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## **"...Make Them Disappear With A Piece of Paper": Understanding the Lived Realities of Federally Unrecognized Indigenous Women in the Southeast**

Brian A. Pitman  
*Old Dominion University*, [bpitman329@gmail.com](mailto:bpitman329@gmail.com)

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“...MAKE THEM DISAPPEAR WITH A PIECE OF PAPER”: UNDERSTANDING THE  
LIVED REALITIES OF FEDERALLY UNRECOGNIZED INDIGENOUS WOMEN IN THE  
SOUTHEAST

by

Brian A. Pitman

B.S. December 2012, University of North Carolina at Pembroke

M.A. May 2015, University of North Carolina at Wilmington

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Approved by:

Mona J.E. Danner (Director)

Vanessa R. Panfil (Member)

Kimberly J. Cook (Member)

## ABSTRACT

### “...MAKE THEM DISAPPEAR WITH A PIECE OF PAPER”: UNDERSTANDING THE LIVED REALITIES OF FEDERALLY UNRECOGNIZED INDIGENOUS WOMEN IN THE SOUTHEAST

Brian A. Pitman  
Old Dominion University, 2019  
Director: Dr. Mona J.E. Danner

Indigenous women experience some of the highest rates of violence and negative health outcomes of any racial/ethnic group yet are largely ignored in social science research. This dissertation explores the lived realities of Indigenous women who are members of federally unrecognized nations and how their tribal membership impacts their experiences with a variety of criminal justice and social issues. Unrecognized nations do not have access to potential benefits, opportunities, and legitimacy that comes with federal recognition thereby creating an additional intersection to consider for some Indigenous women. Essentially, federal recognition policies seek to place further constraints on Indigenous identity, while attempting to eliminate unrecognized nations from the U.S. population; the absence of recognition is therefore a form of social death that exacerbates many negative aspects of the Indigenous experience. This research explores the question: What are the lived realities of Indigenous women who are members of federally unrecognized nations, explicitly, their experiences with criminal victimization, the criminal legal system, homelessness, unemployment, racism, and other structural criminogenic conditions? To explore this research question, I used Tribal Critical Race Theory as the theoretical framework. In-depth semi-structured interviews center the stories of women who are members of federally unrecognized nations to understand the impact of the absence of federal recognition. As Indigenous women, they are more likely to experience violence in various forms,

making it important that we consider all barriers they encounter to justice, including federal recognition.

Using this framework and historical context, three themes emerged from 21 interviews with members of federally unrecognized nations: postcolonial distress, social death, and survivance and resilience. Postcolonial distress is a concept that refers to Indigenous people's experiences of awareness of previous, historical events that were harmful to their ancestors and community, as well as exposure to current events and policies that are harmful. Narrators' experiences with causes of postcolonial distress include experiences with familial conflicts, suicide, interpersonal violence, disproportionate contact with the criminal legal system, substance addiction, and sexual violence and sexual harassment. Social death refers to the experience of lacking legal rights to live as a citizen with self-determination. Persons in this category are exposed to systematic violence, degradation/humiliation, and natal alienation. Narrators described experiences with social death via systematic violence, humiliation, and natal alienation via religious and cultural erasure, bureaucratic erasure, and the delegitimization of their Indigenous identity. The theme of survivance refers to Indigenous people and their active presence in society, in spite of policies that seek to eliminate and harm Indigenous people and communities. Highlighting these stories are important for reminding society that Indigenous people do still exist. These experiences of survivance and resilience include their individual achievements and those of their relatives, their striving for and ability to maintain community, and their expression of religion and spirituality. The final chapter discusses positionality, policy implications, and directions for future research.

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This dissertation is dedicated to the narrators who provided me with their time, energy, and stories to make this all possible, and to the Chesapeake Native people, whose invaded and stolen land I have lived on as an uninvited guest for the last four years.

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## ABBREVIATIONS

ACP	Atlantic Coast Pipeline
AIM	American Indian Movement
AIPRC	American Indian Policy Review Commission
APS	Adult Protective Services
BAR	Branch of Acknowledgment and Research
BIA	Bureau of Indian Affairs
BIA-OJS	Bureau of Indian Affairs, Office of Justice Services
BIE	Bureau of Indian Education
CDIB	Certificate of Degree of Indian Blood
CRT	Critical Race Theory
DAPL	Dakota Access Pipeline
DOTBIA	Division of Transportation, Bureau of Indian Affairs
FAP	Federal Acknowledgment Process
FERC	Federal Energy Regulatory Commission
FHWA	Federal Highway Administration
FLH	Federal Lands Highway
IACA	Indian Arts and Crafts Act
IACAA	Indian Arts and Crafts Amendment Act
ICWA	Indian Child Welfare Act
IGRA	Indian Gaming and Regulatory Act
IHS	Indian Health Service

ISDEAA	Indian Self Determination and Educational Assistance Act
IIM	Individual Indian Money
IPV	Intimate Partner Violence
IRA	Indian Reorganization Act
MIWRC	Minnesota Indian Women's Resource Center
NAGPRA	Native American Graves Protection and Repatriation Act
NIJ	National Institute of Justice
NMAI	National Museum of the American Indian
NMAIA	National Museum of the American Indian Act
NTTFI	National Tribal Transportation Facility Inventory
OFA	Office of Federal Acknowledgment
PTSD	Post-Traumatic Stress Disorder
SAMHSA	Substance Abuse and Mental Health Services Administration
SBI	State Bureau of Investigation
TANF	Temporary Assistance for Needy Families
TCRT	Tribal Critical Race Theory
TJS	Tribal Justice Support Directorate
TLOA	Tribal Law and Order Act
TTP	Tribal Transportation Program
UNCP	University of North Carolina at Pembroke
VAWA	Violence Against Women Act

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## CHAPTER I

### AN INTRODUCTION TO THE STRUGGLES OF INDIGENOUS PEOPLE

Scholars continue to document the historical mistreatment of Indigenous peoples, particularly the population in the United States. The mistreatment continues as the federal government defines Indigenous identity through the federal recognition process. By classifying Indigenous identity through western definitions and stereotypes of Indianness, Indigenous people encounter another level of neglect, as their status within an unrecognized tribe is beyond their control. Given that Indigenous women experience some of the highest rates of violence and negative health outcomes of any racial/ethnic group, the federal government's neglect of their Indigenous identity exacerbates their trauma. This project seeks to address a gap in the literature by specifically focusing on the experiences of women in unrecognized nations. More specifically, this research investigates the question: what are the lived realities of Indigenous women who are members of federally unrecognized nations, explicitly, their experiences with criminal victimization, the criminal legal system, homelessness, unemployment, racism, and other structural criminogenic conditions?

Generally, Indigenous women, recognized or unrecognized, disproportionately experience various forms of violence. For example, Indigenous women experience sexual assault to such an extreme that Indigenous mothers prepare their daughters for the inevitability that they will be sexually assaulted (Deer 2015), with White men as the most likely perpetrators (Amnesty International 2007). They also suffer from disproportionate rates of stalking (Lee, Thompson, and Mechanic 2002), intimate partner violence (IPV) (Black et al. 2011), and physical and psychological violence in general (Rosay 2016), and are the most likely sex trafficking

victims/survivors due to their historical mistreatment in the U.S (Deer 2009). Indigenous women also have the highest suicide rates of any race (Jiang et al. 2015), with approximately 1 in 5 Indigenous girls attempting suicide in their lifetime. Finally, Indigenous women are more likely than White women to be incarcerated (Lakota People's Law Project 2015).

In addition to violence, Indigenous women generally encounter negative health outcomes. Indigenous women were the target of dangerous, racist sterilization policies in the 1970s that continue to impact them today (Smith 2015). Moreover, the Hyde Amendment severely limits Indigenous women's access to abortion procedures increasing the likelihood of unwanted pregnancies that detrimentally impact the mental health of the mother (Herd et al. 2016). Indigenous women also suffer from post-traumatic stress disorders (PTSD) at levels comparable to combat veterans (Gnanadesikan, Novins, and Beals 2005). Pregnant Indigenous women are more likely to struggle with alcohol, tobacco, and opioid addictions (Hanson et al. 2016; Horwitz 2018, Jan. 9; Walters, Simoni, and Evans-Campbell 2002). The recent opioid epidemic also increases their exposure to sex trafficking (Chon 2016).

The negative experiences of Indigenous people, and specifically Indigenous women has historical roots tracing to the arrival of Columbus and colonist invaders as early as the 15<sup>th</sup> century who ignited the genocide of Indigenous people in the Americas. Evidence of this genocide exists not just in estimates of an 85 percent decrease in the Indigenous population from 1492-1900 (Hacker and Haines 2006) or other estimates of the loss of 100 million Indigenous people (Stannard 1993), but also in the social death Indigenous communities continue to experience in their denial of personhood and the potential benefits of recognition (Card 2003; Patterson 1982). Overall, the brutalization of warfare enacted against Indigenous peoples is important to consider for the current plight of their people and existence. These barbarous

assaults and wars decimated Indigenous villages and set the stage for violence that Indigenous people experience today.

Since that time, the U.S. has used a variety of genocidal techniques to continue the historical decline in the Indigenous population. These practices include boarding schools (Smith 2015), religious suppression (Irwin 1997), and blood quantum requirements; blood quantum refers to basing identity on ancestry and physical appearance (Maynor Lowery 2013). Alongside the influence of older blood quantum policies, more recent examples of genocide include sterilization policies (Smith 2015) and acts of environmental racism such as water pollution (Lynch and Stretesky 2012). These various forms of genocide continue to affect Indigenous populations, both recognized and unrecognized, and their legacy continues to detrimentally impact Indigenous women specifically.

Potentially exacerbating the negative experiences of Indigenous women further are federal recognition policies (Gonzales and Evans 2013). Without membership in a federally recognized tribe, Indigenous women do not have access to the additional resources, opportunities, and legitimacy that come with recognition even though women members of unrecognized nations suffer the trauma associated with being Indigenous people. Federal recognition policies have a legacy in the fifteenth century European “Doctrine of Discovery,” which European invaders used as justification for the theft of Indigenous lands (Corntassel and Witmer 2008). The formal process of federal recognition emerged in the 19<sup>th</sup> century, when the Supreme Court first recognized nations as independent, sovereign entities in the Marshall Trilogy, cases which also served to expand federal power over Indigenous communities by declaring that federal law supersedes Indian law (Gonzales and Evans 2013). However, the need to label Indigenous nations as either recognized or unrecognized did not become important until



the 1900s with the passage of the Indian Reorganization Act (IRA). With this Act, Indigenous people became “persons of Indian descent who are members of any recognized Indian tribe now under Federal jurisdiction” (Gonzales and Evans 2013: 41).

Following the passage of the IRA, the federal government shifted federal Indigenous policies in multiple directions, including termination policies that eliminated the protections of approximately 109 Indigenous nations in the 1950s and 1960s, including state tax exemptions and court jurisdiction over its land and people. For example, in 1956, the federal government formally recognized the Lumbee Nation of North Carolina, yet denied them the resources and benefits that other federally recognized nations received (Wilkins 2002). In this instance, the federal government recognized and terminated the Lumbee Tribe simultaneously, a designation that continues today.

Soon after, Congress passed the Indian Self-Determination and Educational Assistance Act (ISDEAA) of 1975, transitioning federal Indian policy to self-determination, reversing some of the harmful termination policies (Wilkins 2002), while Indigenous nations now have multiple options to obtain federal recognition. These now include congressional legislation, executive order by the president, a judicial decision, or through the Bureau of Indian Affairs’ (BIA) Federal Acknowledgment Process (FAP).

Without membership in a federally recognized tribe, Indigenous women potentially miss out on resources, opportunities, and legitimacy the designation brings. Federal agencies often specifically mention federally recognized nations in their eligibility for certain grants and programs they offer. For example, the recent call for proposals for the Tribal-Researcher Capacity Building Grants from the National Institute of Justice (NIJ) indicates that they are “...seeking applications for funding for grants to support research involving federally recognized

tribes (or tribally based organizations)<sup>1</sup> on issues of crime and justice in the United States” (National Institute of Justice 2018: 1). Under these guidelines, federally unrecognized nations and those seeking to collaborate in research with them are unable to apply for these annual NIJ grants.

In all, the federal government provides most federally recognized nations the funding and resources that help with self-determination, thereby allowing Indigenous nations to have control over their own resources, funding, and programming (Maynor Lowery 2018). These include general benefits for Indigenous nations such as protections under the Indian Child Welfare Act (ICWA), funding and guidance for transportation, government, genealogy, workforce development, repatriation, education, justice, and trust services. Individual members benefit from resources like Adult Protective Services (APS), the Individual Indian Money Accounts Program (IIM), financial assistance with food, shelter, utilities, burial, and personal property damage and maintenance. Taken together, these tribal and individual benefits might aid Indigenous women traumatized by structural inequalities and individual victimizations.

The dissertation’s title, “...making them disappear with a piece of paper”, came from Canvas, a 68-year-old Lumbee woman narrator. Her entire statement is as follows:

I can understand that federal recognition gets to be a matter of pride. For me, it has nothing to do with money. It has to do with someone telling me I’m not an Indian. That they can have a piece of paper, in fact that is annihilation, that’s a form of annihilation. If you can’t actually kill em, line em up, shoot them and kill em, then you make them disappear with a piece of paper. And that is the piece that hurts more than anything else for me personally and a lot of people like me feel that way.

Canvas powerfully captures federal government policies and practices that led to the near physical, mental, and bureaucratic annihilation of Indigenous people. The following chapters will

---

<sup>1</sup> For clarification on what was meant by a “tribally based organization” I placed a call to the National Criminal Justice Reference Services Response Center on March 5, 2018. A tribally based organization was defined as an organization that supports federally recognized nations.

discuss these forms as annihilation and genocide and provide context to the lived experiences of Indigenous women who are members of federally unrecognized nations.

Overall, this project examines the lived realities of Indigenous women members of federally unrecognized nations, particularly their experiences with criminal victimization, the criminal legal system, and structural criminogenic conditions such as homelessness, unemployment, racism, and others. A criminological approach to understanding the impact of being a member of an unrecognized tribe may help uncover why Indigenous people generally, and Indigenous women specifically, are disproportionately impacted by crime and health disparities. Because research generally neglects recognition status, a focus on unrecognized nations allows exploration of the impact that policies and procedures have on life experiences and outcomes

This research seeks to explore the lived realities of Indigenous women who are members of federally unrecognized nations through semi-structured in-depth interviews. Specifically, this research allows women to explain how they experience and navigate society as a member of an unrecognized tribe. A major advantage of this method is that it relies on these women and their stories to explain the advantages and/or disadvantages of being a member of an unrecognized tribe, in addition to valuing solutions and policy implications that they feel are most important. Overall, this project furthers the criminological literature on Indigenous people, as past research either negates recognition status or values the experiences of recognized people over unrecognized.

Subsequent chapters detail the general issues Indigenous people and nations encounter, and the relationship federal recognition has with the historical mistreatment of these nations, particularly women members. Chapter II discuss the historical treatment of Indigenous people,

the forceful ideology of patriarchy and its reversal on the roles of women in Indigenous societies, and the past and current atrocities perpetrated by the United States, with an emphasis on the impact they had on Indigenous women. The chapter also outlines the consequence of that history, specifically the economic, social, and health consequences of the history, with a focus on Indigenous women. Chapter III reviews the history of the concept of recognition, specifically federal and state recognition, while considering the current ramifications of these concepts. Additionally, the chapter outlines the current individual and tribal benefits of federal recognition, while providing specific discussions throughout on the impacts they have on women members. Chapter IV discusses Tribal Critical Race Theory (TCRT) as a theoretical framework, the research method, sample, and ethical issues involved in research on Indigenous women who are member of federally unrecognized nations.

Three themes emerged from the 21 interviews with women who are members of federally unrecognized nations: postcolonial distress, social death, and survivance and resilience. The presentation of these themes begins with Chapter V. Chapter V uses postcolonial distress to contextualize the experiences of the Indigenous women interviewed. An initial discussion of historical trauma and postcolonial distress situates a variety of experiences within the context of colonialism as a structuring force in their lives; these experiences include familial conflicts, suicide, interpersonal violence, disproportionate contact with the criminal legal system, substance addiction, and sexual violence and sexual harassment. Chapter VI uses social death to further contextualize and understand narrators' experiences with the evolving genocidal techniques of the United States, and their experiences with social death via systematic violence, humiliation, and natal alienation via cultural and religious erasure, bureaucratic erasure, and the delegitimization of their Indigenous identity. Chapter VII demonstrates narrators' stories of

survivance and resilience in the face of policies and actions that try to assimilate and eliminate Indigenous people and communities. Chapter VIII ends with a summation of the findings and discussions of positionality, policy implications, and directions for future research.

## CHAPTER II

### THE IMPACT OF COLONIZATION ON INDIGENOUS PEOPLE IN THE UNITED STATES

#### HISTORICAL CONTEXT

The European invasion of Indigenous land in current North America began a legacy of colonialism and violence against Indigenous people. Before the European invasion, many Indigenous societies revolved around the women in the family (Deer 2015; Weaver 2009), and were also more egalitarian than European societies (Deer 2015; Foster 1995; Jaimes-Guerrero 2003; Smith 2005). In some societies, men were expected to relocate to the woman's community as they joined her family (Jaimes and Halsey 1992). In others, women owned the land and the property, and maintained control over the food supply for their community (Portman and Herring 2001). Indigenous women owned the products of their labor, garnered from horticulture and gathering (Kuhlmann 1992). They educated children about tribal practices, oral traditions, and family history, in addition to being politically active and holding "positions of high status and great power, often making decisions regarding captives, war, and peace" (Portman and Herring 2001: 187). However and most importantly, the roles of Indigenous women were not relegated to the gender roles that persisted after European invasion (Mihesuah 1996a). According to historians, their roles varied depending upon many factors.

In part due to the egalitarian structure of many Indigenous societies "Violence against women and children was infrequent or unheard of in many tribes" (Smith 2005: 126). However, it is important to not overgeneralize or succumb to pan-Indian essentialism when it comes to discussing violence against women and egalitarianism in Indigenous societies (Deer 2015; Smith 2015). Many Indigenous scholars acknowledge that gendered violence occurred prior to European influence. In addition, they note that Indigenous matriarchal societies did not eliminate

gendered violence. Yet, in many Indigenous societies, Indigenous men and women were equals, while their division of labor complemented each other (Deer 2015). Therefore, gendered violence was a rarity in many Indigenous societies pre-colonization (Smith 2015).

Gendered violence was introduced to and became more prominent in many Indigenous societies following the European invasion and subsequent colonization (Chester et al. 1994; McEachern, Winkle, and Steiner 1998; Smith 2015; Wolk 1982). Though many Indigenous societies valued women's roles in the political process, European men refused to negotiate with them, and every treaty features signatures exclusively of Indigenous men. Colonization transformed and disrupted the roles of Indigenous men and women. Because of the involuntary coercion of European contact, Indigenous societies were no longer egalitarian but became patriarchal as a means of survival (Jaimes and Halsey 1992). "The Christian ethic of patriarchy—a male god and a patrilineal kinship model with the imposition of patrilineal family names—virtually eclipsed the autonomy of Native women" (Medicine 2001: 155).

Furthermore, European contact created detrimental and damaging stereotypes of Indigenous women. Most notorious for their portrayal of Indigenous women was Alfred J. Miller, who portrayed them in inferior positions compared to colonists (McLerran 1994). "America was represented as a young Indian woman upon whose passive, receptive body European colonists could carry out their project of exploitation and domination" (McLerran 1994: 5). Colonists used these violent and demonizing images as a means to project Indigenous women and land as "inherently violable", as well as to exert and maintain control over European women (Smith 2015: 12).

Overall, as colonists enacted their White, patriarchal ideology, the immediate consequences for Indigenous people were quite clear. Beyond negative stereotypes and the

forced implementation of patriarchal norms, death, destruction, and distrust were ensued.

Widespread death and destruction led to the distrustful relationship that developed and exacted a further severe toll on Indigenous people's well-being (Robyn 2006). One thing known is that the United States government and Indigenous nations have come to agreement on over 600 treaties, all of which the United States violated (Deloria Jr and Lytle 1983). This chapter begins with an in-depth discussion of colonialism to provide the context to the following sections that present the various forms of death and destruction enacted on Indigenous people by colonist invaders and the formal United States. Finally, the later sections discuss the current ramifications of those actions. It is impossible to disentangle the historical legacy of violence, death, and destruction from the current situations of Indigenous people, making the relationship between Indigenous people and the United States necessary to further explore.

## COLONIALISM

Indigenous studies scholars refer to the European invasion and the subsequent consequences on Indigenous communities as colonization<sup>1</sup>. Dr. Michael Yellow Bird (citizen of the Three Affiliated Tribes: Mandan, Hidatsa, and Arikara) defined colonialism as “a system in which one people claim sovereignty over another and assert social, political, economic, and spiritual domination over the colonized” (Yellow Bird 2014). Colonialism operates within European invaders' ethnocentric belief that their culture and values are superior to those of Indigenous people and cultures (Monchalin 2016; Yellow Bird 2014). Many Indigenous scholars, such as Steve Russell (Cherokee) view the “Indian problem” through the prism of “the colonization problem” and examine possible solutions through this lens (Russell 2008).

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<sup>1</sup> Colonization and colonialism are terms used interchangeably throughout the manuscript.



There are various explanations for and types of colonialism. Professor Jack Forbes (Powhatan-Renápe, Delaware-Lenápe) believed that Christopher Columbus had *wétiko psychosis* (Monchalin, 2016). *Wétiko*, a Cree term, “refers to a cannibal or, more specifically, to an evil person or spirit who terrorizes other creatures by means of terrible evil acts, including cannibalism” (Forbes 2008: 24). Cannibalism here means the consumption of another life in the pursuit of an individual’s purpose or profit (Forbes 2008). As opposed to directly eating human flesh, these cannibalists “eat” by directly killing, enslaving, or dislocating people. This disease of exploitation is the most destructive and contagious disease (Forbes 2008; Monchalin 2016).

Additional types of colonialism include internal colonialism, external colonialism, and settler colonialism. Internal colonialism is “the biopolitical and geopolitical management of people, land, flora and fauna within the ‘domestic’ borders of the imperial nation” (Tuck and Yang 2012: 4). This type of colonialism refers to social control mechanisms and systems that include policing, prisons, and segregation, among others, that perpetuate the dominance of whiteness.

External colonialism refers to the resource extraction of Indigenous nations, including their plants, animals, and people for the purposes of capital (Tuck and Yang 2012). “In external colonialism, all things Native become recast as ‘natural resources’ – bodies and earth for war, bodies and earth for chattel” (Tuck and Yang 2012: 4). Colonizers supplement external colonialism with military activities that define the people who reside on territories the colonizers value as enemies.

Settler colonialism refers to the colonizer’s purpose to make Indigenous land, land of the colonizers while prioritizing colonizer sovereignty over everything else (Tuck and Yang 2012). Land is central in settler colonialism, as colonizers “make Indigenous land their new home and

source of capital, and also because the disruption of Indigenous relationships to land represents a profound epistemic, ontological, cosmological violence” (Tuck and Yang 2012: 5). Colonizers move to eliminate the Indigenous people of the land through physical and bureaucratic destruction of Indigenous people, communities, and rights to their land. Finally, “settler colonialism involves the subjugation and forced labor of chattel slaves, whose bodies and lives become the property, and who are kept landless” (Tuck and Yang 2012: 6). Though the slave is a commodity, the person who is the slave is excess, disposable, and a threat to the colonizers. Colonizers must disconnect the chattel slave from what was previously the slave’s land through colonial processes, both internal and external.

Furthermore, colonialism also involves eliminating opposition to the colonist order (Daes 2009). Colonists do this in multiple ways, including rendering Indigenous people as helpless and naïve, and by isolating them from other people, knowledge, and information (Monchalin 2016). Colonists promote propaganda that seeks to convince Indigenous people that they should be grateful that the colonizers colonized them (Daes 2009). Moreover, the propaganda portrays Indigenous people as lesser than, unable to fend for themselves without the colonizers. This makes it seem as though Indigenous people are without allies and without abilities to form and mobilize resistance to their colonized state.

In addition, colonialism involves creating/recruiting people within colonized populations to maintain the colonial social order. Colonialism must instill Indigenous people with the *wétiko psychosis* mentality “in order to keep that group divided, exploited, and in a hopeless frame of mind” (Forbes 2008: 87). Under colonialism, Indigenous people may subsume to the practices of the colonizers as a means to survival. These practices, according to Forbes (2008), might be as

subtle as converting to Christianity or cutting their hair, but could be as destructive as succumbing to *wétiko psychosis*.

Not only do the oppressed usually adopt the guidelines set by the colonizers but these guidelines often embody the notion of racial and cultural inferiority. Thus the conquered masses feel inferior to the ruling group, and the in-between people, the mixed bloods and the de-nativized, usually go to extreme lengths to identify with the rulers (Forbes 2008: 95).

Overall, colonialism of all types “involve external aggression and domination, which are both intimately tied to internal control, repression, and violence” (Monchalin 2016: 71). These various methods of colonialism include slavery, war, disease, policy, religious suppression, boarding schools, sterilization, bureaucratic annihilation, and environmental racism, among others. The following sections summarize these processes of colonialism.

