territory of the Western Shoshone nation (Treaty of Ruby Valley, 1863).<sup>7</sup> The treaty defined a set of activities that the Western Shoshone would allow the U.S. government to conduct in the territory, including permitting thru-travelers, building military outposts for the protection of travelers, rail lines, and communication infrastructure, mining and ranching in the territory, and establishing reservations for the Western Shoshone at such time as the U.S. President deemed necessary. In return, the Western Shoshone were to be compensated for the use of their land. Since the signing of the treaty, thousands of acres of the territory have been appropriated by the U.S. government to build a national park (Death Valley) and numerous military installations (Healing Ourselves and Mother Earth, n.d.).

Many members of the Western Shoshone Nation have consistently challenged the U.S. government's failure to abide by the Treaty of Ruby Valley. They have utilized the court system as one channel for challenging the U.S. government's use of the land, but have faced significant barriers as the courts continue to support the colonial system of which they are a part (Endres, 2009). Much of the Western Shoshone resistance has come in the form of public protest, particularly demonstrations held at the site. These protests have served as a means for the Western Shoshone to perform and exercise the

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<sup>7</sup> Throughout this thesis, I will employ italics to denote indigenous-language words only where they are employed in the texts to be analyzed. Two of the movements I discuss in this thesis hold language degradation to be a key site of colonialism. While my limited knowledge of Shoshoni, Marshallese, and Hawaiian and the format of this thesis require that the bulk of this project be written in English, the format does not necessitate stylistic privileging of English. Rather than denoting indigenous words as secondary to the piece through italicization, I will incorporate them into my writing, as analysis demands it, without stylizing them differently than English words. Additionally, for words with two spellings (such as *Newe/Newene Segobia*), I will use the spelling most common in the literature and texts I analyze, except direct quotes that use the less-common spelling.

sovereignty that the U.S. government refuses to recognize, and to reject narratives that would depict the Western Shoshone nation as a subset of the United States.

During the demonstrations, the protesters have employed several rhetorical maneuvers to undermine colonial narratives. In particular, they make rhetorical choices that set up Western Shoshone citizenship in opposition to U.S. citizenship. By claiming their citizenship in the Western Shoshone nation, protesters reject the possibility that they might also be U.S. citizens. The Western Shoshone National Council also uses these protests as opportunities to exercise their authority over Newe Segobia and to simultaneously reject U.S. control. In 1987, the Western Shoshone formed a coalition with non-indigenous opponents of the site, most notably Nevada Desert Experience protesters, and began issuing permits for protesters to enter Western Shoshone lands (Harney, 1995). Carrying these permits, protesters hop the outermost fence of the site, where they are arrested for trespassing. During and after their arrests, protesters flash their permits, arguing that U.S. government officials do not have the legal authority to arrest them because the land is under the jurisdiction of the Western Shoshone National Council, who have given them permission to be there (Lynch, 2004).

This chapter explores the ways that borders are constructed and erased to support or challenge colonial expansion. The borders of Newe Segobia and the Nevada Test Site have been hotly contested by all actors involved in this case. This analysis uses an investigation of Western Shoshone anti-colonial narratives to expand our understanding of the role borders play in colonial life. Additionally, this chapter expands on Lake's (1983) discussion of the performance and enactment of decolonial perspectives. After facing opposition in traditional legal forums, the Western Shoshone have chosen to enact

the sovereignty that they believe is rightfully theirs, rather than continuing to battle the U.S. government for their sovereignty via colonial channels. These protests reconceptualize what it means for a nation to be sovereign, and to act on that sovereignty. Finally, this chapter analyzes the coalition between Western Shoshone and Nevada Desert Experience protesters to expand scholarly understanding of the ways environmentalism, anti-war sentiments, and decolonial concerns can come together in productive ways that center subjugated peoples.

### *Chapter III: Bikini Atoll*

Located roughly halfway between Hawai'i and the Philippines, Bikini Atoll has played a pivotal role in the post-WWII growth of U.S. militarism. In 1946, the Commodore Ben H. Wyatt traveled to the atoll to speak with the islands' 167 residents (Niedenthal, 2013). The purpose of Wyatt's visit was to persuade the Bikinians to temporarily leave their home so that the United States could use the atoll for the testing of the newest addition to the U.S. nuclear arsenal – the first hydrogen bomb. This choice was based largely on the distance of the island from continental populations – government publications addressing the tests described the area as “uninhabited, or nearly so” (Shurcliff, 1947). This erasure of the inhabitants of Bikini and nearby islands is part of a rhetorical strategy regularly used by the United States to justify colonial land grabs – the rhetorical erasure of indigenous peoples already inhabiting those territories (Kuletz, 1998). The Bikinians, believing that they were offering the world a chance to develop technology that would prevent future wars, agreed to relocate, and have spent the last seven decades moving from island to island as the U.S. government continues to relocate them to locations that are unsuitable for long-term habitation (Niedenthal, 2013).

Bikinians have rejected representations of the atoll as nearly deserted, marginal, or a nuclear wasteland, maintaining a view of the island as a paradise, their homeland to which they hope someday to return (Davis, 2005). Much of their advocacy has centered around a long string of legal battles with the goal of repatriation and/or compensation for the loss of their homeland (Kauanui, 2015). Recently, this has taken the form of calls on Congress to appropriate funds for some Bikinians currently living on Kili to relocate to the United States as sea level rise threatens their survival on the small island (Kaplan, 2015).

The commitment of some Bikinians to repatriation stands in opposition to the narratives of some American environmentalists who wish to preserve Bikini as a historical and natural monument (Davis, 2015).<sup>8</sup> This chapter delves into the tensions that sometimes emerge between decolonial and environmental advocacy and the means by which those concerned with environmentalism can ensure that their environmental concerns do not eclipse those of marginalized communities. The case of Bikini Atoll is particularly attention-worthy, as the relationship between environmentalism and decolonial struggle is especially complex in this context. On the one hand, Bikini has been made largely uninhabitable by the environmental consequences of nuclear testing, and the islands to which Bikinians have been relocated have become unsuitable for permanent settlement in large part due to climate change or other environmental factors. On the other hand, environmentalists have played a role in preventing the Bikinians from

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<sup>8</sup> Throughout this chapter, I use the phrase “some Bikinians” to indicate that the members of this movement are not necessarily representatives of all Bikinians. In each of these chapters, the resistance I analyze is carried out by some members of the nation, and I work to incorporate language that challenges essentialism in my understanding of these groups.

returning to their ancestral home. Bikinians have challenged the competing narratives of the atoll as either a wasteland or a pristine wilderness to argue for repatriation and to educate outsiders about the colonial histories that have so thoroughly impacted their lives.

This chapter also explores the complex role that identity plays in advocacy. Jack Niedenthal, an active participant in the Bikinian repatriation movement, acts in this chapter as a synecdoche for broader questions of identity, as an American-born white man who married into Bikinian culture and adopted Bikinian identity (Burke, 1941; Niedenthal, 2013). This chapter explores the complex realities of identity for indigenous people whose Native status has often been gatekept by colonial governments seeking to minimize their own responsibility for the suffering of colonized peoples. By refusing Western definitions of indigeneity in court, Bikinians have enacted sovereignty and self-definition in ways very different from, but overlapping with, the tactics employed by the other movements discussed in this thesis. This chapter acknowledges and explores the complicated role that identity plays in decolonial resistance.

#### *Chapter IV: Ka Lāhui Hawai'i*

In many ways, Hawaii has been a foundational case for militarized American colonialism. Following an influx of American sandalwood and sugarcane farmers in the mid-1800s, President John Tyler declared Hawaii to be part of the U.S. sphere of influence, functionally laying claim to the archipelago and warning other colonial powers not to interfere (H.K. Trask, 1999). By the end of that century, the Hawaiian government had been overthrown by a coalition of sugar farmers and the U.S. military, and within another hundred years the island chain served as the bastion of U.S. naval strategy in the

Pacific (Niheu, 1998). Today, the U.S. government controls roughly 20% of Hawaiian land (mostly in the form of military facilities), and the islands house the largest collection of nuclear submarines in the world (Vincent, Hanson, & Bjelopera, 2014; H.K. Trask, 2006). Twelve nuclear tests have taken place at Johnston Atoll, an unincorporated territory of the United States considered by indigenous Hawaiians to be a part of Hawai'i, and the Makua valley on O'ahu has been used as a military bombing range since the late 1990s (Simon & Robinson, 1997; Niheu, 1998).

Indigenous Hawaiians have resisted colonization from the beginning, challenging U.S. infiltration of the Hawaiian monarchy and opposing annexation and statehood (M.B. Trask, 1993). Since 1987, Ka Lāhui Hawai'i has been one of the most active independence movements in Hawai'i (H.K. Trask, 1999). The movement's primary goal is to obtain recognition as a sovereign nation from the U.S. government, and receive the legal status afforded to other indigenous nations in the United States, following the "nation-within-a-nation model." Its secondary goals include regaining a land base, reclaiming Hawaiian cultural resources that have been appropriated for the tourist industry, and denuclearizing and demilitarizing the archipelago (H.K. Trask, 1999, p. 37).

In 1993, Ka Lāhui Hawai'i citizens and other Hawaiians came together to testify in a one-and-a-half-week-long Tribunal entitled Ka Ho'okolokolonui Kānaka Maoli – People's International Tribunal Hawai'i. The tribunal brought in a panel of international jurists, many of whom came from other colonized nations, to adjudicate a list of charges against the U.S. government. Witnesses provided testimony across five islands detailing the suffering imposed by U.S. colonization and resistance exercised by indigenous Hawaiians. For example, Ka Lāhui Hawai'i organizers have centered traditional



Hawaiian values such as *ohana* (family), *mālama ʻāina* (care for the land), and *aloha ʻāina* (love of the land) (H.K. Trask, 2001). This incorporation of traditional Hawaiian ideals serves as a rejection of Western understandings of environmentalism and development in favor of indigenous knowledges that have been historically subjugated by colonialism. In this way, Hawaiian advocates incorporate a decolonial epistemology into their resistance (H.K. Trask, 1999). Protesters have also resisted dispossession by refusing to leave areas claimed by eminent domain, or by resettling areas that have been set aside for development, forcing the U.S. government to invest time and resources in forcible evictions of indigenous communities (Niheu, 1998). Other events have included a demonstration on the centennial of annexation involving a procession to Iolani palace to honor the anti-annexation advocacy done by Hawaiian ancestors (Altonn, 1998).

This chapter explores the ways that indigenous sovereignty movements call on traditional values that oppose Western values to de-naturalize colonial structures. Hawaiian decolonial advocates have, in many instances, rejected Western understandings of “civil rights” in favor of “human rights” that they argue should be universal regardless of the legal system under which a nation operates (H.K. Trask, 1999, p. 33). Many of the traditional Hawaiian beliefs that guide this movement have been characterized as primitive or uncivilized by the Western educational system implemented in Hawaiʻi after annexation. By embracing these values, witnesses at the tribunal reclaim their own history and reject the colonization of the mind that has been imposed on them by the U.S. government (H.K. Trask, 1999). This chapter will embrace the tensions that come with the especially complex colonial history in Hawaiʻi. At the same time as advocates are calling for a return of Hawaiian sovereignty and a removal of white colonizers who have

occupied most of the real estate in Hawai'i, they are also dealing with their own complicated relationship with East Asian residents of Hawai'i. While some of these residents descend from colonizers or have appeared as tourists, others are descended from people forced to migrate to work on sugar plantations. This painful and complex history problematizes essentialist approaches of resistance to foreign occupation in Hawai'i. This chapter will consider how solidarity functions not only between white advocates and indigenous decolonial organizers, but also between members of different racially marginalized groups who share complicated and often painful histories.

### **Conclusion**

These three cases offer a chance to explore the ways that resistance groups use rhetoric to challenge systems of domination. Western Shoshone, Bikinian, and Hawaiian protesters have used a variety of rhetorical technologies to undermine the revocation of their sovereignty, as well as to oppose the environmental harms caused to their homelands as part of that colonial expansion. Alternately mirroring, coopting, and rejecting rhetorics traditionally used by their colonizers, these groups have worked to make clear their claims to sovereignty and remove U.S. military facilities from their land. By investigating the ways that these movements have utilized these myriad techniques, this project demonstrates the varying contexts in which rhetorical strategies, tactics, and maneuvers are useful, and the ways in which the three approaches can be combined to create choreographed movements of resistance to domination. In this way, I recognize, reflect, and extrapolate on the often messy and contradictory nature of advocacy to argue that the available means of resistance may differ in any given advocacy context, and must be innovatively chosen and combined to fit the needs of particular colonized peoples.

## CHAPTER II

The first case that I will explore in this project is that of the Western Shoshone Nation's resistance to the Nevada Nuclear Test Site (now Nevada National Security Site). This resistance is rooted in Western Shoshone claims to treaty rights over the land where the test site is situated and opposition to nuclear testing at sacred sites (Harney, 1995). Throughout this chapter I will explore the ways that protesters at the site appropriated the physical elements of the protest space as well as Western law and values to challenge U.S. occupation of the site.

Since the 1980s, Western Shoshone protesters have allied with Catholic opponents of nuclear testing to resist U.S. occupation of the Nevada Test Site (Harney, 1995). Together, these groups have utilized a variety of rhetorical strategies to challenge dominant narratives of nationhood and citizenship that are couched in colonial histories. These protests draw on rhetorical appropriation strategies deployed in other indigenous protests, and they offer a valuable opportunity to expand on current understandings of indigenous protest rhetoric, bordering discourses, and solidarity between indigenous and non-indigenous protesters. This chapter will analyze the verbal, visual, and performative rhetorics used in the protests conducted by Western Shoshone and Catholic protesters at the Nevada Test Site. I will use this chapter to expand on current understandings of indigenous protest rhetoric by arguing that these protests have incorporated both tactics of appropriating Western rhetorics and maneuvers of rejecting Western ways of knowing the world. Additionally, this chapter will explore these protests as an instance of solidarity built on the coupling of differing, but mutually supportive, goals between indigenous people and white protesters. The following section contextualizes this chapter

in relation to contemporary scholarship surrounding Western Shoshone protests and the Nevada Test Site and describes the theoretical underpinnings of this chapter's analysis.

### **Literature Review**

Literature centering on Western Shoshone resistance movements is limited. In the communication field, Endres (2013) has studied the ways that Western Shoshone and Southern Paiute opponents of the Yucca Mountain High-Level Nuclear Waste Repository have worked to re-frame the discussion in terms of animist intersubjectivity to demonstrate the importance of recognizing the potential harm to animals, plants, and geographies threatened by nuclear storage. Similarly, Endres (2012) has explored the conflicting frames of Yucca Mountain as a sacred or sacrificial space by opponents and supporters of the waste facility. While these pieces provide valuable insight into Western Shoshone methods of resistance at Yucca Mountain, their limited quantity indicates a deficit in communication research on this topic. Additionally, the focus on Yucca Mountain, while meaningfully related to resistance at the Nevada Test Site, does not encompass the full range of questions this chapter will address.

Outside of communication, scholars in fields such as history, critical geography, and legal studies have offered some discussion of Western Shoshone protests and other resistance to the Nevada Test Site. Dussias (1999) argues that disputes over property rights on contested land have served to challenge not only the material conditions of U.S. control of historical Western Shoshone lands, but also as a means of confronting U.S. frames of women's rights, property rights, and development. Other scholars have analyzed Western Shoshone resistance at the Nevada Nuclear Test Site by focusing primarily on religious motivations for protest. Butigan (2003), for example, notes that

many of the non-Western Shoshone protesters who have coalesced at the site since the 1950s have been motivated primarily by religious convictions of pacifism. Titus (1986) and Boyer (1984) mirror this focus, arguing that the teachings of the Catholic church influenced many protesters to oppose the development of nuclear weapons and resist through protests at the Nevada Test Site.

In addition to expanding these bodies of literature by specifically investigating the rhetorical approaches deployed by Western Shoshone-led groups at the Nevada Test Site, this chapter will also add to bodies of literature that draw from de Certeau's descriptions of rhetorical strategies and tactics (as introduced in chapter one). The first component of such scholarship is the vocabulary of rhetorical appropriation. Black (2009) argues that "Choctaw, Creek, Chickasaw, and Seminole responses to Indian removal appropriated the government's discourses of territoriality, republicanism, paternalism, and godly authority, thus decolonizing these discourses from within" (p. 67). Black (2009) draws on de Certeau's (1984) argument that those who resist structures of power may do so by taking hold of those structures from which they cannot immediately escape and turning those structures against themselves. This chapter explores appropriation as a tactic deployed by Western Shoshone protesters to reveal the inconsistencies in U.S. policy toward the Nevada Test Site.

Additionally, I draw on Phillips's (2006) argument that those who are at a disadvantage in power structures may call on identities external to the situation in which they are resisting to undermine the power relationship at play. Phillips (2006) describes this rhetorical approach as a maneuver and argues that considering the way individuals may call on memories of subject positions that afford them more power or disturb the

expected power relationships in a given interaction may be a useful addition to de Certeau's analysis. This perspective lends helpful insight into the question of nationality and citizenship discussed in this chapter.

This chapter also joins the conversation with scholars debating the role of instrumental rhetoric as opposed to consummatory rhetoric in indigenous protest. Morris and Wander (1990) write that indigenous nations often must band together to create Native American coalitions that rely on historic understandings of indigenous behavior to “create a ‘social hegemony’” (p. 165). Underlying this argument is the assumption that indigenous protesters act primarily out of a desire to create change in the material conditions of oppression resulting from colonialism by coalescing to make direct demands on and successfully obtain change from the U.S. government. Lake (1983) challenges this interpretation, arguing instead that indigenous protests – particularly the Red Power movement – have been misunderstood as unsuccessful appeals to white audiences, rather than being more accurately interpreted as forms of self-address that successfully mobilize indigenous actors. This chapter opens my development of the both-and perspective by analyzing the rhetoric deployed at the Nevada Test Site as a case in which consummatory, instrumental, and coalitional rhetoric are all necessary components of indigenous protest.

This section has discussed the current literature bases surrounding Western Shoshone protest and the Nevada Test Site and has laid out the theoretical foundations for my analysis in this chapter. In the following sections, I provide historical context for the texts that I will analyze, offer my reading of those texts, and explore the implications of this read for the central questions of this thesis.

### **The Treaty of Ruby Valley and the Nevada Test Site**

In 1863, the U.S. government negotiated the Treaty of Ruby Valley with the Western Shoshone nation. This treaty outlined agreements about the use and custody of the Western Shoshone territory Newe Segobia, which stretched from what we know as Southern Idaho to Southern California, encompassing much of the state of Nevada. The treaty allowed the U.S. government to establish military bases for the purpose of maintaining safety for travelers, rail lines, and communications infrastructure; permitted mining and ranching in the territory; created provisions for the President of the United States to establish reservations for the Western Shoshone within the territory; and guaranteed the Western Shoshone compensation for the use of the land and resources in the territory (Treaty of Ruby Valley, 1863). In 1950, the U.S. government designated a section of this land northwest of Las Vegas for the testing of nuclear weapons (Beck, 2002). After members of the Western Shoshone Nation disputed this use of land (given that it was included in the Treaty of Ruby Valley), the United States offered to buy the land in 1979, and created a trust in the Department of Interior where money was deposited on behalf of the Western Shoshone (Beck, 2002). Those who oppose the test site have argued that the Western Shoshone never accepted the money deposited in this trust, and that the use of this land for nuclear testing violates the treaty of Ruby Valley (Harney, 1995).

In 1982, a group of Franciscan workers came together at the test site to hold the first Lenten Desert Experience in opposition to the development of nuclear weapons (Lynch, 2005). These protesters would later form the Nevada Desert Experience, an anti-nuclear group that continues to advocate for nuclear disarmament today. The group

incorporated environmentalist and pacifist concerns that had been prevalent in non-indigenous protests at the site with Western Shoshone concerns about sovereignty and defilement of sacred land. In 1987, the Nevada Desert Experience came together with the Western Shoshone to implement a new strategy of resistance at the Nevada nuclear test site (Rosse, 1995). The Western Shoshone would write passports for Nevada Desert Experience protesters, who would then cross over into the test site, where American police officers would arrest them on trespassing charges (Rosse, 1995). They would then show their passports to the police officers, arguing that they could not be arrested for trespassing, as the Western Shoshone National Council, not the U.S. government, had jurisdiction over the land where the test site was located (Rosse, 1995). Therefore, the protesters argued, the U.S. government could not forbid people from entering the test site if they had permission from the Western Shoshone National Council (Rosse, 1995). Other protesters would stand outside the test site holding signs and flags, offering Catholic and Western Shoshone prayers, singing songs and chanting, and playing drums or using noisemakers (Haber, 2011).

These protests upend conventional understandings of borders, nationhood, and citizenship. The Western Shoshone granted white Americans permission to enter their nation, challenging assumptions about the racial and ethnic identities of border-crossers, the location of U.S. borders, and the (in)dependence of indigenous nations. The following section will connect the Western Shoshone protests to current scholarly discussions of these issues to provide a foundation for the argument that the Western Shoshone have used innovative rhetorical strategies to challenge U.S. occupation of the land used for the Nevada Test Site.



In the following section, I explore a number of texts to argue that the Western Shoshone-Nevada Desert Experience coalition deployed both rhetorical appropriation as a means of revealing the incoherence of American framing of Newe Segobia and rhetorical maneuvers that re-framed Western Shoshone nationality in opposition to American citizenship. Afterward, I explore the ways in which the coalition functioned as a site of solidarity between indigenous and white protesters and explore the implications of this solidarity for our understandings of coalition-building. These texts are drawn from a variety of sources, including the University of Nevada, Las Vegas Nevada Test Site Oral History Project (UNLV NTSOHP), the personal collections of protest participants, and Corbin Harney's (1995) accounting of the protests and Western Shoshone relationship to the land at the test site, *The Way It Is: One Water ... One Air ... One Mother Earth*. I collected these texts over a number of years, first by searching the UNLV NTSOHP for interviews of protesters associated with this movement, which also led me to Corbin Harney's (1995) account. As I continued to research this topic, I reached out to the Nevada Desert Experience office in Las Vegas and was connected with a protester who was kind enough to offer me a copy of her most recent passport in addition to links to videos of protests in which she has participated, including her wedding, which occurred during a protest at the site.

### **Resistance Strategies at the Nevada Nuclear Test Site**

The Western Shoshone protesters have made use of numerous approaches to highlight the tensions between their understanding of the space occupied by the Nevada Test Site and the U.S. government's interpretations and uses of that same space. This chapter investigates the protests to appreciate the ways that protesters attempt to imbue

sovereignty and borders with meaning. In this section, I explore the deployment of three types of artifacts to highlight the appropriation and maneuvering carried out in these protests. I begin by discussing the use of passports, then explore the covering and re-writing of signage, and finally consider the importance of naming space in these protests.

### *Passports*

One of the most powerful rhetorical strategies used by the Western Shoshone and Nevada Desert Experience began in January 1987, when Western Shoshone leaders began issuing permits for protesters to enter Shoshone land during demonstrations (Rosse, 1995). Still issued today, these permits read:

Permit for non-Western Shoshone citizen to enter the Southern Zone of the Western Shoshone Nation (aka the Nevada Test Site). . . . To be valid this permit must be signed by an officer of the Western Shoshone Nation, and must be carried at all times when within the zone indicated. Upon request, this permit must be made available to an officer of the Western Shoshone National Council (WSNC) and may be revoked at any time by the officer or the WSNC. (Western Shoshone Nation, n.d.)

Protesters receiving these permits participate in acts of civil disobedience by crossing over into the testing grounds and showing their passports to the police officers, who then arrest them for trespassing. The protesters incorporate the arrests into the structure of the protests by challenging the arrests, using the permits to enact the Western Shoshone's arguments about their sovereignty, as the American protesters refuse to recognize the legal right of U.S. officials to arrest them in territory they argue is controlled by the Western Shoshone. This refusal to cooperate is an attack on the assumed legitimacy of

the borders (or lack thereof) that mark the physical space of the desert. Wanzer (2012) calls this maneuver “epistemic disobedience,” and argues that it is a way to challenge what has been naturalized by choosing to understand differently. By refusing to recognize U.S. authority in the space, protesters frame the borders that mark the area differently, affirming Western Shoshone nationhood and jurisdiction over the site. McKerrow (1999) has argued that people can deconstruct spaces by embracing the concurrent “sense of here/now *and* not here/now” (p. 273). These protests challenge understandings of here and now that grant the U.S. control of the space, and instead reassert Western Shoshone control that was assumed at the time of the Treaty of Ruby Valley.

By adhering to understandings of jurisdiction that have been obfuscated by time, the protesters utilize temporal narratives to empower the Western Shoshone and challenge modern colonial divisions of space (Lake, 1991). Calling on these memories serves as a maneuver in which the protesters utilize understandings of the Western Shoshone Nation as separate from the colonial United States as a way of undermining U.S. authority at the site. Rather than adhering to the expected power relations in which the protesters must comply with the demands made by agents of the U.S. government, this maneuver challenges the appropriateness of that relationship and redefines the relationship in a way more favorable to the Western Shoshone Nation.

The re-framing forwarded by passport use is bolstered in protesters’ discussions of U.S. authority and punitive power. Western Shoshone citizen Bill Rosse, Sr., for example, has participated in protests by handing out permits to protesters at the site. In one recounting of this participation, Rosse (1995) writes, “I’m gonna be one of these guys coming around here with a clipboard and giving people permission to be here. So if

they want to arrest somebody, they can arrest me, or the Western Shoshone National Council actually, since I'm their representative" (pp. 144-145). Rosse's (1995) challenge to police to arrest him or the Western Shoshone National Council members for giving people the permission to be on the land demonstrates the spirit of these protests.

Members are willing to put their bodies on the line to support Western Shoshone sovereignty and challenge the authority of the United States to control the land occupied by the test site. Rather than ask the federal government to recognize the right of Western Shoshone citizens to access the land, the Western Shoshone assume that right as well as the right to decide which other individuals were allowed to be on the land. In so doing, they undermine the expected relationship between indigenous peoples and the U.S. government in ways that begin to create fissures in U.S. control of the space.

### *Signs*

In addition to the issuance of passports and the bodily occupation of the site, protesters at the site have also used a wealth of erected and modified signs to convey their messages. For instance, one group of protesters covered signs from the U.S. declaring the test site to be a secure area and banning trespassers with a sign of their own that reads:

Welcome to the Western Shoshone Nation

Newene Segobia

In 1863 the Treaty of Ruby Valley between the Shoshone people and the U.S.

Government recognized this land as the Western Shoshone Homeland. This treaty is still the law of the land! The Nevada National Security Site is illegal. (Haber, 2011)

The sign opens by contesting U.S. control of the space occupied by the test site while welcoming visitors to Newe Segobia. Though the United States declares that crossing into that space is a crime (trespassing), the Western Shoshone welcome individuals to visit their nation. The placement of the sign communicates a determination to assert control, literally papering over the commands of the United States in favor of hospitality offered by the Western Shoshone. This once again functions as a maneuver that asserts the Western Shoshone's right to interact with the territory as they wish and without the permission of the U.S. government, while also encouraging audiences to enter the land without requesting U.S. approval, as a means of challenging U.S. authority over the space. This serves as an opportunity not only to forward Western Shoshone sovereignty, but also to build coalitions with American audiences, who may choose to disobey the orders of the U.S. government and/or enact the treaty obligations that their government has disavowed.

Additionally, the sign frames U.S. actions such as arresting protesters as illegal, since they do not respect the supreme authority of the Western Shoshone National Council. In this way, U.S. officials become the criminals who are failing to honor the "law of the land," taking prisoners in a space where they have no legal authority to do so. In this way, the protesters appropriate both the sign and U.S. legal rhetoric. By taking control of the sign and imbuing it with a decolonial message, the protesters make use of the physical aspects of a space constructed by the U.S. government to challenge that spatial construction. By calling on the treaty to support the authority of the Western Shoshone National Council, the sign also reminds audiences that the United States has failed to uphold its own laws. The Treaty of Ruby Valley, the sign argues, is a legally

binding contract that determines the border between two nations. The protesters argue that the U.S. government's failure to recognize these borders is a violation of the treaty, which recognized Western Shoshone control of the territory and foreclosed the possibility of U.S. jurisdiction in that area. From this perspective, the police officers participating in arrests are demonstrating their own lack of understanding of international law and supporting a nation that has absconded on its treaty obligations.

The sign also explicitly argues the illegality of the test site. The bottom half of the sign cites the Treaty of Ruby Valley. Calling the treaty "the law of the land" rejects U.S. authority to dictate laws or ban trespassing (while simultaneously co-opting language used to uphold that authority), and affirms the power of the Western Shoshone National Council to make those kinds of decisions. This argument centers Western Shoshone nationhood as separate from that of the U.S. and frames the Treaty of Ruby Valley as an international agreement. By centering this understanding of the relationship between the Western Shoshone Nation and the U.S. government, the sign reminds audiences that the U.S. has failed to live up to its commitments and calls upon conventions of international law to remind audiences of the bounds to U.S. governmental authority. Rather than accepting the naturalized assumption that the U.S. constitution is the "law of the land" for all of the territory between the Canadian and Mexican borders from the Atlantic to Pacific, the sign asserts a different law for this land – the land that the Western Shoshone argue was never legally a part of the United States.

The posting of new signs is not the only way that the protesters have challenged signage posted by the United States. In fact, images of other protests show the same sign

discussed above, but this time it is marked by graffiti that challenges American dominance. The sign originally read,

You are now entering the Nevada Test Site

No trespassing

By order of the United States Department of Energy. (Harney, 1995, p. 138)

On the graffitied sign, “United States” is crossed out, with “Western Shoshone” written underneath. Unlike the sign-covering-sign previously described, this marked sign does not welcome visitors, but warns away trespassers, although identifying who is the trespasser and who is the rightful authority is reversed. For the Western Shoshone National Council to declare that no trespassing is allowed in the territory is to rebuke all those individuals associated with nuclear testing and other government activities at the test site as criminals for entering the territory without permission from the Council. Once again, the protesters appropriate U.S. rhetoric, this time reclaiming notions of criminality that have been applied to the Western Shoshone and Nevada Desert Experience line crossers and turning that criminality back on the very officers who arrest them. This crossing-out also creates a dual meaning. In addition to reading, “You are now entering the Nevada Test Site, No trespassing, By order of the Western Shoshone,” the sign also reads “By order of the Western Shoshone, RESIST.” This message urges audiences to take action and refuse U.S. domination of the space in favor of supporting Western Shoshone authority in the territory. The sign, then, appears to be directed at multiple audiences. From one perspective, the sign addresses those who work at the test site and law enforcement officers who participate in arrests, turning their accusation of trespassing against them. But from another perspective, the sign seems to serve a

consummatory and coalitional function, calling on Western Shoshone audiences to strengthen their commitment to sovereignty and asking American audiences to recognize and resist the colonial violence done by their government.

While the graffiti accomplishes many of the same goals as the covered sign, it has the added benefit of simultaneously covering and revealing the sign that asserts U.S. control of the land, rather than simply covering—and thereby concealing—the original sign. This coexistence with the colonizer's assertion of authority allows the Western Shoshone to insert their voice into what has been understood by the public as a monologue. Rather than allowing the United States to maintain a monopoly on authoritative signage at the test site, the Western Shoshone force their perspective into the view of anyone reading the sign. At the same time, they leave the original sign's text available to the viewer, placing their own decolonial message in juxtaposition with the original text. By placing graffiti on the sign, the protesters challenge the attempted erasure of indigenous people from the public imagination for the purpose of American expansionism.

The combination of the messages on the sign marked by graffiti works as a palimpsest—a textual medium whose original text has been deemed no longer necessary or desirable, and has been partially wiped away to make room for a new text (de Groot & Leuven, 2014). The original text on a palimpsest never fully disappears, just as the original message of this sign is still visible. But the covering-over of the old text with the new emphasizes shifting value systems and priorities; the new text partially replaces the old text because the old text is not deemed valuable enough for independent preservation. Similarly, the re-writing of this sign via graffiti challenges the desirability of U.S.



jurisdiction over the land occupied by the test site, and re-centers Western Shoshone sovereignty. At the same time, this re-writing demands a return to a territorial understanding that was present before the violation of the Treaty of Ruby Valley. The use of palimpsest here is particularly useful for this goal, as maintaining the original message while modifying it points directly to the problematic actions of the U.S. government in a way that simply covering the sign could not. By leaving the original message intact, the differences between the two interpretations of the space become hyper-visible. The sign does not just reject the old meaning in favor of the new, but challenges the idea that the old meaning was natural or historic in the first place by harkening back to an understanding of the space that pre-dated the establishment of U.S. governmental control and the development of the test site. By centering the Treaty of Ruby Valley, the Western Shoshone remind the U.S. government of past commitments that have been forsaken, and challenge the government to restore a state of international relations between the United States and Western Shoshone that was promised in the Treaty of Ruby Valley.

### *Naming*

The sign also functions to challenge U.S. power to name the space occupied by the test site. Naming is a crucial element of human reality building. By naming experiences, we assign value, categorize in ways that highlight some elements of experience while casting others in shadow, and justify or condemn behaviors (Burke, 1954; McKerrow, 1989). This is particularly relevant in cases of disputed space, as the power to name a space becomes the power to control it. Disputes over naming of space has a history in North American indigenous people's advocacy. The (re-) naming of Little Bighorn Battlefield National Monument as a replacement for what had previously been

named Custer's Last Stand, for example, was the subject of heated debate. Indigenous advocates opposed to the glorification of General Custer that was communicated by the original name clashed with Custer historians, who argued the name had historic significance (Buchholtz, 2012). Similarly, by maintaining the indigenous name for the territory, advocates for Western Shoshone jurisdiction challenge the U.S. government's authority not only to occupy the space, but to exert any control over it even in name. U.S. government officials, then, are careful to refer to the territory where the test site is located as "the territory described in the Treaty of Ruby Valley" (Northwestern Bands of Shoshone Indians vs United States, 1945). This naming may be an attempt by the U.S. government to abdicate responsibility for the treaty. By naming the space in this way, U.S. officials call on the treaty as something done in the past – something their ancestors implemented over which they had no control – and therefore obfuscate their own complicity in the continued use of the territory for militarized purposes today.

For the Western Shoshone to name the space occupied by the test site as Newe Segobia is to reassert custody of the land. This pattern repeats throughout Western Shoshone discourse about the Treaty of Ruby Valley and the test site. This naming also re-asserts separateness from the United States; the sign changes the nature of the border that protesters cross. Rather than being a boundary between publicly accessible land and a restricted-access security site within the same nation, the line the advocates cross becomes an international border. By using passports when they cross over the border, the protesters refuse understandings of this border that situate the Western Shoshone Nation as a protectorate or territory of the United States, and instead frame their movement across the border as crossing from one independent nation to another, behaving according

to their belief that the Western Shoshone Nation is a completely separate entity from the United States.

In addition to appropriating signs for the purpose of forwarding a different understanding of sovereignty in the Nevada Desert, the Western Shoshone employ web-based advocacy to name U.S. actions at the test site as acts of war. Healing Ourselves and Mother Earth (H.O.M.E.), a nonprofit organization dedicated to education and research surrounding nuclear issues, argues that “the Western Shoshone are the most bombed nation on Earth, with over 1,000 nuclear bombs detonated on their land by the U.S. and Great Britain since 1987” (Healing Ourselves and Mother Earth, n.d.). This description of Newe Segobia employs two acts of naming that challenge U.S. power over the site. First, by naming the Western Shoshone as a nation, the website reiterates the arguments made by using passports and signs that the Western Shoshone are separate from the United States. This incorporates a similar approach to the American Declaration of Independence, which explicitly located Americans as separate from the British to foreclose the possibility of political reunification (Lucas, n.d.). Second, the website frames the test site not as an empty space where weapons are tested away from areas where they might harm civilians, but instead as a war zone. Implicitly, the website appropriates Western notions of innocence and non-combatants, arguing that the United States has knowingly waged war against a nation for decades. This re-framing of the site teases out tensions between Western understandings of acceptable targets of war and the indiscriminate bombing of a colonized nation as a means of undermining the logic that allows continued occupation of and nuclear testing at the site.

The power of naming also becomes evident in competing claims about the intention of the U.S. government in choosing not to prosecute some of the protesters at the site. H.O.M.E. argues that this choice has been an intentional move to avoid controversy over the U.S. government's failure to meet its treaty obligations, writing that "hundreds of simple trespass actions onto the Test Site have not been prosecuted, because the government wants to keep the issue of the Ruby Valley Treaty out of the courts" (Healing Ourselves and Mother Earth, n.d.). Local law enforcement officers, however, have challenged this interpretation, suggesting that while some protesters have been prosecuted, other charges were dropped to avoid unnecessary overload of local criminal justice systems. James Merlino, in his interview for the NTSOHP, stated that

Well, we wanted, to start out with, taking them to court in Tonopah. We had a district attorney there and his name was Dunleavy [sp], last name, and he said, You can bring them up here but we're not going to take them to court. He said, This would tie the jails up, tie the court system up, and he was right. (Merlino, 2004, p. 20)

These competing claims may demonstrate the importance for each side of the dispute to control the naming of intentions. For decolonial advocates to argue that the reason for dropped charges was associated with a desire to avoid scrutiny of U.S. treaty obligations is to constitute a shared understanding of the colonial aims of the government in a consummatory maneuver. At the same time, to convince others to adopt this understanding of the controversy would further undermine the credibility of law enforcement at the site and the colonial systems their work supports.

The Western Shoshone protesters have built a complex and sophisticated system of protest strategies that utilizes numerous rhetorical approaches to appeal to audiences on both traditional and novel grounds. By deploying passports and signs, and by naming the site in ways that contradict U.S. understandings of the site, the protesters have worked to undermine the power relations at play through appropriation and rhetorical maneuvering. The following section of this chapter turns toward the broader implications of these protests for rhetorical theory and scholarly understandings of indigenous protests and inter-racial cooperation in protest.

### **Implications**

My analysis of protests at the Nevada Test Site through the lens of sovereignty and nationhood offers the chance to expand on current scholarly understandings of indigenous protest strategies. The protesters have enacted Western Shoshone sovereignty through myriad means to challenge U.S. colonial understandings of space in the Nevada desert. In this section I explore the implications of this chapter for the broader questions that animate this thesis project. First, I will challenge the dichotomous understanding of indigenous protest rhetoric as either consummatory or instrumental, by arguing that the tactics and maneuvers deployed in these protests both functioned as a means of building community within the Western Shoshone Nation and of making material demands on the U.S. government for change. Second, I will unpack the coalition of Western Shoshone and Nevada Desert Experience protesters to argue that these protests model an accomplice-based approach to solidarity.

### ***Consummatory and Instrumental Rhetoric***

This chapter attempts to expand on Lake's (1983) concept of consummatory protests that "treats Native Americans as independent entities of stature equal to that of other recognized 'nations,' including the United States, and thereby enacts the demand for sovereignty" (p. 140). The protests at the Nevada Test Site have certainly served a consummatory function, treating Western Shoshone sovereignty as an assumed status, rather than a right or privilege to be granted by the U.S. government. The use of permits, for example, enacts Western Shoshone sovereignty by challenging the authority of officials of the United States (or the state of Nevada) to arrest protesters present in the space occupied by the test site. The permits enact the authority of the Western Shoshone National Council as the governing body responsible for determining who has permission to enter the space.

However, in addition to performatively enacting their sovereignty, they have at the same time made material demands on the U.S. government to respect that sovereignty. They have attempted to hold the U.S. accountable for its past agreements, calling on treaties to remind the U.S. of its obligations and challenge the testing of nuclear weapons on sacred sites. The insertion of Western Shoshone voice into spaces that had been previously dominated by the U.S. government (such as signs at the borders of the test site) complicates an audience's ability to maintain its naturalized understanding of the United States as uncontestedly sovereign. By challenging non-indigenous audiences (including U.S. government employees) to recognize their own complicity in the colonization of Newe Segobia, the protests attempt not only to bring indigenous advocates together around a common bond, but also to make demands on

colonizers to rethink and begin making material change at both institutional and personal levels.