### *Slavery*

European enslavement of Indigenous peoples dates from the time of Columbus when he took 550 Indigenous people back to the Mediterranean with him to sell them into slavery (Reséndez 2016). Enslaved Indigenous people were mostly women and children. The colonizers placed a monetary value on Indigenous women 50-60 percent greater than on men because of sexual exploitation and reproductivity, in addition to their skills in weaving, food gathering, and raising children (Reséndez 2016: 6). Furthermore, colonizers viewed Indigenous women as less threatening and more prepared for domestic, household labor. The colonizers also enslaved Indigenous children, regardless of sex, as they could socialize them to learn the skills and language that the colonizers preferred (Reséndez 2016).

Spain's large presence in the New Americas made them the biggest perpetrators of Indigenous slavery. While Spain made the practice illegal in the 1500s, it continued. Moreover,

its outlawing makes it more difficult to track the extent of the problem, in comparison to legal African slavery. In all, estimates of the number of enslaved Indigenous people range from 2.5 million to five million total from the time Columbus arrived through the 19<sup>th</sup> century (Reséndez 2016; Rushforth 2012). However, its impact goes well beyond these estimates.

Slavery continued in the form of indentured servitude in the 1800s. The 1850 California Act for the Government and Protection of Indians forced Indigenous people to work or face potential arrest, with punishment being enslavement for four months to the highest bidder (Hurtado 1988). The Act also allowed Whites to pay the bail of Indigenous people convicted of crimes, in exchange for indentured servitude (Reséndez 2016). In addition, Whites were able to take Indigenous children into indentured servitude if the child was allegedly an orphan or if the child and the White individual received parental consent. An 1860 amendment to the law eliminated parental consent as necessary, resulting in the kidnapping of Indigenous children and murdering of their parents (Reséndez 2016). In 1864 and 1865, Whites enslaved approximately 6,000 children; the number dropped to around 1,500 children in the 1870s. Although Congress passed the 13<sup>th</sup> Amendment in 1865, Indigenous slavery persisted up into the 1960s. Specifically, in New Mexico it is believed that approximately 120,000 Indigenous folks were under “economic peonage” in 1967 (Reséndez 2016: 314), working involuntarily for people to which they allegedly owed debt.

### *War*

War was also an important factor in the physical elimination of Indigenous people. Invaders in America’s territory used irregular warfare to target Indigenous communities prior to the formulation of the American military, attacking women, children, and the elderly (Dunbar-

Ortiz 2014). Grenier (2005) asserts that killing Indigenous people was a rite of passage for both American civilians and military members, since they stood between the invaders and wealth and land. In the 1670s, “scalp hunting” emerged as a lucrative enterprise for Whites who profited from presenting adult scalps to the government and from selling the orphaned children into slavery. Moreover, in the 1700s, colonists developed plans to release attack dogs on Indigenous people, rendering them defenseless (Monchalin 2016). These irregular warfare techniques allowed invaders to profit, freed up land, and killed off Indigenous people who stood in their way (Grenier 2005).

Invaders continued to perpetuate atrocities upon Indigenous people through wars and massacres. Supreme Court decisions like *Johnson v. M’Intosh* validated the United States’ power to “extinguish Indians’ interests in their lands, either by purchase or just war” (Kades 2000: 1068). One act of “just war” was the Sand Creek Massacre in Colorado on November 29, 1864. This occurred when John Chivington led an army of volunteers in the murder of 28 men and 105 women and children without provocation (Dunbar-Ortiz 2014). The perpetrators returned to mutilate and scalp corpses, later decorating their weapons with reproductive body parts and breasts of the dead. This massacre remains one of the most extraordinary acts of violence in the history of the United States. Moreover, the legacies of this attack and subsequent wars are evident in the disproportionate rates of sexual assault currently experienced by Indigenous women. These attacks occur predominantly with a White male perpetrator, and mirror the sexual violence perpetrated by soldiers and citizens preceding the 1900s (Deer 2015; Smith 2015). Not only did war serve to eliminate Indigenous people, it served to impose capitalist, patriarchal ideologies that continue to harm Indigenous women in the present.

### *Disease*

The European invasion of Indigenous territories led to large-scale plagues of diseases for the Indigenous people. Due to the isolation of North America, Indigenous people had no exposure, resistance, or immunity to the diseases colonists brought with them. The European invaders took advantage of this and used biological warfare by intentionally and unintentionally spreading diseases that included smallpox, influenza, yellow fever, typhus, bubonic plague, malaria, and measles with at least 27 epidemics documented (Cook 1998; Dobyns 1983; Fenn 2000; Hacker and Haines 2006). In 1763, for example, colonists deliberately exposed Indigenous people by delivering two smallpox contaminated blankets and a handkerchief to a Fort Pitt hospital (Fenn 2000). Largely due to the wars and diseases that came with European colonization, the Indigenous population dwindled significantly (Hacker and Haines 2006).

### *Removal Acts*

The Indian Removal Act of 1830 encouraged states to remove Indigenous people from their land (Cave 2003). While the act's intention was voluntary removal and kept treaty rights and obligations intact, President Andrew Jackson refused to intervene when states intimidated and invaded the land protected under treaties (Cave 2003). The White House informed those Indigenous nations that chose not to move to the west that the federal government would not protect them. When some resisted, President Jackson violated the Indian Removal Act when he ordered that those Indigenous people who did not leave would lose their right to self-governance. The forced removals that followed contributed to the loss of 15% of the Choctaw population and 50 percent of the Creek and Seminole population (Hacker and Haines 2006; Thornton 1987). Another 4,000-10,000 Cherokee people died beginning in 1838 when the government sent

approximately 7,000 U.S. troops to remove the Cherokee to the Oklahoma territory during the infamous “Trail of Tears” (Glenn 2015).

### *Religious Suppression*

Indigenous people also suffered from religious suppression in violation of the First Amendment of the U.S. Constitution. The first report by the Board of Indian Commissioners in 1869 defined their duties to include educating “the Indians in...the principles of Christianity” (Irwin 1997: 40). In 1892, Commissioner of the Bureau of Indian Affairs (BIA) Thomas J. Morgan established the “Rules for Indian Courts” and outlawed Indigenous religious practices including dances and medicine men (Irwin 1997). Government funded Christian missions targeted Indigenous reservations and the U.S. forced Indigenous children to attend Christian schools where they were prohibited from speaking their language, wearing their clothing, or practicing their religion.

Indigenous people did not have religious freedom in the United States until the passing of the American Indian Religious Freedom Act of 1978, although colonists left their homelands to escape religious persecution (Locust 1988). Prisons, however, prohibited Indigenous people from traditional practices despite the Act and U.S. Supreme Court decisions that ruled that incarcerated people have the right to practice the religion of their choice. Officials of the Women’s Correctional Center of Montana, for example, refused to acknowledge the legitimacy of Indigenous religious practices for some time (Ross 1998). Indigenous religious practices are important but prison officials denigrated them, especially among women in prison: “To many Native prisoners spirituality is the answer to their well-being, not tranquilizers or ‘confrontive’ counseling sessions with a counselor who has a fancy for the word *slut*” (Ross 1998: 141).

Montana prison officials refused to provide Indigenous women a sweat lodge even though their male counterparts had one in a separate prison. Like the boarding school, the prison served the settler colonialist agenda that imagined Indigenous women within heteropatriarchal norms, “protecting” them from their tribal people, and further coercing Indigenous people to abide by colonial, hegemonic gender roles (Berger 2004).

### *Boarding Schools*

In an effort to assimilate Indigenous people and annihilate their culture, colonists implemented mandatory boarding schools under Grant’s Peace Policy of 1869 (Smith 2015). In 1879, Richard Pratt founded Carlisle Indian School in Pennsylvania; the first off-reservation boarding school of its kind. More than 100,000 Indigenous children passed through these Christian converting Indian boarding schools, with the sole purpose, Richard Pratt stated, to “Kill the Indian and save the man.”

Indian Boarding Schools were prominent throughout the United States by 1909. At the time, there were 157 boarding schools located on reservations and 27 off reservations, with school years lasting 307 days (Adams 1995). Parents who refused to send their children to boarding schools faced imprisonment. Pratt’s intentions became reality within the schools as they forcibly separated Indigenous children from their families and ingrained Christian White values in them. Children were given an English name and prevented from engaging in cultural practices and speaking their language (Booth 2009). The children only returned after successful assimilation to the dominant White, Christian culture. Additionally, the schools introduced Western gender roles to Indigenous people, as boys participated in manual labor or farming, while girls participated in sewing, ironing, and cooking (Smith 2015). The role of the boarding



schools, especially for women was “to inculcate patriarchal norms into Native communities so that women would lose their place of leadership in Native communities” (Smith 2015: 37).

The conditions and management of these boarding schools were poor, as efficiency was the priority for the administration (Smith 2015). This led to overcrowding, diseases, starvation, and unchecked physical, sexual, and emotional abuse. Moreover, students were essentially slaves for the school, as they worked to pay for the existence of the schools and the salaries of school employees (Smith 2015). The schools introduced corporal punishment to Indigenous people, with the darker children receiving the brunt of the punishment (Dunbar-Ortiz 2014). In some cases, colonists forced Indigenous children to participate in the punishment of other Indigenous children (Smith 2005). Sexual abuse was also common (Emerick 1996; Poupart 2002). In some of these schools, 60 percent to 70 percent of all students were either raped or beaten, a continuance of the precedent of violence, particularly sexual violence as a tool of war practiced by the original invaders (Dunbar-Ortiz 2014). Finally, some scholars report instances of “medical experimentation...babies being buried behind school walls, and torture” (Smith 2015: 41) at these schools.

These boarding schools continue to have dire consequences for Indigenous people and families since they continue to exist today (Smith 2015). Physical and sexual abuse was widespread. Beginning in the 1980s, the federal government acknowledged that widespread sexual abuse persisted in these schools after some teachers faced accusations of sexual abuse; one teacher was accused by 142 boys. Only after these cases did the federal government implement potential strategies to protect against sexual abuse, specifically a sexual offender registry.

Boarding school children learned abusive behaviors in school, entered adulthood, and reproduced the abuse in their own homes (Brave Heart and DeBruyn 1998). Boarding school students and their descendants were less likely to have experienced the culture of their ancestors, as the boarding schools stripped most of that from Indigenous children. Most important, the boarding schools introduced gendered violence, one of the overwhelming problems that continues to ravage Indian country today (Smith 2005).

Currently, the federal government under the Bureau of Indian Affairs has control over schools in which 7 percent of the Indigenous population attend (Santhanam 2016, April 12). The historical treatment of Indigenous people is evident in the value the federal government places on these schools. Over one-third of these schools have gone without a health and safety inspection over the past year, while 54 of those schools have been without one for four years or more (Santhanam 2016, April 12). Schools that did receive inspection may not have received as thorough an inspection needed. Infractions for the schools included boilers failing carbon monoxide tests, malfunctioning fire alarms, and absent fire extinguishers, putting Indigenous children's health severely at risk. Moreover, the schools are often in remote areas, far away from hospitals and fire departments if they were to encounter an avoidable crisis.

### *Sterilization*

Sterilization procedures conducted by doctors and medical personnel as part of the Indian Health Service (IHS) represent another form of overt physical elimination (Carpio 1995; Carpio 2004; Smith 2015). The IHS performed approximately 3,406 sterilizations in three of the 12 IHS program areas from 1973-1976 resulting in the sterilization of 25 percent to 50 percent of Indigenous women from 1970-1976 (Lawrence 2000). Due to the IHS' inability to keep accurate

records of these procedures, it is unknown how many of these were actual voluntary or therapeutic sterilizations. Evidence exists, however, that the IHS performed unlawful sterilizations on Indigenous women under the age of 21, provided consent forms to patients on the same day as the sterilization procedure, which was also unlawful, and had consent forms signed days after the procedure.

While sterilization abuse appeared to dissipate after the 1970s, the state promoted dangerous forms of contraceptives to women of color (Smith 2015), a form of legalized, drug-induced sterilization. The promotion and distribution of contraceptive drugs such as Norplant and Depo-Provera were problematic because they were carcinogenic. Animal testing of Depo-Provera revealed increased risks of breast and uterine cancer. Before the approval of Depo-Provera, IHS used it for the purposes of sterilizing mentally ill patients and they distributed the drug without gaining informed consent of the patients (Smith 2015).

### *Environmental Racism*

Finally, environmental racism emerges as a covert form of physical elimination of Indigenous people that continues today. The land deemed “Indigenous lands” by the settler colonial state are targets for environmental harm and neglect. Lynch and Stretesky (2012) and Smith (2015) document some of the environmental atrocities Indigenous people face. The federal government exploded a bomb in the Marshall Islands, home to the Rongelap people, which was massively more destructive than the two atomic bombs dropped in Japan. The devastating results included one in three births resulting in death, disproportionately high cancer rates, babies born without bones, and contaminated food. Currently, the Dakota Access Pipeline, Keystone Pipeline, and Atlantic Coast Pipeline are under construction or scheduled for construction

through Indigenous lands, for oil or methane gas. The environmental harms from these projects and others outlined by scholars physically eliminate Indigenous populations through infant mortality, cancer, or other diseases. As one scholar notes, “Through the rape of the earth, Native women’s bodies are raped once again” (Smith 2015: 67).

## THE RAMIFICATIONS OF COLONIZATION

Colonization is an ongoing process. The title of this section, “The Ramifications of Colonization”, should not be mistaken to be a declaration that colonization is over. It continues. Mohawk scholar Taiaiake Alfred and Tslagi (Cherokee) scholar Jeff Corntassel classify the current era as that of contemporary colonialism, defined as:

a form of post-modern imperialism in which domination is still the Settler imperative but where colonizers have designed and practice more subtle means (in contrast to the earlier forms of missionary and militaristic colonial enterprises) of accomplishing their objectives. Contemporary Settlers follow the mandate provided for them by their imperial forefathers’ colonial legacy, not by attempting to eradicate the physical signs of Indigenous peoples as human *bodies*, but by trying to eradicate their existence as *peoples* through the erasure of the histories and geographies that provide the foundation for Indigenous cultural identities and sense of self (Alfred and Corntassel 2005: 597-98).

The discussion below should be considered within the context of contemporary colonialism. The following are not indicative of an “Indian problem” in the United States, but indicative of a colonial problem in Indian country (Russell 2008).

### *Economic Deprivation*

Indigenous people in the United States suffer from disproportionate rates of economic deprivation, no matter if they live on or outside of a reservation, as a consequence of removal and allotment policies that isolated Indigenous people to rural reservation lands (Davis, Roscigno, and Wilson 2015). Poverty rates on 23 reservations were at or above 40 percent from

1969-1989 (Troster 1996). Most recent analysis of reservations reveal poverty rates of over 50%, while other Indigenous homelands have poverty rates over 77 percent (Davis, Roscigno, and Wilson 2015). Poverty rates also persist in Indigenous communities in urban cities. In Denver, Tucson, and Phoenix Indigenous poverty rates were over 28 percent and in Minneapolis it was above 48%. Overall, according to the U.S. Census Bureau, the national poverty rate for Indigenous people was 28.3 percent in 2014 and the median household income was \$37,227, in contrast to 14.8 percent and \$53,657 for the general population.

High poverty rates are also a consequence of the current plight of education in Indigenous communities as estimates show that 81 percent of Indigenous students read below their grade level (Meza 2015). Reports show that 19 percent of those on non-gaming reservations and 8 percent on gaming reservations have less than a 9<sup>th</sup> grade education, while those with college degrees are significantly fewer than the general population (Lynch and Stretesky 2012). Approximately half of Indigenous students who attend Bureau of Indian Education schools graduate, compared to two-thirds of those attending public schools (Santhanam 2016, April 12). Overall, Indigenous students had the lowest four-year graduation rate of any race or ethnicity (Stetser and Stillwell 2014). This is a consequence, in part, of the limited availability of technology needed to be successful in schools. In 2007, 78 percent of Indigenous 8<sup>th</sup> graders reported the use of a computer at their home, the lowest percentage of any racial/ethnic group (DeVoe and Darling-Churchill 2008).

Without the education to pursue jobs in the postindustrial economy, Indigenous people suffer high unemployment rates. Even when employed, Indigenous people are likely to have low-wage jobs because private sectors are likely to avoid less profitable locations where Indigenous land resides (Davis, Roscigno, and Wilson 2015). As a result, the unemployment rate

for non-gaming reservations was 22 percent and for gaming reservations, 15 percent (Lynch and Stretesky 2012). In 2014, the unemployment rate for Indigenous people was 11.3 percent (United States Bureau of Labor Statistics 2015) and they had the lowest participation rate in the labor force of any racial/ethnic group.

Without secure employment due to inadequate education, safe and healthy housing conditions become inaccessible to Indigenous people. Housing on reservations are deplorable as they are disproportionately overcrowded and lack indoor plumbing and complete kitchens (Lynch and Stretesky 2012). In counties inhabited by Indigenous people in Arizona and New Mexico, the overcrowded housing rate was 16 percent and 22 percent, while 9.8 percent of households lacked adequate plumbing and 8.5 percent lacked a complete kitchen (Bertumen et al. 2014). These economic issues and living conditions are consequences of the historical legacy of Indigenous people who were removed from their lands and suffered under policies that undermined their economic stability.

### *Historical Trauma and Unresolved/Disenfranchised Grief*

Indigenous people's mental health suffers from the ongoing impact of historically based trauma they encounter in their lives. Brave Heart and DeBruyn (1998) argue that the first generations of Indigenous people suffered from Posttraumatic Stress Disorder (PTSD) and transmitted the trauma and all symptoms to the next generations of people. In essence, Indigenous people suffer from disenfranchised grief and historically unresolved grief. Disenfranchised grief is the inability for Indigenous people to mourn publicly or acknowledge the loss of loved ones. Indigenous people often celebrated the lives of those who were outside of the nuclear family prior to the imposition of the heteropatriarchal norms of settler colonialist

practices. The settler colonialist structure disregarded the culture of grieving in Indigenous communities, while also labeling them as stoic, savage, and "...incapable of having feelings" (Brave Heart and DeBruyn 1998: 68). Unresolved disenfranchised grief leads to intensified emotions of anger, resentment, sadness, and guilt; these feelings would normally be resolved at mourning ceremonies, but Indigenous people were prohibited from these practices. Historically unresolved grief is then the passing down of unresolved disenfranchised grief and the symptoms of PTSD that accompany it.

The legacy of historically unresolved grief remains, as suicide, depression, PTSD, substance abuse, and other forms of mental illness ravage Indigenous communities. Indigenous people commonly suffer from lifetime diagnoses of alcohol dependence, PTSD, and major depressive episodes (Beals et al. 2005). One study showed that 66.2 percent of Indigenous women in a federally recognized Southwestern tribe and 69.8 percent of women in a federally recognized tribe in the Northern Plains experienced a traumatic event in their lifetime (Manson et al. 2005). These proportions are significantly higher than the 51.2 percent of the general population of women who experience a traumatic event in their lifetime (Kessler et al. 1995).

Indigenous women experience PTSD and its symptoms at rates similar to those who serve in combat (Gnanadesikan, Novins, and Beals 2005). Farley et al. (2011) discovered that 28 percent of the Indigenous women they interviewed had diagnoses of PTSD, while 52 percent of the women met the criteria for a PTSD diagnosis. Indigenous women in their study also suffered higher severity rates of PTSD, compared to other women who experienced childhood physical and sexual abuse (Farley and Patsalides 2001). In all, the persistence of PTSD in Indigenous communities perpetuates other problems including child abuse and intimate-partner violence, which continues the cycle for future generations (Brave Heart and DeBruyn 1998).

From 2007-2009, alcohol related deaths for Indigenous people were 5.2 times greater than the general U.S. population, chronic liver disease and cirrhosis was 3.68 times greater, and suicide was 60 percent greater (United States Department of Health and Human Services 2014). Brave Heart and DeBruyn (1998) argue that these rates relate to the histories of trauma encountered by Indigenous people and serve as a form of mental elimination.

Furthermore, earlier discussions of sterilization also affect the mental elimination of Indigenous people in multiple ways. First, the 1976 Hyde Amendment limits the ability of women reliant on IHS from obtaining an abortion using government funding. The Hyde Amendment eliminated federal funding for abortion procedures, terminating the IHS' ability to perform abortions on Indigenous women who they see most for their health needs (Smith 2015). Research continues to show the detrimental effects of unwanted pregnancies on the mental health of mothers of any race (Herd et al. 2016), potentially exacerbating further negative mental health outcomes of Indigenous people.

### *Struggles with Alcohol-Attributable Deaths and the Drunken Indian Stereotype*

A consequence of the lifetime trauma Indigenous people experience is that they are potentially more likely to struggle with deaths attributable to alcohol, largely because they lack access to treatment programs specifically and healthcare generally (Landen et al. 2014; Mendenhall et al. 1989; Scott and Garland 2008). The rate of binge alcohol drinking is higher for Indigenous youth and mortality rates for alcoholism are 514 percent higher than in the overall population, (Center for Native American Youth at the Aspen Institute n.d.). For example, Indigenous males had estimated rates of alcohol-attributable deaths of 98.9 per 100,000, and 51.6 for women (Landen et al. 2014). In comparison, White male rates were 51.6 and White women



were 16.1. Sometimes, alcohol and the commission of suicide correlate, as 69.4 percent of Indigenous people in New Mexico had some alcohol in their system at the time of their suicide (May et al. 2002).

However, it is important to note that there is a misconception that Indigenous people are more likely to have higher levels of alcohol use compared to White people, a consequence of the colonial construction of the drunken Indian stereotype (Cunningham, Solomon, and Muramoto 2016; Duran 2018; Leland 1976; Mihesuah 1996b). The stereotype is so pervasive that it “is accepted as gospel by many”<sup>2</sup> (May 1994: 41), including the Indian Health Service and the American Psychiatry Association (Cunningham, Solomon, and Muramoto 2016). Recent research does not support the stereotype that Indigenous people in the United States consume alcohol at higher rates. In fact, the majority of Indigenous people in a recent study abstained from alcohol, while the minority of Whites abstained (Cunningham, Solomon, and Muramoto 2016). Research does show that Indigenous people struggle more with alcohol-attributable deaths (Landen et al. 2014; Mendenhall et al. 1989), and that they are more likely to die because of contributing factors such as receiving treatment at a later stage of the alcohol-related disease, poor nutrition (Mendenhall et al. 1989), and the false conflation of chronic liver disease being a consequence of excessive alcohol use (Scott and Garland 2008). In addition, negative socioeconomic status may contribute to higher visibility of alcohol use among Indigenous people (Mihesuah 1996b). In all, it is important that researchers are critical to not conflate alcohol-attributable deaths solely with increased alcohol consumption, which perpetuates the drunken Indian stereotype.

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<sup>2</sup> Even Indigenous people can accept this stereotype “as gospel,” especially when impacted personally by alcohol. Kelly, a narrator in this study, said, “My dad would drink...Indians can’t handle alcohol. It’s just that gene that we have, you know? We were taught that from day one when the settlers come we consumed everything they gave us. It’s a cycle that has to be broken.”

### *Struggles with Substance Addiction*

Substance use during pregnancy is also a common occurrence (Substance Abuse and Mental Health Services Administration (SAMHSA) 2012). A study at a hospital in an area surrounded by Indigenous communities found that 34.5 percent of pregnancies encountered exposure to substance abuse over a one-year period (Hanson et al. 2016). Pregnant Indigenous women are three times more likely than the general population to use alcohol during pregnancy, and 1.5 times more likely to use tobacco (Walters, Simoni, and Evans-Campbell 2002). Overall, alcohol dependence for Indigenous women was 100 percent higher than the general population (Sarche and Spicer 2008). These factors partially explain Indigenous women having the second highest infant mortality rate by race (Mathews and Driscoll 2017).

Most recently, the opioid crisis has ravaged Indigenous communities across the United States resulting in the deaths of Indigenous people at much higher rates than of any other group. For people 15-64, Indigenous incidence rate ratios for opioid related deaths was slightly higher than Whites, 7.5 times higher than Blacks, and 13 times higher than Asian-American/Pacific Islanders (Calcaterra, Glanz, and Binswanger 2013). Approximately 1 in 10 Indigenous people within the past year used prescription painkillers for nonmedical reasons, compared to 1 in 20 for Whites and 1 in 30 for Blacks (Centers for Disease Control and Prevention 2011). In South Dakota, Indigenous people accounted for nearly 18 percent of opioid-related deaths and 28 percent of those treated for opioid use, while representing only 9 percent of the population (CBS News 2018, Jan. 9). Drug overdose death rates rose 519 percent in nonmetropolitan Indigenous communities from 1999-2015 (Mack, Jones, and Ballesteros 2017). Overall, heroin drug overdose death rates for Indigenous people were slightly lower than Whites in 2014, while the opioid death rate was the highest of any race (Nolan and Amico 2016, Feb. 23).

Pharmaceutical companies are responsible for much of the devastation as they shipped millions of pills to Indigenous communities, including the Cherokee Nation, The Rosebud Sioux Tribe, Flandreau Santee Sioux Tribe, and the Sisseton Wahpeton Oyate. The pharmaceutical industry flooded the Cherokee Nation with 184 million opioid pain pills, equating to 153 doses for everyone in the 14 counties in Oklahoma where Cherokee people reside (Baker-Limore 2017, Sept. 3). This continued until at least the first quarter of 2017. The damage inflicted on the Cherokee Nation is likely insurmountable, as nearly 40 percent of cases of Child Protective Services cases are linked to opioids. Consequently, due to high demand for Cherokee foster and adoptive homes, the state of Oklahoma relocates 70 percent of Cherokee children to non-Cherokee families, putting the Nation's heritage and culture in danger of disappearing (Baker-Limore 2017, Sept. 3).