The protests' both/and approach is also evident in their appropriation and challenging of colonial rhetorics. Appeals to treaty law, bordering discourses, and nationhood draw on Western understandings of sovereignty that are inconsistent with pre-colonial understandings of space and jurisdiction for the Western Shoshone. For example, "ownership" of the land occupied by the Nevada Test Site was once shared between the Western Shoshone and Southern Paiute with little to no conflict (Kuletz, 1998). This ownership differed significantly from notions of property that derive from Western law. While Western Shoshone and Southern Paiute agreements prior to colonization demonstrate clear understandings of land possession and occupation, these agreements differ from the Western understanding of property "as a delegation of sovereign power" (Harris, 1993, p. 1724). Historically, possession of land in the US has been legally defined according to cultural practices that associate property ownership with whiteness. Harris (1993) argues that these historic ties have been so tightly woven as to construct whiteness itself as property. Western legal definitions of property ownership, then have relied heavily on notions of development or "proper" use of land that have excluded indigenous practices in order to justify colonization of indigenous lands. Western Shoshone and Southern Paiute agreements, on the other hand, delineated familial connections to particular territories, and outlined appropriate channels for activity on land controlled by other nations, but did not codify property as a means of defining racial identity as American law did.

Prior to colonization, the land that now constitutes the test site was divided into three districts, which were subsets of the Western Shoshone and Southern Paiute nations (Stoffle, Halmo, Olmsted, & Evans, 1990). These districts were recognized by both nations, but land use was governed by mutual agreement, rather than codified treaties. Residents of one district might make agreements to share resources with residents of another district based on familial ties or long-standing trade relationships (Stoffle, Halmo, Olmsted, & Evans, 1990). This relationship to the land is based on mutual care between the land and occupants, and mutual respect of jurisdiction between nations (Harney, 1995). By The reliance on a treaty that defines the entire test site as belonging to the Western Shoshone Nation, then, is not only a reliance on a Western law that excluded Southern Paiute jurisdiction, but also on Western notions of property as sovereignty that differ from pre-colonial agreements. However, by utilizing vocabularies familiar to U.S. audiences, the protests attempt to challenge those audiences to recognize the contradictions embedded in those systems. Calling on treaties that have been violated demonstrates the U.S. government's failures to adhere to its own legal systems, and utilizing rhetorics of sovereignty that establish Western Shoshone land rights problematizes U.S. use of the land in ways that are objectionable to protesters (and, they hope, to non-indigenous individuals as well).

The appropriation of rhetorics traditionally used in colonial ways demonstrates the necessity of complicating scholarly understandings of colonial and decolonial rhetoric. It is not sufficient to divide rhetorical strategies into those used by the colonizers and those used by the colonized. Rather, it is important to recognize that, alongside decolonial approaches, indigenous protesters may also appropriate tools of colonization



as a means of breaking down colonial systems. This, of course, taps into ongoing scholarly debates about the value of appropriating colonial tools for decolonial work. Audre Lorde (2003) famously argues that, “the master’s tools will never dismantle the master’s house” (p. 25). Van Toorn (2000), however, maintains that appropriating the master’s tools is both a necessary strategy for indigenous challengers to colonialism, and is particularly revolutionary, as it challenges the master’s ability to define the terms under which his tools may be used. These protests challenge the division between using and rejecting the master’s tools. The protesters in this case have utilized colonial tools, but they have used them to point out the already-existing flaws in colonial systems and to make material demands for change in those systems.

### *Solidarity, Allies, and Accomplices*

In addition to finding ways to challenge a white audience’s complicity in violent rhetorics, these protests have deputized white accomplices to achieve the goals of the Western Shoshone Nation. Accomplices, in this context, are people who stand at the side of indigenous advocates and put their own bodies on the line in the fight against colonialism; their participation in struggle is tied up with their own hope for liberation, not in a desire for money or to obtain and be admired for an “ally” identity (“Accomplices not allies”, 2014). The relationship between indigenous people and settlers who hope to join anti-colonial struggles is often made tenuous by the ability of allies to separate their own identity from the struggle, leaving them free to disengage from colonial struggle and making their un-learning of colonialism difficult (Barker, 2010). Allies may become tied up in promoting their own ally identity or overemphasize the importance of their privileged position in the struggle against oppression and end up re-entrenching the very hierarchies

they purport to struggle against, performing a kind of “ally theater” (Alcoff, 1991; Mathers, Sumerau, & Ueno, 2015, McKenzie, 2015). Much of the coalitional model employed in these protests functions to oppose this kind of self-interested allyship in favor of an accomplice model. The use of passports, the centering of sovereignty before environmentalist concerns, and the deployment of white American identity to highlight and problematize naturalized assumptions about borders are all ways to express solidarity without controlling the conversation or centering white protesters’ perspectives. This is not to say that all white protesters at the site have been perfect accomplices in all instances, but rather to suggest that the model offered at the site falls more in line with the accomplice approach by centering indigenous voices while still utilizing the privileged position of white accomplices.

Rather than focusing solely on their own environmental or anti-war concerns as many previous white protesters at the test site had done, the Nevada Desert Experience protesters in effect became tools for amplifying Western Shoshone arguments. This solidarity maintained some of the consummatory function of the protests that Lake (1983) has outlined, but went beyond this function to encourage white audiences who would not be targeted by solely consummatory rhetoric to take notice of the protests and begin questioning their complicity in the systems that allowed for the seizure of Newe Segobia. By working together in this way, the Western Shoshone and white accomplices enact the processes that whiteness theory attempts to forward, denaturalizing whiteness and highlighting the ways that whites benefit from systemic racism without centering whiteness (Shome, 2000). By highlighting the elements of whiteness that are often made invisible and by problematizing the assumed default status of whiteness, protesters challenge

systems of racial oppression that rely on those naturalized assumptions (Wing, 2006). By challenging the assumed race of border-crossers or the impulse to imagine white concerns as universal while seeing indigenous concerns as particular, the protesters move toward challenging pernicious whiteness.

I wish to turn, now, to my own positionality as it relates to this chapter. The writing of this chapter has been valuable for understanding the tactics and maneuvers employed to resist the Nevada Test Site, but it has also been a moment of interplay between my scholarship and my positionality. In introducing the relationship between whiteness and property in this chapter, I have begun the process of exploring the multiple ways that racial identity has been legally and socially constructed throughout American history. Far from being a stable biological category, race has been constructed as a social hierarchy in order to assign power to some individuals while marginalizing others. These legal definitions have been assimilated into Western consciousness to an extent that whiteness is now attached to a set of assumptions and expectations of entitlement to social, legal, and economic benefits that are often unacknowledged or unrecognized (Harris, 1993). The performance of these expectations or assumptions is one way of constituting white identity for oneself, and identifying and being socialized as white involves learning to unconsciously carry out these performances. By exploring the ways that I enact these performances of whiteness throughout my thesis, I hope to highlight the ways that my whiteness has influenced my scholarship, and the ways that I have re-situated myself as white throughout the writing of this thesis. At the same time, it is my hope that by recognizing and highlighting these performances, I might be able to challenge my impulse to perform harmful whiteness in my scholarship, while also recognizing that the embedded

nature of whiteness within our society and my lifetime of training in these performances mean I will never be able to fully separate myself from whiteness.

As I began the process of writing this chapter, I understood this case as an opportunity to study advocacy, not as an opportunity for advocacy through scholarship. My understanding of my work centered on my interest in learning how advocacy is carried out, rather than on understanding how I might be an advocate through my studies. In many ways, I performed the “intellectualizer” face of whiteness that Warren and Hytten (2004) identify. Individuals who perform this face “find the subject of antiracist work fascinating ... and continue to study, read, and talk about whiteness” without working to “locate the study and analysis of whiteness in their own experience” (p. 329). In the earliest stages of this thesis, I was interested in finding simple or universal explanations for the advocacy that Western Shoshone protesters engaged in, rather than understanding how I might also be implicated in systems of racial oppression. My position was not only that of a physical settler whose existence is the result of centuries of oppression and land theft, but also as a scholarly settler who benefits from colonization as a site of interrogation for my work.

As I have revised and re-drafted this chapter, I have moved toward an approach to this thesis as an intervention on colonialism within the academy. Rather than merely studying the ways that whiteness and colonialism operate, I understand my position within these systems as one that obligates me to challenge them, rather than uncritically moving within them. My goal, then, in exploring the Nevada Desert Experience protesters’ work with the Western Shoshone at the test site, has been to explore models of solidarity for challenging colonialism so that I might employ those models in my own work. It is my hope that this chapter and the rest of this thesis might use the accomplice model as a guide

for how to engage these case studies from my social location. This model provides a suggestion that perhaps white advocates need not necessarily perform whiteness (defined here as entitlement to (stolen) property, to social dominance, and to unquestionability). I work throughout the thesis, then, to locate colonialism as the central problem this thesis addresses and explore the intersections between decolonial advocacy and other forms of advocacy such as pacifism and environmentalism, rather than centering those concerns. Additionally, my goal is that I might not only study these operations, but use my scholarship to challenge them by emphasizing the work of indigenous advocates who have often been ignored or overshadowed in the academy and by challenging naturalized assumptions about nationhood and borders that perpetuate colonialism.

### **Conclusion**

The anti-nuclear testing protests conducted by the Western Shoshone and the Nevada Desert Experience serve as a valuable site for expanding current understandings of indigenous protest rhetoric. These protests demonstrate the ability of indigenous resistance to simultaneously exercise a consummatory function that enacts sovereignty absent colonial approval, use instrumental rhetoric to make demands on the state for material improvements to the conditions of colonialism, and employ a coalitional challenge for audiences who benefit from colonialism to re-consider their assumptions and practices that support colonial violence. These protesters begin from a different orientation than the U.S. government or mainstream audiences, forcing viewers to question the ground on which they stand.

Burke (1954) writes, “A way of seeing is also a way of not seeing” (p. 49). When mainstream audiences to indigenous protest see the United States as sovereign, as

rightfully existing, as controlling North America from sea to shining sea, they are not seeing the indigenous nations that have been systematically erased to make way for U.S. expansion. The strategies carried out in these protests flip those conventional ways of seeing on their heads. Rather than starting by assuming U.S. control and asking for a return of sovereignty, the Western Shoshone start by assuming their own right to exist and exercise sovereignty, and then enact that sovereignty in ways that highlight the injustice of the Nevada Nuclear test site. The protests encourage audiences to understand that their way of seeing has been crafted through colonialism, and that it is neither natural nor just to continue understanding the world in the ways they previously had. Rather than starting from a point of inviting them to consider the possibility of an indigenous right to sovereignty, American audiences of these protests are asked to reconsider their own right to exist and be governed on land that belongs to indigenous nations.

This chapter has explored the simultaneous use of consummatory, instrumental, and coalitional rhetoric through appropriation of colonial values and rejection of colonial ways of knowing, and has argued that white protesters might justly participate in decolonial struggle by centering indigenous concerns before their own environmental or pacifist interests. Indigenous and white protesters in Nevada work together to discursively re-create the desert in a way that is more consistent with pre-colonial understandings of the space. In the next chapter, I will explore the ways that Bikinian repatriation advocates have similarly challenged Western constructions of their homeland through legal battles and tours of the island.

## CHAPTER III

The second case I will explore in this thesis centers on resistance carried out by the people of the Bikini Atoll after they were exiled from their homeland to make way for expanding nuclear tests in the Pacific. This resistance has taken place largely in legal forums, particularly the U.S. federal claims court, and has centered on repatriation and compensation for land seizure. This case offers an opportunity to explore the appropriation of Western law and formal channels of resistance. Additionally, Bikinians have moved away from a reliance on the state to implement improvements to their situation, conducting tours designed to share their history with visitors and take control of the narrative of their island.

In 1946, the United States sent Commodore Ben H. Wyatt, the American military governor of the Marshall Islands, to Bikini Atoll to meet with the island chain's 167 residents. The Atoll is one of twenty-nine that make up the Marshall Islands, and is located in the northwest quadrant of the Republic (Niedenthal, 2013). Wyatt's assignment was to persuade the Bikinians to leave their land so that the United States could test atomic bombs there (Niedenthal, 2013). After their weekly church service, the islanders gathered to meet with Wyatt, who explained to them that nuclear testing was "for the good of mankind and to end all wars," and asked them to temporarily relocate (as cited in Niedenthal, 2013, p. 2). The islanders agreed, and in March of that year they were relocated by the U.S. government to nearby Rongerik.

Although the U.S. government told the Bikinians that they would be able to return to their home after the conclusion of tests, high radiation levels on the atoll have prevented and continue to prevent this return. Since 1946, the atoll's residents and their

descendants have been relocated by the U.S. government several times, have been offered compensation that was never fully paid, and have received mixed messages about the possibility of whether a return to Bikini might ever materialize. In response, the Bikinians have engaged in a lengthy court battle with the U.S. to demand cleanup efforts, compensation, and monitoring of the levels of radiation on Bikini. Some Bikinians have written books and articles attempting to bring attention to the cause. Others have worked to share their experiences of life on Bikini with those who were born after relocation to keep alive some cultural memory of the atoll. All of these approaches have worked toward a decolonial goal, challenging the rhetoric used by the U.S. government to justify relocation and testing. This chapter explores the strategies, tactics, and maneuvers deployed by Bikinian resistance efforts.

### **Literature Review**

There is little communication scholarship surrounding Bikini Atoll, and the few pieces that do exist are primarily focused on the visual rhetoric of newsreels and photographs distributed after test shot Bravo (Atkinson, 2011, 2012; Landon, 1998). Other related fields, however, have offered perspectives from which communication can draw regarding the atoll. Writing from a critical geography perspective, Davis (2005b, 2007) echoes Kuletz's (1998) analysis of the rhetorical emptying of space to make way for colonial activities. He argues that the United States constructed Bikini as empty and therefore optimal for nuclear testing, and that that understanding of emptiness has been reproduced since the 1940s and has even become part of the tourism industry rhetoric that portrays Bikini as a pristine site to be preserved and explored. He suggests that these constructions overlap with Bikinians' own representations of the atoll as a paradise and



utopian homeland to which many hope to someday return. Davis (2005a) also discusses the use of scientific rhetoric by the U.S. government in its relations with the Bikinians, and the ways in which conflicting scientific reports and past experiences of danger have led Bikinians to distrust such appeals. Schultz and Schultz (2009) have offered a survey of the complex scientific issues that make a return of the Bikinians to their atoll difficult or impossible.

This overlap of environmental concerns and social justice concerns leads me to draw heavily in this chapter from environmental justice literature. Much of this work, particularly early scholarship in this field, frames environmental concerns in terms of distributive justice (Bullard, 1990, 1993, 2005; Bullard & Wright, 1987). These scholars suggest that race, class, and gender are predictors of how likely an individual is to experience the harms of environmental degradation from pollution, sea level rise, and locally undesirable land-uses (Ranganathan, 2016). Furthermore, these authors argue that the burden of consumption is disproportionately born by the world's poor and people of color, while the benefits of that rabid consumption are excessively enjoyed by the world's rich, especially white westerners. Later authors add to this literature by exploring the multitude of ways that environmental injustice is justified and the ways that those justifications are resisted. For example, Pezzullo (2001, 2007) explores the ways that communities use "toxic tours" to challenge the construction of space as either pristine or a wasteland that has erased people from those spaces that Kuletz (1998) and Davis (2005b, 2007) discuss. Nixon (2011) also adds to our understanding of the rhetoric of environmental injustice by exploring the ways that "ecosystem people"—whose lives depend more closely on the environment and who are therefore more vulnerable to

changes in natural rhythms—are both romanticized and forgotten (p. 61). The Bikinian exiles have found themselves caught in this in-between space, where their land and their people have been framed as simultaneously pristine and toxic, as simultaneously present and absent, in ways that have prevented their permanent return to their homeland and that have constrained their available means of advocacy. This chapter explores how the Bikinians have navigated these challenges, both to expand on literature of decolonial rhetorical strategies, tactics, and maneuvers as well as to offer an analysis of the barriers to and possibilities for coalitions between indigenous sovereignty advocates and environmentalists.

Despite the literature surrounding the U.S. government's justifications for relocating the Bikinians, there has been little study of the Bikinians' response to their exile. Pevec (2008) has offered a history of the legal battles the Marshallese have gone through in an attempt to receive adequate compensation for their struggles, but his work focuses primarily on the people of Enewetak Atoll, another group of islands used for nuclear testing. Jack Niedenthal (2013), an American who married into Bikinian society, has published a history of the Bikinians' journey since 1946, including several interviews with Bikinian elders who were part of the original exile.<sup>9</sup> This chapter will draw from Niedenthal's interviews, along with motions filed by the Bikinians and their representatives in the U.S. federal court system, to explore Bikinian rhetorical resistance.

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<sup>9</sup> While some readers might note Niedenthal's connection to Bikinian society as a complicating factor in the credibility of his work, I have included his book to fully contextualize my work in relation to published work about the case. He is one of only a few authors writing extensively about Bikinian exile and resistance, and excluding his work from my literature review would be unwise. While it is valuable to consider the ways Niedenthal's identity might influence his work, much of my consideration of his work is centered on his depiction of resistance as a rhetorical move, rather than an attempt to evaluate his work for historical accuracy. Where possible, I have included other sources to add richness and corroborate historical accounts.

The legal documents, in particular, have been largely unstudied and offer the opportunity to explore the ways that legal rhetorics reveal the nature of decolonial efforts that must necessarily be situated within colonial structures. Thus, the following section will explore the ways in which Bikinian advocates deployed legal rhetorics within a Western colonial legal framework to challenge U.S. government approaches to relocation, resettlement, and recompense. The subsequent sections will explore the multiple frames through which the island has been understood to work through the complicated nature of Bikinian resistance, and will outline some of the implications of these rhetorics for scholarly understandings of decolonial resistance.

This analysis will expand on Black's (2009) discussion of rhetorical appropriation explored in the previous chapter and, more broadly, on de Certeau's (1984) theorization of rhetorical tactics. However, my use of these frames in this chapter will differ from chapter 2 in two ways. First, Bikinian advocates used the legal system as a means of appealing to codified laws for relief, while the Nevada protesters relied much more heavily on ideals such as nationhood, sovereignty, and criminality in their appropriations. Second, while the Western Shoshone and Nevada Desert Experience protesters more closely fit Black's (2009) description of appropriation as a means of highlighting the inconsistencies of colonial discourses by recontextualizing them, the Bikinians' resistance often appeared much more consistent with Western perspectives. Many of the texts analyzed in this chapter used Western law to demand compensation or legal relief, rather than re-casting American values to highlight their problematic contradictions.

This is not to say that Bikinian rhetoric did not highlight inconsistencies in Western law. Many of the court filings that this chapter will analyze implicitly highlight

the failure of the U.S. to live up to its own commitments as defined in the U.S. constitution. In my analysis of these texts, I will draw on the work of critical legal scholars who analyze the law to find the fissures in liberal legal structures that uphold and are upheld by unequal power distribution (Ekstrand, Famiglietti, & Berg, 2013; Hasian, 2001; Unger, 1983). These scholars argue that the law is not some universal truth based on concrete values, but is rather contested and indeterminate. They “track the ways in which classical liberal terms and theories are used by different jurisprudential writers in the advocacy of contradictory positions” (Hasian, 2001, p. 185). This piece, then, will track the use of constitutional law by lawyers working for the Bikinian people to advocate for compensation or repatriation in response to removal that was justified by those same legal constructs. This analysis expands on work done by Watts (2016) to explore the use of art by indigenous Australians to challenge Western legal structures by revealing the gaps in the liberal subjectivity upon which those laws rely.