In response, the Cherokee Nation filed a lawsuit against six pharmaceutical companies and opioid distributors in tribal court in April 2017 (Baker-Limore 2017, Sept. 3). These companies are fighting the lawsuit, asking a federal judge to remove it from tribal jurisdiction, while excusing themselves of responsibility (Hoffman 2017, Dec. 17). Meanwhile, The Rosebud Sioux, Flandreau Santee Sioux Tribe, and the Sisseton Wahpeton Oyate filed a joint lawsuit in federal court against 24 opioid industry groups in January 2018 (CBS News 2018, Jan. 9). These Indigenous nations are using their power under federal recognition guidelines to try and fight back against the pharmaceutical industry, something unrecognized nations are unable to do.

The impact of the opioid crisis on Indigenous women in the United States is also important to emphasize. Indigenous women face heightened risks to opioid abuse due to their history of violent victimization in general, and IPV specifically (Hadley 2018, Jan. 26). Indigenous pregnant women are 8.7 times more likely to be diagnosed with opioid dependency

or abuse than any other racial demographic, while more than 1 in 10 Indigenous pregnant women suffer from opioid dependency or abuse in some Indigenous communities (Horwitz 2018, Jan. 9). Opioid abuse makes Indigenous women more susceptible to sex trafficking. In one large city, over 50 percent of sex trafficking survivors had opioid addictions, which increased potential exposure to trafficking, or kept them in trafficking (Chon 2016). While Indigenous women are already disproportionately more likely to be a survivor or victim of trafficking (Farley et al. 2011; Johnson 2011; Martin and Rudd 2007; Pierce 2009), they are at further risk due to the opioid crisis evident throughout their communities.

### *Struggles with Suicide*

Indigenous people throughout the United States have disproportionately higher suicide rates with rates 1.6 times higher than any other racial/ethnic group (Indian Health Service 2015). One estimate examining suicide rates from 1999-2009 shows that Indigenous people committed suicide at a 50 percent higher rate than Whites (Herne, Bartholomew, and Weahkee 2014). From 2012-2013, Indigenous males and females had the highest suicide rates of any race or ethnicity, while Indigenous males were the most likely to die by suicide of any group and gender (Jiang et al. 2015). Young people ages 15-24 are particularly at risk; they make up 40 percent of Indigenous people who die from suicide (Almendrala 2015, October 2). From 1999-2010, suicide was the second leading cause of death for Indigenous youth ages 10-24 and eighth leading cause of death for Indigenous people (Suicide Prevention Resource Center 2013). The rates of suicide also vary by region, and are highest for Indigenous people in the Northern Plains and Alaska (Herne, Bartholomew, and Weahkee 2014). These data may be undercounting actual

suicide rates, as death certificates are most likely to misclassify Indigenous people as another race (Arias, Heron, and Hakes 2016).

Moreover, Indigenous people consider suicide more frequently than the general population. According to the SAMHSA, 13.1 percent of Indigenous adults seriously considered suicide within the past year, while 3.7 percent of all adults considered it (Substance Abuse and Mental Health Services Administration (SAMHSA) 2012). Additionally, 1.2 percent of Indigenous adults attempted suicide within the past year, while 0.5 percent of all adults attempted suicide (Substance Abuse and Mental Health Services Administration 2013). Indigenous high school students report more frequent suicide behavior than the average high school student, according to the Centers for Disease Control and Prevention (2014). Lifetime rates of attempting suicide for girls was 21.8 percent, 17.6 percent for both males and females living on reservations (Borowsky et al. 1999), and 14.3% for both males and females living in urban areas (Freedenthal and Stiffman 2004).

### *Health Disparities*

Another consequence of the historical treatment of Indigenous people in the United States is the disproportionate impact of diseases on tribal people. Indigenous people report higher rates of fair or poor health than any other race (National Center for Health Statistics 2015). Diabetes and chronic liver disease/cirrhosis death rates are three times higher than the general population (Sarche and Spicer 2008). Death rates resulting from tuberculosis and heart disease are greater than the national average. The rate of diabetes among Indigenous people is 177 percent higher than the general population, while they have the highest rate of Type II diabetes (Center for Native American Youth at the Aspen Institute n.d.). Their rate of tuberculosis in 2012 was 6.3

compared to 0.8 for Whites, with estimates of the incidence rate as much as five times higher than the general population. Finally, Indigenous people are 1.2 times more likely to die from cervical cancer and 1.4 times more likely to die from influenza or pneumonia (National Congress of American Indians 2016). Overall, the life expectancy of an Indigenous person is 4.2 years less than the general population.

These health disparities extend to Indigenous youth as well. The prevalence of obesity in four-year old Indigenous children was at 31.2 percent, higher than any other race measured (Anderson and Whitaker 2009). Another study found that 42.4 percent of Indigenous adolescents were obese (Popkin and Udry 1998). As for mental health, Indigenous children face more diagnoses of Attention Deficit-Hyperactivity Disorder and conduct and Oppositional Defiant Disorder, in comparison to the general population (Sarche and Spicer 2008). It is important that scholars give special attention to these health disparities, as they have a significant impact on life outcomes.

It is also important to consider the limited access Indigenous people have to health care. The 2015 American Community Survey reported that 20.7 percent of “single race” Indigenous people did not have health insurance, compared to 9.4 percent for the general population. The main contributor to Indigenous healthcare, the Indian Health Service (IHS), spends approximately \$2,849 per person, while the national average is \$7,717 per person (National Congress of American Indians 2016). Of course, the federal government only offers these services to federally recognized Indigenous people, but it is stingy even with these Indigenous nations as the government funds the IHS at 59 percent of the actual funds needed “based on IHS calculations of expected cost for a blend of Federal Employee Health Benefits...with some [IHS

funded areas] funded at much less than 59 percent of the need” (National Congress of American Indians 2016: 56), exacerbating health issues.

In addition, urban cities with a contingent Indigenous population who are eligible for IHS services do not have IHS facilities (Urban Indian Health Commission 2007). For example, California has the largest Indigenous population in the United States, but only 10 percent of those eligible for IHS have access (Seals et al. 2006). In cities with more accessibility to IHS services, the reliance on grants subjects these organizations to restrictions to satisfy the grant providers. This restricts treatment as the focus of the money is on the outcomes of treatment, or evidence-based treatment that the Urban Indian Health Commission (2007) argues is insufficient for Indigenous populations.

Meanwhile, for rural Indigenous people, access to healthcare services is sparse as they are often expected to travel extreme distances to receive the care they need (Sequist, Cullen, and Acton 2011). One estimate shows that some Indigenous people who want access to cancer support groups must travel two to five hours both ways, while the distance between Indigenous reservations in Alaska and medical facilities “compares to the distance between New York and Chicago” (Kruse et al. 2016: 5). In addition to the time and money for travel, healthcare providers may lack cultural competency to adequately assess a patient’s experience with pain as Indigenous physicians makeup only 15 percent of all physicians working at IHS facilities (Kruse et al. 2016; Sequist, Cullen, and Acton 2011).

### *Child Abuse*

Various forms of child abuse also disproportionately affect indigenous children. For example, one study showed rates of reported cases of child abuse and neglect for off-reservation

Indigenous children was 5.7 per 1,000, 13.5 per 1,000 for Navajo, and 26 per 1,000 for Cheyenne River Children (Fischler 1985). The rate of child abuse and neglect for Indigenous children overall is 11.4 per 1,000 cases, compared to the national rate of 9.1 (Kastelic 2013). A study of Indigenous children in mental health treatment found that 67 percent experienced abuse or neglect (Piasecki et al. 1989). Over 60 percent of Indigenous children face exposure to violence, while rates are even higher in reservation areas (Gahagan 2013, Dec. 9). While Indigenous children experience the second highest rate of child abuse and neglect among racial/ethnic groups in the U.S., only 28 percent of those cases are prosecuted (Childress 2014, June 24).

These numbers are not meant to suggest that Indigenous parents are responsible for the disproportionate rates of child abuse for Indigenous children. According to the National Indian Child Welfare Association (2007), 16.5 Indigenous children per 1,000 are victims of abuse or neglect in the foster care system and are most likely to be victims of neglect compared to other races. Meanwhile, even when Indigenous parents are the perpetrators, the federal government fails to provide preventative support for child welfare services, while simultaneously fostering a colonial ideology that introduced patriarchy and gendered violence to Indigenous communities (Smith 2005).

### *Homicide*

Indigenous communities suffer often from disproportionately high rates of homicide. From 1979-1992, the homicide rate was two times the general population, and was the second or third leading cause of death for males between 1990-1992 (Wallace et al. 1996). For Indigenous women 15-34, homicide was the third leading cause of death over that same time. From 2003-



2014, Indigenous women had the second highest rate of death to homicide at 4.3 per 100,000 (Petrosky et al. 2017). In New Mexico, the domestic violence homicide rate for Indigenous women was 4.9 per 100,000, which was higher than Hispanics and Whites, while the non-domestic violence homicide rate exceed 7 per 100,000 (Arbuckle et al. 1996).

From 1999-2009, the homicide rate for Indigenous people was four times that of Whites (Herne, Maschino, and Graham-Phillips 2016). Compared to Whites, Blacks, and Asians, Indigenous people were less likely to be killed by someone of the same race (Perry 2004). In fact, 32 percent of the homicides of Indigenous people were perpetrated by White people. Additionally, in about 33 percent of Indigenous homicides involving acquaintances or relatives, the offender was of another race (Perry 2004).

### *Sexual Exploitation and Sexual Violence*

Due to the historical legacy of the exploitation and hypersexualization of Indigenous women's bodies, Indigenous women experience disproportionate rates of sexual violence and sexual exploitation (Deer 2009; 2015; Smith 2015). The early art works of Alfred J. Miller perpetuated stereotypes among European newcomers in the mid-1800s, with works depicting Indigenous women “in a morally inferior position” (McLerran 1994; Portman and Herring 2001: 189). Miller’s art introducing the Indigenous princess stereotype was the first contact Europeans had with Indigenous women, and Indigenous women’s bodies were a metaphor for the United States (Portman and Herring 2001). “America was represented as a young Indian woman upon whose passive, receptive body European colonists could carry out their project of exploitation and domination” (McLerran 1994: 5).

Later, film represented Indigenous women as “Indian princesses” or as “squaws”, a racial slur directed at Indigenous women (Monchalin 2016). Disney’s *Peter Pan* contained representations of both the sexualized princess who throws herself at Peter Pan, and the dumb, ignorant “squaw” who characters talk to as if she is an animal. Most recent stereotypes of the Indigenous women revolve around the story of a 12-year-old Pocahontas that Disney developed into an animated film which “romanticizes Indigenous women as ‘Indian princesses’” (Monchalin 2016: 179). In the film, Disney portrays a sexualized, animalistic version of Pocahontas who talks to animals and is lustful (Portman and Herring 2001). These stereotypes reach beyond film, as businesses continue to sell Halloween costumes objectifying Indigenous women and cultural symbols (Monchalin 2016). Overall, “These representations open the door to violence against Indigenous women by reasserting the historical labels once applied—by characterizing Indigenous women as less than human and, thus as ‘rapable’ sexual objects” (Monchalin 2016: 183).

Validating the statement above is that Indigenous women in the United States historically faced commercial sexual exploitation as a means of survival (Ritchie 2017). This legacy continues its negative impact today as Indigenous women are disproportionately more likely to experience risk factors related to sex trafficking, including poverty, sexual abuse, and substance abuse, as well as the perpetuation of negative perceptions and stereotypes of the violence they experience. For example, approximately 40 percent of Indigenous women in Minnesota seeking help from the Minnesota Indian Women’s Resource Center are victims of the commercial sex industry (Pierce 2009). Sixty percent of the women surveyed entered prostitution before they turned eighteen, 20 percent faced sexual exploitation before turning thirteen, and 27 percent were the victims of trafficking under Minnesota law. Of those on probation for prostitution in

Minneapolis, 24 percent are Indigenous women though they only make up just 2.2 percent of the population (Martin and Rudd 2007). In Anchorage, Alaska, Indigenous women make up 33 percent of prostituted and trafficked women, though they are only 8 percent of the population (Farley et al. 2011). Other states, including Washington, South Dakota, and Oregon, have also investigated trafficking cases of Indigenous women (Johnson 2011).

A variety of risk factors within Indigenous communities increase Indigenous women's likelihood of participation in the sex trade and being trafficked (Deer 2009). These risk factors include "poverty or political instability," both of which are present in Indigenous communities (Hodge 2008). These communities mostly rely on understaffed, underfunded federal and state forces to fight crime in Indigenous communities as federally recognized nations have extremely limited jurisdiction over non-Indian offenders (Deer 2009). Therefore, on top of the individual risk factors Indigenous women face, policymakers neglect their communities.

The very factors that make Indigenous women more likely to become involved in the sex trade also make it difficult for them to escape. The relationship the U.S has with Indigenous people and tribal nations combines with the stigma associated with prostitution and human trafficking to discourage women from seeking help from legal authorities (Campagna 2016). Moreover, limited access to adequate housing, fear of the loss of children, and limited resources designed specifically to help Indigenous women and girls are barriers they experience if/when they attempt to leave, which are similar to the barriers faced when leaving abusive relationships (Pierce 2009).

The hypersexualization of Indigenous women and their exposure to commercial sexual exploitation also increases their exposure to sexual violence. Sexual assault and rape are so prevalent among Indigenous women that mothers talk to their daughters about what to do *when*,

not *if* they are sexually assaulted (Deer 2015). According to a survey of 2,000 women funded by the National Institute of Justice, 56.1 percent of Indigenous women in the United States had experienced sexual violence in their lifetime, while 14.4 percent had experienced sexual violence in the last year (Rosay 2016). This recent study replicates what past federal statistics have shown about sexual violence against Indigenous women (Greenfeld and Smith 1999; Perry 2004; Tjaden and Thoennes 2000). Separate from federal statistics, other research provides additional evidence to show that Indigenous women face high rates of sexual violence (Bohn 2003; Manson et al. 2005; Simoni, Sehgal, and Walters 2004; Yuan et al. 2006).

Moreover, 49 percent of rapes of Indigenous women were reported to police, but only 6 percent of those cases resulted in arrest, compared to 10% for White and 12 percent for African-Americans (Bachman et al. 2008). Additionally, the U.S. Attorney's Office declined to prosecute 67 percent of sexual assault cases in Indian Country from 2005-2009 (United States Government Accountability Office 2010). Astoundingly, in 86 percent of sexual violence incidents inflicted upon Indigenous women, the perpetrators were non-Indigenous men (Amnesty International 2007).

Along with the numbers cited by the federal government and other research, there is still plenty to be uncovered about sexual violence against Indigenous women. Indigenous grassroots organizations “almost universally assert that the federal statistics represent at best a very low estimate” (Deer 2015: 5). For instance, National Crime Victimization Survey statistics on rape among Indigenous women do not include homeless people, a population in which Indigenous people are overrepresented. Meanwhile, survivors of sexual assault may not report their experience due to the difficulties other Indigenous survivors experience when encountering the police (Hamby 2008). Moreover, Indigenous women encounter massive legal and bureaucratic

obstacles, particularly with tribal sovereignty that prevent them from receiving justice (Hamby 2009). Sexual assault rates, therefore, are likely to be significantly higher than originally reported.

### *Other Forms of Violence*

Indigenous women consistently encounter all types of violence throughout their lives. One study of violence against Indigenous women showed that 61.4 percent encountered physical violence in their lifetime and 17 percent encountered stalking, both rates that are nearly double those of other racial groups (Lee, Thompson, and Mechanic 2002). Another study found that 37.5 percent experience some form of intimate partner violence in their lifetime (Tjaden and Thoennes 2000), while a more recent study found that 46 percent had experiences with IPV (Black et al. 2011). In one southwestern Indigenous community, 31 percent of women reported experiencing IPV in the last year, and 91.4 percent in their lifetime (Robin, Chester, and Rasmussen 1998). The most recent study reports that 84.3 percent of Indigenous women experienced physical violence at some point in their lifetime, while 39.8 percent experienced violence within the last year (Rosay 2016). Likewise, 66.4 percent of Indigenous women experienced psychological violence by an intimate partner, while 48.8 percent experienced some form of stalking. Indigenous women also encounter more severe injuries during the course of IPV (Norton and Manson 1995). Overall, Indigenous people are 2.5 times more likely to experience some form of violent victimization in their lifetime, compared to other racial/ethnic groups (Perry 2004).

### *Criminal Legal System*

Currently, the criminal legal system is in crises as mass incarceration and the killing of civilians by police officers receives extensive media attention. Though it has only recently and reluctantly been acknowledged, People of Color have long argued that the criminal legal system is biased and intentionally harmful to their communities (Alexander 2012). Indigenous communities are among those that faced and continue to face harm from the expanding rule of the state through the criminal legal system that began with the War on Drugs. Indigenous people are disproportionately killed by police, as they make up 0.8% of the population and 1.9 percent of police-involved homicides (Males 2014).

Indigenous people are also overrepresented among those incarcerated, with Indigenous women six times more likely than White women to go to prison (Lakota People's Law Project 2015). In 1997, 2,000 Indigenous adults per 100,000 were serving a probation sentence (Alexander 2012), while 4 percent of all Indigenous people were "under the care, custody, or control of the criminal justice system on an average day" (Greenfeld and Smith 1999: viii). They had the highest rate of people held in local jails at 1,083 Indigenous adults per 100,000.

Indigenous people had a rate of incarceration 38 percent higher than the average nationally (Greenfeld and Smith 1999). In 2001, Indigenous people accounted for 2.4 percent of people entering federal prisons and 16 percent of people entering federal prison for violent crimes, though they make up less than 1 percent of the population (Perry 2004). Indigenous people were arrested at a rate 1.5 times higher than Whites, incarcerated at two times the rate of Whites, and were new admissions to prisons four times the rate of Whites (Hartney and Vuong 2009). Indigenous women's rates of new admissions to prisons were six times the rate for White women. These numbers provide credence to Salish scholar Luana Ross' statement that "Prisons,

as employed by the Euro-American system, operate to keep Native Americans in a colonial situation” (Ross 1996: 138).

Along with Hispanics, Indigenous people were on parole two times the rate of Whites and on probation 1.4 times the rate of Whites. In Montana, Indigenous women make up 25 percent of the female prison population, while Indigenous people overall account for 6 percent of the population (Ross 1998). Finally, Indigenous people face high recidivism rates. Out of 1,712 Indigenous offenders, 26 percent were arrested again after six months and 60 percent were arrested again after 36 months for a felony or serious misdemeanor (Perry 2004).

Like Black women, Indigenous women also face criminalization of their pregnancies (Paltrow and Flavin 2013). A study analyzing 413 cases of arrests “in which a woman’s pregnancy was a necessary factor leading to attempted and actual deprivations of her liberty” (Paltrow and Flavin 2013: 301), found that three percent of those arrests were of Indigenous women. This is likely a severe undercount, however, as state, federal, and tribal criminal databases and court records make it difficult to search for such cases. Police in North Dakota arrested one pregnant Indigenous woman, Martina Greywind, for inhaling paint fumes while pregnant. Authorities dropped the charges once she obtained a release to have an abortion. Essentially, authorities bullied her into having an abortion to avoid further jail time or a criminal record.

The criminal legal system’s wrath on Indigenous people also extends to the youth population. While they make up 1% of the youth population in the U.S., they are 70 percent of youth sent to the Federal Bureau of Prisons as delinquents, and 31 percent of youth sent to the Bureau as an adult (Lakota People’s Law Project 2015). The rate of admission to adult prisons was 2.5 times higher than the rate of White youth (Hartney and Vuong 2009). In schools,

Indigenous students are three times more likely than other students of color to be referred to law enforcement and eight times more likely than Whites (Walsh 2015). K-6 Indigenous students in Utah were the racial group most frequently referred to law enforcement, four times more likely as other students of color to be arrested, and six times more likely than Whites. Overall, Indigenous girls have the highest incarceration rate (Wiltz 2016, March 4) and are almost five times more likely to be housed in a juvenile facility than White girls (Office of Juvenile Justice and Delinquency Prevention 2017). In Minnesota, Indigenous girls are eighteen times more likely than White girls to be incarcerated (Wiltz 2016, March 4).

### *School Discipline*

Prior to Indigenous peoples' increased likelihood of involvement in the criminal legal system, they disproportionately experience various types of school discipline. While there are only minor racial differences in behaviors such as carrying a firearm or abusing substances at schools, Indigenous boys and girls are far more likely to be referred to the office or detained at school (Wallace Jr et al. 2008). Indigenous girls are twice as likely to face a referral to the office or detainment at school as White girls. Overall, 34.5 percent of Indigenous girls between 2001-2005 faced referral to the office or detainment at school, and 25.9 percent faced suspension or expulsion. In Utah, Indigenous students were 7.5 times more likely to face expulsion compared to Whites, and four times more likely to face discipline. They also were six times more likely to face arrest compared to White students (Walsh 2015).

Indigenous children also face increased exposure to corporal punishment in schools. While making up only 0.9 percent of students they are 2.3 percent of students referred for corporal punishment (Han 2016). Indigenous children in North Carolina are twelve times more



likely to face corporal punishment for their behavior in school, seven times more likely in Arizona, and 1.5 times more likely in Oklahoma (Lee 2017, April 1). While Oklahoma bans the paddling of the incarcerated, it does not ban this action for children in schools, which disproportionately affects Indigenous children. Overall, Indigenous students make up 2.4 percent of students paddled, while accounting for only 1.2 percent of the student population (Farmer, Neier, and Parker 2008).

In Robeson County, North Carolina, where members of the Lumbee Tribe live, 88 of the 147 students subjected to corporal punishment in public schools in North Carolina were in Robeson County schools (Isaac 2016, March 26). According to the state's Department of Public Instruction, 80 of the 88 students punished in Robeson County were Indigenous children. Moreover, 80 percent of corporal punishment cases in 2014-2015 occurred at Prospect Elementary School, located in a predominately Indigenous area. Also striking is that Robeson County requires a permission slip from parents approving of corporal punishment before they start school. The school assumes permission to use corporal punishment even if students or their parents fail to submit the paper.

These disproportionate rates of school discipline also extend to Indigenous children with health and learning impairments. In Maryland, Indigenous students suffering from learning disabilities or other health issues faced disproportionate suspension from schools (Krezmien, Leone, and Achilles 2006). Indigenous students with disabilities account for approximately 2.9 percent of corporal punishment receivers in school, while only making up 1.2 percent of the students with disabilities (Han 2016).

*And Yet Indigenous People Live On*

In spite of the processes of historical and contemporary colonialism, Indigenous people, culture, and communities survive and even thrive today. As Indigenous scholars note, only providing the perspective of the colonizer makes it appear that Western societies have eliminated and annihilated Indigenous people entirely (Alfred and Cornstassel 2005; Monchalin 2016). The reality is that Indigenous people continue to resist and be resilient in the face of colonial oppression:

...Indigenous peoples have their own unique histories and cultures, their own narratives and world views, which continue to exist. Neither Indigenous peoples nor their teachings were eradicated, although colonizers made strong attempts; rather both were interrupted and disrupted by the colonizing West. Many still fight strongly against the mechanisms of colonialism today. Despite relentless attempts at annihilating Indigenous peoples and cultures, we remain; we were never destroyed (Monchalin 2016: 73).

The resistance from Indigenous people was dramatically demonstrated in the occupation of Alcatraz Island and the formation of the American Indian Movement (AIM) during the late 1960s (Dunbar-Ortiz 2014). The occupation of Alcatraz helped to amplify the demands of Indigenous people in the United States because it occurred during the heightened awareness of the Civil Rights Era (Nagel 1995). In 1972, various Indigenous organizations combined to organize “The Trail of Broken Treaties,” which ended up in Washington, D.C. right before the presidential election, armed with a “20-Point Position Paper” that called for the federal government to honor negotiated treaties and sovereignty of Indigenous nations (Dunbar-Ortiz 2014). Protestors from 75 Indigenous nations took over the Bureau of Indian Affairs (BIA) building for six days, giving them time “to read damning federal documents that revealed gross mismanagement of the federal trust responsibility” (Dunbar-Ortiz 2014: 185). Later, these Indigenous organizations presented the “20-Point Position Paper” to the United Nations, that ultimately led to the UN Declaration on the Rights of Indigenous People in 2007.

Almost immediately following the BIA takeover, the Oglala Lakota people of the Pine Ridge Sioux Reservation in South Dakota sought out the AIM for help protesting and resisting the cozy relationship between tribal leadership and the federal government (Dunbar-Ortiz 2014). This culminated in the siege of the Wounded Knee Massacre site by AIM protestors, who faced off with the FBI, tribal police, and the tribal chairman's armed guards who referred to themselves as the Guardians of the Oglala Nation, or GOON squad (Dunbar-Ortiz 2014). Though men held most of the public roles of this occupation, women Indigenous elders developed the idea and Indigenous women made up the majority of occupiers (Langston 2003). Ultimately these and other examples of Indigenous resistance propelled the reversal and defeat of termination policies in the 1970s. These examples of activism also "challenged racial hegemony" as it "challenged cultural depictions of Indians as victims of history, as living relics, powerless and subjugated" (Nagel 1995: 958).

A demand arising out of the siege of the site of the Wounded Knee Massacre was the return of the Black Hills, land stolen from the Sioux Nation (Dunbar-Ortiz 2014). The Mount Rushmore monument, which is in the Black Hills, was occupied by Indigenous protestors in 1971. These seizures, occupations, and protests led to the United States Supreme Court ruling that the Black Hills had been stolen and granted the Sioux Nations of Indians \$106 million. However, the Sioux Nation denied the money, and instead demanded the return of their land. With the money sitting in an account accruing interest, the total is approximately \$1 billion (Dunbar-Ortiz 2014; Streshinsky 2011, March). They continue to refuse the money despite the extreme economic deprivation of the reservation and surrounding region (PBS News Hour 2011, Aug. 24). The following sums up the significance of refusing the money that still sits in the U.S. Treasury Department:

That one of the most impoverished communities in the Americas would refuse a billion dollars demonstrates the relevance and significance of the land to the Sioux, not as an economic resource but as a relationship between people and place, a profound feature of the resilience of the Indigenous peoples of the Americas (Dunbar-Ortiz 2014: 208).

Most recently, some Indigenous nations from the United States and Canada participated in resistance to the building of the Dakota Access Pipeline that Standing Rock tribal leaders opposed because of the threat of the pipeline on tribal land and water (Cappelli 2018). The resistance was met with private security firms and police unleashing dogs and water hosing protestors in below freezing temperatures. The movement initially succeeded in preventing the building of the pipeline prior to President Obama leaving office, before President Trump approved the pipeline immediately after his inauguration (Cappelli 2018). Native writer Kelly Hayes sums up the significance of the resistance that evolved in response to the pipeline: “We didn’t stop the pipeline, but we did seize a page of history from those who would make us disappear. The movement in Standing Rock was a vision of ourselves, as Native people: imperfect, beautiful, alive in the face of colonialism, and still rising” (Hayes 2018, March 13).

Today, Indigenous women in the United States continue to be at the forefront of resistance movements. For example, Indigenous women organized a protest of Yandy.com’s selling of Halloween costumes that demean and sexualize Indigenous women (Henry 2018, Oct. 25). At the Women’s March in Washington D.C. following the inauguration of President Trump, the Indigenous Women Rise movement convened for protest (Farris 2017, March). Then, in 2018, the first two Indigenous women were elected to Congress (Nelson 2018, Nov. 9).

Meanwhile, various national and local organizations exist that were founded by and for Indigenous women across the United States. For example, the National Indigenous Women’s Resource Center, which was developed to help address Indigenous women’s disproportionate experiences with domestic and sexual violence (National Indigenous Women’s Resource Center

n.d.). The Minnesota Indian Women's Resource Center (MIWRC) offers various family, legal, housing, and mental health care services to Indigenous women in Minneapolis, home to the third largest urban population of Indigenous people in the United States (Minnesota Indian Women's Resource Center n.d.). Women from the Rosebud Reservation founded the White Buffalo Calf Women's Society which provides shelter for survivors of gendered and sexual violence (White Buffalo Calf Women's Society n.d.). Finally, the Guilford Native American Association in Guilford County, North Carolina was formed in 1975 by Indigenous parents in the area along with local Lutheran churches "in response to a nearly 100 percent dropout rate of American Indian students from Guilford County's three public high schools" (University of North Carolina American Indian Center n.d.). In all, Indigenous women continue to be at the center of activism to address the consequences of colonialism. As Phoebe Farris (Powhatan-Pamunkey) said in reference to the resistance throughout the country's various marches and protests after President Trump's inauguration, "Indigenous women were present in the resistance all over the country, affirming that we are still here and fighting for our rights" (Farris 2017, March).

## SUMMARY

Indigenous people today continue to suffer from the consequences of invasion and colonization. Historically, these invaders and colonizers forced Indigenous people into slavery, fought years-long wars over land, and used biological warfare to eliminate Indigenous people from land the invaders justified taking under the "Doctrine of Discovery." Later, the invaders coercively forced Indigenous people from their land under Removal Acts, leading to the deaths of thousands of Indigenous people on forced marches to the west. When these means of removal were no longer available, invaders attacked the culture of Indigenous people and nations, through the forced assimilation tactics of boarding schools and legislation that deemed it illegal for them

to practice their religion. Most recently, federal resources such as the Indian Health Service oversaw numerous sterilizations of Indigenous women, eliminating their chances of having children to pass down their culture and language. Currently, the United States participates in environmentally racist practices that disproportionately harm Indigenous people, nations, and land, including natural gas and oil pipelines subject to explosion and contaminating the water supply of Indigenous nations. Overall, the United States continues to employ evolving genocidal practices that serve to try and destroy Indigenous communities.

So far, these practices have not totally disappeared the Indigenous people in the U.S. However, the ramifications of this historical treatment are present throughout Indigenous communities. Poverty rates on or near reservations or within urban Indigenous communities are disproportionately higher than for other racial/ethnic groups, and Indigenous children are the least likely racial group to graduate high school. Due to the historical treatment, countless generations of Indigenous people suffer from PTSD, which may lead to using drugs and alcohol to cope. The combination of PTSD and substance abuse puts Indigenous people at higher risks of poor health, suicide, and homicide. Indigenous children are more likely to suffer from abuse from their parents, a process of punishment introduced at early Indian Boarding Schools. Indigenous women are more likely to experience sexual assault in their lifetime, also a product of the gendered violence introduced at boarding schools. In addition to rape, Indigenous women are vulnerable to sex trafficking and commercial sexual exploitation. Finally, Indigenous people in general are disproportionately affected by the criminal legal system in a variety of ways, including incarceration and recidivism of adults and children and killings by police. However, in the face of this historical mistreatment, Indigenous people valiantly and heroically push forward in their resistance to these genocidal practices.

Most important for this project is the treatment of Indigenous women who are members of federally unrecognized nations. The evolving genocidal practices of the U.S include the process of federal recognition, which provides funding and resources to tribal nations that fit the western legal criteria, guidelines, and stereotypes of Indigenous nations, while denying funding to others who cannot “adequately” prove their existence. Thus, this research explores the extent, if any, that this label of federally unrecognized is an additional barrier or stigma that negatively impacts Indigenous women and their experiences with crime, criminal victimization, and structural criminogenic conditions.

## CHAPTER III

## FEDERAL RECOGNITION: THE HISTORY AND THE CURRENT RAMIFICATIONS

One of the most important concepts of this research is the existence of ‘unrecognized’ nations by the federal government. Currently, there are 573 federally recognized nations in the United States, and these tribal nations “have the immunities and privileges available to federally recognized Indian tribes by virtue of their government-to-government relationship with the United States as well as their responsibilities, powers, limitations, and obligations of such tribes” (Washburn 2014: 4749). However, the language of “government-to-government relationship” belies that the federal government limits the power of Indigenous nations in a myriad of ways.

In order to receive federal recognition, one of the following must happen: (1) a congressional law signed by the president, (2) an executive order, (3) a judicial decision, or (4) a declaration by the Bureau of Indian Affairs (BIA) (Wilkins 2002). Once they receive federal recognition, tribal nations and its members are supposed to have access to a variety of benefits and resources as determined by the federal government. It is important to note that some scholars view these politics of recognition as an extension of colonial power, which, they believe:

rests on the ability to entice Indigenous peoples to *identify*, either implicitly or explicitly, with the profoundly *asymmetrical* and *nonreciprocal* forms of recognition either imposed on or granted to them by the settler state and society (Coulthard 2014: 25).

This is a legitimate criticism of the politics of recognition that is indirectly explored throughout the dissertation. Nonetheless, the benefits and resources that accrue are sufficiently desirable for some tribes as they commit significant time and money pursuing recognition.

Unrecognized nations face a variety of obstacles in obtaining federal recognition. For example, the Bureau of Indian Affairs (BIA) currently has over 300 definitions of Indigenous



identity, providing the state the power to control definitions of “legitimate” tribal nations (Robertson 2016). The criteria and process are overwhelmingly bureaucratic, making establishing identity extraordinarily difficult.

Two types of unrecognized Indigenous nations exist in the United States: those recognized by a state but not by the federal government and those not recognized by either state or federal government. There are approximately sixty state-recognized tribal nations in twelve states which have benefits provided by the individual state in which they reside (National Conference of State Legislatures 2016). Additionally, there are tribal nations that have no recognition from the federal government or their states. While there is no comprehensive, official list of these Indigenous nations, the World Heritage Encyclopedia (n.d.) lists approximately 550 unrecognized tribal nations that exist in the United States. Overall, various explanations exist for why the federal government does not recognize these groups.

Members of federally unrecognized nations face unique issues because of their unique label. Although socially and culturally recognized and stereotyped as “Indians,” they remain ineligible for much of the services provided to members of federally recognized nations. The “non-federally recognized” label calls into question their identity as people. Their ineligibility to services and the questioning of their identity affects their experiences with the criminal legal system, social services, and other institutions. Annihilating Indigenous identity by acknowledging and providing services only to federally recognized nations represents a form of social death that has yet to be explored in criminological research.

This chapter outlines the historical context of federal recognition and some of the impacts on women, the conflicts that arise due to recognition policies, and the benefits of recognition.

Additionally, the chapter provides an overview of some of the unrecognized nations that are the focus of this research.

## THE HISTORY OF RECOGNITION

Prior to the 1870s, the United States federal government did not have a legal, bureaucratic process for recognizing Indigenous nations (McCulloch and Wilkins 1995). There was no requirement that tribal nations provide ‘evidence’ or ‘proof’ of their existence, and the federal government and public understood that (Gonzales and Evans 2013). However, legislation and judicial decisions regarding land and self-determination rights laid the groundwork for the bureaucratic recognition processes that emerged in the late 1800s, in part to steal land and desired resources (Wilkins 2002).

The first policy that fostered the legacy of recognition is the fifteenth century “Doctrine of Discovery” (Corntassel and Witmer 2008). According to this doctrine, any European country that comes into contact with a territory home to Indigenous people, by rule of discovery, the land belongs to the “civilized” European discoverers (Corntassel and Witmer 2008). By defining themselves as “civilized” Europeans degraded the original inhabitants of the land as unequal, incapable, and incompetent, justifying the takeover of Indigenous lands and other atrocities.

Eventually, colonists wrote the U.S. Constitution, using it as a tool to eliminate Indigenous people from their land in an effort to expand the U.S and their arsenal of resources (Koenig and Stein 2013). The Nonintercourse Act of 1790 increased the power of the federal government to control Indigenous land. The act required the approval of the federal government for tribal nations and states to negotiate land transactions, placing sole control of Indigenous communities’ most valuable assets fully in the control of the federal government (Jurss 2017; Koenig and Stein 2013).

Later, the United States Supreme Court validated the supremacy of federal law over Indigenous nations and states in case rulings known as the Marshall Trilogy. These cases helped develop and formulate legal mandates for tribal recognition. Under the Marshall Trilogy, named for Chief Justice John Marshall who authored the three decisions, these nations were conquered by “force of arms” (Koenig and Stein 2013). In essence, “...tribes have authority to do as they wish on their tribal lands, including conduct gaming, except where those rights have been expressly subordinated to an active federal power” (Koenig and Stein 2005: 345). Therefore, the Marshall Trilogy<sup>1</sup> expanded the federal power over Indigenous people by categorizing tribal nations as sovereign entities, but federal government authority superseded their sovereignty (Koenig and Stein 2013).

#### *Dawes Act*

In the late 1800s, movements emerged to assimilate Indigenous people to White, American culture alongside measures of controlling Indigenous identity and sovereignty. Since colonizers defined their way of living as civilized, they had concerns about tribal nations’ ability to fit the American mold of civilization, particularly because Indigenous nations lacked private land and resource ownership among individual members (Stremlau 2005). The assimilation movement offered more benefits than that of people who believed that Indigenous people deserved nothing, yet it based its beliefs on the superiority of the patriarchal, colonist lifestyle. Assimilationists believed that Indigenous nations impeded the development of Indigenous families and sought to eliminate tribal structures in order to establish nuclear families (Stremlau 2005).

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<sup>1</sup> The Marshall Trilogy also deemed Indigenous nations’ relations with the federal government as one similar to the relationship between a landlord and tenant (Koenig and Stein 2013).

Anthropologists studying Indigenous families at the time did so from a patriarchal perspective that shaped White families, particularly descendants of the colonists (Stremlau 2005). They heavily criticized the structure of Indigenous families, particularly their values of kinships and viewed Indigenous kinships ahistorically, without the context of the impact disease, war, and forced removal had on the families. Furthermore, White colonists classified the kinships as tumultuous and unorganized, and that the focus on Indigenous extended families devalued individual wealth. Overall, Americans believed that Indigenous people relied excessively on the community, putting community interests over individual interest. This, American reformers believed, degraded individual Indigenous people because of the American belief of individual self-sustainability (Stremlau 2005).

Finally, colonist reformers viewed Indigenous families as inferior because of their view of the excessive reliance on Indigenous women in families (Stremlau 2005). Indigenous women often were the head of household, farming, cooking, making clothes, and building the necessities needed for their extended kin, while the men were hunters and fighters in war when necessary. Moreover, Indigenous cultures allowed men and women to express themselves sexually throughout their lives through serial monogamous relationships, before eventually marrying (Stremlau 2005). Colonists' preconceived notions of gender roles interfered with any potential understanding of the operation of Indigenous families and kinships. Colonist reformers believed that hunting was a hobby, while Indigenous people understood it as a necessity to survive. Overall, colonist reformers viewed Indigenous men as lazy, and unable and unwilling to support themselves. They were the "welfare queens" of the 1880s (Stremlau 2005).

In an effort to "solve" these familial problems for Indigenous people, reformers established the General Allotment Act of 1887, also referred to as the Dawes Act. This took

divided reservation land and distributed it to individual families to impose values of private property, self-sustainability, and patriarchy among Indigenous people, while simultaneously freeing land for White settlement. The act gave 160 acres of land to the heads of families, 80 acres to single adults and orphans, and 40 acres to all other children, and no land to married women (Stremlau 2005). Additionally, it allowed Indigenous landowners the opportunity to sell or lease the land to non-Indigenous people with approval from the Office of Indian Affairs (Carlson 1978)<sup>2</sup>.

Additionally, allotment served to assimilate Indigenous people to America's patriarchal culture. The Dawes Act forced Indigenous men into land ownership and the ideology of individual property ownership (Stremlau 2005), while devaluing the status of married Indigenous women. Moreover, the Dawes Act attempted to force Indigenous men to become self-sufficient, while forcing familial reliance on Indigenous men. It also relinquished the federal government from financial obligations to Indigenous people in agreed upon treaties (Stremlau 2005). Most importantly, the act led to the theft of 86 million acres of land from Indigenous control, with over 100,000 Indigenous people left without land (Philp 1983).

### *Indian Reorganization Act*

Only tribal nations recognized as such were able to pursue tribal sovereignty via an executive order or congressional legislation from the 1870s to the 1970s. During this time,

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<sup>2</sup> The Dawes Act also led to the opening of Indigenous land for White ownership. While Indigenous people could choose their own land, they must have done so within four years of the land's designation as allotted or a BIA official would choose for them (Anderson and Lueck 1992). The land actually remained in a government trust for 25 years or until the government deemed the Indigenous owner "competent" for land ownership. Once the trust status ended, the land could be and often was, sold to non-Indian people. The passage of the Dawes Act led to the loss of approximately two-thirds of Indigenous land from Indigenous people and nations (Bowman 2003).

Congress passed the Indian Reorganization Act (IRA) of 1934<sup>3</sup> (also known as the Wheeler-Howard Act), creating new criteria for eligibility to apply for recognition<sup>4</sup>. The law allowed Indigenous people living on reservations to self-govern the land and repealed the Dawes Act. Furthermore, it ordered the Bureau of Indian Affairs to provide land to most Indigenous people without it, provided rehabilitation services, gave priority to Indigenous people for jobs in the BIA, and provided opportunities for economic growth.

However, the IRA had serious flaws that impacted a tribe's ability to obtain federal recognition. The act required individual tribal members not living on reservations to prove their "Indianness" which meant proving they "possessed at least half 'Indian Blood' (Maynor Lowery 2013: 77). In order to prove this, the Bureau of Indian Affairs employed a variety of techniques, including anthropometry, a pseudoscience that involves measuring humans and their body parts and proportions (Maynor Lowery 2010; Williamson 2011). In other cases, the BIA separately considered whether Indigenous people violated what they considered as proper "Indian habits," which included being wealthy, living a White lifestyle, Indigenous women marrying White men, or retaining employment (Spruhan 2006) in cases like those of the Chippewa-Crees of Montana<sup>5</sup> and other nonreservation, Western tribal nations (Maynor Lowery 2013; Spruhan 2006). BIA commissioner John Collier denied recognition to those who did not follow these "Indian habits", believing that they were not in need of the economic benefits that would come with recognition.

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<sup>3</sup> The IRA emerged out of harmful policies that previously disregarded and eliminated Indigenous land and culture in an attempt to assimilate (Maynor Lowery 2013), and was one of few positives that came out of the relationship between Indigenous nations and Congress (Deloria 1969).

<sup>4</sup> Most important to recognition is that it defined what an Indian is in a variety of ways (Maynor Lowery 2013), including that they must be: (1) members of recognized nations, (2) a child or descendant of a tribal member living on a reservation in 1934, or (3) a person with at least one-half Indian blood (Miller 2004).

<sup>5</sup> BIA officials were skeptical of some Chippewa-Cree applications for land and created an application/questionnaire with the purpose "to determine an Indian's ancestry, tribal affiliation, relationship to the federal government, and degree of assimilation" (Maynor Lowery 2013: 79). Chippewa-Cree applicants did not meet "Indian habits" when BIA officials perceived them as wealthy, living a White lifestyle, or when they believed the applicant retained reasonable employment (Spruhan 2006). Additionally, the BIA considered Chippewa-Cree women married to White men as not living by Western standards of "Indian habits" (Spruhan 2006).

Therefore, the BIA rejected some Indigenous people and groups for recognition, even when they fit the racist biological criteria like blood quantum (Spruhan 2006), which the federal government uses as the basis of identity for physical characteristics and ancestry (Maynor Lowery 2013).

Overall, the IRA created a distinction between recognized and unrecognized Indigenous people (Deloria and Lytle 1984; Gonzales and Evans 2013)<sup>6</sup>, while expanding the federal government's power over Indigenous groups. The IRA is also an example of genocidal federal policies evolving to more bureaucratic forms by using blood quantum to control definitions of Indigenous identity. However, these methods ignore the markers beyond racial ancestry that Indigenous communities used (Maynor Lowery 2013) including tribal affiliation (McCulloch and Wilkins 1995).

### *Termination Policies*

Beginning in the 1950s, the federal government began terminating relationships between themselves and tribal governments<sup>7</sup> (Deloria Jr and Lytle 1983). Termination policies forced over half of the Indigenous population to relocate and reside in urban areas (Fixico 1986), as the

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<sup>6</sup> The Howard Amendment of the IRA also required nations residing on reservations to vote on accepting or rejecting the standards of the act (Kelly 1975). The result was that the Indian Service had to educate Indigenous people on what the act included, and why it is beneficial that nations vote for the program (Mekeel 1944). This was problematic, as the federal government already eroded the trust between themselves and Indigenous people with their refusal to follow treaties previously passed (and other atrocities in which they participated). In all, Indigenous nations held 258 elections, with two-thirds voting for the IRA provisions (Philp 1983).

<sup>7</sup> Following World War II, resistance against increased government control over free people increased, resulting in the focus on Indigenous people. Specifically, the U.S. viewed the relationship between the federal government and Indigenous nations and established reservations as un-American (Wilkinson and Biggs 1977). Under House Concurrent Resolution 108 passed in 1953, the federal government announced their intent to free themselves of their obligation to Indigenous people (Walch 1983), paving the way for future termination policies. The Resolution specifically singled out all federally recognized nations in Florida, California, New York, and Texas among other individual nations (Philp 1983). Moreover, Congress passed Public Law 280 the same year, eliminating tribal court jurisdiction over its members and handing it over to the states. This abolishment forced Indigenous people to endure state court processes that were historically hostile towards them.

federal government advocated for less social welfare benefits and spending on reservations (Burt 1986). The federal government even supplied approximately 35,000 Indigenous people with travel money or one-way bus tickets to find jobs in urban areas (Philp 1983). The relocation to urban areas was a difficult transition for Indigenous people used to the rural communities with their kinship groups. Their value system was much different than White, urban American life that confronted them, and this deeply affected the morale of urban Indigenous people.

Meanwhile, urbanization increased intermarriage between Indigenous and non-Indigenous people, decreased the frequency of Indigenous languages spoken among Indigenous people, and limited Indigenous people's abilities to have tribal affiliation or participate in tribal activities (Thornton 1998). This harmful transition resulted in suicide for some Indigenous people (Philp 1983). Though eventually reversed<sup>8</sup>, the legacy of termination policies is visible in the urbanization of Indigenous people, and in some tribal nations' struggles for federal recognition.

### *Self-Determination Policies*

Following the repeal of most 1950s and 1960s termination policies, Congress passed the Indian Self Determination and Educational Assistance Act (ISDEAA) of 1975 (Maynor Lowery 2018). This law began the transition of federal Indian law to self-determination, allowing tribal nations to dictate their own affairs, including the control over programs in education, law enforcement, children services, and others previously administered and controlled by the Bureau of Indian Affairs (Maynor Lowery 2018; Wilkins 2002). Moreover, this law also created the

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<sup>8</sup> Soon after the passing of termination policies, nations terminated, facing termination, and Indigenous lobbying groups began pressuring Congress to reverse these 1950s policies due to their harmful economic effects (Wilkins 2002). The first terminated tribe (Menominee of Wisconsin) was the first to receive restoration of federal recognition in 1973, and Presidents Nixon and Reagan rejected these termination policies. However, Congress did not officially repeal most termination policies until 1988, though they still have a detrimental impact today.



American Indian Policy Review Commission (AIPRC) (Maynor Lowery 2018) to study multiple concerns for Indigenous people, including recognition (Barker 2013).

The AIPRC's denounced BIA federal recognition policies, which led them to propose regulations published in the *Federal Register* in 1978 after numerous meetings and hearings (Barker 2013). The BIA then created the Office of Federal Acknowledgment (OFA) (formerly known as the Branch of Acknowledgment and Research, or BAR) to uphold these regulations on federal recognition. These regulations included seven criteria that Indigenous nations must follow to obtain federal recognition (Den Ouden and O'Brien 2013), and these methods are still in use today<sup>9</sup>.

#### CONFLICTS EMERGING OUT OF (NON)RECOGNITION

The IRA designations of recognized and unrecognized tribal nations are a source of conflict between tribal nations. Recognized Indigenous nations fear that the size of unrecognized groups diminishes the money pool for those already recognized (Miller 2004). In the 1960s and 1970s, unrecognized nations like the Creek Nation East of the Mississippi and the Lumbee Indian Tribe faced fierce opposition from recognized nations. Resistance to accept tribal nations like the Creek and Lumbee was an indication of the pervasive and infectious nature of racialized colonialism (Miller 2004). The Lumbee Indians encountered backlash against their Indianness because of their apparent African heritage and lack of traditional Indian culture, backlash they continue to face (Maynor Lowery 2018). Despite the backlash from fellow Indigenous people, some unrecognized nations continue their pursuit of recognition “as a way to affirm their Indianness to both other Native peoples and to the dominant society” (Miller 2004: 34).

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<sup>9</sup> For a more thorough discussion of current recognition policies, refer to Appendix I.

Federally recognized nations were concerned that expanding the definition of what it meant to be an Indian would dilute the significance of the recognition battles most recently won, specifically the political departure from termination policies (Maynor Lowery 2018; Miller 2004). Indigenous sovereignty faced threats of a federal government return to termination policies with the introduction of the 1977 Native Americans Equal Opportunity Act. The Act attempted to eliminate “special rights” for Indigenous people, reneging on all treaties the U.S. entered into with Indigenous nations (Miller 2004: 41). This backlash against perceived advantages Indigenous people received from the federal government implied that a return to termination policies was possible, even though the bill failed to pass. As a result, federally recognized nations wanted control over the recognition process.

In addition to sovereignty, an ultimate concern of recognized nations was preserving the funding that federally recognized nations received (Miller 2004). Unrecognized nations feared the ramifications of federally recognized nations deciding their recognition fate. In the end, federally recognized nations (under the umbrella of the National Congress of American Indians) agreed to hand over recognition proceedings to the BIA, as they believed that their employment within the Bureau provided them enough of a voice in and power over the acknowledgement process. These battles ultimately led to the dense Federal Acknowledgment Process (FAP) used today.

Unrecognized nations would later discover that the FAP only exacerbated the recognition issue. Immediately following its implementation in 1978, the FAP received positive reviews from scholars and recognized and unrecognized nations. This did not last long (Miller 2004), however, as the method only acknowledged two tribal nations from 1984-1994 even though there were increases in the number of filed petitions. Moreover, the BIA faced lawsuits against both

positive and negative results of the FAP. At least two tribal nations sued to reverse decisions made by the FAP to recognize other tribal nations; the city of Detroit sued to stop the recognition of the Pottawatomie (Miller 2004). The BIA sought to avoid more lawsuits and raised the standard of proof for unrecognized nations. Moreover, people began claiming Indian identity at rates beyond birth rates, continuing to exacerbate concerns among recognized nations about false Indigenous claims.