### **Bikinian Relocations and the Struggle for Compensation and Return to Bikini**

Shortly after relocation, the atoll was inundated with hundreds of U.S. military personnel and scientists, along with equipment, ships, and aircraft, arriving to prepare Bikini for a series of tests named Operation Crossroads (Micronesia Support Committee, 1981). In the coming months, the U.S. government tested two bombs at Bikini. The first test shot, codenamed Able, was dropped from a B-29 just after 9:00 AM on July 1, and the test was observed by 8 members of congress and 39 members of the radio press (Niedenthal, 2013; Shurcliff, 1947). Twenty-four days later, test shot Baker was detonated below the surface of the Atoll’s lagoon (Niedenthal, 2013; Shurcliff, 1947). King Juda, the Bikinian leader, returned to Bikini with a group of U.S. officials to inspect

the island and assess the possibility of return for his people. He reported that the island looked the same as it had prior to the tests – not even the trees had been destroyed (Niedenthal, 2013). The Bikinians were not allowed to return home at this time, however, and over the next twelve years the U.S. government would continue to conduct nuclear tests at the Atoll (Niedenthal, 2013). Between 1954 and 1958 the United States conducted twenty-one thermonuclear tests at Bikini Atoll, including the incredibly powerful and damaging test shot Bravo, which contaminated both Bikini and neighboring inhabited islands with radioactive fallout, completely destroyed three of the atoll's islands, and created a mile-wide crater in the atoll's reef (Davis, 2005a).

During the years that testing was taking place, the Bikinians were forced to relocate numerous times. Rongerik, the atoll to which they were originally moved, was unable to sustain a population of nearly 200 people, due to its small size and lack of fertile land for farming (Niedenthal, 2013). Between 1947 and 1968, the Bikinians were relocated three more times after continued testing resulted in radiation poisoning for some residents of the Rongerik atoll and space and supply problems plagued subsequent relocation spots (Micronesia Support Committee, 1981). In 1968, President Lyndon B. Johnson declared that the atoll was safe and that the Bikinians could return, but the Bikinian council voted not to return, as they were skeptical of the safety reports (Davis, 2005a). Despite the council's vote, an eight-year cleanup and resettlement plan was prepared to facilitate those families who wished to return independently, and in 1969 the Atomic Energy Commission (AEC) declared that radiation levels were low enough to allow for safe return if islanders limited their consumption of coconut crabs, a native

species that sloughs and eats its shell, thus causing the crabs to maintain higher radiation levels over time (Niedenthal, 2013).

Over the next four decades, Bikinian advocates would file suit in numerous federal courts and demand compensation through a tribunal specifically designed for distributing grant money to Pacific Island nations affected by nuclear testing. They would also challenge the U.S. government's failure to live up to its obligations within Western legal frameworks. These legal battles were waged through Western institutions, primarily the U.S. federal court system and, unlike the protests discussed in the section on Western Shoshone resistance, primarily conformed to Western legal framing of citizenship and nationhood. In many instances, the filings referred to the status of the Marshall Islands as a trust territory, appealed to civil rights granted to U.S. citizens by the constitution, and accepted that the trust government was a legitimate authority. This acceptance of U.S. government control of Bikinian citizens might read, at first glance, as complicity with colonization. However, a more thorough reading of these filings demonstrates that Bikinian advocates utilized this legal status to make demands on the U.S. government that relied on civil rights granted to those under its governance.

While the Bikinians were involved in suits in 1975, 1981-1982, 2001, 2006-2007, and 2010, this chapter will focus primarily on the 1975 suit and the 2006 suit ("U.S. reparations for damages", n.d.). There are a few reasons for this. As the first suit filed after the relocation efforts approved by the Johnson administration had failed, the 1975 suit was foundational for many of the legal efforts that followed. Additionally, this suit took place during an era where swift return to Bikini was still anticipated, and as a result much of the suit focused on education and services for Bikinians hoping to return to the

atoll. By contrast, subsequent suits largely coalesced around compensation for lost land, reflecting an awareness that return to Bikini would be impossible for much longer than originally anticipated. I have chosen the 2006 case because it provides substantial insight into the rhetorical tactics utilized by the Bikinians after it became apparent that relocation efforts were substantially less viable than originally promised. Additionally, this suit makes substantial reference to arguments in the 1981 suit (excluded from my direct analysis because the filings are presently unavailable).

### *The 1975 Suit*

Three families returned to Bikini after President Johnson's greenlighting of resettlement, and the population of Bikini increased until 1975, when routine monitoring of the island revealed higher-than-expected levels of radiation in wells, food obtained from the atoll, and the bodies of those living on Bikini (Micronesia Support Committee, 1981). In response to the harm suffered by those who resettled to Bikini during this time, the people of Bikini filed a lawsuit requesting an injunction on the resettlement program, improved radiological evaluation, and increased information for Bikinians considering resettlement with the U.S. district court. Much of this motion centered on responsibility for harms suffered by those who resettled. One of the first instances of this approach appears when the motion requests that the court

Not permit any person to take up permanent residence at Bikini Atoll unless that person is fully appraised of the potential risks which attend such a relocation ... and with further condition that the Defendants, particularly ERDA [Energy Research and Development Administration], should agree to bear the expense of all future needs with regard to health care, shelter and nutrition, and any necessary

further relocation, of any person who, notwithstanding advice as to risks, may, nevertheless, decide to return to Bikini Atoll. (The People of Bikini, et al. v. Robert C. Seamans, Jr., et al., 1975, p. 3)

Although at first glance this request may appear to be an endorsement of further U.S. government control of Bikinian movements and usurpation of self-determination, it could also be read as a means of placing responsibility on the shoulders of the United States, rather than allowing it to be shifted to Bikinians seeking resettlement. This stands in opposition to modern movements in which colonial states attempt to impose responsibilities on indigenous communities that must be fulfilled in exchange for services that are granted as rights to non-indigenous citizens, such as Australia's 2004 Shared Responsibility Agreement that required community members to wash children's faces twice per day in exchange for government financing of fuel tanks (Lawrence & Gibson, 2007). Instead, this tactic aligns Bikinians with the rhetoric of the civil rights movement that demanded the U.S. fulfill its promises and live up to its responsibilities, such as when King (1963) described the constitution as a "promissory note" that guaranteed rights to Black Americans as well as white (p. 1).

This demand for the U.S. to assume responsibility was taken one step further in a maneuver later in the motion that allowed the plaintiffs to redefine Bikinians in terms of their position in Marshallese culture rather than in relation to American standards. The motion demanded that all data previously produced or resulting from future surveys be made available in Marshallese for Bikinians who did not speak English. While this may appear to be a reasonably mundane request, the actual phrasing of the demand suggests



an attempt to challenge U.S. framing of Bikinian people as unintelligent, ignorant, or otherwise unable to understand the results of scientific studies:

While most of the people of Bikini do not read or understand the English language, virtually all are well educated persons who read Marshallese. Much of the willingness on the part of the People of Bikini to accept the risks of movement to Bikini has been based on the failure on the part of Defendants to furnish them with scientific information known to Defendants. (The People of Bikini, et al. v. Robert C. Seamans, Jr., et al., 1975, p. 4)

This phrasing challenges framings of Bikinians as either too ignorant to understand the information they were given and therefore undeserving of attention from government officials, or inattentive to previously provided information and therefore at fault for their own demise. The motion refuses to allow a shift of responsibility away from the U.S. government, and suggests that failure to conform with Marshallese standards of communication must be rejected in order for Bikinian citizens to make informed decisions about their health and safety. Without conforming to these standards, the U.S. government would be at fault for the risks Bikinian families were subjected to upon resettlement.

This framing of Bikinians as “well educated persons who read Marshallese” is not the only point at which the motion utilized a rhetorical maneuver to shift the framing of those seeking resettlement (The People of Bikini, et al. v. Robert C. Seamans, Jr., et al., 1975, p. 4). Several pages are dedicated to describing the specific experiences of one plaintiff and his family who, according to the motion,

Are among those who have been exposed to high radiation on Bikini Island over substantial time. Meanwhile, for reasons made clear in his affidavit, he and others similarly situated, have experienced a total loss of confidence in health care monitoring offered first by AEC [Atomic Energy Commission] and now by ERDA under the direction of Dr. Robert Conard ... Clearly [name redacted] and others similarly situated are entitled to immediate examination of the type prayed for in the Verified Complaint. It is equally clear that whatever Dr. Conard's credentials may be, [name redacted] and others similarly situated have no confidence in his concern for their wellbeing. (The People of Bikini, et al. v. Robert C. Seamans, Jr., et al., 1975, p. 6)

While the man's name is redacted in the copy of the motion available through the US Department of Energy (DOE) archives, these sections serve to humanize Bikinians who resettled, putting a face and name to the harms experienced and challenging the focus on detached scientific data that more closely conforms with rhetorical standards for U.S. court filings. By calling on this individual's subject position as a family member, rather than referring exclusively to the harms experienced in terms of the larger class of plaintiffs, the motion shaped the rhetorical landscape in a way that challenged U.S. government power. Leaving the Bikinians as a faceless, nameless class of plaintiffs would have left undisturbed situation in which U.S. government officials made conflicting claims about the safety of resettlement and exerted minimal effort to conduct meaningful scientific evaluations of the islands. However, by framing the harms in terms of a recognizable individual, the motion intervenes on this behavior, calling for the court to recognize that these harms were experienced by real people, rather than being merely

statistics. This humanizing of those affected by nuclear testing is a maneuver that challenges the audience's ability to see statistics and forces them instead to "see people" (Pezzullo, 2001, p. 13). This move to create a felt presence of Bikinians in the court documents serves as a maneuver that Perelman and Olbrechts-Tyteca (1969) argue "is an essential factor in argumentation" (p. 116). This feeling of presence serves to humanize the plaintiffs and to create barriers to the audience's ability to dismiss their suffering without thought.

In addition to rhetorically framing the harms experienced by those who resettled in terms of U.S. responsibility, the motion also reminded the court of the U.S. government's legal commitments. In demanding continued and increased scientific evaluation of the radiation levels on the atoll, the motion argued that, "without completion of an aerial radiological survey, there cannot ever be NEPA [National Environmental Policy Act] compliance" (The People of Bikini, et al. v. Robert C. Seamans, Jr., et al., 1975, p. 10). Like the Western Shoshone protesters' call for the U.S. government to comply with the Treaty of Ruby Valley, this section of the motion demanded that the U.S. government comply with its own laws.

As the battle in court dragged on, continued monitoring revealed extremely high levels of strontium-90 in the atoll's well water, and the radiation levels recorded in the atoll's inhabitants continued to rise, leading the U.S. government to suggest the islanders limit their consumption of food from the island (Niedenthal, 2013). In support of this advisement, the U.S. government began shipping food to Bikini for resettled residents (Niedenthal, 2013). During this time, Bikinians living on other islands in the Pacific were presented a \$6 million trust fund as compensation for their suffering that occurred after

initial evacuation from Bikini (Niedenthal, 2013). In 1978, those living on Bikini were evacuated once again due to unsafe radiation levels on the atoll (Davis, 2005a).

### *The 2006 Suit*

Following the ratification of the Compact of Free Association between the Republic of the Marshall Islands and the United States in 1983, a \$150 million fund was established to compensate Marshall Islanders for damages resulting from nuclear testing and to fund the creation of a Nuclear Claims Tribunal (hereafter NCT) that would have been responsible for adjudicating claims regarding those damages (Pevac, 2008). In 1994, the Bikinians brought a claim to the NCT, and in 2001 the Tribunal awarded them \$563,315,500 for the loss of value, restoration costs, and suffering and hardship resulting from nuclear testing at Bikini (Niedenthal, 2013). However, these funds were never paid to the Bikinians due to the NCT's lack of adequate funding (Niedenthal, 2013).

The Bikinians attempted legal recourse again in 2006, filing a case with the U.S. federal claims court. The filing repeated claims made in 2001 that the U.S. government's seizure of the atoll violated the Fifth amendment of the U.S. Constitution. They argued that the U.S. government's

failure and refusal to fund adequately the award issued by the Nuclear Claims Tribunal on March 5, 2001 constitutes a taking of plaintiffs' claims before the Tribunal for public use for which plaintiffs are entitled to just compensation under the Takings Clause of the Fifth Amendment to the United States Constitution ... Plaintiffs request just compensation for such taking in the amount of at least \$561,036,320 (which represents the Tribunal's original award of \$563,315,500

less the two payments totaling \$2,279,180), plus interest as required by law. (The People of Bikini, et al. v. Robert C. Seamans, Jr., et al., 1975, p. 31)

This suit challenged the U.S. government to fulfill its constitutional obligations by arguing that seizure of Bikini for the public good during the nuclear testing program necessitated compensation, but this was not the only way in which the Bikinians drew on their legal relationship to the United States in this suit.

The 2006 complaint opens by outlining four decades of wardship during which time the U.S. government “pledged to the United Nations to care for them and ‘protect [them] against the loss of their land and resources’” (People of Bikini v. United States of America, 2006, p. 1). As discussed in chapter one, wardship rhetoric has long been deployed as a tool to deny legal rights to indigenous nations (Black, 2009; Churchill, 1994). By laying out the benefits to which wardship legally entitled their nation, the Bikinian plaintiffs in this case undermined the normal colonial functioning of this relationship to demand compensation for their removal from Bikini and for their subsequent suffering. This tactic may also demonstrate the impossibility of assigning a singular goal of sovereignty to all indigenous decolonial movements. While sovereignty was a clear goal for the other movements discussed in this thesis, the termination of wardship was insufficient for Bikinians who had been exiled. Without compensation and without serious monitoring and cleanup efforts, self-governance was little comfort to those who were exiled from the land to which they held ancestral ties. In some ways, the termination of ward status allowed the United States to abandon its obligations.

Additionally, the suit argued that termination of wardship did not accomplish any decolonial aims of restoring sovereignty, as the United States blocked Marshallese

citizens from choosing full independence, instead forcing a choice in 1982 between continued trusteeship and “free association.” The latter would remove some of the control the U.S. held over the Marshall islands while continuing financial support and limiting Marshallese control of foreign affairs to decisions compatible with U.S. strategic defense goals (*People of Bikini v. United States of America*). Instead, they argued,

The United States, as administering authority of the Trust Territory, vetoed plans for a 1982 plebiscite to determine the future political status of the Marshall Islands because independence was going to be on the ballot along with free association and continuation of the U.N. trusteeship. The United States insisted that the option of independence be removed from the ballot. “This means the when we are allowed to vote, the only choice will be between two different forms of colonial administration,” said the Republic of the Marshall Islands (“RMI”) foreign minister in response to the veto. (p. 17)

While the Republic of the Marshall Islands (RMI) voted to sign the Compact of Free Association rather than maintaining their status as a ward nation, the 2006 complaint highlights this vote as a forced choice between two relatively similar forms of colonial control and proposes that the change, which was instigated by the United States, was merely a way for the U.S. government to abscond from its responsibilities and maintain control while projecting an illusion of decolonial appeasement (*People of Bikini v. United States of America*). The suit, then, highlights the impossibility for Bikinians (and, perhaps, for the other decolonial advocates described in this thesis) of ever resisting from outside of the colonial structure under which they had been controlled for decades and utilizes tactics that instead are designed to turn that structure against itself.

While much of the legal argumentation used to justify the demand for compensation relied on conforming to U.S. legal definitions of Bikinian status, the case also challenged colonial control of indigenous identity. In defining the class of plaintiffs, the case rejects Western standards of indigeneity that rely on blood quantum or other American definitions of legal status, instead stating that:

All plaintiffs are either: (a) members of the Bikini community in 1946, under control of the United States by military occupation, when they were evacuated prior to “Operation Crossroads,” the first American atomic bomb tests at Bikini; (b) direct descendants of such members; or (c) other persons who by traditional law and custom are recognized by the people of Bikini as members of their community. All plaintiffs and class members possess land rights on Bikini Atoll. (People of Bikini v. United States of America, p. 3)

By including the third group of people in the class of plaintiffs, the filing makes a direct challenge to colonial control over Bikinian identity. This becomes particularly important when one considers that traditional Bikinian custom recognizes anyone who marries into Bikinian society to be Bikinian. Jack Niedenthal, a white American who married a Bikinian woman after serving in the Marshall islands in the peace corps in the 1980s, has been a key advocate for Bikinian repatriation (Niedenthal, 2013). Including individuals like Niedenthal in the definitions used in U.S. courts during fights over repatriation and compensation allows Bikinian advocates to reclaim control over Bikinian identity by defining legal standing in accordance with traditional Bikinian ideals while simultaneously acquiescing to American definitions of Marshallese nationhood through arguments about wardship.

The U.S. government filed a motion to dismiss the case on the grounds that congress, rather than the judiciary branch, had jurisdiction over foreign relations and that the statute of limitations had passed for the claim (*The People of Bikini v. The United States*, 2006). Judge Christine Miller ruled in favor of the federal government in 2007, and the case was dismissed (*The People of Bikini v. The United States*, 2006). This use of the statute of limitations mirrors, in some ways, the relegation of indigenous people to a past long gone, using passing time as a means of erasing indigenous concerns from contemporary consciousness (Lake, 1991). The Bikinians' ongoing legal battles with the United States demonstrate a commitment to repatriation and recompense for their removal from the atoll. By working through the courts, those filing complaints have deployed a number of tactics that attempt to utilize U.S. legal structures to achieve decolonial goals. While the battles so far have proved largely unsuccessful in gaining compensation or creating the conditions for a permanent return to Bikini, they have continued to develop as members of the movement continue to fight for repatriation or compensation. As the effects of rapid industrialization in the Global North on climate have emerged, this end goal has become, in some ways, farther off and deferred. Recent battles have turned toward establishing legal status as climate refugees so that Bikinians living on Kili can relocate to the continental United States, as the Marshall Islands have been heavily affected by sea level rise (Kauanui, 2015). The continued effort to demand legal change, despite repeated rejections from the U.S. government, may indicate that these battles serve a consummatory function in addition to their instrumental function. This will be considered further in the implications section of this chapter.



**Paradise, Prison, and Preserve: Rhetorical Framing of the Bikini Atoll by Bikinians  
and Environmentalists**

While much of the Bikinian decolonial struggle has centered on holding the United States responsible by demanding compensation, radiological monitoring, and cleanup efforts, there has been an equally important move to keep memories of Bikini as a pre-colonial homeland alive in the collective minds of Bikinian citizens. As the Bikinian population has grown substantially since the exodus in 1946, the number of people who have memories of life on Bikini prior to testing is dwindling. Their work for repatriation has coincided with an effort to share positive memories of the atoll with younger generations. However, Bikinian elders' framing of Bikini as an idyllic homeland to which they hope to someday return has been met with resistance from younger generations who have never experienced life in the more remote portions of the Marshall Islands, and by environmentalists who would see the atoll turned into a preserve (Davis, 2015). Here, I argue that the narratives the younger generation of Bikinians of Bikini as a backwater relic alongside environmentalist images of the atoll as a pristine wilderness play into colonial depictions of the atoll as an empty wasteland. Furthermore, I suggest that elder Bikinians' forwarding of an alternative narrative is a rhetorical maneuver that mirrors Western Shoshone assertions of sovereignty.

The rhetorical emptying of the Pacific to justify nuclear testing there has been discussed numerous times (Davis, 2005b, 2007; Kuletz, 1998). This emptying was, perhaps, most clearly evident in the 1955 pamphlet distributed to residents living near the Nevada Nuclear Test Site, which assured readers that the continental tests were magnitudes smaller than the bombs tested in the Pacific, far away from civilization

(Atomic Energy Commission, 1955). This framing of the Pacific islands on which nuclear weapons were tested served to justify the tests of massive weapons, either by erasing the existence of populations like the Bikinians who had to be relocated to make room for the tests, or by framing those populations as devoid of civilization and thus unworthy of consideration in siting decisions.

Echoes of this rhetoric of emptiness are evident in the messages coming out of American tourists and environmentalists who have pushed to maintain the atoll as a national park, wilderness area, or undeveloped tourist destination (Davis, 2005b). This conceptualization of Bikini as “pristine” has been promoted by the Bikinians’ website as a draw for tourists who might visit the resort run by the Bikinians (Davis, 2005b, p. 619). This image of Bikini as a pristine wilderness untouched for decades mirrors the pre-testing depictions of the atoll as an uncivilized and remote location perfectly suited to nuclear testing. The framing of the island as empty to make space for Westerners to make use of the island – either through the nuclear testing program or as a vacation destination to be visited and toured – necessarily precludes permanent and extensive Bikinian residence on the atoll. In the case of nuclear testing, inhabitation would be impossible for obvious reasons. In the case of tourism, the illusion of Bikini as untouched since the end of the testing program would be impossible to maintain alongside inhabited communities.