The emergence of Indian gaming in the 1980s contributed to federally recognized nations' desire to restrict access to Indian identity. Some recognized nations use profits from gaming to contest the recognition of other Indigenous nations so as to restrict access to gaming (Miller 2004). The perception of gaming's benefits also intensified scrutiny on the FAP from non-Indians and policymakers (Miller 2004). In 1988, Congress passed the Indian Gaming and Regulatory Act (IGRA), which stipulated that tribal nations must work with the states in which they reside if they want to open casinos. States can negotiate and enact regulations on Indigenous nations that serve to benefit the states (such as taxation), thereby diminishing the federal government's relationship to the tribal nation (Corntassel and Witmer 2008). Moreover, the IGRA led to the development of "rich Indian racism" (Spilde 1999). "Rich Indian Racism" is a social construction that imagines Indigenous nations as wealthy thanks to gaming and casinos. Local and state governments under the IGRA, use this logic to severely limit casino, gaming, fishing, and other rights of Indigenous nations. This provides the perception that Indigenous nations no longer need these distinct rights, while allowing states to justify taxing and regulating Indigenous enterprises (Corntassel and Witmer 2008).

Moreover, private citizens capitalized on a combination of these racist Indian tropes to reject the building of Indian casinos. Current United States President Donald Trump stated at a

Congressional Hearing on Indian Casinos in 1993 that some Indigenous people opening casinos “don’t look like Indians to me” (Brockell 2016, July 1), after saying on a radio show “I think I might have more Indian blood than a lot of the so-called Indians that are trying to open up the reservations” (Boburg 2016, July 25). The emergence of Indian gaming and the racist tropes surrounding it made recognition more difficult and hindered tribal nations from seeking recognition.

For example, gaming emerges as one of the main arguments against the federal recognition of the Lumbee Tribe in North Carolina. The Eastern Band of the Cherokee, who have actively lobbied against federal recognition for the Lumbee, have a casino and see the potential for the Lumbee building a casino as a threat to their economic interests, even though the Lumbee did not say this was a priority for them (Maynor Lowery 2018). In a push for federal recognition through Congressional legislation in 2007, Congressman Mike McIntyre, whose district includes the Lumbee Tribe, crafted a bill that banned gaming, deeming it a necessity for the bill to have a chance at passage (Maynor Lowery 2018).

Additionally, the neoliberal assault on the welfare state spilled over to federal recognition. “Rich Indian” tropes convinced the public that federal recognition was not necessary, that it was simply government charity or handouts, given gambling income, thereby disregarding the historical legacy of genocide Indigenous people continue to endure (Miller 2004). Non-Indian policymakers, especially those on the right, argued that impoverished Indigenous people were the results of the federal government’s socialist policies. In 1988, President Ronald Reagan referred to Indigenous people as “primitive” and “wealthy” when asserting “I don’t know what their complaint might be” (Landry 2017, May 31). These harmful,

stereotypical assessments of Indigenous nations absolve the federal government of further blame for the plights of Indigenous people, and they serve to further annihilate them.

Federal recognition serves as a gatekeeper to Indian identity, to the detriment to members of unrecognized nations. For example, the Indian Arts and Crafts Act of 1990, both combats the illegal marketing of Indian art and increases punishments for non-Indians advertising their art as Indian-made (Robertson 2016). This captures members of unrecognized nations who advertise their art as Indian-made (Barker 2003). Another legislative act, the 2010 Tribal Law and Order Act, contained similar identity restrictions. While the act appeared to address violence against Indigenous women explicitly by increasing the amount of prison time tribal courts can sentence for violence against Indigenous women, it did not protect members of federally unrecognized nations, those in federally terminated nations who are unable to enroll in federally recognized nations, or who do not fit the borders of Indigenous identity constructed by the state (Robertson 2016). The act did address violence against Indigenous women, but only those who are members of federally recognized nations. Moreover, the 2010 Tribal Law and Order Act operates within state logic that denounces violence against Indigenous women, while refusing to acknowledge the U.S. government's social historical role in that violence. By excluding members of federally unrecognized nations and by framing legislation and the epidemic of violence against Indigenous women as an "Indian problem" it absolves the state from responsibility, and it demonizes Indigenous tribal men in the process.

All of these conflicts emerged because of the seemingly objective concept of recognition, which continues to harm the unacknowledged nations with evidence to support their existence. However, these conflicts appear intentional, as Miller asserts that "the BIA process remains in its essential form largely because it serves its understated purpose of operating in a slow and

exact manner to limit the number of Indian tribes entering the federal fold” (2004: 78). The process of federal recognition appears to demonstrate the state’s willingness to allow tribal sovereignty, while serving as a form of tribal and cultural elimination, creating a free-for-all fight among federally recognized and unrecognized nations over state funds. Indigenous nations like the Lumbee Indians continue to encounter resistance from other Indigenous nations as the state fosters political enemies over BIA resources among tribal entities. Moreover, non-Indians cite these manufactured disagreements between recognized and unrecognized tribal nations as evidence of tribal legitimacy, citing that complete unity on Indigenous issues is a sign of true Indianness (Maynor Lowery 2018). Though different in previous forms, the highly politicized process of federal recognition continues the historical legacy of administrative genocide of Indigenous people.

### *Dismemberment Policies*

Historically, Indigenous nations often accepted people from various backgrounds into their communities (Wilkins and Wilkins 2017). However, this changed as the federal government sought to control Indigenous identity. The federal government “has on numerous occasions interfered with, blocked, or overturned Indigenous citizenship and membership decisions whenever it has suited federal purposes to do so” (Wilkins and Wilkins 2017: 27). For example, in *U.S. v. Rogers (1846)*, the United States Supreme Court ruled that a White man adopted into a tribe “at mature age...is not an Indian” (Wilkins and Wilkins 2017: 28). The Supreme Court’s definition of an Indian was based on race, not political affiliation or adoption into a tribe as such. The legacy of this case is evident in tribal nation’s current use of dismemberment policies, as

now many tribal nations with dismemberment policies utilize race-based definitions of Indianness similar to what the Supreme Court used in this case.

Dismemberment refers to tribal nations' eliminating or revoking someone's membership for political and nonpolitical reasons that include invalid blood quantum, dual enrollment, enrollment error, failure to keep in contact with the tribe, and fraudulent enrollment (Wilkins and Wilkins 2017). Banishment is the expelling of tribal members from tribal lands, an action that does not always lead to the loss of citizenship. Reasons for banishment may include the commission of and/or conviction for criminal activity, blood quantum, or reasons solely political.

Banishment from Indigenous tribal nations and communities was quite rare historically; only the most egregious offenses such as murder and incest may have led to banishment, though this was "after all other attempts—ceremonies, public ridicule, restitution, shaming—had been tried to restore community harmony" (Wilkins and Wilkins 2017: 5). Tribal membership was "long viewed as an absolute given by bona fide Native citizens," but since the early 1990s "has become more of a political privilege than a sacred and organic responsibility" (Wilkins and Wilkins 2017: 4). This rise in tribal banishment and dismemberment policies correlates with rises in crime and the gambling industry in Indigenous communities. Over 70 native governments utilize techniques of banishment, disenrollment, and dismemberment.

The increased utilization of banishment and dismemberment policies are mostly a consequence of colonialism. Indigenous nations only used banishment in worst-case scenarios prior to European invasion (Wilkins and Wilkins 2017). Recently, tribes have increasingly utilized banishment and dismemberment as punishment for crime in response to rising crimes rates in Indigenous communities (Wilkins and Wilkins 2017). Additionally, tribal nations have economic and political reasons and pressures for banning and dismembering members. While

tribal leaders are documented to have used these policies to eliminate political threats within the tribe, these issues are still rooted in colonialism. Without the emerging federal recognition policies, pressures to build casinos, and increases in drug crimes, the issue of dismemberment is unlikely to emerge. Moreover, the federal government's creation of blood quantum criteria is the second most cited reason for tribal dismemberment or banishment (Wilkins and Wilkins 2017).

These pressures may also impact federally unrecognized nations. The federal government has financial incentives to limit who is federally recognized because of the money involved. Tribal nations like the Lumbee Nation, the largest Indigenous Nation east of the Mississippi River, may feel pressures to enact disenrollment policies to limit the tribe's size to potentially improve chances of federal recognition. Other federally recognized nations may feel pressure to fight against recognition against Nations as large as the Lumbee, worried that their financial piece of the pie may dwindle. These economic and political pressures pit Indigenous nations against one another and perpetuate the federal government's administrative genocide of Indigenous people (Wilkins 2018).

## POTENTIAL BENEFITS OF RECOGNITION

Recognition brings with it a wide range of benefits. Those include the independence of the tribe, economic benefits, and in some cases the criminal and civil jurisdiction over Indigenous and non-Indigenous people. The following section provides a further description of the benefits of federal recognition.

### *Validation*

Federal recognition may provide tribal nation validation of their existence and history (Thomas 1980; Wilkins 1993). For example, members of the Lumbee Tribe expressed that



recognition would serve as an apology for the wrongdoings of the federal government towards the tribe (Thomas 1980). This would especially serve as validation for the Lumbee Tribe, as they are often stereotyped and assumed by outsiders to be blended, tri-racial people who are not “real Indians” (Wilkins 1993). While this dilemma does not apply to all unrecognized Indigenous nations, validation and the symbology that recognition brings is seen as a positive consequence of recognition by certain Indigenous people and nations.

### *Political Benefits of Recognition*

Indigenous nations with federal recognition have independent sovereignty over their territory and people (Wilkins 1993). These tribal nations may develop their own government and court system and have jurisdiction and authority in the majority of situations over their people and sometimes non-Indian people. For example, under the Violence Against Women Act reauthorized in 2013, federally recognized nations may prosecute non-Indians in tribal court who, within the context of intimate partner violence, rape an Indigenous member of their nation on tribal land (Deer 2015).

Recognized nations have more power to resist state and local government and private industry intrusion on Indigenous lands (Wilkins 1993). For example, Dominion Energy is seeking to build the Atlantic Coast Pipeline (ACP) with a proposed route that runs through the land of three federally unrecognized nations and one tribe recognized without the benefits (Emanuel 2017a; Hand 2017, July 26). By invading tribal nations without federal recognition, the owners of the ACP evaded federal regulations requiring the Federal Energy Regulatory Commission (FERC) to consult with these Indigenous nations on the environmental impact of the pipeline on their homeland, leaving them without direct input on the project. Indigenous

people make up 13 percent of the population impacted by the pipeline in North Carolina though they make up only one percent of the state population (Emanuel 2017a). The overwhelming majority of the 13 percent are members of tribal nations without federal recognition. Without federal recognition, “tribes lack the ability to participate in federal environment regulations of their home regions and are thus unable to affect the perpetuation of their value systems and the realization of tribal self-determination” (Mitchell 2015: 539).

Federally recognized nations have increased protections against invasions of their land. However, these do not fully protect federally recognized nations from federal and state government interference, as seen in the cases of the Keystone Pipeline XL and the Dakota Access Pipeline which President Trump reinstated in his first few days in office (Domm 2017, Jan. 24).

### *Indian Child Welfare Act*

Federally recognized nations and their members have protections under the Indian Child Welfare Act of 1978 (ICWA). The ICWA was designed to stop years of the forced removal by from their families of Indigenous children by the federal government (Atwood 2008). Prior to its passage, 25 percent of Indigenous children were in foster care, boarding schools, or had been adopted (Smith 2015).

The federal government began closing Indian boarding schools in the 1950s. At the prompting of the Child Welfare League of America, The Bureau of Indian Affairs sent children from mostly impoverished Indigenous families and territories to White families under the Indian Adoption Project in 1957 (George 1997). This isolated children from their reservations and culture. The project resulted in 395 Indigenous children from the western and Midwestern U.S.

adopted to White families from 1958-1968, 96 percent of which were placed in the Midwest and eastern parts of the country (George 1997). In South Dakota and Wisconsin, Indigenous children were 15 times more likely to be with an adopted family or in foster care than with their birth families, in Washington, 19 times more likely, and in Minnesota, 5 times more likely (Smith 2015). In all, 85 percent of Indigenous children were either placed in a White foster home or adoptive family.

Congress passed the ICWA in a perceived effort to reverse the Indian Adoption Project. The ICWA requires states to refer any custody case of an Indigenous child to tribal court, unless the presence of “good cause” exists or if one of the parents, Indian custodian, or tribes’ petition for custody (Turner 2015). In State courts, the ICWA allows tribal nations or Indian custodians to intervene in the proceedings in cases of foster care or terminating parental rights. It also requires state courts to notify parents, Indian custodians, and/or the tribe when state courts hold involuntary proceedings involving child placement into foster care or the termination of parental rights. There must also be efforts to ensure that the Indian family is not broken up as a result, including the providing of programs and services. Additionally, evidence for child removal must be clear and convincing, heightening the standards welfare workers previously enforced improperly (Atwood 2008) Finally, states must follow the ICWA preferences for placement which include in order, placement with an extended family member, a member of the child’s tribe, or another Indian family (Turner 2015).

The overall purpose of the ICWA is to ensure that Indigenous children, to the best extent possible, remain within Indigenous families, “...to promote the stability and security of Indian tribes and families...” (Turner 2015: 502). Tribal nations can provide their own definitions of Indigenous children under the ICWA (Atwood 2008). However, there are issues with the ICWA

that scholars continue to raise. For example, Smith (2015) describes a case in which a state court determined “good cause” to be that travel to tribal courts for state witnesses was too far. However, as she notes, this “of course is the same distance tribal witnesses have to travel to attend state courts” (Smith 2015: 42). In addition, Alaskan tribal nations sued Alaska in 2002 under the ICWA, as the state’s foster care population was 62 percent Indigenous, while the state Indigenous population is 25 percent. The tribal nations argued that Alaska was not working with the Alaska Native nations to determine their eligibility under the ICWA or to protect Indigenous children. As Atwood (2008) notes, the ICWA did not offer additional funding for tribal child welfare services, making it difficult for tribal nations and the states to follow through with the law.

Another major flaw to the ICWA and its reliance on colonial definitions of Indianness and blood quantum is that the federal government failed to address the harsh living conditions and economic deprivation that Indigenous people experience as a consequence of colonial ideology. Specifically, generations of Indigenous women experienced various forms of violence and intimate partner violence (IPV) increasing their likelihood that they would become abusive with children (Milaniak and Widom 2015). Additionally, the increased exposure to child abuse early in life increases the likelihood that women will experience physical and sexual IPV from a partner, which in some cases would be the father of their children (Barrios et al. 2015). This creates a vicious cycle, wherein Indigenous children encounter abuse and neglect, and then are more likely to enact that same abuse on their children or have significant others who enact this behavior.

While the law has serious flaws, the ICWA is still a benefit that comes with federal recognition, providing tribal nations the opportunity to keep Indigenous children within

Indigenous families. This provides the potential to help preserve the culture and makeup of Indigenous families, while allowing tribal nations to have determination over whether the child is eligible for membership. These are all important, in addition to the ICWA's efforts to reverse years of forced removal under boarding schools and Adoption Project policies.

### *The Tribal Law and Order Act of 2010*

In 2010, the federal government attempted to curb issues of gang violence and domestic violence occurring within Indian Country with the passage of the Tribal Law and Order Act (TLOA) (Hart 2010). Overall, the purpose of the act was to extend tribal authority and policing efforts, improve communication between tribal authorities and those of the federal, state, and local agencies, and to improve data collection and the sharing of data across agencies (Robertson 2016). Additionally, it allowed tribal courts to sentence criminal offenders up to three years in prison (Hart 2010) and \$15,000 in fines (Robertson 2016). The end goal was to reduce drug trafficking, rates of substance addiction, and violent crime, specifically intimate partner violence (IPV) and sexual violence in Indian Country.

While the act attempts to address the violence experienced in Indian Country, particularly violence experienced by Indigenous women, it fails to address or combat violence against Indigenous people generally who are not enrolled in federally recognized nations, state-recognized or terminated nations, or those not defined Indigenous by the government (Robertson 2016). Only enrolled members of federally recognized nations benefit from the TLOA, while the federal government absolves itself of responsibility for violence in Indian Country and perpetrated against Indigenous women.

Additionally, the provisions of the TLOA expands the power of the federal government to address violence against Indigenous women, without acknowledging their role in this violence existing in these communities in the first place (Robertson 2016). For example, the TLOA gives the federal government power to investigate and prosecute violence against Indigenous women. However, the TLOA only allows Indigenous nations jurisdiction over Indigenous offenders, disregarding that most perpetrators of violence against Indigenous women are White (Amnesty International 2007). In all, the TLOA requires Indigenous nations to “adopt the technologies of justice that are carbon copies of the settler state model, despite the fact that settler state technologies of justice have employed criminalization and incarceration as logics of elimination aimed at Native peoples since contact” (Robertson 2016: 18). Accordingly, Robertson (2016) asserts that the TLOA is a benefit more to the federal government than it is to Indigenous nations.

*Other Individual Protections under Office of Indian Services, Division of Human Services*

Further protective services are available to federally recognized Indigenous people within the Office of Indian Services, Division of Human Services. Those protections include further protections for children and adults, financial assistance, housing improvement plans, the Individuals Indian Money Accounts Program, and welfare assistance. For example, Indigenous adults are eligible for Adult Protective Services (APS) if they “meet the definition of an Indian” and are over 55 or over 18 with a disability (Bureau of Indian Affairs 2013). Overall, APS is a social services branch of the Office of Human Services that provides basic protections for children, disabled adults, and the elderly. Essentially, Indigenous elderly or dis(abled) adults receive services under the APS when they need supervision from able adults, face neglect, abuse,

or exploitation, require services for a mental or physical disability, or are under supervision for their use of funds in the Individuals Indian Money Accounts Program (Bureau of Indian Affairs 2013). APS investigates allegations of abuse, recommends treatment if seeking alternative resources, and works to place adults in need based on community and agency recommendations.

Members of federally recognized nations are eligible for financial assistance if they do not qualify for Temporary Assistance for Needy Families (TANF) or have already received the allotted lifetime funding. In all, there are five types of assistance provided directly to members of federally recognized nations. The rules, however, are intense and invasive as they require proving indigent status and/or the inability to qualify for any other federal, state, tribal, county, or local services. These include general assistance to purchase clothes, food, shelter, and utilities; financial assistance for Indigenous children in foster or tribal group homes or special facilities and for disabled adults; burial assistance; and, emergency assistance in cases of personal property damage from a natural disaster or fire. In addition, the Bureau of Indian Affairs offers the members of federally recognized nations and Alaska Natives funds to repair substandard homes that threaten the health or safety of occupants or do not meet building code regulations. In order to be eligible, applicants must prove that they do not make more than 150 percent of the declared poverty guidelines, have not received any kind of mortgage or housing assistance since 1986, and “live in an approved tribal service area.” Overall, these benefits have the potential to help Indigenous women and mothers who continue to suffer from violence and economic deprivation at extreme levels.

### *Individuals Indian Money (IIM) Accounts*

Members of federally recognized nations are also eligible for the Individuals Indian Money (IIM) Accounts. IIM Accounts emerged with the passage of the Dawes Act for managing the assets from the selling or leasing of allotments, in addition to revenues accumulated from the sale of natural resources. The federal government managed these trust accounts, which were to benefit individual Indigenous people (Bowman 2003). Under the Indian Self-Determination and Education Assistance Act of 1975, tribal nations can contract with the Bureau of Indian Affairs to oversee the trust accounts of Indigenous nations and individual members. The BIA may only relinquish control of the trusts once they help the nation or individual member manage the account themselves, and the BIA determines that the individual or tribe can meet their fiduciary obligations (Bowman 2003).

In the 1990s, the federal government enacted reforms on the stipulations of IIMs, specifically with the Indian Trust Fund Management Reform Act of 1994 in response to the mismanagement by the BIA and Department of Interior (Bowman 2003). The 1994 Reform Act attempted to give more control over trusts to the Indigenous nations, allowing them to withdraw and deposit funds to the Trust program as necessary.

### *Division of Self-Determination Services*

The Indian Self-Determination and Education Assistance Act of 1975 (ISDEAA) created the Division of Indian Self-Determination that is responsible for helping federally recognized nations exercise self-determination by providing training, technical assistance, and promote participation in federal programs provided for these nations. In all, the division oversees the



promotion of self-sufficiency of nations over programs and services administered by the federal government (Strommer and Osborne 2014).

### *Transportation*

The BIA is responsible for maintaining BIA affiliated roads as part of the National Tribal Transportation Facility Inventory (NTTFI). The NTTFI includes about 161,000 miles of road, and BIA roads encompass about 31,500 of those miles (Office of Federal Lands Highway 2018). However, “Road maintenance for the BIA is defined as the preservation of the roadway template and related structures in the as-built condition. It does not include new construction, improvement, or reconstruction as an eligible activity” (Office of Indian Affairs n.d.). Consequently, 83 percent of the BIA roads are classified as being in unacceptable conditions.

Federally recognized nations are eligible for funding to improve BIA roads, in addition to other roads surrounding their communities. Under the Tribal Transportation Program (TTP), federally recognized nations are eligible for federal funds for planning, design, construction, and maintenance activities in transportation and infrastructure (Office of Federal Lands Highway 2018). Established under the Surface Transportation Assistance Act of 1982, the program is overseen by the Division of Transportation within the BIA (DOTBIA) and the Federal Highway Administration (FHWA). In fiscal year 2016, the TTP received \$465 million in funding, with \$10 million annual increases scheduled through 2020. All but 5 percent of the funding is “made available to nations either as tribal shares or as special set-aside funding to address transportation planning, and safety and bridge projects and activities” (Office of Federal Lands Highway 2018: 1). In all, “contributing to the health and safety and economic development of Native American communities” (Office of Federal Lands Highway 2018: 1) is the purpose of the TTP.

The Office of Federal Lands Highway (FLH) outlines numerous activities in which federally recognized nations can use TTP funds, including to evaluate accident prone areas and initiate engineering support studies, environmental assessments, lighting, bridge inspections, Americans with Disabilities Act improvements, trails and routes, and other activities (Office of Federal Lands Highway 2018). These funds are important, as Indigenous people suffer from the highest rate of motor vehicle death in the United States. Some state rates are four times that of the general population rate and two times the general Indigenous population rate (Pollack et al. 2011). Overall, motor vehicle deaths are the leading cause of unintentional death for Indigenous people, with rates eight times higher than for Whites (Centers for Disease Control and Prevention n.d.).

Unrecognized nations must rely on federal, state, and local officials for transportation needs that federally recognized nations are eligible for under the TTP. This is important to consider, particularly when looking at the rates of unintentional motor-vehicle death. For example, in North Carolina, the unintentional motor vehicle rate for Indigenous people (37.7 per 100,000) is more than double the state rate (17.6) (North Carolina Department of Health and Human Services 2011). The unrecognized groups must rely on officials outside the tribe, which historically have neglected their needs.

### *Tribal Government*

The Office of Indian Services also provides federally recognized nations access to the Division of Tribal Government Services. The Office is responsible for making federally recognized nations aware of the responsibilities of the tribal government, while providing the

necessary resources to develop and maintain it. Specifically, the Division focuses on fostering economies and quality programing within federally recognized communities.

Federally recognized nations can use funds from the Division of Tribal Government Services for the preparation and maintenance of membership rolls for election purposes, liquor licenses and ordinances, tribal resolution revisions, and Certificate of Degree of Indian Blood (CDIB) forms research. The BIA's CDIB form provides members of federally recognized nations documentation of the existence of the relevant blood quantum or tribal membership as proof that they are tribal members (Thornton 1997). Essentially, the form is verification that tribal members meet the BIA or tribal definition of "Indianness," and are eligible for services from the federal government (Horse 2005).

The Division provides services for federally recognized nations in three areas: tribal enrollment, tribal relations, and tribal claims. The tribal enrollment program helps process membership appeals, update and develop tribal enrollment policies, delegate funds to tribal descendants and from court judgments, processes CDIB applications, appeals of an individual's blood quantum, issues tribal enrollment cards, and issues fishing licenses. The tribal relations area assists in developing and reviewing new and amended constitutions, maintains a directory of tribal leaders that serves to authorize other federal agencies in providing the nations funding, analyzes and reviews legislation affecting Indigenous nations and programs provided by the Bureau, and monitor tribal government programs and Aid-To-Tribal Government contracts. The tribal claims area aids in negotiations between Congress and Tribal Governments for the distribution of funds awarded in Indian Claims Commission courts.

### *Workforce Development*

The Indian Employment, Training, and Related Services Act created the 477 program, also known as the Demonstration Project. The Act allows federally recognized nations the opportunity to expand employment and training programs, to consolidate federal funds received from multiple grants related to workforce development to one plan and requires the submission of only one budget and one report, releasing some of the bureaucratic burden on the nations (Indian Country Today Staff 2016, July 16). The purposes of these plans are for “economic development, job training, welfare-to-work and tribal work experience, higher education, skill development, facilitation of employment, assisting Indian youth and adults to succeed in the workforce, and encouraging self-sufficiency” (Indian Country Today Staff 2016, July 16: 6). Overall, Indigenous nations can apply for more resources related to workforce development, while not having to account for the usual bureaucratic processes that come with applying and managing those funding opportunities.