While this characterization has played into colonial rhetorics of emptiness, it has also pushed back against them. By framing the atoll as a pristine paradise to which tourists might flock to dive among the ships sunk during testing and take in the tropical atmosphere, the Bikinians have challenged conceptualizations of the space as a nuclear

wasteland. Rather than accept their island being permanently shut off to human contact, these tourist narratives frame Bikini as still something beautiful to be appreciated and cared for. Additionally, this framing has been tied to Bikinian efforts to maintain control of their homeland. While the U.S. National Park Service tried in 1989 to convince the Bikinians that the atoll should be a national park, and corporations have offered investment over the years, Bikinian authorities have rejected these offers in part because of a desire to maintain control over the cultural resources of the sunken nuclear fleet and protect it from scavengers (Davis, 2005b). The framing of the island as a tourist destination has also contributed to the Bikinian council's mission of providing an historical education for visitors about the harms of nuclear testing. As the Bikinian website argues,

Over the years a small number of people outside the Marshall Islands have seen this form of commercialism on Bikini Atoll as something negative. It should be understood that the islanders themselves made the decision to open the atoll for tourism. When you go to Bikini you don't just go diving, fishing and sunbathing, you get a history lesson . . . . The Bikinians feel this to be important because this allows their story to be taken away by tourists and retold to their families and friends. In short, the tourism program helps perpetuate a story the islanders never want to see go away, ever. ("Bikini Atoll dive tourism information", n.d.)

By encouraging tourism on the atoll and maintaining control over how that tourism is conducted, the Bikinians undercut depictions of their home as a nuclear wasteland while also maintaining and promoting a collective memory of the nuclear testing program and the harms it caused to those who were exiled from Bikini to make way for that testing.

This approach simultaneously challenges both the wasteland and pristine wilderness frames, offering a new perspective that both forwards the view of Bikini as an idyllic homeland and also acknowledges the violent and destructive history of the island. Pezzullo (2007) argues that using tourism as a way to educate visitors about the destruction of communities allows audiences to “affectively feel as if someone, someplace, or something is present in our lives,” and “can significantly challenge feelings of alienation from the land and each other” (p. 175). These tours demonstrate the impossibility of ever relying on a single narrative – either that of the paradise or that of the wasteland. Both of these narratives erase and foreclose Bikinian presence on the island, reproducing the same frames that allowed for exile in the first place. By constantly shuttling between these frames, the tours reintroduce human existence on the island, encourage visitors from the U.S. to own up to their relationship to the Bikinians’ exile, and maintain the possibility that repatriation might still someday be possible.

Although tourism has been a means of financial survival for the Bikinians, and has allowed them some control over their narrative, some members of the community have rejected quests for monetary gain, insisting that repatriation must remain the ultimate goal. Lore Kessibuki, for example, told one reporter that, “we’ve learned to dry our tears of sorrow with dollar bills. But money never takes the place of Bikini” (Niedenthal, 2013, p. 42). For Lore and many others who remember life on Bikini before the exodus, a different narrative of Bikini emerges. Rather than framing the island as a preserve, they frame the island as a paradise to which they are still waiting to return. The Bikinian national anthem embodies this desire for a return to a lost home, creating a Bikinian identity that is inseparable from the goal of repatriation:

No longer can I stay; it's true  
 No longer can I live in peace and harmony.  
 No longer can I rest on my sleeping mat and pillow.  
 Because of my island and the life I once knew there.  
 The thought is overwhelming  
 Rendering me helpless and in great despair.  
 My spirit leaves, drifting around and far away  
 Where it becomes caught in a current of immense power –  
 And only then do I find tranquility. (Niedenthal, 2013, p. 119)

Kessibuki, the author of the anthem, discussed with Jack Niedenthal his experience of writing the song:

All of a sudden images rushed into my mind about Bikini. I recalled the memories of what wonderful lives we had when we were on our islands. It was at that moment that I began to compose a vision in my soul about my homeland ... the dream was so beautiful. (Niedenthal, 2013, p. 120)

Lore's memories of an idyllic childhood on Bikini are characteristic of the narrative the elder generation of Bikinians forwards. The scene of Bikini as paradise forever calling to the Bikinians to return pushes back against Western understandings of the islands as valueless, free for nuclear testing, or as a wasteland that might be written off now that the U.S. has finished with the atoll. This narrative calls on memories of a time when things were better, and maintains hope for some restoration of that way of life.<sup>10</sup> These

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<sup>10</sup> While the Bikinians' rhetoric stands in direct opposition to American constructions of the atoll, this is not to say that this call on an idyllic past and desire to return is an exclusively indigenous one. Rather, it has emerged in numerous cultures. In the U.S., this approach might be most closely mirrored in the American

memories, however, cannot be separated from the nuclear-colonial history of the island. The exile of Bikinians to make way for the nuclear project and the construction of a wasteland image of Bikini stand in juxtaposition with elder Bikinians' memories of their pre-colonial homeland in a way that clarifies and sweetens those memories. One of these frames can exist only in the presence of the other. The wasteland makes the paradise more cherished, but the memories of what came before the exile may also serve as a harsh reminder of the suffering that has occurred since.

This yearning for repatriation is not universal among Bikinians. Many younger Bikinians who have never lived on the atoll are uninterested in leaving the more metropolitan Marshall Islands. Like many American environmentalists, these members of the Bikinian community envision the atoll as being set apart from the influence of human habitation. Unlike the environmentalists, however, the younger Bikinians view this separation not as a positive quality to be preserved, but rather as a drawback of life on Bikini. For those who have never lived on Bikini, who have grown up in a world of Wi-Fi, shopping malls, and cars, life on the rural island of Bikini is unappealing (Davis, 2015). While their perception of the atoll's emptiness differs from American environmentalists, their desire not to return bolsters the environmentalists' desire to preserve the island uninhabited. Those who fight to keep the collective memory of life on Bikini alive, then, must fight back not only against colonial narratives of emptiness, but also against the Westernized perspectives their children and grandchildren have adopted. This tension between the traditionalism of the elders and the cultural evolution

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jeremiad, in which rhetoric called on a godly past that had been lost to moral decay and entreated audiences to repent and work to return to that state (Bercovitch, 1978).

experienced by their descendants brings to light the necessity of cultural revival in decolonial work. While this concept is explored in more depth in the following chapter through the lens of Hawaiian language revitalization programs, the tension here between members of Bikinian society offers a valuable perspective in recognizing the difficulty of navigating decolonial ideals from within a society that has been shaped by colonial worldviews for so long.

### **Implications**

The previous sections have explored two incredibly complex forums for Bikinian decolonial rhetoric. The first section explored the legal rhetorics through which Bikinian plaintiffs have attempted to call on American legal structures to demand reparations, cleanup efforts, and radiological surveys with the ultimate goal of repatriation. This section explored the numerous tactics exercised by the Bikinians in court and the ways that these tactics might be deployed differently than the rhetorical moves employed by the other movements discussed in this thesis. These differences are not highlighted to delegitimize any of the movements discussed, but rather to emphasize the situated nature of decolonial resistance. Rather than prescribing a single rhetorical solution to the colonial problem, this thesis has set about exploring an arsenal of weapons available to decolonial advocates and exploring the experiences of different movements deploying different tools. The second section of analysis pointed to the competing narratives about Bikini Atoll to demonstrate the way memories of the islands before nuclear testing have been deployed to combat colonial understandings of the atoll. This section, too, explored the tensions between different narratives of Bikini as a paradisiacal homeland, a pristine tourist destination, and a rural outpost. These tensions highlight the difficulty always

present in decolonial resistance that must compete not only with hegemonic discourses but also must manage competing needs for sovereignty and financial survival and navigate changing values within the colonized community. In this portion of the chapter, I will explore the implications of this movement for this thesis's broader arguments about decolonial rhetoric and coalitions between indigenous and non-indigenous advocates.

### *Consummatory and Instrumental Rhetoric*

The Bikinian struggle for repatriation and compensation offers an opportunity to challenge a dichotomous understanding of consummatory and instrumental rhetoric even more thoroughly than the Nevada protests discussed previously. While my analysis of those protests suggested that either consummatory or instrumental rhetoric might be deployed in particular circumstances to accomplish particular goals, this chapter indicates that some rhetoric might simultaneously serve both purposes. The Bikinians' court battles, while unsuccessful in commanding material concessions from the U.S. government, were clear instances of instrumental demands on the state. However, the lawsuits might simultaneously have served a consummatory function, allowing Bikinians to find solidarity with one another as they came together to challenge the state and fight for their homeland. Additionally, the filings themselves served to forward ideas that both conformed to U.S. legal precedent and challenged it simultaneously in the same document. The 2006 lawsuit's definition of Bikinian citizens in opposition to definitions of indigenous identity based on blood quantum, for example, was advanced alongside appeals to well-established U.S. legal standards developed in the constitution. Thus, in this filing the plaintiffs both conformed to and challenged U.S. legal standards in a single textual breath.



The tours of Bikini also serve to highlight this dialectical approach to decolonial resistance. In one sense, the tour guides must remind audiences of the nuclear-colonial history that created the artificial reef of sunken ships through which divers swim to highlight the violence of past U.S. policy and encourage attention to the Bikinian plight from visitors. But at the same time, they must also share the beauty of the atoll with those same visitors, reinvigorating the idyllic memories of Bikinian elders. While forwarding these two competing narratives of the island, the tour guides must simultaneously challenge the emptying function of both frames to maintain the possibility of Bikinian repatriation. Although these frames may appear in tension with one another, none can exist without the others. The Bikinian paradise sits in stark opposition to the nuclear wasteland, but neither would be as moving without the other to compare. Both of these frames may be used to erase human presence from the island, but they may also serve as a stark reminder of the humans who were exiled from their homeland and hope to someday return. They exist in a dialectical state that tour guides must carefully navigate in order for the tours to serve a decolonial purpose. This navigation, again, serves both a consummatory and coalitional function. By sharing Bikinian history with visitors, the tour guides may be able to recruit new advocates from outside the Bikinian community, or to spread the Bikinian story in the hopes of preventing similar violence in the future. At the same time, the tours serve to preserve an image of the island based on Bikinian tradition for Bikinian tour guides themselves. The tours may, by extension, also serve an instrumental rhetoric as tourists sharing the Bikinian story may bring awareness to their continued dispossession and contribute to their eventual repatriation.

*Solidarity, environmental justice, and racial identity*

My analysis in this chapter has served to highlight some of the challenges to coalition between whites and indigenous peoples, particularly in the context of environmental concerns. However, this case also opens space for the possibility of coalitions over environmental justice that should not be foreclosed. While the tensions between environmental advocates demanding a nature preserve at Bikini Atoll and Bikinians seeking repatriation should not be ignored, the intent of protecting a space that is at once idyllic and marred by nuclear testing is shared between the two groups. This shared commitment to protecting the atoll from further degradation might serve as a site for cooperation against U.S. colonialism on Bikini. It is necessary to consider these potential sites for coalition, in response to Sandler and Pezzullo's (2007) call that scholars ponder "productive responses to the challenges environmental justice poses to environmentalism and the ways both movements have the potential to accomplish a great deal when they work together" (p. 2).

This site of cooperation, however, would require a shift in the framing environmentalists have used to advocate for environmental protections at Bikini Atoll. Rather than framing the island as a pristine site to be preserved free from human habitation, advocates would need to recognize the historic presence of indigenous people on the island, understand the role of colonialism in shaping the environmental harm imposed at Bikini, and work toward a solution that allows for Bikinian repatriation. In turn, Bikinians might continue to perform the actions they already do to maintain the island and remind people of its history. The educational tours led by Bikinians might serve not only as a reminder of the colonial history of the island, but also of the environmental harms of nuclear technology. In this way, rather than working to hide the

presence of humans on the island to construct it as a pristine wilderness, a coalition of environmentalists and Bikinian sovereignty advocates might instead work to make visible the harms of colonial human presence on the island through history, and juxtapose those harmful forms of presence with the historic existence of Bikinians prior to colonization.

The potential for cooperation between Bikinian sovereignty advocates and environmentalists is not the only way in which interracial solidarity rises to the surface in this case. Much of the material publicly available about Bikinian history is offered through two sources: [bikiniatoll.com](http://bikiniatoll.com), and the book *For the Good of Mankind*. Both of these sources are written primarily by Jack Niedenthal, a white American-born man who married into Bikinian society after working with the Bikinian people as a Peace Corps volunteer in the 1980s (Niedenthal, 2013). Because he has spent three decades working as a Bikinian liaison and because traditional Bikinian custom recognizes those who marry into Bikinian society as Bikinians, Niedenthal serves as a unique example of the enactment of solidarity (Niedenthal, n.d., 2013). Niedenthal blurs the boundaries of racial and national identity, moving between his positionality as a man born to a colonial nation with all the privilege his white skin afforded and his identity as an integrated member of Bikinian society. While Niedenthal's birthplace and skin color surely continue to afford him privilege within a racist-colonial system, his transgression of the boundaries usually applied to race and nationality is itself a means of challenging colonial systems. His adoption of Bikinian identity mirrors, but also breaks the mold of, culturally appropriative behaviors often displayed by white "allies" who claim indigenous identity for themselves where none previously existed. His claim to Bikinian identity does not derive from some performance of "allyship" that he argues grants him honorary

indigenous status, but rather comes from his marriage to a Bikinian woman and his choice to live within Bikinian society and adhere to Bikinian customs. This status does not appear to be intended as a validation for Niedenthal's position as an ally, but rather it drives his continued participation in the fight for repatriation and compensation led by Bikinian elders.

While Niedenthal is uniquely positioned by his relationship to Bikinian people and within Bikinian society, his approach may still serve to stand in juxtaposition to the sort of "ally theater" that many white people perform (McKenzie, 2015). His performance of Bikinian identity is rooted in a culture that adopted him, rather than in a choice on his part to project that identity to lend authenticity to his own actions. His advocacy is grounded in a process of amplifying indigenous Bikinian voices, either through the interviews archived in his book or the stories told on the website he maintains to share Bikinian history. His positionality is present and identifiable in his work, but not centered at the expense of Bikinian elders' work. Although his unique position may not be able to serve as a perfect model for solidarity for white Americans, it may serve as an example of solidarity in action, imperfect as it is and imperfect as all such solidarity might inevitably be.

My understanding of Niedenthal's identity as a driver of his advocacy leads me to question the role that my whiteness plays in my advocacy through scholarship. In the last chapter, I explored the ways that I performed whiteness as intellectualizing, and that working through this thesis has pushed me to challenge that impulse and view my scholarship as an opportunity to perform differently. I tread lightly here, to avoid the suggestion that I, as someone who has been socially positioned as white, might ever

completely eradicate performances of whiteness from my writing or social interactions. Rather, I wish to explore how that social positioning might serve as an impetus for challenging the system of racial domination that characterizes Western society. My understanding of myself as a participant in colonialism necessitates that I push back against those systems rather than continue to uncritically move through them. My recognition of the necessity of advocacy, however, has not previously addressed the reasons that my positionality requires this advocacy. My goal now is to explore the ways that my positionality compels me to advocate against colonialism.

Unlike Niedenthal, I have no familial ties to colonized peoples or claim to indigenous identity that compels me to challenge colonialism. Because of my positioning within American society, it would be easy in some ways to ignore colonialism or eschew decolonial advocacy. In most instances, I benefit from the dual expansion and militarization of the United States. I could ignore the colonial history of U.S. occupation of Bikini and imagine the tests carried out there as a utilitarian necessity that protected “us” from destruction during the Cold War. This understanding of “us” would already be premised on an identification of myself with an in-group that benefits from American citizenship and is constructed within American consciousness as worthy of protection from some feared out-group. To subscribe to that understanding of Bikini would be to disavow those who are suffering for my benefit. It would be to ignore their calls for justice in favor of remaining comfortable. As property has historically been associated with whiteness in order to justify colonization, presumed innocence has also been incorporated into social constructions of whiteness in order to protect whites from responsibility for racial oppression and to prevent the redistribution of wealth garnered through that oppression (Harris, 1993). Therefore, if I wish to

challenge my own impulse to perform pernicious whiteness, it is necessary for me to reject the innocent that would be easy for me to adopt, and to recognize the ways that my positionality is implicated in the war-making scheme that led to colonization at Bikini. The nuclear testing that was carried out on Bikini was done for my benefit. It was conducted in order to protect the ideal of white American womanhood as virtuous and pure and in need of protection. Nuclear testing exists as a symptom of a broader military industrial complex whose success depends on the belief in that innocent white woman whose purity is so important that any means are justified in order to protect her (Enloe, 2000). Our willingness to go to war, to establish military bases, and to test nuclear weapons on indigenous land demonstrates the worth we place on protecting the pure white womanhood even at the expense of environmental purity or the protection of indigenous populations. The public valuation of my life, then, is tied to the public devaluation of Bikinian lives.

While I can never fully divest from this violence done in my name, failure to speak out against colonialism positions me as an active participant in these violent systems. This chapter, then, is my attempt to write back at understandings of the military industrial complex that posit nuclear testing as necessary or inevitable. Rather than acquiescing to the belief that nuclear testing was carried out “for the good of mankind,” I have worked in this chapter to recognize that this utilitarian calculus actively values some lives over others and bear witness to the lives that were negatively affected by the nuclear testing program (Niedenthal, 2013, p. 2).

### **Conclusion**

Like all of the decolonial movements considered in this thesis, Bikinian struggles for repatriation are ongoing. While the ultimate goals of the movement’s instrumental demands on the U.S. government have not yet been met, this does not negate the value of considering the rich rhetorical history of the movement. The court battles that have occurred since the 1970s offer an opportunity to recognize the ways that consummatory,

coalitional, and instrumental rhetoric may coexist within the same texts, and to explore the role that appropriation and rhetorical tactics might play in turning legal systems against themselves for decolonial purposes. Additionally, this case holds significant potential for the development of environmentalist and decolonial coalitions that challenge the historic divides between environmental and social justice advocacy. Finally, the rejection of traditional Western notions of racial and national identity, forwarded by Bikinian advocates, offer an opportunity to destabilize white identity that supports colonial aims. This breaking down differs from the Nevada protesters' use of passports to question whose bodies cross borders, and instead asks who controls access to indigenous identity. This chapter has served to explore the questions of this thesis from a perspective that complements and adds to the analysis of the previous chapter. In the following chapter, I will add another case study to further expand our understanding of consummatory, instrumental, and coalitional rhetoric, decolonial resistance within colonial systems, and solidarity between indigenous and non-indigenous people.

## CHAPTER IV

The final case this thesis explores is the resistance of the Kānaka Maoli to U.S. occupation of Hawai'i. Indigenous Hawaiians have resisted U.S. colonization since the first arrival of Western colonists in the late 1700s. Their resistance has taken many forms, and serves to highlight many of the questions this thesis explores. Hawaiian resistance has co-opted Western law and ideals, challenged American control over Hawaiian culture and land, and developed a complicated relationship with non-Hawaiian advocates who express solidarity with the movement.

Many Americans understand Hawai'i to be a tropical paradise – a getaway they can visit without needing a passport where they can soak up the sun's rays and take in a little bit of the local culture while vacationing. Many indigenous Hawaiians, however, have vehemently opposed this construction of their homeland, challenging the commodification of their traditions, values, language, and land for the profit of travel agencies and resort executives. Hawaiian resistance to American colonization has taken on myriad forms over the last century and a half, and continues to be an active movement today. This chapter employs a close reading of several texts emerging from the Hawaiian sovereignty movement to recognize the tensions that arise for decolonial advocates who must work within the systems they are trying to dismantle, and the way those advocates might use those systems against themselves for decolonial purposes.

**Literature Review**

While there is some communication scholarship surrounding Hawai'i and colonization, that scholarship is limited in volume and in scope. Some scholars have focused on the way popular media, such as movies and radio, contributed to the growth



of the American tourism industry, a key element in the expansion of American control over the nation and eventual statehood (Higgins & Furukawa, 2012; Smulyan, 2007). Others have discussed the ways that Euro-Americans have discursively displaced Hawaiians through the repression of Hawaiian language and values, while simultaneously physically displacing Hawaiians from their land to make space for military and tourist uses (Wood, 1999; Marlow & Giles, 2008). In some ways, this repression mirrors the rhetorical framing of space as empty to make way for activities (such as nuclear testing) deemed too dangerous to conduct near white communities that Kuletz (1998) and Rothman (1992) have discussed. These strategies in many ways echo the erasure or disenfranchisement of other indigenous peoples, as discussed by a number of scholars. Awarding or denying “authentic” native status has been a common tool of those working to maintain colonial control, with legal rhetorics serving an instrumental role in this process (Black, 2009, 2012; Deloria, 1988). In Hawai’i, this rhetoric has been framed in terms of statehood: ignoring the non-consensual nature of statehood in Hawai’i, opponents of Hawaiian sovereignty argue that as American citizens, indigenous Hawaiians should stop fighting for recognition of Hawai’i as a separate nation, since they receive all the protections and benefits provided by the American constitution (Justice, 2010; H.K. Trask, 1999; Witkin, 1995).

A number of scholars have written about the ways in which Hawaiians have resisted colonization. Huanani-Kay Trask (1999, 2000, 2006), for example, has been a prolific writer and advocate for Hawaiian Sovereignty. She and her sister, Mililani Trask (1991, 1993) are leaders in Ka Lāhui Hawai’i, a grassroots organization that has developed a democratic constitution for Hawai’i and governs simultaneously to the

colonial U.S. federal and Hawaiian state governments. Their published work has served to draw attention to the movement and detail the histories of colonization and resistance in Hawai'i, while their writing has simultaneously functioned as resistance itself by amplifying Hawaiian voices in scholarly spaces (where they have often been excluded) and challenging readers to recognize their own complicity in the colonization of Hawai'i (H.K. Trask, 1999).

While Huanani-Kay Trask (1999, 2000, 2006) and Mililani Trask (1991, 1993) have focused their work primarily on Ka Lāhui Hawai'i, others have written about the numerous other decolonial movements that have challenged American control of Hawai'i over the last two-hundred years. Some scholars have explored the ways in which Hawaiian advocates co-opted American identities and values to make the case for Hawaiian sovereignty to the U.S. government (Kimokeo-Goes, 2009; Lichtenstein, 2008). These works, however, are limited to Hawaiian resistance prior to the imposition of statehood. Extending this analysis to consider the continued resistance that has occurred in the last half century is a valuable way to acknowledge that statehood was not some irrevocable win for American colonialism after which Hawaiians gave up their resistance, but rather was a colonial move that has been met with continued calls for sovereignty. Additionally, of the above scholars, only one writes from a communication perspective, focusing on the co-optation of colonial discourses for decolonial purposes (Kimokeo-Goes, 2009). I hope to expand on this argument by recognizing the ways in which decolonial movements have both co-opted *and* rejected colonial rhetorics as called for based on the circumstances involved with each situation.

Others have discussed the ways in which Hawaiians have rejected American values and behaviors as a means of resisting colonial control. For example, many Hawaiians have vehemently opposed the American attempt to repress the Hawaiian language by funding or participating in language revitalization programs and raising their children to speak Hawaiian (Wilson, 1999; Wilson & Kamanā, 2009). This embracing of traditional Hawaiian language is a way for advocates to reject a system that represses the beliefs and values that cannot be effectively translated from Hawaiian to English (H.K. Trask, 1999). Similarly, scholars have noted the ways in which Hawaiian music and poetry have often been used to undermine American constructions of Hawaiians as being unconditionally open to (and therefore complicit in) American occupation of their islands. As such, these advocacies affirm a Hawaiian identity outside of Americanness (Clark, 2012; Dunlap, 2007). While my analysis adds to this literature by continuing to explore the ways in which the Hawaiian sovereignty movement has used Hawaiian traditional culture as a decolonial tool, it also complicates this understanding of Hawaiian resistance by recognizing the ways that advocates have continued to be influenced or governed by colonial ways of knowing.

Thus, while the work focusing on Hawaiian resistance is valuable, it is unfortunately limited. Hawaiian decolonial work has been largely excluded from the academy, leaving the primarily white, class-privileged, American audiences in American academic institutions free to maintain unchallenged our colonial understandings of Hawai'i. In order to decolonize academic spaces, this chapter will amplify the voices of Hawaiian advocates and refuse to accept colonial views of Hawai'i as a natural part of the United States. Wood (1999) has argued that haole (white foreigners to Hawai'i)

academics who wish to act in solidarity with Hawaiian sovereignty movements should attempt to undermine colonial constructions of Hawai'i. Simultaneously, they/we should also recognize our privilege in having access to academic spaces that have often been highly exclusionary for indigenous Hawaiians and should therefore attempt to amplify the voices of those who have resisted the colonization of Hawai'i in other forums. Similarly, Huanani-Kay Trask (1999) asks those who wish to challenge American colonialism in Hawai'i to call out the expansion of tourism and the appropriation of Hawaiian tradition for white audiences in their own lives, writing that "We do not want or need any more tourists, and we certainly do not like them. If you want to help our cause, pass this message on to your friends" (p. 146).

Through this analysis, I will add to the growing body of literature that rejects dichotomous understandings of resistance in the academy. Black's (2009) work, for example rejects the notion that decolonial work must exclusively employ tools from outside of the colonial systems advocates seek to challenge, and instead suggests that colonial rhetorics may be appropriated for decolonial aims. Though postcolonial studies have been criticized as a tool for challenging colonial structures because of inconsistencies among authors in the field, this thesis argues that challenging colonial structures is a complex task that merits an appreciation of nuance rather than demanding total coherence (Huggan, 1994; Lopez, 2001; Paolini, 1999). By complicating scholarly understandings of resistance, this chapter not only adds to conversations about decolonial rhetoric, but also actively challenges colonial systems themselves. By embracing the paradoxical, messy, and tension-filled realities of decolonial work, scholars can challenge the illusory, taken for granted coherence upon which coloniality depends to maintain its

stability. The desire for an organized, clear, one-sided story is grounded in Western epistemology (Minh-ha, 1989). Derrida (1978) identifies this principle of organization as an essential element of structural systems that allows them to remain stable and unchallenged. By problematizing that coherence, then, decolonial advocates attack the colonial system's very foundation.

The analysis in the later portions of this chapter embraces and highlights the tensions present in the Hawaiian sovereignty movement in order to challenge colonial ways of knowing that would demand that advocates be perfectly opposed to colonial systems and would see contradictions and tensions as signs of failure. I will recognize these tensions for what they are: the inevitable result of advocates' existence within and struggle against a colonized world, and the sites at which their work to decolonize both themselves and the world around them is most visible. Trinh Minh-ha (1989) explores these inevitable tensions, arguing that liberation by working within colonial structures is both an impossibility and a necessity. Her analysis of language theft, of both the rejection and embrace of religion as an institutionalized concept, and of story as a challenge to the linear narrative of history, have influenced my analysis of these texts.

This section has situated my analysis within academic conversations about decolonization and laid out the ways that I will deploy a reading of tensions and disagreements in my analysis of the texts. In the following sections, I contextualize my analysis in terms of the Hawaiian history of resistance to colonization, while grounding my work in Hawaiian literature, centering Hawaiian histories and narratives of colonization and resistance. This re-framing is a necessary step in challenging colonial

institutions that continually exclude Hawaiian voices from academic conversations, and also serves as a celebration of the resistance work that has been done (Sefa Dei, 2000).

### **A Brief History of Colonization and Resistance in Hawai'i**

Many Western historiographers have placed Euro-American arrival in Hawai'i at the center of their narratives of the nation, while at the same time obfuscating the history of resistance to Western colonization by indigenous Hawaiians (Silva, 2004). By excluding indigenous Hawaiian perspectives from their analysis, Western scholars have supported the colonization of the islands, constructing American control of Hawai'i as natural and unchallenged. Members of Hawaiian sovereignty movements and Hawaiian scholars have contested these histories, reminding us of the rich history of resistance in Hawai'i. From Captain James Cook's arrival in 1778, to the overthrow of Queen Lili'uokalani's government in 1893, to annexation in 1898 and the imposition of statehood in 1959, Western colonial moves in Hawai'i have been met with resistance at every step (Lichtenstein, 2008; H.K. Trask, 1999; Silva, 2004). This is not to essentialize all indigenous Hawaiians or paper over the ways that Hawaiians also worked with colonial powers for various and complex reasons, but rather to recognize that, at every moment that can be read as a colonial victory in Hawai'i, there is also resistance to be found.

Over the last 50 years, Hawaiian sovereignty movements have grown and evolved. Upon the invigoration of resistance in the 1970s, Kaho'owale became the foundational organization around which organizers coalesced (Kajihiro, 2000). While this organization represented the primary base for resistance at the time, the sovereignty movement has since grown and diversified extensively, and in 2000 there were more than

40 groups working toward sovereignty (Perkins, 2000). With thousands of indigenous Hawaiians fighting for sovereignty across dozens of groups, views of how the movement should proceed have diverged, with some fighting for the establishment of nation-to-nation relations with the United States, others demanding the return of the Hawaiian land base, and a small subset advocating for the re-instatement of the Hawaiian monarchy (Perkins, 2000). Therefore, it would be impossible to include a comprehensive discussion of tactics employed by the many factions of the Hawaiian sovereignty movement in a single chapter without grossly misrepresenting or essentializing the complex and diverse approaches to this problem.

Because of the diversity of voices and approaches in the contemporary sovereignty movement, this chapter analyzes testimony presented at Ka Ho'okolokolonui Kānaka Maoli – The People's International Tribunal Hawai'i. The tribunal was held in August 1993 and consisted of testimony from Hawaiians across the island chain who put the U.S. on trial for crimes against Hawaiians (Ka Ho'okolokolonui Kānaka Maoli, n.d.). The tribunal included Hawaiian sovereignty advocates from numerous decolonial groups and offered the chance for individuals to testify, regardless of membership in any particular group. Individuals were invited to share their experiences as they related to charges of genocide, ethnocide, the theft of sovereignty, the destruction of the Hawaiian ecosystem, and other violence committed by the U.S. against indigenous Hawaiians. They presented their testimony to a panel of internationally-based jurists whose backgrounds in decolonial work ranged from academic study to participation in movements for the sovereignty of their own nations. I have chosen this text because it represented one of the largest undertakings of the Hawaiian sovereignty movement,

involved Hawaiians from numerous socioeconomic backgrounds who had varying levels of experience with formalized resistance, and gained significant international attention, including the submission of a report to the United Nations Working Group on Indigenous Peoples (Merry, 1996). Additionally, I have chosen this text because of its incredible wealth of material for analysis – with ten days of testimony collected on five islands, the tribunal offers unending possibilities for future scholarly analysis.

**Ka Ho’okolokolonui Kānaka Maoli – People’s International Tribunal Hawai’i  
(1993)**

For the purposes of this chapter, I separate my analysis into two sections. The first section explores the format of the tribunal and the choice of jurists. This section’s analysis centers on the ways that the logistical setup of the tribunal contributed to the hearings’ decolonial aims, and the role that the panel of international jurists played in advancing these decolonial goals. The second section will focus on the testimony presented by witnesses at the tribunal, centering on four areas of discussion – land and property, religion, citizenship, and language. Both sections employ a close reading of the transcripts of the tribunal to tease out the decolonial themes of the hearings.

***The Tribunal***

Ka Ho’okolokolonui Kānaka Maoli was hosted over ten days, and testimony was received on five islands. This decision required the jurists, the facilitators, and a number of witnesses to travel across the Hawaiian Islands as the tribunal progressed, and necessitated that individuals on each of the host islands furnish appropriate spaces for the tribunal to occur. Kekuni Blaisdell notes the reason for this decision on day four in Moloka’i, stating that “we are so honored to be invited to your island. When we first



asked the people of Moloka'i to come to Honolulu, they said, no you come to us. So that's why we are here" (as quoted in Ka Ho'okolokolonui, 1993c, p. 16). This decision to host the tribunal across the island chain, rather than requiring those who wished to provide testimony to travel to Honolulu, may have increased the logistical complexity of the tribunal, but in return for this increased investment of time and other resources, the tribunal's decolonial goals were made more accessible and a level of situated knowledge was added to the testimony that might otherwise have been lost. For example, during day two of the tribunal at Waihe'e, Maui, Charles Maxwell draws the jurists' attention to the landscape surrounding the area where the hearing was being held:

I want to focus you on this particular 'āina, this land here, which is one of the most important pieces of property here in Hawai'i for the Hawaiian people. The sand dunes you see here contains thousands of bones of our ancestors, the *kula iwi*, the *iwi* of our people. We have continuously fought for preservation of these bones, the mere bones, for the most important thing that's [w]hat's makes us Hawaiian, that makes us Hawai'i. *He Hawai'i au*. We associate to our remains, to the *iwi*. (as quoted in Ka Ho'okolokolonui, 1993b, p. 8)

Maxwell's testimony points to a familial connection with the land that many members of the movement argue is central to Hawaiian sovereignty (H.K. Trask, 1999). By holding the tribunal in different locations across the islands, then, not only were the jurists able to hear testimony from many more individuals than otherwise would have had access to the space, but that testimony became rooted in the physical space where the tribunal took place. This is particularly significant, as sharing stories of colonization is in itself a decolonial act for many of the witnesses, regardless of jurists' responses or attention to

those stories. By placing the jurists' physical, bodily presences within a colonized space, and then narrating the particular practices of colonization endemic to that specific location, the tribunal enabled and highlighted a form of situated knowledge production that runs counter to Western universalism. While testimony about the violation of construction projects disturbing ancestral graves could be spoken anywhere, the situating of that testimony in the same physical space as the graves that Maxwell and other advocates were fighting to protect lent a level of connectedness that would be otherwise unachievable.

The forwarding of locally-situated knowledge through emplacement is not the only means by which the logistics of the tribunal played a role in the decolonial goal. Nine international jurists participated in the tribunal, creating an atmosphere of solidarity among indigenous nations, and between indigenous and non-indigenous peoples. The beginning of each transcript identifies the jurists as follows:

Milner Ball, Caldwell Professor of Constitutional Law, University of Georgia  
Law School

Hyun Kyung Chung Professor, Dept. of Christian Studies Ewha Women's  
University Seoul, Korea

Ward Churchill Creek/Cherokee Metis Nations Professor, University of Colorado  
at Boulder<sup>11</sup>

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<sup>11</sup> I am aware of the controversy surrounding Ward Churchill's removal from the University of Colorado, Boulder, and of the ongoing speculation about his racial identity. Because the nature of Churchill's role in this tribunal is my focus here, rather than his scholarship, the question of plagiarism seems wholly inconsequential to this project. The question of Churchill's identity, while perhaps relevant to this chapter, is unresolvable within the confines of this project. I will limit my discussion of the situation, then, to this: the questioning of Churchill's race, and his position within indigenous movements, serves only to support my argument that decolonial advocacy is messy, complex, and impossible to neatly analyze. In the end,

Richard Falk, Albert G. Milbank Professor of International Law and Practice  
Center of International Studies, Princeton University, New Jersey

Lennox Hinds Professor, Department of Administration of Justice Rutgers  
University, New York

Te Moana Nui A Kiwa Jackson, Esq., Ngati Kahungunu and Ngati Porou Tribal  
Nations Director, Maori Legal Service, Inc. Wellington, Aotearoa (NZ)

Asma Khader, Esq., Union of Arab Advocates, Amman, Jordan

Oda Makoto, Professor and writer, Nishinomiya, Japan

Sharon Venne, Esq., Cree Nation, Saskatchewan, Canada (as quoted in Ka  
Ho'okolokolonui, 1993a, p. ii)

Each of the invited jurists were asked at the beginning of the tribunal to talk about who they were and why they had chosen to participate in the tribunal. Their responses ranged from a desire to help the Hawaiian people, to a sense of shared experience as members of colonized nations, to a desire to decolonize their own minds. All of their answers shared a common theme: solidarity. Each of the jurists expressed a desire to stand in solidarity with the Hawaiian people in the fight against colonial violence.

This expression of solidarity adds another level to the analysis of solidarity explored in the previous two chapters. In addition to cooperation between indigenous people and whites, the tribunal places explicit focus on the solidarity among members of different colonized peoples, stemming from shared experiences that drive decolonial organizing. Unlike the Nevada Desert Experience protesters, who built solidarity with the

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Churchill is only one of nine jurists, and played a relatively small role in the tribunal, and his role was thus tangential to my analysis.

Western Shoshone over shared goals, or Jack Niedenthal, whose solidarity with the Bikinians arose out of shared space during volunteering experiences and later adoption into Bikinian society, this solidarity is built on a shared experience that cannot be adequately translated for members of the colonizing group. As Asma Khader, for example, states:

I came from Jordan because my people have earned the rights of self determination, just like your people. That's why I accept to come because we have to support each other, to help each other to be united because of the aims we share ... And I want to share my people and your problems and to let you know something about my people problems. (as quoted in Ka Ho'okolokolonui, 1993a, p. 3)

The expression of solidarity is itself a means of resistance to a colonial system that relies, in part, on fostering hostility and separation between members of the marginalized group. Lorde (2007) describes this colonial phenomenon as “horizontal hostility,” and argues that by pitting members of marginalized groups against one another on the basis of unshared identities, colonial systems may distract them from uniting against broader systems of oppression (p. 48). By framing her attendance as an opportunity to express her support for another colonized nation, and to exchange knowledge about comparable experiences of colonization, Khader links her participation in the tribunal to liberation for both Hawaiians and Palestinians.

Not all of the jurists share this experience. Milner Ball describes himself at one point in the tribunal as “white and male, American and a lawyer and a Presbyterian” (as quoted in Ka Ho'okolokolonui, 1993c, p. 48). This string of identifiers places Ball

squarely within the colonizing class – his race, nationality, and religion are all tied indelibly to the colonial history of Hawai'i. With these identities put forth, the choice of Ball as a jurist may seem incongruous with the goals of the tribunal. The jurists' job, after all, was to listen to the witnesses' testimony and make a judgement about the colonization of Hawai'i. For a member of the colonizing class to participate in this process is potentially a means of reifying that colonial control, giving him power over a decision that might be better left to members of colonized nations. Another interpretation might be that Ball was invited to represent Americans who are implicated in the colonization of Hawai'i. And in some ways, he did serve that function. However, the tribunal was also designed to have a representative of the U.S. government as a participant. Advocate-Prosecutor Glen Morris notes an empty chair present at each of the hearings, stating:

This chair represents, the invitation was provided to the United States government and the government of Hawai'i to participate in these proceedings. For reasons known only to them they have chosen not to participate in these proceedings. But we have made it clear to them that, at any time during the course of these proceedings, they are welcome to come and present their defense. We would welcome that. And, in lieu of that, we'll be constantly reminded of their absence.  
(as quoted in Ka Ho'okolokolonui, 1993a, pp. 9-10)

Ball, then, seems not to have been invited to bear witness to the proceedings as a member of the colonizing class, but to share in the proceedings with the other jurists. This opens space for Ball not to defend his position as a white American, but rather to be vulnerable

in his privileged position and express solidarity with the Hawaiian people. Ball acknowledges his odd position on the jury, stating:

As we went in our travels, we saw everywhere rainbows ... I suppose that Kekuni invited me to be a member of the Tribunal for the purpose of completing the colors of the rainbow, although I think the real purpose is so that the beauty of the other colors could be seen by contrast. And it was good of him to invite, to include at least a representative of one other foreign nation among these others that are here, since I come from a foreign nation. (as quoted in Ka Ho'okolokolonui, 1993f, p. 33)

Shortly after, when leaving the proceedings early to return to Georgia, Ball turns down the opportunity to provide a last word, instead offering up the hope that he might be “the first to leave under necessity and therefore be the first of a long line of my other fellow citizens to whom you may say good-bye” (as quoted in Ka Ho'okolokolonui, 1993f, p. 48). Ball's position on the tribunal then, seems to be in part to denounce the white presence in Hawai'i, even his own. Ball performs the role of the race-traitor, denouncing colonization from the position of the colonizer and calling out not only himself but those of us who share his privileged position (Bailey, 1998; Flores & Moon, 2002). This show of solidarity differs significantly from the performances of white advocates in either of the two chapters before this one. Ball acknowledges his whiteness much more explicitly than either the Nevada Desert Experience (NDE) protesters or Jack Niedenthal, and in so doing works to challenge structures of whiteness from within. By taking this stance, Ball rejects the disconnected, neutral position that has so long characterized whiteness (Minh-ha, 1989). Instead, he embraces the tension between the privilege he cannot separate from

himself and his desire to challenge the colonial systems from which he profits.