### *Repatriation Acts*

Throughout history, colonist invaders collected the remains and cultural objects from the bodies of Indigenous people at gravesites (Daehnke and Lonetree 2011). Most famously, before winning the presidency, Thomas Jefferson excavated an Indigenous gravesite close to his home in order to evaluate Indigenous burial rituals without the permission of the tribe (Riding In 2002). These excavations increased in the 19<sup>th</sup> century with the rise of physical and cultural anthropology, leading up to the Antiquities Act of 1906, which gave rights to Indigenous cultural items to anthropologists and the federal government (Daehnke and Lonetree 2011). This changed

during the American Indian Movement (AIM) of the 1960s, as activists targeted museums and federal agencies housing Indigenous remains and artifacts.

Cheyenne leader William Tallbull discovered that the Smithsonian Museum of Natural History housed remains of approximately 18,500 Indigenous people (Daehnke and Lonetree 2011). This discovery led to the passage of the National Museum of the American Indian Act (NMAIA) in 1989, the first repatriation act for Indigenous people in the United States. This act required all Smithsonian museums to return any culturally affiliated items or remains to the Indigenous nations that they belonged. This act also established The National Museum of the American Indian (NMAI), an international museum of Indigenous people and culture in Washington, D.C.

The NMAIA serves as a benefit to federally recognized Indigenous nations because the act required the Smithsonian to conduct inventory on all remains and cultural objects affiliated with federally recognized nations. The NMAIA sent out a list of those objects inventoried in 1993, yet unrecognized nations are ineligible to file a request seeking repatriation (National Museum of the American Indian n.d.). Therefore, unrecognized nations, based on their classification as unrecognized, are unable to regain cultural artifacts and ancestor remains that the federal government keeps in their custody.

The federal government passed another repatriation act in 1990; the Native American Graves Protection and Repatriation Act (NAGPRA). NAGPRA required institutions receiving federal funding to take inventory of and repatriate human remains and cultural objects associated with Indigenous nations (Bruning 2006). Importantly, NAGPRA did not prioritize one type of evidence over another, eliminating the previous legislation requiring scientific proof. In fact, NAGPRA equally prioritized tribal oral traditions and histories with archaeological and

anthropological evidence (Daehnke and Lonetree 2011). However, NAGPRA only requires that federally funded institutions cooperate with federally recognized nations, though museums and federal agencies can individually work with federally unrecognized nations to repatriate cultural items and human remains (National Park Service n.d.).

### *The Indian Arts and Crafts Act of 1990*

During the late 1980s, as interest in Indian arts and crafts grew, the Indigenous arts and crafts market generated annually approximately \$1 billion escalating both competition and fraud (Barker 2003). In response, the federal government passed the Indian Arts and Crafts Act of 1990 (IACA), intended to protect Indigenous crafts makers and consumers from fraud (Barker 2003). The IACA was an extension of an act by the same name from 1935. That act punished those fraudulently advertising their art as Indian-made with up to six months imprisonment and a potential \$500 fine (Robertson 2016). The IACA of 1990 upped these individual punishments to \$250,000 and/or five years in prison, and up to \$1 million for businesses.

The IACA defines those in violation of the law as people advertising their products as Indian-made, but who are not enrolled in federally recognized (Robertson 2016) or state-recognized nations (United States Department of Interior n.d.). This is an important distinction, as this not only excludes members of unrecognized nations from advertising and selling their arts and crafts as Indian-made, but also those who are unable to successfully follow enrollment criteria, lack proper documentation for enrollment, or who choose not to enroll in their tribe at all (Barker 2003). This leaves the only beneficiary to labeling art as Indian-made to those actively enrolled in a federally recognized or state-recognized tribe.

Congress amended the IACA in 2010, attaching it to the Tribal Law and Order Act of 2010 (Robertson 2016). Renamed the Indian Arts and Crafts Amendment Act (IACAA) of 2010, it required all federal law enforcement officers to investigate fraudulent Indian art. The punishments for multiple violations of falsely advertising arts and crafts as Indian-made increased to up to 15 years imprisonment with a possible fine, whereas businesses face up to a \$5 million fine (United States Department of Interior 2010).

### *Office of Justice Services*

Federally recognized nations have access to the resources and funds of the Bureau of Indian Affairs, Office of Justice Services (BIA-OJS). These services are the key resources for federally recognized nations and their justice system that include corrections, drug enforcement, highway safety, emergency management, internal affairs, and victim assistance. The job of the BIA-OJS is to manage these law enforcement divisions and other associated programs.

The BIA-OJS has four divisions similar to the breakdown of the American criminal legal system. The Division of Corrections oversees 90 correctional facilities on Indigenous territories, staffing and operating approximately a quarter of these. The Division of Drug Enforcement serves to enforce drug laws in partnership with the Drug Enforcement Administration, the Federal Bureau of Investigation, and other federal drug agencies. The Division of Highway Safety receives funding from the Department of Transportation that assists federally recognized nations with road safety projects on Indigenous territories. Finally, the Emergency Management Division oversees BIA activities related to natural disaster preparation, response, and recovery, while representing Indigenous nations and the BIA in interagency disaster preparedness, response, and recovery activities.

The BIA-OJS also oversees the United States Indian Police Academy and has a victim assistance coordinator. The U.S. Indian Police Academy in Artesia, New Mexico trains police officers, investigators, prison officers, tribal court staff, and telecommunication equipment operators. While the BIA-OJS website lists a victim assistance coordinator, it is unclear what their role is. The website provides all the reasons why victim assistance - especially in Indigenous communities - is important but does not list the specific ways in which the BIA-OJS helps in this realm.

Finally, the BIA-OJS also provides services to assist tribal courts and Court of Indian Offenses with guidance, training, and oversight. Specifically, the Tribal Justice Support (TJS) Directorate provides funding to Indigenous courts and works to ensure that the courts are meeting the local needs of the Indigenous nations. In addition, it offers Indigenous nations guidance in recognizing any issues or problems with the court, and in developing strategies to correct and improve the courts. The TJS Directorate also promotes collaboration and communication between tribal courts and other federal and state judicial systems.

#### *Office of Trust Services<sup>10</sup>*

The Office of Trust Services manages the land trust responsibilities they have to federally recognized nations and their members. The Office helps oversee and manage restricted lands, protect trusts, and manage all activities related to the natural resources on Indigenous land. There are six divisions within the Office of Trust Services: The Division of Real Estate Services, the Division of Land Titles and Records, the Division of Probate, the Division of Natural Resources, the Division of Forestry and Wildland Fire Management, and the Division of Water and Power.

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<sup>10</sup> Some of the potential benefits of federal recognition were found at the following websites: <https://www.bia.gov/bia/ois> and <https://www.bia.gov/bia/ots>.



The Office of Trust Services and its divisions help protect, manage, and conserve the lands and natural resources of federally recognized nations.

### *Bureau of Indian Education*

The Bureau of Indian Education (BIE) oversees and funds 183 schools in 23 states. The BIE has exclusive control over 53 of these schools, while Indigenous nations have control over the other 150 schools. The BIE provides funds to hire local teachers and staff and aids the local Indian school boards. Research has shown that Indigenous children who attend these schools are more likely to retain some of the cultural tradition and knowledge compared to Indigenous students who attend public schools (Meza 2015). Therefore, these schools are important for the future of tribal sovereignty and the maintenance of tribal language and culture, as they provide tribe-specific education.

## OVERVIEW OF UNRECOGNIZED NORTH CAROLINA AND VIRGINIA INDIGENOUS NATIONS

This research focuses on unrecognized nations within North Carolina and Virginia. There are seven state-recognized nations in North Carolina. The other Indigenous nations include the Coharie Intra-Tribal Council, the Haliwa-Saponi Indian Tribe, the Meherrin Nation, The Occaneechi Band of the Saponi Nation, the Sappony, and the Waccamaw-Siouan Tribe (National Conference of State Legislatures 2016). Another Indigenous nation, the Tuscarora (Maynor Lowery 2013), are completely unacknowledged by both state and federal institutions.

Virginia had ten state-recognized nations, until President Trump signed into law a bill granting six of these nations federal recognition in 2018 (Portnoy 2018, Jan. 30). These included the Cheroenhaka (Nottoway), the Chickahominy Tribe, the Eastern Chickahominy Tribe, the

Mattaponi, the Monacan Nation, the Nansemond, the Nottoway of Virginia, the Pattawomeck, the Rappahannock, and the Upper Mattaponi (National Conference of State Legislatures 2016). Prior to the most recent nations receiving federal recognition, the Pamunkey Tribe, formerly a state-recognized tribe, won federal recognition from the Obama administration's Bureau of Indian Affairs in July 2015 (Heim 2016, Feb. 1). They won federal recognition despite a challenge from Stand Up for California, a nonprofit group in opposition of tribal gaming, and MGM, who own a Casino in Maryland. At the time of MGM's opposition, the Pamunkey had not disclosed publicly their intentions to pursue a casino, but, based on the social construction of the "rich Indian" (Corntassel and Witmer 2008) MGM assumed this as part of the Pamunkey's priorities after gaining federal recognition.

### *Robeson County Indians' Struggles for Federal Recognition*

With the passage of the Indian Reorganization Act in 1934, Indians in Robeson County, North Carolina hoped to receive recognition. However, the BIA forced the Robeson County Indians to prove their Indianness through methods of anthropometry. For proof, the Robeson County Indians asked the BIA to test 200 members to qualify for benefits under the IRA (Maynor Lowery 2013). The BIA sent Carl Seltzer, a physical anthropologist from Harvard to test them using anthropometry. Here is what followed:

Seltzer asked each person to stand on an exhibit platform while he inspected the individual with tape measures, rulers, calipers, and other instruments. For example, Seltzer measured the cephalic index (the ratio of head length to head width), which anthropometrists considered the key marker of racial ancestry. He also scratched a participant's skin along the breastbone, looking for the color left behind. A red mark was a sign of predominantly 'Indian blood.' According to Indian oral tradition, Seltzer also conducted a 'pencil test.' He stuck a pencil in the subject's hair; if it fell out, the person had 'Indian' hair. If the pencil stayed, the subject had 'Negroid' hair (Maynor Lowery 2013: 66-67).

Twenty-two out of the two hundred Lumbee Indian people passed the above test. The Secretary of Interior, John Collier, approved these individuals for some of the funding authorized under the IRA (Maynor Lowery 2013). However, their descendants would not be eligible for these opportunities, nor would the twenty-two be able to organize themselves into a tribe.

Later, the Lumbee Indians (a faction of the Robeson County Indians) pushed for federal recognition after receiving state recognition in North Carolina in 1953 (Wilkins 2002). Frank Carlyle, a Democratic Congressional representative in the House, introduced a bill in Congress providing federal recognition for the Lumbee Tribe (Wilkins 1993). On June 7<sup>th</sup>, 1956, Congress passed “An Act relating to the Lumbee Indians” which gave them federal recognition. However, since this was during the time of federal termination policies the bill contained the following clause: “nothing in this Act shall make such Indians eligible for any services performed by the United States for Indians because of their status as Indians, and none of the statutes of the United States which affect Indians because of their status as Indians shall be applicable to the Lumbee Indians” (Wilkins 1993: 136). Therefore, while the law acknowledged the Lumbee Indians as a separate tribal entity, the clause made them ineligible for federal services traditionally provided to federally recognized nations. As Maynor Lowery (2010: 245) states, “With this clause, Congress granted the Robeson County Indians federal recognition and terminated this recognition at the same time.”

The clause in the bill was unlike anything seen previously in federal Indian policies, according to testimony by Vine Deloria (Federal Recognition of the Lumbee Indian Tribe of North Carolina, 1988). Most importantly, Congress did not authorize the repeal of this clause when they repealed termination policies (Wilkins 2002). Therefore, the Lumbee Indians were unique in that they had congressional legislation providing them federal recognition, but without

the federal benefits that come with that designation. Additionally, the legislation's language and meaning was ambiguous, in that there was debate as to whether or not this constituted termination which eliminated the Lumbee's potential to apply for federal recognition under the Federal Acknowledgment Process (FAP) (Maynor Lowery 2018). It was not until December 2016 that the Lumbees were given clearance to apply for federal recognition through the FAP (Maynor Lowery 2018; Tompkins 2016).

### *Eugenics and the Administrative Annihilation of Indigenous People in Virginia*

The state of Virginia's relationship with Indigenous people has a clear legacy of eugenics and administrative elimination with the goals of stripping Indigenous peoples of their land and identity (Fiske 2004, Aug. 18; Gonzales, Kertesz, and Tayac 2007). For example, in 1866 Virginia used blood quantum, "an identity marker that was measured by ancestry and appearance" (Maynor Lowery 2013: 66) to define people's race. Indians were anyone who was "not a colored person" (that is, not at least one-fourth "Negro" blood) and who has at least one-fourth Indian blood (Estabrook and McDougale 1926). The definition evolved and an American Indian came to be defined as someone with any amount of Indian ancestry (Davis 1991).

In 1912, the state hired Walter Ashby Plecker to run the new Bureau of Vital Statistics, which oversaw the maintenance of birth, marriage, and death records (Fiske 2004, Aug. 18). Plecker ran the Bureau for thirty-four years, leading in the local eugenics effort to eradicate Indigenous people in the state. He worked with town clerks to ensure that they classified Indigenous people as colored (Gonzales, Kertesz, and Tayac 2007). Plecker was also instrumental in passing the Racial Integrity Act of 1924, which legislated the existence of two

racess: White or “colored” (Fiske 2004, Aug. 18). In addition, it outlawed interracial marriage and made lying about one’s race on registration forms punishable by up to one year in prison.

The consequences of this act for Indigenous people emerged later in their applications for federal recognition (Fiske 2004, Aug. 18). Plecker denied the existence of Virginia Indians to federal authorities, citing the records that labeled Indigenous people as “colored.” His legacy endures beyond death. The administrative erasure of Virginia Indians impedes those nations’ quest for federal acknowledgment, as those proceedings require “outside sources” that recognize their existence. Some Virginia Indigenous nations might not have that because of Plecker. In a letter he bragged, “Public records in the office of the Bureau of Vital Statistics, and in the State Library, indicate that there does not exist today a descendant of the Virginia ancestors claiming to be an Indian who is unmixed with negro blood” (Fiske 2004, Aug. 18). Consequently, only in the last five years have seven Indigenous tribal nations in Virginia been able to receive recognition, in part due to Plecker’s assault on Indigenous documentation in the state.

## SUMMARY

Alongside the violence and deprivation they encounter, Indigenous communities experience unique bureaucratic and administrative conflicts. Specifically, they continue to fight federal government interference in defining who they are and what makes them Indigenous. Historically, European invaders and their descendants used policy to erase Indigenous community identity, power, and land. The U.S. Supreme Court validated these policies in the early 1800s under the *Marshall Trilogy*, declaring that federal power overtakes the rights of Indigenous communities to run themselves (Koenig and Stein 2013). Meanwhile, Congress passed the Dawes Act in their quest to fully assimilate Indigenous people to colonial ideologies that were deeply patriarchal (Stremlau 2005).

In an alleged effort to right the wrong of land theft resulting from the Dawes Act, Congress passed the Indian Reorganization Act (IRA) of 1934, giving Indigenous people the power to self-govern (Maynor Lowery 2013). However, the law expanded federal power in designing criteria of what constitutes being Indigenous. Later, the federal government used this power to terminate the rights of over 100 Indigenous nations (Corntassel and Witmer 2008), while administratively encouraging (in essence, forcing) Indigenous people to relocate to urban areas where they lost their tribal language and affiliation (Thornton 1998). Congress returned to self-determination policies in the 1970s, allowing Indigenous nations to dictate their own affairs (Maynor Lowery 2018; Wilkins 2002) but in ways that further perpetuated the federal government's power and control over Indigenous identity because they retained control of the recognition process.

These varying definitions of recognition result in conflicts between the federal government, recognized, and unrecognized nations. Recognized and unrecognized nations fight amongst themselves and recognized nations question the Indianness of the unrecognized as they each seek to gain the scarce resources the federal government provides or can be attained, such as gaming rights, with recognition, (Miller 2004).

The benefits of recognition include the validation of Indigenous identity, independent sovereignty, protections under the Indian Child Welfare Act, the Indian Arts and Crafts Act, Repatriation Acts, and The Tribal Law and Order Act of 2010. There are also additional funds available for workforce development, justice and trust services, education, transportation, and government, and other individual protections and benefits.

Currently, there are approximately 11 Indigenous nations in Virginia and North Carolina that exist as state-recognized nations without federal recognition; others are unrecognized by

both the state and federal governments. These Indigenous nations also have unique stories and issues with recognition, particularly because of the congressional and state legislation, most notably related to the Eugenics movement and blood quantum. Important for this research is to explore how the parameters around, and absence of recognition impact Indigenous women who are members of these federally unrecognized nations, specifically their experiences with structural criminogenic conditions.

## CHAPTER IV

### THEORY AND METHODOLOGY

This chapter explains the theory and methodology for this study to gain insight into the research question: What are the lived realities of Indigenous women members of federally unrecognized nations, explicitly, their experiences with criminal victimization, the criminal legal system, homelessness, unemployment, racism, and other structural criminogenic conditions? Tribal Critical Race Theory (TCRT) serves as the theoretical framework for this study, as it argues that colonization is an organizing force in the lives of everyone, including Indigenous peoples. This chapter presents an extensive discussion of TCRT and details the interview methodology used to explore the research question. Twenty-one Indigenous women who are members of federally unrecognized nations participated in in-depth interviews. The chapter discusses the interview process, including sampling, pre-interview conversations, and the interview, reflexivity in terms of the differing racial and gender background between myself and the interviewees, and the ethics of interviewing Indigenous women.

#### TRIBAL CRITICAL RACE THEORY (TCRT)

Tribal Critical Race Theory (TCRT) is an adaptation of Critical Race Theory (CRT) which emerged first in legal studies (Brayboy 2005) before expanding to other disciplines (Solorzano, Ceja, and Yosso 2000), including sociology (Aguirre Jr. 2000) and criminology (Tauri and Porou 2014; Woolford 2013). Scholars using CRT seek to study “the various complex relationships and intersections that reside within race, class, and gender based differences” (Schneider 2004: 88). Further, some scholars used critical race feminist theory (CFRT) because they did not feel CRT scholars were properly addressing the gendered differences (Potter 2006a).



CFRT rejects the notion that there is one distinct lived experience for women. Instead, women's experiences differ across race and other present intersectionalities (Crenshaw 1994; Potter 2006a; Wing 1997).

TCRT is an important adaptation of CRT because, as Lumbee Indian scholar Bryan McKinley Jones Brayboy states, CRT "does not address American Indians' liminality as both legal/political and racialized beings or the experience of colonization" (Brayboy 2005: 428-29). Therefore, TCRT is a theoretical foundation better suited to properly investigate questions related to Indigenous communities. TCRT also differs from other adaptations of CRT such as Latin(x) CRT and Asian CRT which argues that racism is endemic in society (Brayboy 2005). Instead, TCRT denotes the importance of colonization in society, in addition to racism. The nine tenets of TCRT include:

- 1) Colonization is endemic to society.
- 2) U.S. Policies toward Indigenous peoples are rooted in imperialism, White supremacy, and a desire for material gain.
- 3) Indigenous peoples occupy a liminal space that accounts for both the political and racialized natures of our identities.
- 4) Indigenous peoples have a desire to obtain and forge tribal sovereignty, tribal autonomy, self-determination, and self-identification.
- 5) The concepts of culture, knowledge, and power take on new meaning when examined through an Indigenous lens.
- 6) Governmental policies and educational policies toward Indigenous peoples are intimately linked around the problematic goal of assimilation.
- 7) Tribal philosophies, beliefs, customs, traditions, and visions for the future are central to understanding the lived realities of Indigenous peoples, but they also illustrate the differences and adaptability among individuals and groups.
- 8) Stories are not separate from theory; they make up theory and are, therefore, real and legitimate sources of data and ways of being.
- 9) Theory and practice are connected in deep and explicit ways such that scholars must work towards social change. (Brayboy 2005: 429-30).

In the first tenet, colonization or colonialism refers to a culture of conquest (Dunbar-Ortiz 2014) that uses various forms of violence to control the land and goods of inhabited land (Loomba 2005). Colonizers control hierarchal structures and knowledge as seen in the United

States (Brayboy 2005). Overall, colonizers' methods evolved from militaristic and missionary ventures to more sophisticated measures including the control of knowledge and research (Alfred and Corntassel 2005). Academia, for example, devalues Indigenous methodologies because Western science favors myths of objectivity (Kovach 2010). Often, Indigenous ways of meaning and understanding the world were cast aside because of Western thinkers' ethnocentric beliefs about research (Battiste 2002). This is one of many ways in which colonialism seeks to eliminate Indigenous people "through the erasure of the histories and geographies that provide the foundation for Indigenous cultural identities and sense of self" (Alfred and Corntassel 2005: 598). Colonization's stranglehold on society is so tight that "even many American Indians fail to recognize that we are taking up colonialist ideas" (Brayboy 2005: 431).

The second tenet of TCRT states that the United States enacts policies against Indigenous people rooted in white supremacist, imperialist, and capitalist ideals. Specifically, colonists purposefully and methodically write policies that justify the taking of Indigenous land and resources, while also diminishing their presence and power through dehumanizing discourse (Brayboy 2005). Historically, colonists established ideologies that facilitated white supremacy and land theft for the purposes of attaining natural resources, such as Manifest Destiny. Today, federal recognition policies and designations insinuating differences between recognized and unrecognized Indigenous nations similarly serve to diminish the power of these nations.

TCRT's third tenet, refers to the unique relationship between Indigenous nations and people and the federal government. Specifically, mainstream/white/nontribal society relegates Indigenous people to their racial identity without consideration for their political and legal identity (Brayboy 2005). Indigenous people are different from other racial people, in that Indigenous nations often have political/legal relationships with the United States government

that impact individual members. Oftentimes however, society challenges or ignores this political/legal status of Indigenous nations, while emphatically emphasizing their racial identity.

The fourth tenet of TCRT indicates a commitment to ultimate tribal sovereignty (Brayboy 2005). Sovereignty occurs when Indigenous nations have autonomy, self-determination, and the ability to self-identify. Tribal autonomy refers to the Indigenous control over the land, its resources, and its boundaries, in addition to communicating with all nations as such. Currently, Indigenous nations are only allowed to have government-to-government relationships with the United States, and as seen with the Dakota Access and Atlantic Coast Pipelines among others, these nations do not have control over their land and resources regardless of federal recognition. Self-determination refers to the power of Indigenous nations to have the freedom over decisions surrounding autonomy while eliminating provisions where Indigenous nations must ask for permission from the federal government (Brayboy 2005). The theory rejects the guardian/ward relationship between Indigenous nations and the federal government established by federal policies. Finally, the theory calls for the ability of Indigenous nations to define who is Indigenous and what that means, rejecting notions put forth by the federal government such as federal recognition and the Indian Reorganization Act (Brayboy 2005).

The fifth tenet rejects western notions of culture, power, and knowledge, instead seeking to understand these concepts through Indigenous perspectives (Brayboy 2005). For example, “culture is simultaneously fluid or dynamic, and fixed or stable” (Brayboy 2005: 434). For TCRT, culture is directly linked to both land and ancestors, even while Indigenous people are constantly producing and reproducing it. Additionally, knowledge comes in many forms that are equally valued. This knowledge evolves over time in order to promote positive change (Brayboy 2005). TCRT addresses three types of knowledge; (1) cultural knowledge, (2) knowledge of

survival, and (3) academic knowledge (Brayboy 2005). Cultural knowledge refers to the traditions, customs, and meanings associated with being a member of a specific tribal nation. Knowledge of survival refers to the ability to recognize the needs for change and evolve for the progression of the individual and the Indigenous nation as a whole. Academic knowledge refers to the knowledge gained in school. These knowledge variations work together to create Indigenous forms of power. TCRT rejects western notions of power that allows individuals and groups to “exercise control over others” (Brayboy 2005: 435). Power and knowledge work together where power is the ability of a community to survive based on the knowledge gained that allows the community to evolve. In all, “culture is the base for knowledge that ultimately leads to power” (Brayboy 2005: 436).

The sixth tenet is that federal and state policies enacted “for” Indigenous people serve the goal of assimilating them into the western culture (Brayboy 2005). This exists in education where the integration of Indigenous students into American educational institutions is problematic, particularly these institutions’ fascination with “objectivity” and the devaluing of cultural knowledge. Specifically, the justification for this rejection is that American educational institutions in their quest to assimilate explicitly encourages replacing cultural knowledge with academic knowledge, instead of allowing these to work together (Brayboy 2005). Historically, government and education policies with goals to assimilate also include the Indian Removal Act, boarding schools, the Dawes Act, the Indian Reorganization Act, and Termination policies.

Tenet seven of TCRT “emphasizes the importance of tribal philosophies, beliefs, customs, traditions, and visions for the future; it honors the adaptability of groups and recognizes the differences within individuals and between people and groups” (Brayboy 2005: 437). TCRT’s priority is the Indigenous ways that often contradict western values like individualism.

Many tribal nations prioritize their community over individuals within the community, and this is important to consider when conducting research on Indigenous communities.

The eighth tenet rejects western academic ideology that research conducted via the scientific method is the only viable research (Brayboy 2005). Indigenous communities value storytelling, and TCRT values this oral tradition as viable data for research as well as theory. Overall, TCRT rejects the ideology of positivism in research, specifically that statistical data and research methods are more strenuous than data collected through stories.

The ninth and final tenet of TCRT involves activism. “Praxis involves researchers who utilize theory to make an active change in the situation and context being examined” (Brayboy 2005: 440). In all, TCRT believes that any research on Indigenous communities must benefit that community, in addition to avoiding the lumping together of different tribal nations. It is important that the research directs action within the community, particularly action that “moves us away from colonization and assimilation and towards a more real self-determination and tribal sovereignty” (Brayboy 2005: 440-41).

### *Settler Colonialism*

While there are many studies that utilize a settler colonial framework for examining the lived experiences of Indigenous people and nations (Arvin, Tuck, and Morrill 2013; Hoxie 2008), I choose to use TCRT in this study. Settler colonialism argues that invaders come to inhabited land for the purposes of exploiting the land for natural resources and other value (Wolfe 2006). In this process, the invaders seek to destroy the original inhabitants of the land either through killing or enslaving them to produce profit and wealth (Arvin, Tuck, and Morrill 2013). However, examining settler colonialism is problematic, particularly within the context of

examining recognition, as recognition demonstrates the ability of Indigenous people to resist what settler colonialism argues is the complete and inevitable destruction of the Indigenous population (Den Ouden and O'Brien 2013).

Notwithstanding, it is imperative to mention that TCRT incorporates parts of the settler colonial argument that are still valid. Indigenous people, while not inevitably destroyed (Arvin, Tuck, and Morrill 2013), have endured processes of slavery, erasure, invisibilization, and land theft for the purposes of profit, wealth, and imperialism (Campagna 2016; Lynch and Stretesky 2012; Maynor Lowery 2013; Monchalin 2016; Reséndez 2016). In fact, tenet two of TCRT cites the imperialistic, white supremacist roots of federal government policies toward Indigenous people (Brayboy 2005). However, the TCRT framework allows for discussions on how Indigenous people continue to resist these policies within their own communities, amplifying Indigenous storytelling that work towards social change and ultimate tribal sovereignty.

## MOTIVATION FOR DOING THIS RESEARCH

I, a White man, grew up in a community that bordered the Lumbee and Tuscarora communities, which led to my interactions with Indigenous people throughout various institutions, including school, church, and work. In high school, my English and U.S. History teachers assigned our class the book *Nowhere Else on Earth*, a historical romance novel based on the relationship between Lumbee Indian woman Rhoda Strong Lowry and Henry Berry Lowry, the Lumbee hero known for standing up to white supremacy in Robeson County, North Carolina (Evans 1995; Oakley 2006). Our class then went on a field trip to visit all of the sites referenced in the book. While I did not appreciate it as much at the time, this was my first, real exposure to the history of the Lumbee and Tuscarora people.

Growing up in Robeson County, I was also aware of the economic demographics in the area, as the county had some of the highest poverty, unemployment, and crime rates in the entire country. My middle-class upbringing mostly shielded me from these social problems, but the physical evidence of them was only a short drive away. Additionally, I was generally aware of the various stereotypes that Whites had of Lumbee Indian people, specifically the stereotype that they were not really Indians. In general, I was curious as to why this stereotype existed, but my primary schooling did not provide many answers.

I attended the University of North Carolina at Pembroke (UNCP), the school originally developed to train Indian teachers and located in the Lumbee community. With the encouragement of a friend, I began to take courses in the American Indian Studies minor at the school. It was here that I learned of the actual history of the United States and the fact that as a White person I am on land stolen from Indigenous people. Moreover, I was exposed to American Indian literature, the stereotypes of Indigenous people in film, and an overview of the social problems that Indigenous people encounter. My experience at UNCP, along with my upbringing in the surrounding community, led to my developing interests in Indigenous communities.

This research specifically was prompted by a genuine interest in the stereotype mentioned earlier, specifically that Lumbee Indians are “a mix of Black and White people,” and thus, “not real Indians.” Alongside this stereotype was the fact that Lumbee Indians were known by some within the community to be unrecognized by the federal government, providing additional “factual” basis for those promoting the “not real Indians” stereotype.

Since my introduction to sociological and criminological literature, I have come to further understand the social construction of race and the dominance of white supremacy as an ideology with various consequences for People of Color. Moreover, I have come to understand

that we cannot transform the world without recognizing people's humanity. One of the many ways white supremacy ideology otherizes Indigenous people and their humanity is through this process of federal recognition that encourages stereotypes of some Indigenous people as not really Indigenous.

Therefore, my overall motivation for this research is to critically interrogate the process of federal recognition through the narratives of Indigenous women who are members of federally unrecognized tribal nations. The reason for focusing on structural conditions such as contact with the criminal legal system, economic deprivation, unemployment, and racism is because of the disproportionate impact these conditions have on Indigenous people throughout the United States, no matter if they are members of a federally recognized or unrecognized nation. Critically interrogating colonialism's evolving definitions of Indigenous people that seek to eliminate and assimilate them through the narratives of Indigenous women who experience these conditions, will, I hope, encourage the recognition of the humanity of Indigenous people generally, and Indigenous women specifically. Moreover, I hope it will critically interrogate the current white supremacist, colonial structures that continue to harm Indigenous people and communities, so that transformations can continue to occur.

## THE INTERVIEW PROCESS

Interviewing is a process that includes preparation, the interview, transcription, and data analysis that take place over an extended period. For this study, preparation involved three large scale projects: (1) preparing the interview guide, (2) recruitment, and (3) the pre-interview conversations. In preparing the interview guide, I conducted a literature review on the different issues Indigenous women in encounter. This literature provided evidence of issues that Indigenous women experienced, particularly with economic deprivation, criminal victimization,



disproportionate contact with the criminal legal system, health disparities, PTSD, and other social/health problems. My goal was to form an interview guide that broadly addressed these issues, while also allowing me the flexibility to ask questions that responded to their answers. I also wanted to allow them the opportunity to offer their thoughts on what they think would improve their lives as women who are members of federally unrecognized nations, and as members of rural, often impoverished local communities. In constructing the interview guide, I sought input from people within the Indigenous community. While the guide was set, I did ask each narrator for additions after the interview to better capture an inductive process.

### *Sampling Procedures*

Having been born and raised in Robeson County, North Carolina, home to the Lumbee Tribe, the largest Indigenous tribe east of the Mississippi River (Bell et al. 2014), I grew up with Indigenous people navigating their identity as a member of a federally unrecognized tribe. I established contacts and friendships with Indigenous people while going to school, church, the gym, and working with Lumbee people. In addition, I graduated from the University of North Carolina at Pembroke, a university originally developed for the purposes of training Indigenous teachers in the late 1800s (University of North Carolina at Pembroke n.d.-b). Moreover, my minor was in American Indian Studies, and I continue to maintain relationships with my professors.

To see if women would talk to me, I utilized these contacts and reached out to friends, acquaintances, and former coworkers that I knew who were either Indigenous or worked at places where Indigenous people might receive services. Specifically, I asked if they knew of any Indigenous women who might be willing to share their life stories/histories with me. This

resulted in recommendations to contact legal aid offices and drop off flyers in various social service agencies.

At the local university, I emailed former professors and faculty who currently work or previously worked there for their guidance and visited the University and some of these professors in person to discuss my project. Specifically, the chair of the American Indian Studies department recommended leaving flyers in their office and to talk to the Administrative Assistant. This resulted in two undergraduate AIS majors becoming interviewees, and a relationship with a tribal chief of a state-recognized tribe in Virginia who provided tremendous support and guidance for my project, including recommendations of interviewees. Other faculty members announced the study to their classes and had flyers displayed on their office doors. Finally, I displayed flyers throughout campus, including the student center and classroom buildings.

Other relationships I explored for potential interviewees included my connection to police personnel through broader social networks. I reached out to police administrators for help in recruiting narrators and received a recommendation to contact one department's victim advocate, whose efforts helped recruit some narrators. During the initial period of data collection, I texted her every Monday to remind her about my study, per her request. She was gracious with her help.

The people I interviewed also helped recruit others. For example, two narrators brought additional people with them to the interview, while a third attempted to bring someone who could not come. One narrator provided her sister with my contact information to recommend her participation, while another gave my information to her mother.

Thus, my data collection via interviews of women members of federally unrecognized nations relied on snowball sampling. Snowball sampling is a nonprobability sampling mechanism, that involves seeking out individual members of a target population, or people who have access to the target population (Berg and Lune 2012). Whether they are narrators or people with access, the researcher asks them for referrals to individuals who are members of the target population. In this way, the researcher has the potential to expand the number of narrators from a few subjects to many subjects through snowballing. The interviews took approximately 1-3 hours. Narrators were compensated \$20 for the first interview and any other follow-up interview that occurred in the amount of \$10. I conducted follow-up interviews with two narrators.

#### *Pre-Interview Conversations*

When potential narrators contacted me over the phone, I first asked if they were a member of a federally unrecognized tribe. Upon verification, I was transparent about my background, biography, and motivation for doing this study. Specifically, I told potential narrators that I was a White man looking to understand the life histories of Indigenous women. I explained my status as a graduate student in criminology and criminal justice at Old Dominion University. If the potential narrator was from an area near my home, I mentioned my experience growing up in Robeson County, going to school and interacting with the Lumbee Tribe, and my degree at the University of North Carolina at Pembroke. I also explained my motivation for conducting the research, indicating my desire to do something that explored the racial dynamics of the county, the political dynamics of a federally unrecognized tribe like the Lumbee Indians, and my hope that the project would contribute to improved conditions for all federally unrecognized Indigenous people. I also discussed some of the topics so that they knew the extent

of the personal questions they would be asked. I then asked potential interviewees if they had any additional questions for me and stated that it was my intention to make them comfortable with me prior to meeting with them in person. We then worked to schedule a time and place to meet that was to their preference. Ten interviews were conducted at the narrator's home or the home of a friend, ten interviews were conducted at a public place, such as the library or the narrator's place of work. One interview was conducted over the phone.

The day before the scheduled interview, I called or texted narrators to confirm our meeting. On a couple of instances, we renegotiated times or places at the narrator's request. On the day of the interview, I called or texted interviewees approximately an hour before our scheduled meeting time to confirm and to see if the narrators needed anything before we met. I did these things as often the women shared with me during our phone call some of the hardships they faced in their lives, including children and/or obligations that were much higher priority than our interview.

During one phone call, the interviewee said that she would be bringing another Indigenous woman with her to participate in the study. Two interviewees in all brought another Indigenous woman who participated in the interview simultaneously, bouncing ideas and stories back and forth between them, generating great conversations and opportunities for teasing out events in their lives. In other cases, the interviewee brought additional people who were not formal contributors to the interview. In one case, the (14-year old) daughter of an interviewee was present, at the insistence and assurance of her mother. Her young daughter spontaneously contributed to the conversation throughout the two-hour interview. In another case, a woman's husband came home in the middle of our interview. I asked her if it was okay to continue the

interview before he walked into the room, and she assured me that it was okay. Like in the earlier case, the husband spontaneously contributed to the conversation throughout.

Upon arriving at the interview location, I introduced myself to any other people or pets who were present. We engaged in pre-interview conversations with the intention of gaining in-person rapport (Legard, Keegan, and Ward 2003), particularly so that interviewees were more comfortable answering the tough questions (Weiss 1995). This included asking questions regarding family pictures and commenting on décor, including fandom of sports teams. I reviewed how the interview process would proceed and allowed interviewees to look at my interview schedule in advance so that they were broadly aware of questions to be asked throughout the encounter. Finally, I assured narrators that they would not have to answer anything they did not want to talk about and that they could stop the interview at any time. Once they seemed comfortable with my presence, I asked them if they were ready to begin and asked permission to record the interaction. Once they agreed I set up my devices for recording and began the interview.

### *The Interview*

Semi-structured, in-depth interviews prioritize the stories and perspectives of the narrators. They allow interviewers to have access to the context in which narrators including their status and position within the social structure. Interviews also allow narrators, if they wish, to share stories from their lives that may be personal and emotional (Miller 1997).

I used the beginning of the interview to ask interviewees about basic demographic information, as it eases narrators into the interview process, while asking them later also interrupts the flow of the interview (Legard, Keegan, and Ward 2003). Questions included age,

tribal membership, gender, preferred gender pronouns, sexual orientation, and the name they recommend for using when writing the results. Sometimes, interviewees' responses warrant a follow-up question, which I go ahead and ask in the moment, so not to lose the question or forget to later.

Next, I asked questions that reflected the research themes of my interview guide (Legard, Keegan, and Ward 2003), as well as themes or follow-up questions that emerged in the flow of the interview. In most cases, we discussed a variety of topics, some of which are beyond the scope of my research. However, it was important to allow the interviewee to dictate the direction of the conversation to establish rapport. This, along with effectively establishing in-person rapport were important for the interview, particularly when it was time for me to ask the tough, most personal questions (Weiss 1995).

Finally, in closing the interview, I gave an indication in one of my questions that the end was near (Legard, Keegan, and Ward 2003). Specifically, I asked them about the interview process, if there was anything else they wanted to discuss, why they chose to participate, and if there were some questions they wanted me to ask of themselves and future narrators. We ended the interview and I thanked the interviewee for their time and willingness to share their deeply personal stories with me.

Once I turned the recorder off, I engaged the interviewee in a conversation to help the narrator transition out of the interview, thanked them for their participation, indicated the importance of their participation, and ensured the maintenance of confidentiality (Legard, Keegan, and Ward 2003). Additionally, I provided the interviewees with their compensation and asked for their permission to contact them if a need arises to interview them again. Finally, I

discussed any concerns they may have about the process or stay and chat longer when their body language indicates that interest.

## ETHICAL CONCERNS

In addition, stigmatized identities and activities may form a key aspect of the lived realities of Indigenous women who are members of federally unrecognized nations. Few people wish to share experiences stigmatized by others. In addition to being Indigenous with all of the attendant difficult social realities, their status as “unrecognized” may be experienced as a stigma. It is also possible that narrators may engage in stigmatized or even criminalized activities. To protect narrators, I emphasized that they need share only the information they wished. I also took the role of an ‘acceptable incompetent’ (Lofland and Lofland 1984) and modeled non-judgmental behavior, body language, and demeanor (Miller 1997).

It is also important to note that the Indigenous women interviewees were likely to treat our conversation differently due to my status as a White male researcher than they would were the interviewer an Indigenous person. My status as a White male influenced the relationship that I had with interviewees, as I am unable to experience life as a member of an unrecognized Indigenous tribe or life as a woman. It was vital that I was upfront about this relationship. I was forthright with the women about the issues we were about to explore when they first contacted me. I began the interview with questions that sought to gain a rapport with narrators, and my most serious, personal questions were presented after considerable time building rapport, unless a narrator’s answer voluntarily led itself to an earlier discussion of these personal issues. The conversation’s direction was somewhat dependent on the narrator.

Further, it is important to note that my status as a White, male researcher may have impacted the responses in ways known and unknown. While this is a limitation of my research, it

is difficult if not impossible to know the exact extent to which this occurs. However, I was committed to being authentically present, listening, showing empathy, and allowing the interviewee to guide the direction of the interaction as much as possible. I recognize that my status as a White male influenced the research findings.

There are also some concerns as to how much information Indigenous women who face marginalization due to their gender, their race, and their identity as a member of a federally unrecognized Indigenous tribe chose to reveal. The most important concern to address is the abuses and negligence of scientists against Indigenous communities. In addition to the exploitation they face from the federal government, Indigenous communities have been exploited by scientists acting either as agents of the federal government or the university (Pacheco et al. 2013). Some researchers neglected to conceal the identity of a tribe at their request, while others alienated tribal members and perpetuated stereotypes of Indigenous communities (Davis and Reid 1999). This exploitation and violations of trust and privacy impairs the relationship between researchers and Indigenous people, and their hesitation in participation is warranted.

Often, the research serves only to benefit the researcher in their academic career, and does not improve the conditions of the people they sought to study (Smith 2013). Therefore, it was important to have culturally sensitive approaches to research involving any community and was critical that I conduct this research of Indigenous communities with these culturally sensitive approaches. Smith (1989) discusses the importance of seeking out the Indigenous nations for consultation on the projects, along with obtaining consent for the project and including researchers who are members of the community into one's research. Also, Smith (1992) argues that non-Indigenous researchers should ask for assistance within the community they wish to



research and empower members of the community to ask the questions they would like answered.

My goal was to follow the guidelines and observations presented by Indigenous scholars (Smith 1992; Smith 1989; 2013), the narrators themselves, and other members of the federally unrecognized Indigenous community. I also asked each narrator their opinions on the questions, the process, and what other questions might contribute to the study. Finally, I reached out to members of Indigenous nations within my sample for their advice on the interview guide. I contacted the Chief of one tribe and have been in regular communication with her about my project. At my request, she reviewed the interview guide, commented that it “looked good,” and did not suggest any changes.

With respect to gender, research differs as to whether women are more likely to respond to male or female interviewers. Some research finds that male interviewers elicit more conventional, formal, or what women feel is “the expected” responses from women interviewees (Benney, Riesman, and Star 1956; Hyman 1954). Evidence also shows that male interviewers receive fewer responses to sensitive questions from women interviewees (Benney, Riesman, and Star 1956), though they are more likely to elicit feminist attitudes (Landis, Sullivan, and Sheley 1973). Although they caution that men who are members of the powerful groups in society face boundaries in gaining rapport with women members of marginalized communities, Williams and Heikes (1993: 289) argued that “the gender of the interviewer is not an insurmountable barrier to establishing rapport and achieving reliable results in in-depth interviewing.”

Research has also questioned the structure and techniques of doing interviews. For example, Finch (1984) and Oakley (1981) argue that the very idea of the interviewer’s objectivity is impersonal at best, masculinist at worst. The emotional detachment of the

interviewer from the interviewee is problematic for Oakley (1981), as she believes that the shared experiences of women will elicit the most thoughtful exchanges in interviews. However, research also indicates that female-to-female interview proceedings are not best when crossing racial or ethnic lines. Edwards (1990) emphasized that when crossing ethnic lines, it is important for the interviewer to acknowledge their varying structural locations and that these differences are judgment-free. Therefore, rapport is important and even though women interviewing women may create a more conducive environment for the discussion of a woman's most personal life, thoughtful men still may effectively interview women (Finch 1984).

Currie and MacLean (1997) found that female interviewees were more likely to disclose sexual assault and wife assault to male than female interviewers. Approximately two-thirds of the women disclosed sexual assault to male interviewers and 60 percent of women disclosed wife assault to male interviewers. Moreover, they were more likely to respond when directly asked about these events. The research revealed that face-to-face interviews are important for disclosing personal, violent victimization experiences in a woman's life. In addition, those who argue that women interviewers are the best interviewers conflate sex and gender, believing that women are naturally better, more empathetic listeners, while men are "aggressive, controlling, and unable to empathize with the suffering of others" (Currie and MacLean 1997: 177). Though women certainly are socialized to be better listeners and display more empathy, men are also able to display these qualities. Finally, when interviewing women who internalize patriarchal norms, "an abused woman may relive feelings about her abuse that include anger, depression, and guilt, and may experience the interview as testifying to her failure as a 'good woman'" (Currie and MacLean 1997: 177). Women may not be as willing to disclose these encounters

with other women if they feel they have been unsuccessful in following in the path of their internalized patriarchal logics.

Moreover, I am a man talking to women about their experiences with crime, which sometimes included intimate partner violence or other violent incidences with family. It was important that if narrators began to discuss and condemn their partners, particularly when the partners were men, that I did not support their condemnation, but simply showed sympathy (Blackman 2007). Supporting the condemnation of a partner might have offended the narrator as it referenced partners or families in negative ways. However, I did feel helpless at times as I am not in a position to provide Indigenous women advice (Blackman 2007). Most important was that I was sympathetic to their experiences without expressing masculine aggressiveness towards the people they described inflicting harm on them. As previous research shows (Blackman 2007; Gilbert 2001; Wincup 2001), interviews sometimes serve a therapeutic purpose for narrators, which some interviewees expressed to me during and after the interview.

### *Reciprocity*

Without the participation of those who were interviewed and the various contacts I utilized this research would not be possible. Therefore, it is important that after the completion of the writing of the dissertation that I seek to give back to the various communities and people that welcomed me into their homes and land. Reciprocity includes disseminating the research throughout the community (Kovach 2010), which I will do through the various contacts I have developed, along with sending the dissertation and other articles to narrators who requested it. Moreover, reciprocity also includes developing and maintaining relationships with Indigenous communities throughout the process of the research. Giving back to Indigenous communities is

another expectation of reciprocity when it comes to conducting research in this area (Kovach 2010). I will reach out to various Indigenous organizations about the research, and the various ways I can give back to different communities of people I interviewed or will live among and near in my move to Washington state. Giving back to Indigenous communities is another expectation of reciprocity when it comes to conducting research in this area.

### *Protecting Confidentiality of Narrators*

The Human Subjects Review committee of the Old Dominion University College of Arts and Letters approved this project for exempt review. My research conforms to the standards of the University Institutional Review Board guidelines, in addition to Virginia and United States legislation that protects human subjects from harm. I familiarize interviewees with the study's purpose in pre-interview conversations and immediately prior to the interview beginning, in addition to informing them of their rights as respondents to voluntary participation and to leave the study at any time during or after the interview without any consequences to the relationship to me. I also inform interviewees that their names and answers are confidential and ask them to provide a name that is untraceable to them and their story. Moreover, any names they mentioned were changed or substituted in writing the results. The interviews were recorded on multiple devices to ensure that the entire interaction was captured on a recording device with quality audio. Once transcribed, the interviews were deleted from all devices. The transcripts were saved to a password protected computer.

### *Overview of the Interviews*

For this study, I interviewed 21 women, 20 were members of a current federally unrecognized tribal nations and one grew up in a nation that only recently was recognized. The federally unrecognized tribal nations represented included the Lumbee Nation, the Tuscarora, and the Coharie. The one narrator who was a member of a federally recognized tribe, Clara, was a member of the Pamunkey Tribe. She was included in this study because the Pamunkey Tribe only received recognition in 2016. Therefore, Clara had been a member of a federally unrecognized tribal nation for the overwhelming majority of her life thus far.

These interviews took place from January 2017 to September 2018. Narrators in this study ranged in age from 19 to 92 years-old, with an approximate mean age of 48 years-old. Combined interview times ranged from 46 minutes to 4 hours and 10 minutes. The longest interview was a combined interview over two different days with Rhiannon and Stevie simultaneously. The longest interview in one day was 2 hours and 55 minutes.

### *Analytical Method*

Qualitative interviews were conducted and transcribed from January 2017 to September 2018 and took place at the location of the narrator's choosing. Following transcription, I analyzed the data using thematic analyses (Braun and Clarke 2006). This method of coding is a six-step process. The first step involves familiarizing one's self with the data. I was familiar with the data since I was the one that collected the data, which allowed me to develop ideas of some major themes. However, to completely immerse myself in the data, I completed active repeated readings of interview transcripts, taking note of ideas and quotes for reference (Braun and Clarke 2006).

The next step involves generating initial codes that involve identifying interesting features of the transcripts (Braun and Clarke 2006). When reading through the transcripts I highlighted important stories or sections of the data, grouping similar codes together into potential patterns. Following this step is the search for themes and then reviewing those themes (Braun and Clarke 2006). Here, I sorted the initial codes into broader, significant themes and subthemes and then reviewed these themes to ensure that they actually were themes and that two listed themes did not merge together into one.

Phase five of thematic analyses involves defining and naming the themes (Braun and Clarke 2006). Here, I made sure to identify the most important aspects of the themes and how the data relates to the themes. This also involved simultaneously thinking about the research question and the stories that my data and themes tell. In addition, I identified the existence of subthemes. The last step of this thematic analysis involves writing the report based on the coding.

## SUMMARY

This chapter outlined Tribal Critical Race Theory and the theory's application to Indigenous women who are members of federally unrecognized nations. Additionally, this chapter outlines motivation for doing the research, the interview and sampling process, and the reciprocity and analytical method utilized.

## CHAPTER V

“NO ONE GAVE THEM AN OPTION FOR SOMETHING BETTER”: HISTORICAL  
TRAUMA AND POSTCOLONIAL DISTRESS

This chapter uses the terms “historical trauma” and “postcolonial distress” within the framework of Tribal Critical Race Theory (TCRT) to contextualize the experiences of the Indigenous people who are members of federally unrecognized nations who participated in this study. For this chapter, it is important to remember the first tenet of TCRT, which is that “Colonization is endemic to society” (Brayboy 2005: 429). This means that colonization and its consequences are important for understanding the lived realities of everyone, but particularly Indigenous people. Through the process of colonization, colonizers introduced with various force, patriarchal and individualistic ideologies to Indigenous people (Medicine 1993), which led to the diminishing of more egalitarian, kinship-based Indigenous structures (Deer 2015; Foster 1995; Jaimes-Guerrero 2003; Maynor Lowery 2018; Smith 2005). Moreover, colonization is so persistent in society that Indigenous people have to some extent succumbed to the various colonial ideologies (Brayboy 2005). The legacy of colonization is vitally important in understanding the lived realities of Indigenous women, as it structures their experiences with historical trauma and postcolonial distress.