Ultimately, he determines that his role must be, in part, to leave a place where he never belonged.

The empty chair left for a representative of the U.S. government and Ball's role in the tribunal may also serve to forward rhetorics of presence in a way that is significantly different from the work done in the other case studies considered in this thesis (Perelman & Olbrechts-Tyteca 1969, Pezzullo 2001). Certainly, throughout the tribunal witnesses challenge the relegation of indigenous Hawaiians to the past. However, this particular choice demonstrates a move to articulate presence through absence. By keeping an empty chair available at all times, the tribunal creates a palpable presence of the U.S. government even when a representative is absent. This plays on the dual nature of presence and absence – the U.S. government is always present in colonized Hawai'i, but the choice to be physically absent from the tribunal speaks volumes to their (un)willingness to engage with decolonial advocates

### *The Testimony*

I turn away, now, from the question of structure and who was invited to participate, to explore the multitude of decolonial rhetorics employed throughout the witnesses' testimonies. Witnesses were invited from across Hawai'i to share their experiences of colonial violence, and their testimony covered a myriad of topics. For the purpose of this analysis, I focus on testimony that centered on four issues: land, religion, citizenship, and language. I have chosen these topics for a number of reasons. First, these systems underwent major changes upon colonization. Traditional Hawaiian understandings of land centered on familial, mutual-care-centered relationships, rather

than on Western notions of ownership imposed by colonization. Similarly, Hawaiian religious practice was significantly affected by the importation of Christian missionaries upon colonization, while American citizenship was imposed on indigenous Hawaiians upon the annexation of Hawai'i in 1959. Also, the Hawaiian language was banned for a time in the mid-20<sup>th</sup> century in order to push Hawaiian assimilation into American culture (H.K. Trask, 1999). Second, these four topics were the ones most commonly addressed by witnesses' testimony. Third, advocacy moves described in testimony focusing on these themes provide significant overlap with the rhetorical approaches deployed by the other two case studies discussed in this thesis. Finally, all four of these elements have assumed significant importance in the Hawaiian sovereignty movement, all have been the center of protests and demonstrations outside of the confines of the tribunal process, and the advocacy addressing these themes is identified by witnesses as an important element of decolonial resistance in Hawai'i (as quoted in Ka Ho'okolokolonui, 1993a, 1993b, 1993c, 1993d, 1993e, 1993f; H.K. Trask, 1999).

### *Land*

Much of the testimony provided in this tribunal process centers on land rights. Some of this testimony lays out the colonial process of land theft that the U.S. government and Hawaiian State government carried out, while other testimonies focus on demonstrations by Hawaiians fighting for sovereignty. Still others discuss the ways that laws passed since annexation might interact with land rights in ways that could be used to reclaim land taken by the U.S. government. This section unpacks these varied testimonies to better understand the role that land plays in Hawaiian resistance to colonization.



The first set of land-centered testimony lays out in no uncertain terms the colonial nature of land seizure by the United States. Jonathan Osorio, for example, argues that the loss of a stable land base is the foundation of the colonization of Hawaii. Without control of Hawaiian land, he argues, the Hawaiian people can have no sovereignty. He connects these dual dispossessions to the overthrow of Queen Lili'uokalani, stating that "the Queen was dispossessed ... not only of her ... power and her rule and the Hawaiian people were not only dispossessed of their sovereignty at that point, but we were, the Queen was also dispossessed of her lands" (as quoted in *Ka Ho'okolokolonui*, 1993a, p. 61). He goes on to say that "Hawaiian sovereignty cannot be divorced from the *'āina*. Our sovereignty is vested in the *Mō'ī*, who is our link with the *Akua* which is the *'āina*, which is the land itself" (as quoted in *Ka Ho'okolokolonui*, 1993a, p. 61). By explicitly tying the control of a land base to the exercise of sovereignty, Osorio makes clear the reason for these dual demands: return of the land and return of sovereignty. Without one, his testimony notes, the other cannot exist.

Much of this land-based testimony focuses on the violation of Hawaiian tradition inherent in the seizure and privatization of land, while some testimonies argue that land seizure was illegal not only by Hawaiian law, but also by Western Law. Likikalā Kame'eleihiwa, for example, answers one jurist's question about the legitimacy of land privatization by saying,

If we own land communally and ... your partner, sells the land without your permission, then that's not a legal sale. Well, the commoners were never allowed to vote on this. They never gave their permission to it ... . It was not legal by

Western standards. By Hawaiian standards, it was nonsensical. (as quoted in Ka Ho'okolokolonui, 1993a, p. 32)

Kame'eleihiwa's testimony both calls out the United States for its failure to consult the Hawaiians, who had ancestral claim to the land, when seizing and allocating that land. Such approaches, it is argued, are incompatible with Hawaiian understandings of land ownership and the contradiction between this policy and Western legal standards for land transfers is exposed.

Other witnesses follow in their critiques regarding land, attempting to demonstrate the ways that the U.S. might be held accountable for the theft of land in Hawai'i by their own standards. As Jonathan Osorio, for example, notes regarding money paid by the State of Hawai'i to the Office of Hawaiian affairs for the lease of public trust lands, "what this indicates to me is that the State of Hawai'i at least recognizes the fact these lands do not belong to the State" (as quoted in Ka Ho'okolokolonui, 1993a, p. 67). Osorio's testimony, like Kame'eleihiwa's, highlights the logical incompatibility of the state's policies with one another. He seems to ask: Who would pay to lease land they already own? By paying money to lease public trust lands, money that (according to the Hawaiian Homes Act) is allocated for indigenous Hawaiians, the state has effectively admitted that the leased lands belong to indigenous Hawaiians.

Some testimony moves away from a discussion of the ways U.S. responsibility for land seizure might be established and instead focuses on acts of resistance being carried out by Hawaiians outside of the tribunal process. Mililani Trask lays out the ways that members of Ka Lāhui Hawai'i reject colonial control by refusing to vacate land that the state claims for development purposes:

As we speak we have ... members of Ka Lāhui and other sovereign groups supporting a family that's being dispossessed of their land down at Mokolē'ia, waiting for the police to come arrest them ... . When you don't have the option of seeking and obtaining judicial redress, which is allegedly the option provided in America, you have to utilize acts of civil disobedience. (as quoted in Ka Ho'okolokolonui, 1993a, p. 99)

Like the Western Shoshone and Nevada Desert protesters, these advocates provoke arrest by trespassing on land in order to question who has jurisdiction over that land. Rather than accepting U.S. control of lands they believe to rightfully belong under Hawaiian jurisdiction, this family and many other members of Hawaiian sovereignty groups choose to behave as if the sovereignty they argue is irrevocably theirs has already been recognized. In this testimony, Trask explains the necessity of tactics as a means of resistance for those who do not have the structural power or place from which to strategize (de Certeau, 1984). For those who have structural power, strategies that rely on fair treatment within the Western judicial system may be more accessible than they are for those who do not have that power. While some groups, such as the Bikinians, may choose to utilize tactics that work within those systems others, such as some Hawaiians, may utilize maneuvers that occur outside of those structures.

Similarly, some witnesses outline their refusal to comply with U.S. control over Hawai'i in other ways. William Kalipi, for example, ties a rejection of American notions of land ownership to compliance with taxation: "I don't pay my taxes. So now I'm getting threatened. They going put lien on my land and they going auction my land. How can they auction something that I don't own? None of us own the land. God own the

land” (as quoted in Ka Ho’okolokolonui, 1993c, p. 35). Kalipi’s refusal to pay taxes reflects both a way of understanding his relationship to the land that stands in direct opposition to Western relations to land, and a rejection of the authority of the State of Hawai’i or the U.S. government to tax him. As with Osorio’s testimony, this rejection of Western ways of knowing highlights the incompatibility of American control of Hawai’i (which must always be infused with Western understandings of governance and property) with Hawaiian tradition and sovereignty.

### *Religion*

While the testimony centering on land rights primarily serves to forward outright rejections of Western knowledge systems, other testimony complicates this desire to disavow all things American. Religion, in particular, becomes a dividing topic where the tensions of working against a system that has so fully ingrained itself is especially apparent. Lilikalā Kame’eleihiwa explains the intimate connection between the Christian missionaries who appeared early in the colonization process to convert Hawaiians and the sugar planters and other capitalists who profited from the conquest of the islands:

Could the religious mission excuse their actions? No, their religious mission damns their actions. They came here supposedly to teach the word of God and a religion of love. But they had no love in their hearts for us . . . . They came with evil intentions and damned by their own religion. And they know this today, that those missionary descendants who are among us today, who took land and defied their own vows of poverty and who are now multinational corporations, those missionary descendants see the evil in their families . . . the evil that will follow

them all the days and all the generations of their lives until they give us back the land. (as quoted in Ka Ho'okolokolonui, 1993a, pp. 30-31)

Kame'eleihiwa's testimony both draws out for the jurists the connection between Christianity and colonization in Hawai'i, and explicitly rejects the missionaries who aided in that colonization. By describing their actions as evil, and by tying modern suffering of missionary descendants to the failures of their ancestors to follow their own religious values, Kame'eleihiwa rejects Christianity as a defunct value system and highlights the inconsistency between the beliefs and actions of white Christians.

Similarly, Palikapu Dedman frames Christianity as wholly incompatible with the traditional Hawaiian beliefs. He argues that Hawaiian sovereignty, as tied to relations between the people and the land, can never be achieved under a Christian-based governmental system. He states that "sacred geography is something that Christianity cannot understand . . . . Our religion starts from the top of the mountain to the sea. We do not have religion as Christians do, right around a church or a shrine. Ours is sacred geography" (as quoted in Ka Ho'okolokolonui, 1993e, p. 105). He goes on to answer a question from jurist Makoto Oda about the potential value of Christianity for Hawaiians by stating, "I have seen nothing of benefit to Christianity. And I'm very sorry what has happened to a lot of the Hawaiians that they did. But I am saying that we don't have to believe in anything but ourselves and our traditions" (as quoted in Ka Ho'okolokolonui, 1993e, p. 107). For Dedman and Kame'eleihiwa, Christianity's colonial history is inseparable from the practice of the religion, and decolonial resistance necessitates a wholesale rejection of Christianity.

For other witnesses, however, the question of Christianity is more complex. Because the practice of traditional Hawaiian religion was banned or heavily discouraged for many years after the overthrow of the Hawaiian government, many Hawaiians have either adopted Christianity as a means of assimilation, or have combined Christian beliefs and practices with traditional beliefs and practices. Apolonia Day, for example, speaks out against the loss of traditional religious knowledge at the hands of Christian missionaries, but simultaneously argues that the two belief systems are compatible with one another, saying that “it’s the same God, the four major Gods and the deities, they’re all the same ... Think about of your ancestors passed that knowledge down to generations. And my parents that had taught me that. And it’s in the Bible” (as quoted in Ka Ho’okolokolonui, 1993b, p. 39). For Day, the fundamental beliefs of Christianity are not incompatible with traditional Hawaiian religion, but are merely a repackaging of the same knowledge.

John Kaimikaua also forwards the notion that Christianity and traditional Hawaiian beliefs could be incorporated, arguing that the goddess “Pele was not a myth, Pele was not something that is made up, but she was an actual living person who lived. And when she died, her spirit became the guardian protector of that place” (as quoted in Ka Ho’okolokolonui, 1993c, p. 25). For Kaimikaua, the practice of ho’okupu (offering a gift to a deity in exchange for spiritual mana) is akin to leaving flowers at the grave of a grandparent. He argues that this communion with ancestors is not a form of idol-worship as some Christians might argue, but is instead a recognition of past family members whose spirits can be called on for assistance like saints. Kaimikaua also suggests that, at a time when colonialism was stripping Hawaiians of their traditional beliefs and practices,

“Christianity gave, filled in for our people that spirituality that helped them to maintain themselves in this time of turmoil” (as quoted in Ka Ho’okolokolonui, 1993c, p. 25). For Kaimikaua, then, Christianity serves a positive role in the lives of Hawaiians, and does not preclude traditional practices.

This disparity in witnesses’ relationships with Christianity could be read as a fissure in the Hawaiian sovereignty movement, but this reading would be insufficient to account for the complex realities that arise out of a violent colonial history. For Hawaiians whose families were forced to assimilate to Christianity, whose relationship to traditional religion was marked by practices carried out in secret as variations on Christian practices, questions of spirituality are too complicated to be answered with a simple rejection or adoption of one belief system or another. Instead, those with decolonial aims must navigate a set of systems that have engrained themselves in ways that may be undetectable, or that may be interpreted in different ways by the many individuals coming together in a movement. This navigation may be rife with disagreements, inconsistencies, and contradictions, but these complexities are a necessary element of decolonial advocacy.

### *Citizenship*

The third area of emphasis I analyze is citizenship. Like the Western Shoshone and Nevada Desert Experience protesters, many of the witnesses at this tribunal reject the notion that indigenous Hawaiians should be considered American citizens. Lilikali Kame’eleihiwa, for example, identifies herself at the beginning of her testimony as “a citizen of Ka Lāhui Hawai’i, the sovereign nation of Hawai’i” (as quoted in Ka Ho’okolokolonui, 1993a, p. 16). By identifying herself in this way, Kame’eleihiwa

rejects the American citizenship that was thrust upon her and her family upon annexation, and instead chooses to enact sovereignty by claiming Hawaiian citizenship through Ka Lāhui Hawai'i.

While Ka Lāhui Hawai'i enacts sovereignty through enrolling citizens and holding elections, other similar groups carry out different maneuvers to achieve the same goal. The 'Ohana Council, for example, enacts Hawaiian sovereignty by printing "sovereign Kingdom plates" (as quoted in Ka Ho'okolokolonui, 1993c, p. 39). These license plates are affixed to people's cars in lieu of plates issued by the state of Hawai'i as a means of proclaiming and practicing Hawaiian sovereignty in the face of colonial control. William Kalipi discusses the procedure for using these license plates as an advocacy tool:

Those who give us tickets are our family. Same, we all families. So we got to thank them for the tickets and go directly and confront the judiciary system of the State of Hawai'i on the courts. So this is where we taking a stand for asserting the sovereign plates. (as quoted in Ka Ho'okolokolonui, 1993c, p. 39)

By using these plates as an in-road to "confronting the judiciary," those who use sovereign Kingdom plates enact Hawaiian sovereignty in ways that necessitate that those who work for the colonial government, including police officers and judges, ought to be confronted directly with arguments against the government for which they work.

This approach functions both as a maneuver and a tactic, then. On the one hand, those who use these plates are calling on a separate positionality – that of sovereign Hawaiian citizenship. On the other hand, the use of these plates creates opportunities to advocate in spaces typically controlled by colonial forces for decolonization. This in-



court advocacy both demands the attention of those who work for the U.S. or Hawaiian State governments, and simultaneously jams the cogs of the colonial machine, slowing down colonial processes in ways that complicate their functioning. Colette Machado expands on this approach, saying that “we will continue to beef the developers, we will continue to display our arrogance in the courts over panty-ass stuff such as license plates. Those are the beginnings that will explode” (as quoted in *Ka Ho’okolokolonui*, 1993c, p. 62). By forcing their way into the courts to advocate for sovereignty, Machado argues, those who display sovereign Kingdom plates can begin to break down the system through the very forums that support that system.

Jonathan Osorio furthers this notion that Hawaiian sovereignty is inherent and cannot be erased by the refusal of the United States to recognize this sovereignty. He states that “if we wish to have our sovereignty back, all we have to do is say so” (as quoted in *Ka Ho’okolokolonui*, 1993a, p. 73). However, Osorio also recognizes the complications that arise when this understanding of sovereignty collides with the lived material realities of life under colonial rule. When jurist Sharon Venne asks Osorio, “do you consider yourself an American citizen,” he responds, “I continue to pay American taxes out of fear of reprisal from the American government” (as quoted in *Ka Ho’okolokolonui*, 1993a, p. 73). The practical rejection of U.S. jurisdiction in Hawai’i is not without consequences, and those participating in the Hawaiian sovereignty movement must always shuttle between the practice of sovereignty in which they believe and the practice of survival strategies within a colonial system that can enact very real punishments for failure to comply with that system.

The question of citizenship is further complicated when questions of foreign immigration and slave labor are added to the conversation. For some of the witnesses offering testimony, the presence of anyone who does not share Hawaiian descent in the islands is an affront to sovereignty. At one point, jurist Makoto Oda asks witness Palikapu Dedman to discuss the ways his anti-foreigner stance might interact with the fact that many Hawaiian residents of Asian descent have experienced their own histories of racialized violence that brought them to the islands. This question in itself highlights a tension between Hawaiian knowledges that place many Asian immigrants as part of the colonizing class and the colonial history that brought many Asian laborers to Hawai'i through violent economic and social systems in which they were subservient to white plantation owners (H.K. Trask, 1999). Dedman struggles to address the jurist's argument, instead suggesting that Asian immigrants in Hawai'i chose to leave their homes and can therefore either choose to return or to assimilate to Hawaiian culture:

Well, I'm saying if they can leave their homeland, then somehow these ancestors of who these immigrants are does not have will or strong power to stay home. So they have passed this will and this consciousness to their babies. And I'm saying that if they can change from their tradition to America's tradition, they can change to Hawaiian tradition (as quoted in *Ka Ho'okolokolonui*, 1993e, p. 115)

For Dedman, anyone who has come to Hawai'i without an ancestral connection to the islands must either assimilate to Hawaiian practice or leave. Oda challenges this stance, arguing that while there is a history of East Asian colonialism in Hawai'i that coexisted with American colonialism for a time, there are also countless people of Asian descent whose presence in Hawai'i is the direct result of the importation of slave labor for sugar

plantations. In the end, Dedman and Oda appear to come to a standstill, unable to reconcile one another's realities with their own.

While this instance might be read as a failure of Dedman to integrate the complicated histories of colonialism and racism at play in Hawai'i, there is more happening here. Asian immigrants in Hawai'i have been both colonizers and colonized. Their presence in the island nation cannot be boiled down to strictly voluntary or strictly involuntary, but is instead the result of complicated economic and social systems that cannot be easily parsed and judged. Similarly, in this moment Dedman is both a decolonial advocate fighting for his homeland and a perpetuator of colonial systems that have divested others from their homelands as much as they have divested him of his. This is not to say that his advocacy is failing, but rather that he exists within complicated systems that he cannot fully exorcise from his mind any more easily than any other inhabitants of those systems. His resistance is necessarily muddied by his positionality within the very colonial systems that he is working to break down. The messy nature of decolonial work evident is nowhere clearer than in this moment. Here, we see Dedman not as some decolonial superhero impervious to the colonization of his mind, but as a man doing the best he can to challenge the systems within which he is entrenched. His testimony serves as a reminder that decolonial work is difficult, and messy, and incredibly complicated, and that those who wish to do that work must confront that messy nature, embrace their own imperfection, and move forward in an attempt to grow in their own advocacy while continuing to challenge colonial systems.

*Language*

The final element of testimony that I analyze is the use and discussion of the Hawaiian language. Convener Kekuni Blaisdell centers the importance of the Hawaiian language at the opening of the first day's hearing:

*Welina mai, 'ano 'ai mai. Aloha mai. I've purposely spoken ma ka 'ōlelo makuahine, our native tongue, to make a point. And that is this, we Kānaka Maoli in our own homeland are compelled to speak a foreign language in order to communicate, not only with others but even with our own people. No Laila, this Tribunal is to cite the reasons for the deplorable state of our people now and to begin to make, move forward to change that in a new direction. (as quoted in Ka Ho'okolokolonui, 1993a, p. 1)*

This blending of Hawaiian and English occurs throughout the tribunal, and serves as a reminder of the embeddedness of this movement within colonial systems. Witnesses who employ this approach follow in the footsteps of many decolonial and anti-racist movements that embrace code-switching as a means of undermining the hegemony of the English language (Anzaldúa, 1987; Howard, 2010). For many of the witnesses, Hawaiian is a language in which they do not have fluency, as a result of decades of suppression in American schools and in state law (H.K. Trask, 1999). Over the course of several decades, the Hawaiian language was systematically suppressed until very few indigenous Hawaiians spoke the language fluently. Paul Lemke notes in his testimony that the suppression was so complete that Hawaiian was categorized as a foreign language at the University of Hawai'i (as quoted in Ka Ho'okolokolonui, 1993d). Larry Kimura identifies the motivation for these laws as explicitly colonial in a passage worth quoting at length to lend presence to the Hawaiian testimony and English translation:

*I ka ho'okahuli hewa 'ia 'ana o ko mākou aupuni kū'oko'a 'o Hawai'i nei ua wehe 'ia ka 'īpuka no ka hamu 'ana I kekahi mea Hawai'i ikaika hope loa I hamu pau loa 'ole 'ia I kinohi, 'o ia ke kā'ili 'ia 'ana I ko Hawai'i 'ōlelo 'ōiwi mai ka waha mai o nā pua Hawai'i, I kū ka 'ōlelo lāhui I kā lāhui pākaha o ke aupuni hou inā e loli ka no'ono'o Hawai'i, e ho'oikaika 'ia ho'ololi 'ana ma nā hale kula aupuni, kahi e ho'okele ai I ka 'ike a 'o ke aweawe olonā nāna e ho'opili I ke keiki I kona lāhui iho, 'o ia kāna 'ōlelo, e umoku 'ia I lilo pau kona no'ono'o ma ka 'ōlelo Haole a 'o ka pau loa ia o ke ea lāhui. (as quoted in Ka Ho'okolokolonui, 1993e, p. 17)*

The transcribers of the tribunal added a translation of Kimura's testimony into English which was not offered at the tribunal itself:

When our independent Hawaiian government was wrongfully overthrown, the door was opened to those who would destroy one of the few remaining aspects of our way of life that had remained strong since the beginning of time, opened to those who would snatch Hawai'i's native language from the mouths of Hawaiian children, to ensure that the language of our people would be the same as that of the plunderers who were establishing their new government. If Hawaiian thinking were to change, such change would be hastened in government schools where minds were molded, and where the cord of language attaching the child to his own people would be severed, so that this entire way of thinking would reflect that found in English, thereby completely destroying the life, wholeness, and sovereignty of the Hawaiian people. (as quoted in Ka Ho'okolokolonui, 1993e, p. 17)

By offering his testimony in Hawaiian, Kimura resists the colonial suppression of the language not only in the content of his testimony, but in the form as well. Rather than accede to the demands of the state that would allow the Hawaiian language to go extinct, Kimura's fluency serves as a reminder that Hawaiian is still alive. As with approaches that challenge the relegation of indigenous people to the past, this choice reaffirms indigenous Hawaiians' contemporary presence (Lake, 1991).

Not all of the witnesses present, however, offer testimony in fluent Hawaiian. Because of the prominence of language suppression projects, large swaths of the Hawaiian population today speak little or no Hawaiian. However, even those witnesses who do not speak fluent Hawaiian discuss their work to reinvigorate the language. Malia Ah Yee, for example, states that she participates in "teaching Hawaiian to the young children of Moloka'i because of not knowing my own culture and language" (as quoted in Ka Ho'okolokolonui, 1993c, p. 11). For Ah Yee, learning Hawaiian is only part of the struggle to challenge colonial domination. Despite her own lack of fluency, she is committed to making sure the younger generation grows up learning a language that she was not allowed to learn as a child. In this way, she challenges the imposition of English language even while she is subject to using it.

These approaches both mirror and diverge from what Trinh Minh-ha (1989) calls language theft. She argues that, for those living under colonial rule, the use of the colonizer's language can be both an act of resistance and a form of continued domination. For those who gain literacy in a system where they were never meant to have literacy, and for those who use that literacy to challenge the very system that would have kept them from it, language theft is a form of resistance. But at the same time, "stolen

language will always remain that other's language" (Minh-ha, 1989, p. 20). In using the English language—a language which has been imposed upon Hawaiian people as a result of colonization—to challenge those colonial structures, witnesses both utilize the language to claim sovereignty, and reject that language. Minh-ha (1989) discusses this approach, arguing that “language defying language has to find its own place, in which claiming the right to language and disqualifying this same right work together without leading to the mystical, much-indulged-in angst that pervades many men's works” (p. 43). For the witnesses who shuttle between Hawaiian and English, then, the tension that inevitably arises from the colonizer's language on their tongues is both a complication of their advocacy and a reinforcement of it.

### Reflection

I first came to this topic as an undergraduate student in an interdisciplinary course entitled “Women, Race, and Struggle.” We read Huanani-Kay Trask's (2006) essay, “The Color of Violence” and I was struck by the violence that, because of my positionality, I had never had to consider. I have never been to Hawai'i. My family vacations consisted mainly of road trips to civil war battlefields that were within a day's drive of my rural Missouri home. But I can remember watching movies and television episodes where the characters stayed in lavish hotels and sipped colorful drinks on the beach and hoping that someday I would have enough money to vacation in Hawai'i. Reading Trask's (2006) essay was the first time I came to recognize that my fantasy of vacationing in Hawai'i was built by and perpetuated colonialism. I had believed that the islands, and the indigenous Hawai'ians who work in the tourism industry in Hawai'i, existed for my pleasure, and had never considered the long and violent history that allowed my fantasy to exist. This sense of license to visit the islands is rooted in the same assumption of entitlement that

derives from the construction of whiteness as access to property that I have discussed in the previous two chapters (Harris, 1993).

As I have written this chapter, I have felt an impetus to write this chapter not on behalf of Hawaiian advocates -they have been speaking out for themselves for decades – but on behalf of myself in opposition to the violence done in my name and to the violence my own thinking has imposed. This chapter is an opportunity to challenge the parts of my own mind that still sometimes long for that Hawai’ian vacation. To challenge the stories I learned as a child that framed Hawai’i as nothing more than a monument to Pearl Harbor and a wealth of beaches for my imagined future self to visit. This is not to say, however, that my work has been perfect. I have worried throughout the writing of this chapter that perhaps I have rejected my would-be physical tourism in favor of scholarly tourism. I know that I cannot separate myself from the girl who has benefitted from the fantasy of the tropical Hawaiian vacation, who has been schooled and trained to participate in colonial systems since birth. But I hope that my work to expose the violence of American occupation in Hawai’i, to amplify and speak alongside the voices of Hawaiian advocates, and to embrace the complex and messy realities of their advocacy has served to push back against these systems. Conclusion

In this chapter, I have worked to center the various tensions that come to play in the testimony presented at Ka Ho’okolokolonui Kānaka Maoli. Through a reading of these tensions, the necessary complexity of decolonial work emerges more clearly. The advocacy presented in this chapter reminds us that decolonial work does not occur in a vacuum. There is no space to which decolonizers can retreat to strategize a “coherent” approach to decolonial work. Instead, they must constantly innovate, find ways of integrating fluidity into their tactics and maneuvers, and fit the tools at hand to the



situation in front of them. In this way, the witnesses whose testimony I have analyzed follow the example of Trinh Minh-ha (1989), whose disruptive work exposes “the inscription and de-description of a non-unitary female subject of color through her engagement, therefore also disengagement, with master discourses” (p. 43). Those working to challenge colonial systems must live in the both/and. For Hawaiians living under colonial rule, resistance must incorporate both tactics that utilize the system against itself and maneuvers that start from outside of the system. It is valuable then, to understand the tensions, contradictions, and disagreements in these testimonies not as accidents or failures of advocacy, but rather as intentional attacks on Western knowledges that demand coherence.

I have highlighted the tensions that emerge in my reading of this testimony not as a way to diminish the advocacy of Hawaiian sovereignty movements, but as a way to complicate our understanding of them. These tensions demonstrate the myriad ways that decolonial work becomes messy and contentious, and the multiple directions that such work might pull advocates at the same time. These tensions are not indicative of some failure on the part of advocates, but rather a sign that their work is complex and nuanced, and cannot be neatly separated into boxes. By embracing this tension, rather than demanding the narrative be cleaned up and easily confined to perfection or failure, I have challenged the colonial frames through which the narratives offered by decolonial advocates are so often read. My analysis here is, ultimately, a call to the both-and.

With ten days of testimony presented on five islands, it would be impossible to adequately analyze the entirety of the tribunal process in a single thesis chapter. However, this is a text rich with decolonial rhetoric, and continued analysis of the

tribunal is advisable. Future considerations might include expanded consideration of the format of the tribunal, additional analysis of the role of history in the witnesses' testimony, as well as any number of other elements arising out of the text. For the purpose of this chapter, I have chosen to exclude or limit these areas of analysis in favor of a more focused consideration of elements that offered significant overlap with the considerations of previous chapters, and my analysis has demonstrated their centrality in the Hawaiian decolonial struggle. Ultimately, this tribunal offers significant contributions to our scholarly understanding of indigenous decolonial rhetoric, and serves as a challenge to work that would attempt to cleanly interpret decolonial work in singular and straightforward ways. This rejection of monolithic narratives is a necessary step in furthering decolonial work, both inside and outside of the academy.

## CHAPTER V

*“Must we choose? Or may we not, rather, replace the ‘either—or’  
with a ‘both—and’?” (Burke, 1971, p. 211)*

The goal of this project has been to offer a nuanced understanding of decolonial advocacy. In so doing, I have explored the difficult decisions that decolonial advocates must make in choosing when to adhere to colonial standards and when to reject them, when to appeal to colonial powers for material change and when to enact decolonial understanding regardless of those powers, as well as when to build coalitions and when to reject them. My goal, in not just identifying but actually embracing these complexities, tensions, and occasional contradictions, has been to destabilize our consideration of decolonial work as black-and-white. I follow, here, the example of Pezzullo (2011), who argues, in the context of ecological degradation, that “no solution can be pure and . . . inaction is the only response that will guarantee further loss.” Like Pezzullo, I have worked to embrace movements that live in the tension between using and rejecting the master’s tools in their work for liberation. I have expanded on this concept, however, by also considering the ways that these groups might both call for an overturning of the system through instrumental rhetoric while simultaneously employing consummatory and coalitional rhetoric to build solidarity regardless of the success of those demands.

I argue that, rather than understanding decolonial advocacy as either perfectly separate from colonial systems or as failing by being part of those systems, we should instead recognize the necessity of embracing different rhetorical approaches in different situations. While outright rejection of U.S. citizenship has served the needs of Western Shoshone and Hawaiian advocates working to regain the full rights of sovereignty,

Bikinians have needed to draw on constitutional rights offered to those under U.S. rule to work for compensation and repatriation. While Bikinians have embraced Jack Niedenthal as a vocal spokesperson, Hawaiians have asserted the need for Hawaiian voices. These choices are made in different contexts, with different colonial histories and constraints, and are made in an effort to meet the particular needs of those contexts. These approaches are both governed by colonialism and meaningfully challenge colonialism. This conclusion expands on this notion of the both-and by fleshing out the overlaps among consummatory/instrumental/coalitional rhetorics, by examining possible rhetorical strategies/tactics/maneuvers available to decolonial rhetors, and by reflecting on the coalitional politics of these movements, including my own position as a white scholar.

#### **Calculated choices in decolonial advocacy**

The cases this project has analyzed demonstrate the necessity of embracing a multi-layered approach to decolonial rhetoric. The protesters in each of these cases employed consummatory, instrumental, *and* coalitional approaches, rather than just 1 or 2 of them. Western Shoshone advocates both called on the U.S. government to comply with the Treaty of Ruby Valley and enacted sovereignty with Nevada Desert Experience protesters at the Nevada Test Site, regardless of the government's failure to comply. Bikinian repatriation advocates both demanded the acknowledgment and fulfillment of responsibility from a government that had repeatedly poisoned them, and took responsibility for deconstructing competing narratives of erasure circulated among their descendants and with tourists. Hawaiian witnesses at Ka Ho'okolokolonui Hawai'i both compelled the U.S. and Hawaiian state governments to honor trust lands and occupied those lands even when their possession was not acknowledged. However, the dialectical

nature of consummatory and instrumental rhetoric is insufficient for understanding these movements.

For a more complete understanding of these movements, it is also necessary to consider the dialectical nature of decolonial use of colonial structures. For Western Shoshone advocates, rejecting U.S. citizenship also necessitated a recognition of U.S. governmental authority through treaty agreements. Rather than rejecting the United States wholesale, the Nevada Test Site protesters acknowledged and accepted U.S. sovereignty outside of Newe Segobia. For Bikinians whose exile was predicated on wardship, that same legal concept became the foundation for arguments for compensation under eminent domain. For Hawaiians who reject U.S. citizenship and white presence in Hawai'i, the English language and Christian religion may still play an important role in their lives and offer inroads to holding the U.S. government responsible for violence. The decisions, then, between embracing colonial tools for decolonial aims or rejecting them are not simply questions of whether to appeal to colonial governments or to turn inward. Instead, these decisions are made simultaneously and they necessarily influence one another. Disagreements among members of the same movement over whether to use the English language or if repatriation is a valuable goal may serve as a challenge to unity within movements, but they may also strengthen those movements, as individuals recognize their own ability to weather the storms that can emerge based on those disagreements.

This thesis contributes to the field of indigenous decolonial rhetoric by demanding that we consider the overlap between questions of consummatory, instrumental, and coalitional rhetoric and rhetorical tactics, maneuvers, strategies, and

appropriation. My argument throughout this thesis has been that indigenous decolonial advocates must simultaneously make choices about how to employ or reject colonial tools and about who to address and what to demand as they use those chosen tools. At the same time, I have worked to recognize the constraining role of colonial contexts in these decisions. The choice to use a consummatory maneuver that rejects foreign presence in Hawai'i, for example, is complicated by the presence of people of East Asian descent whose historical connection to Hawai'i is also constructed by painful colonial realities. These choices, then, are always both influenced by and influencing the people with whom decolonial advocates share space.

Recognizing and embracing these constraining factors is distinct from arguing that decolonial resistance can never successfully challenge colonial systems from within. Rather, recognizing the complex realities of decolonial work serves to destabilize naturalized notions of decolonial advocacy as always either perfectly escaping from colonial knowledge structures or as failing to challenge colonial systems. This dichotomous way of understanding decolonial advocacy serves to perpetuate colonial systems by rejecting the work of decolonial advocates for no other reason than that they cannot perfectly escape the colonial systems that have been imposed upon them. If the only approach to decolonization that can be successful or celebrated is that which is not influenced by the colonial context it challenges, there will never be a successful decolonial movement. This embrace of decolonial tactics is not, however, a rejection of decolonial maneuvers that work from perspectives outside of colonial understandings. These approaches are equally necessary to decolonial work. The choice to enact

sovereignty and self-determination regardless of colonial refusal to recognize such sovereignty is valuable in and of itself.

**Standing at a crossroads: Advocacy and solidarity in practice and scholarship**

The questions I have addressed in this thesis are inseparable from my own identity. As a white scholar who benefits deeply from the colonial systems that this thesis critiques, I must constantly challenge myself to recognize my participation in these systems, and work to divest (or at least distance) myself from them. This has certainly guided my interest in the possibility of resisting colonial systems from within them, as my position within the academy, my white skin, and my American citizenship (which has been bestowed upon me without the necessary stripping of indigenous identity experienced by members of some of the nations discussed in this thesis) all afford me immense privilege while also influencing my advocacy. This is also true of my desire to understand the role of white individuals in these movements. While the question of coalition arose quite clearly out of the texts I analyzed, it would be unreasonable to assume that my own positionality played no part in directing my attention to this element of these cases. In this section, I move away from the analysis of white solidarity in each of the case studies to reflect on the ways in which this thesis functions a) as an attempt on my part to challenge colonial systems and b) as my opportunity to reflect on the role that my identity has played in shaping my scholarship.

The concept of white racial anxiety is not an unfamiliar one, but it has been under-theorized in communication scholarship. Such anxiety often plays out for white people, as we worry about being “good allies” or otherwise focus on others’ perceptions of our inter-racial interactions, rather than on the work of dismantling systems of racial

oppression (Ashcraft & Flores, 2012; Lorde, 2007). Such anxiety has, without a doubt, played a role in my writing of this thesis. Particularly as I began the research process for chapter four (on pro-Hawaiian sovereignty movements), I struggled with my position in relation to the movements I was studying. I have wondered if my work positions me as a scholarly tourist who visits these movements for a moment while benefiting from the colonization of these nations through my writing, and then returning home to the comfort of an academy dominated by people who look, speak, and think like me. I have struggled with the possibility that I might be performing a piece of “ally theater,” contributing to disempowering narratives of indigenous people as objects of suffering rather than as subjects of resistance (McKenzie, 2015). As I began the project, I found myself struggling to work through the complex and sometimes contradicting realities of these decolonial movements, opting instead to present a straightforward narrative of universal and uncomplicated resistance. The earliest drafts of chapter two demonstrated a scholarly impulse to “speak for,” rather than “speak with,” indigenous advocates (Alcoff, 1991, p. 23).

I am not sure that I have successfully escaped the traps of performative whiteness in this thesis, or that it is possible for me to perfectly do so. However, I am convinced that the writing of this thesis has served as an opportunity for me to push back against colonial tendencies in my own ways of knowing and being in the world. I have increasingly embraced the complexity and tension of these movements, accepting that my desire to impose a singular narrative in my read of the texts stems from a colonial epistemology. Each chapter I wrote moved me farther in the direction of embracing this tension and speaking with the voices of the texts I am analyzing, rather than imposing a



narrative on them. This is not to say that my identity has not shaped my read of these texts, or that by the end of this thesis I have transcended the colonization of my mind. Rather, my identity has both been a driving factor in every step of this process and has simultaneously been shaped by these cases. I could not have written the last two chapters of this thesis at the time that I wrote the first two chapters without producing an entirely different product from the piece you are now reading.

As I began this thesis, my drive to understand resistance within colonial systems was driven by a mindset that is embedded in my memory. The ability to make do with what you have is a skill my family is well-versed in. I can remember many conversations with my mother as an undergraduate when my car broke down or I was unsure of how I would pay my tuition in which she assured me that we would find a way to make everything work out one way or another. I have come to understand this “make it work” mentality as both a component of privilege and a necessity for those without privilege. In many ways, working with what you have is a reality that many marginalized people must contend with. For colonized nations, material change may only be achievable through the imperfect forums available within a colonial system. In these situations, working with the means available is a necessity. However, this thesis has also demonstrated for me the privilege of working with what you have. For the Western Shoshone and Hawaiian advocates I have discussed in this thesis, working with what they have has often not been a viable option. In these instances, working with what they did not have – working with sovereignty unrecognized, or land rights violated was or is the only available means of resistance.

My understanding of decolonial resistance, then, has been complicated by this work. I have been pushed to challenge the colonial impulses that arise in my work, to recognize the ways that I perform whiteness in my scholarship, and to produce work that moves away from these understandings. I have assuredly made mistakes, and things have undoubtedly been messy along the way. I cannot exorcise the colonial epistemologies in which I have been trained since birth. However, the writing of this thesis has been an attempt to challenge those epistemologies and to push myself beyond an uncomplicated performance of whiteness.. BIn the messiness of these cases, I have worked to “speak with” Western Shoshone, Bikinian, and Hawaiian advocates who have been challenging U.S. colonialism since long before I was born (Alcoff, 1991, p.23). This thesis has attempted to amplify the voices of indigenous advocates in a forum that has often ignored them. I have tried to do so by pushing back against the histories and theories created for people like me, offering instead a marrying of Western and indigenous vocabularies, and a recognition of the myriad and complicated ways that resistance takes place.

This rejection of a single focus has not always been comfortable for me. Working to complexly portray three vastly complicated movements while simultaneously marrying numerous theoretical perspectives and answering difficult questions has been incredibly challenging. I hope that it will be just as unnatural and challenging to many of those who read this piece and share my privileged position as white Western scholars. By allowing ourselves to feel that unnaturalness, we can begin to understand the tensions present in our own ways of knowing, recognizing the inconsistencies in Western colonial systems and moving toward a decolonial epistemology.

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