The following sections define the concepts of historical trauma and postcolonial distress and provide a brief overview of the literature that utilizes them. A discussion of the ways in which respondents indirectly and directly describe and connect their experiences and their family’s experiences with historical trauma and postcolonial distress then follows.

## HISTORICAL TRAUMA

The concept of historical trauma was originally used to describe the experiences of the Lakota people and compare them to Jewish people affected by the Holocaust (Brave Heart 1998; Brave Heart and DeBruyn 1998). This concept is meant to capture trauma that is cumulative across one's life and across the generations of Indigenous families and communities, is negatively impactful (Jervis et al. 2006), and involves the awareness of the atrocities that one's people encountered (Brave Heart 2000; Cromer et al. 2018), such as the Wounded Knee Massacre of Lakota people (Brave Heart 1999), and those discussed in Chapter 2. The awareness and knowledge of the atrocities that Indigenous people and communities have experienced from colonialism have been described as "a raw, unhealing wound" (Shirley Hill Witt, as cited by Poupart 2002: 154), "a wound to the soul" (Duran and Duran 1995: 27 as cited by Poupart, 2002; 154-55), and by Clara, a narrator in this research, as "a festering sore."

Additionally, historical unresolved grief is important for understanding historical trauma. Historical unresolved grief refers to colonial legacies of denying Indigenous people their inherent, human right to grieve using their traditional grieving practices (Brave Heart and DeBruyn 1998). Also, colonial society socially constructed stereotypes of Indigenous people "as being stoic and savage" (Brave Heart and DeBruyn 1998: 67) that promoted an image of them "as incapable of experiencing emotional responses to pain and suffering" (Poupart 2002). Moreover, colonialism's emphasis on the nuclear family delegitimized the grief Indigenous people experience "over the loss of ancestors and extended kin as well as animal relatives and traditional language, songs, and dances" (Brave Heart and DeBruyn 1998: 67). Consequently, "multigenerational unresolved grief" emerged where multiple generations were unable to grieve



using their traditional cultural practices for all of their losses, leaving their grief unresolved (Brave Heart and DeBruyn 1998: 67).

“[I]nternalized aggression, internalized oppression, and unresolved grief and trauma” (Brave Heart and DeBruyn 1998: 70) are some of the consequences of suffering historical and contemporary traumas, colonial society’s refusal to acknowledge the harms they have caused to Indigenous communities, and colonial society’s refusal to acknowledge Indigenous people and communities’ ability to grieve and traditional grieving practices (Brave Heart and DeBruyn 1998; Poupart 2002). The anger and aggression that result from the oppression of Indigenous communities is then turned inward, leading to various self-harm risks for Indigenous people or harms to others within their community, as this anger is often difficult to express upon the colonial culture and society (Brave Heart and DeBruyn 1998). Moreover, individuals may identify with the aggressive colonial culture, incorporating “the harshness of the aggressive authority figure, which may be projected onto others with ensuring hostility. The individual may further internalize the aggressor which can lead to guilt, self-blame, self-criticism, and depression (Freud 1966)” (Brave Heart and DeBruyn 1998: 70). This is similar to what the framework of Tribal Critical Race Theory (TCRT) means when mentioning that “Colonization is endemic to society” (Brayboy 2005: 429), as colonization is so pervasive in structuring Indigenous people’s lives, that they may be unable to realize the ramifications of identifying with colonial ideologies.

Finally, the consequences of the internalized aggression and oppression, anger, and unresolved grief are the social problems that Indigenous people and communities experience today (Brave Heart and DeBruyn 1998). This conceptualization of historical trauma occurred out of a response to orthodox understandings of Post-Traumatic Stress Disorder (PTSD) that did not

account for the trauma Indigenous people experience (Brave Heart 1999; Jones et al. 1997; Manson et al. 1996; Robin, Chester, and Goldman 1996). For example, Indigenous youth did not fit the criteria for diagnosable PTSD but reported how they were seriously impacted by the trauma. Historical trauma is often used to explain the disproportionate mental health distress Indigenous people currently experience (Brave Heart 2003; Duran and Duran 1995; Gone 2009), and is typically associated with the transmission of PTSD symptoms, including depression, anxiety, and substance addiction (Brave Heart and DeBruyn 1998).

A reconceptualization of historical trauma refers to the consequences of colonization as historical loss (Cromer et al. 2018; Whitbeck et al. 2004). Historical loss refers to the persistence of ethnic cleansing, which involves: “daily reminders of loss: reservation living, encroachment of Europeans on even their reservation lands, loss of language, loss and confusion regarding traditional religious practices, loss of traditional family systems, and loss of traditional healing practices” (Whitbeck et al. 2004: 121). Research demonstrates mental health effects, such as anxiety, depression and substance addiction on Indigenous people who experience historical trauma through their awareness of historical loss (Walls and Whitbeck 2012; Whitbeck et al. 2004; Whitbeck et al. 2009).

However, these conceptualizations of historical trauma related to Indigenous people have undergone recent critiques. Specifically, scholars critique the comparison of the ongoing Indigenous genocide to the Jewish Holocaust survivors, as the comparison reduces the experiences of Indigenous people in the United States to “to some kind of uniform/transhistorical/cultural phenomenon” (Kirmayer, Gone, and Moses 2014: 311). Unfortunately, historical trauma literature does not account for the various, unique experiences across Indigenous nations and communities, including the different atrocities they have

experienced and forms of resistance to colonization. Moreover, historical trauma's comparisons to the Jewish Holocaust fails to acknowledge how descendants of Holocaust survivors have higher educational attainment and incomes than their parents, which is not the case for Indigenous communities disrupted by colonization (Kirmayer, Gone, and Moses 2014).

In all, historical trauma also relegates Indigenous marginalization to culture and identity, which also fail to account for the structural causes of distress. This structures healing discourse as individualistic therapy for psychological repair (Kirmayer, Gone, and Moses 2014; Million 2013). Instead, healing should be conceptualized "in terms of how people might find meaningful livelihoods within increasingly difficult constraints and imagine a viable future rooted in the material realities necessary for reproducing thriving communities at the local level" (Kirmayer, Gone, and Moses 2014: 311). The last part of this quote could be interpreted as a brief reference to healing through decolonization, which "requires us to consciously and critically assess how our minds have been affected by the cultural bomb of colonization. Only then will we be positioned to take action that reflects a rejection of the programming of self-hatred with which we have been indoctrinated" (Wilson and Yellow Bird 2005: 2).

## POSTCOLONIAL DISTRESS

Recently, scholars proposed postcolonial distress as a more-encompassing term than historical trauma (Kirmayer, Gone, and Moses 2014), though this is sometimes used interchangeably with historical trauma. Kirmayer, Gone, and Moses (2014) breaks the term down, defining postcolonial as a reference "to the contemporary as much as to the historical," and distress as a reference "to broad forms of suffering that can be much less circumscribed, persistent, and debilitating than trauma" (300). Postcolonial distress includes the main tenets of historical trauma (Brave Heart and DeBruyn 1998; Duran and Duran 1995; Walters, Simoni, and

Evans-Campbell 2002), but were later refined into the following Four Cs (Hartmann and Gone 2014):

*Colonial injury* to Indigenous people as a consequence of experiences with conquest, subjugation, and dispossession by European and Euro-American settlers is the basis of the concept; *Collective experience* of these injuries by entire Indigenous communities or collectivities whose identities, ideals, and social lives were impaired as a result is highlighted; *Cumulative effects* of these injuries from continued oppression that have accumulated or “snowballed” over time through extended histories of harm by dominant settler-colonial society is accentuated; and *Cross-generational impacts* result from these injuries as they are transmitted to subsequent generations in unremitting fashion in the form of legacies of risk and vulnerability to BH [behavioral health] problems until healing has occurred (Hartmann and Gone 2014: 275).

In essence, the injuries Indigenous people endured and suffered collectively from colonization result in cumulative effects over time through various forms of oppression from colonial society that are transmitted across generations and increase risk to various types of behaviors and experiences. Nalani describes this process when discussing the boarding school era for Indigenous people:

Nalani: And we haven't even talked about the boarding schools. Do you know about the boarding schools? Well I'll leave that for you to put in there, but what they did at the boarding schools—and again, I remember telling this to an Asian person and they were like, ‘Oh my goodness. They sent your people to school for free?’ They didn't even get the concept (laughs), because to them that would have been a blessing...But for us, that was like the Holocaust. It truly was. And what they did if they left the boarding school and weren't murdered or raped or, or God only knows what, when they did come back to their communities, what traits did they have to help their people? ‘Oh yea, you are a mechanic. Is a White man gonna hire you to be a mechanic? No. Are there a lot of tribes, uh, cars on the reservation for you to fix? No.’ So where did they fit in, in society? And so what does that do? That replicates from generation to generation to generation.

Here, Nalani connects the Indian boarding school era to the current issues Indigenous people experience today. It is replicated “from generation to generation to generation,” which is what scholars of historical trauma and postcolonial distress argue about colonization more broadly.

While there is still debate on which term to use, this chapter uses postcolonial distress and the above conceptualization to contextualize the lived experienced of the Indigenous women

who are members of federally unrecognized nations who were interviewed. Therefore, this chapter contextualizes participant's experiences with familial conflicts, suicide, interpersonal violence, disproportionate contact with the criminal and civil legal systems, substance addiction, and sexual harassment and sexual violence within the framework of postcolonial distress. Thus, participants' experiences with these social problems are connected to colonization and can be categorized as examples of participants suffering from postcolonial distress. As noted by previous scholars, it is important to "take into account the economic, political, and social relationship of power and domination that characterizes the history of the encounter between American Indian Nations and U.S. federal and state governments" (Poupart 2002: 157) when analyzing the "social problems" Indigenous people and communities experience.

#### *Issues with Phrasing Indigenous Contemporary Struggles as "Postcolonial"*

Before proceeding, it is important to note that the term "postcolonial" is problematic itself. The term appears to indicate that society is past colonialism, which some scholars would argue is not the case (Trees and Nyoongah 1993). As Smith (2013) notes, "Naming the world as 'post-colonial' is, from indigenous perspectives, to name colonialism as finished business" (101). However, as Chapter 2 illustrates, Indigenous communities in the United States still experience the ramifications of older methods of colonialism, while continuing to endure new methods of colonialism, including federal recognition policies outlined in Chapter 3. While I acknowledge that colonialism is not "finished business," postcolonial distress allows for a more inclusive approach for understanding the various experiences and responses across Indigenous nations, instead of couching these responses under one, supposedly all-encompassing response that historical trauma may suggest.

In addition, Chapter 7 follows the advice of Kirmayer, Gone, and Moses (2014) by discussing the ways in which the narrators resist postcolonial distress, as the focus on distress alone fails to provide focus on the resilience of Indigenous people (Kirmayer, Gone, and Moses 2014). Chapter 7 provides a more in-depth discussion of resiliency of Indigenous peoples broadly, and within the context of the narrators' lived experiences. This is important, as "Studies of resilience among Indigenous peoples identify diverse sources of adversity and a correspondingly wide range of individual and collective responses" (Kirmayer, Gone, and Moses 2014: 313).

#### NARRATORS EXPERIENCES WITH GENERAL DISTRESS

Several narrators described individual experiences with distress that are not specifically related to their status as Indigenous women. These experiences are included here as they were important and/or pivotal moments in the lives of narrators that contextualize their lived realities. For example, two narrators, Lizana and Janice lost a biological parent to car accidents when they were very young. Cindy lost her son to a car accident, while his partner was pregnant with their child, Cindy's grandchild. Tabitha was in a motorcycle accident that resulted in a four-month hospital stay. The accident left her unable to use her right arm and foot normally, without peripheral vision, and later contributed to her substance addiction that will be discussed later.

Four narrators discussed losing their houses in fires. Tabitha forgot about grease she left on the stove, resulting in a fire and injuries that damaged her short-term memory. God's Child also lost her house to a fire from cooking. She described the impact of the fire, saying:

God's Child: Oh it destroyed me. It destroyed me...For a whole year after that event, I could barely tell you where I lived at. I don't know how I even went about getting a place to stay. It was the worst nightmare. My pictures and everything was just gone.

Janice described someone intentionally burning down her childhood home, which she had inherited, while it was unoccupied. The last narrator, Gad, was homeless after she lost her house to a fire.

The last general examples of distress that are important to mention are narrators' and their families' experiences with sickness and disease. Janice's mother had a stroke in her mid-to-late 40s, while Janice was delivering her child, and was also diabetic, passing when she was only 59-years-old. Janice was 33-years-old when she had quadruple bypass heart surgery and is also diabetic. Vickie had throat and neck cancer throughout her life, which made it difficult for her to talk, while Cindy herself had cancer twice. Mary mentioned losing six men on her mother's side to pancreatic cancer.

While these experiences with trauma are not related to their Indigenous identities, they had monumental impacts on the lives of narrators. The remaining experiences discussed focus on those experiences most directly related to Indigenous identity. These include experiences with familial conflicts, suicide, interpersonal violence, the criminal legal and civil court systems, substance addiction, and sexual harassment and sexual violence.

#### POSTCOLONIAL DISTRESS VIA FAMILIAL CONFLICTS

Recently, the Trump Administration's family separation policies at the United States' southern border with Mexico generated widespread media coverage. Senator Jeff Flake of Arizona commented at the time that family separation policy "...simply is un-American" (Schneider 2018, Oct. 14). However, many Indigenous and non-Indigenous people were quick to note that administrations in the past utilized family separation policies as a tactic of Indigenous assimilation during the Boarding School Era and the time prior to the passage of the Indian Child Welfare Act (ICWA) of 1978 (Hunter 2018, June 3; Love 2018, June 28; Trahant 2018, June 18).

In fact, family separation policy still targets Indigenous communities today, as Indigenous children are 2.7 times more likely to be placed in foster care than other children (National Indian Child Welfare Association 2017). Recently, the federally recognized Sioux Tribal Nation in South Dakota sued the state over the removal of 823 children from Sioux homes between 2010 and 2013, alleging violations of the ICWA, (Guha 2018, June 25) such as holding emergency court hearings that lasted five minutes, not allowing witnesses to testify or be cross-examined, not providing/appointing counsel, and not providing parents access to petitions and court documents (Trowbridge 2018, Jan 9). Currently though, the ICWA is under threat, as a federal court recently struck down the law arguing that it gives preferential treatment to Indigenous families and thus is racially biased (Flynn 2018, Oct. 10). The law is still in effect as the U.S. 5<sup>th</sup> Circuit Court of Appeals reviews the case (Goodwyn 2018, Dec. 17), but this is likely an issue that will come before the Supreme Court in the near future, and could further facilitate the removal of more Indigenous children from Indigenous communities.

Thus, boarding schools, assimilation practices, and other policies that have driven family separation within Indigenous communities continue to be impactful today. The ICWA does not protect federally unrecognized tribal nations,<sup>1</sup> which could facilitate the removal of Indigenous children within these communities. In all, these and other policies rooted in colonization perpetuate the separation of, or conflicts within Indigenous families and communities. Family separation and estrangement can be categorized as contributing to postcolonial distress, as these conflicts, rooted in colonization and colonial injury, are contemporary examples of the cumulative effects of colonization and colonial injury that lead to cross-generational impacts.

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<sup>1</sup> As the data show, the ICWA also does not protect federally recognized tribal nations and their children.



Within this context, the election of Donald Trump was an instance of postcolonial distress for Nalani, a Lumbee woman who had “our first big argument” with her White husband after the 2016 election:

Nalani: I’m gonna vote for the person who can do the most for Indian people. But you know, number 45 [President Trump], I was adamant. I was totally adamant. And my children were hurt. They were truly, they are at the age now where they understood what was happening...My daughter, again, never had [the election] impacted us this way...And unfortunately my husband just didn’t understand [our pain] ...I said, ‘But you’re looking at this little piece and you are not looking at the whole picture of what this means to me.’ And he didn’t get it. I don’t know that he still does, but he didn’t get the impact to me as a Native American woman, of why it, it, it physically and emotionally, literally hurt, and what that represented, and there were people out there that elected [President Trump]...He just didn’t understand why we were so emotional and he and I got into this huge argument.

Nalani and her son and daughter, who were in college at the time, experienced hurt and pain from the election of a president who has a history of utilizing stereotypes of Indigenous people, while continuing to do so as president. Her husband, who is White, was unable to empathize with Nalani on what the election represented to her as an Indigenous woman. This familial conflict between Nalani, her children and her husband is rooted in colonialism, as White men historically perpetuated negative stereotypes of Indigenous people that have evolved into the types of stereotypes that the president now utilizes. These stereotypes are the basis for postcolonial distress for Indigenous people.

Another example of postcolonial distress via familial conflicts comes from Chenoa, who described how her dad experienced postcolonial distress in his life with how he was raised. Chenoa said that her father’s father was “an alcoholic” who “liked women” and “didn’t want to be there with the family.” This, combined with her father’s exposure to colonial stereotypes of Indigenous men as “savages” led her father and his siblings “to believe that they shouldn’t be proud of their Native side because of what they’ve seen first-hand.” Therefore, her father “never

told people that he was Native,” “grew up with no tradition,” without “the best initiation [in]to the Native culture,” who’s “very much still dealing with the traumas.” Both of these narratives are rooted in stereotypes of Indigenous people perpetuated by colonialism. Chenoa, in turn, experienced postcolonial distress, as she was unable to learn much about her dad’s Indigeneity because of the shameful, colonial stereotypes of Indigenous people that her father was exposed to, in addition to the perception that his father fit these stereotypes.

Some narrators discussed the difficult relationships they have either with their children or close siblings, and the impact it has on them personally. These are examples of postcolonial distress as they are the cumulative effects of colonial injuries that continue to have cross-generational impacts. Many Indigenous communities pre-colonization lived within extended families that did not individualize Indigenous nuclear families or its members (Deloria 1988; Jaimes-Guerrero 2003). In general, Indigenous people were communal beyond the colonial definitions of families that serve to individualize and fuel competition. However, today, ongoing colonialism and its capitalistic ideologies divided and individualized families from traditional, Indigenous communal values of kinship.

One example of this comes from God’s Child, who described how her family repeats to each other what their mom sometimes told them: “You ain’t never gonna be nobody.” Further, she described the difficult relationship she had with her mother:

God’s Child: She would holler and she would, hootin and hollering and I would just shrink up inside. I wanted her to love me. But it just seemed like to me she had run out. She had just got tired. But she was my best friend...It was a love/hate relationship, which is basically the same kinda relationship I have with my daughter. It’s a cycle. It has continued through our family.

God’s Child contextualizes her family’s actions within this vicious, continuous cycle of toxic love/hate relationships, that sometimes result in her family pushing each other aside as nobodies.

These actions by God's Child's family are rooted in colonialism, as the ideology seeks to eliminate the historical, communal Indigenous cultures, assimilating them into colonialism's more individualistic society. Additionally, the cycle she describes is an example of the cross-generational impact of Indigenous communities' collective experiences with colonial injury that diminished Indigenous cultures of kinship and community. Colonization helped facilitate this "cycle" that "has continued through our family," as colonialism continues its attempts to foster division and assimilation among Indigenous families and communities.

Another example of familial conflicts rooted in colonialism comes from June Mac, who also talked about the current status of her relationship with her siblings and what caused a divide between them:

June Mac: But then as we got older, in 2001 when my father died is when the big rift came in our family. And it was only because the oldest one living at that time who wanted to take control of everything. And she wasn't the biological daughter, and she gave nobody else any choice. It was all about money and you know, that causes a big rift when someone dies, so it was all about the money.

Here, money was the issue, and money is a creation of the capitalist, colonial society within which Indigenous people must now operate. June Mac mentioned that she no longer has a relationship with this sister, who lives in the same area as her. She believed the issues are consequences of long-held "jealousy" her sister had of her. When asked how she feels about the situation she says:

June Mac: It hurts. It really hurts, because you always want to be able to talk to somebody. And I don't have a relationship with any of my two sisters that live here, that I can go shopping with. I just don't have that kind of relationship with em. I'm closer to my husband's family than I am to my own family.

Indirectly, colonialism has separated June Mac's family and created feelings of jealousy among them, and she no longer has a relationship with the two sisters who live closest to her. These are

examples of cross-generational impacts of colonialism that are conceptualized within the postcolonial distress discourse.

Clara talked about the difficult relationship she had with her mother growing up. She described her mother as “emotionally unavailable,” saying that they “could not communicate well” in her youth, though she says they are able to communicate effectively now. While growing up she said, “I think I was lacking emotional closeness with my mother. We never bonded and I didn’t realize that until I got much older that, that was something I was missing, and it may be why I had chose[n] these addictions.” Clara connects the absence of emotional connection to her mother to her substance addiction. In all, this is an example of postcolonial distress, as Clara says she “didn’t have that family unit,” so she “wanted to make her own families.” Colonialism helped diminish the extended family’s presence among some Indigenous people and communities (Jaimes-Guerrero 2003), which led her to join a gang that she considered family and to develop a substance addiction.

Jessica discussed finding out about her biological father when she was older and the conflicts arising out of this situation. She described seeing “this fella that always used to come around, and he would always ask about my mom.” She repeatedly asked her parents about him and “nobody would never tell me.” When she began working at 15-years-old she retrieved a copy of her birth certificate and discovered that no one was listed as her father, not even the man she thought was her biological dad. Later on, her cousin revealed to her that “this fella,” also a Lumbee man, was her father. From there, she describes the situation afterwards:

Jessica: So she [her cousin] gets in touch with him and we talk on the phone and he gave me a story about how everything happened and, ‘Mom went in a different direction while she was pregnant with you’ and denied him that I was his. Basically my whole life. And I was raised in another family...And from there on we have had a relationship. My mom gave me a lot of grief about it for a while...Can you imagine going your whole entire life feeling like there was something missing? Feeling like...‘I’m not really related to these

people,' you know? And my grandmother wasn't my grandmother. Did she know that I wasn't hers? You know, little things like that. Like, why would my mother do this to me? I had that resentment for a long time. Like, did I really deserve to be lied to about who I am? Because, like I said, growing up you have that void. And you know, most people who are related, they act alike. They talk alike. They look alike. And I looked nothing like them. I acted nothing like them. My accents were totally different from theirs. I was the oddball, but they didn't see me any different. And, you know, that's my family. But when I met my family on my biological dad's side, I was blown away, because I finally knew people who acted like me, who talked like me, who did the things that I did. It was so crazy and overwhelming at the same time I loved it, because I felt at home. I felt like I was actually in a place where I belonged. Not saying that I didn't feel belonged before, but it's just a matter of feeling like you belonged.

Jessica's mother did not reveal to Jessica who her biological father was, and she described feeling this "void." This can be categorized as postcolonial distress, as colonization structures the beliefs of who composes a family, typically a nuclear family that consists of predominantly the father, mother, and children. The collective experience of colonization that diminished the Indigenous constructs of communal family and kinship perpetuated this feeling in Jessica that she did not know her real family. In addition, she was separated from her biological father from birth, which is rooted in colonial notions of the hegemonic nuclear family that allows for the separation of Indigenous children from their parents (Phillips 2009), as opposed to Indigenous families that were historically "organized communally or non-hierarchically" (Leigh 2009: 73). Therefore, Jessica's overall experience and the "void" she describes is a cause of postcolonial distress, as the current construct of the colonial nuclear family contributed to her biological Lumbee father being initially shut out from her life in contrast to the traditional family understanding that would have been more likely to include him.

Vickie described a familial conflict that could be categorized as postcolonial distress. Historically, most Indigenous communities were not heteronormative in their understanding of gender and sexuality and were generally respectful of members with "diverse sexual practices and identities" (Hunt 2016: 7). In contrast to this history, Vickie, whose son she describes as

“gay” and someone who “likes to dress in girl’s clothes sometimes,” has encountered conflicts from members of her family based on his sexuality and gender representation. Vickie also has a niece who she described as “a lesbian” that “dresses like a boy.” She describes the conflict, which was that her niece:

Vickie: Oh, people around here, Indians, well, I wouldn’t just say Indians. But Robeson County, they don’t mind a woman dressing like a man. Oh they can respect that. But they don’t like when a man dresses like a woman. It’s a big deal. And to me, it don’t make no difference. I have a niece on their dad side. I still call her my niece, she’s a lesbian, but she dresses like a boy. She wore a suit to go to her Grandma’s funeral, but they told my son directly, you better not dress up, you better not show up in girl clothes. He wasn’t mind you, he wouldn’t have. But they made it a point to be okay with a female that dresses like a man, but a man can’t dress as a female. And that bothered my son. And it bothers me that they were going to accept one grandchild that way, but you can’t accept the other.

This causes postcolonial distress, as the historical roots of the treatment of Vickie’s son falls within the heteronormative society that colonialism perpetuated. This, in some Indigenous communities, erased cultural values of Indigenous people who identify as LGBTQIA+ (Hunt 2015). She and her son experience postcolonial distress as before colonialism Vickie and her son would have been more likely to live in an Indigenous society that “accounted for diverse sexual practices and identities” (Hunt 2015: 7).

#### POSTCOLONIAL DISTRESS VIA SUICIDE

Throughout the United States, Indigenous people are disproportionately more likely to die by suicide compared to other racial groups (Herne, Bartholomew, and Weahkee 2014; Indian Health Service 2015), while Indigenous youth are at particular risk for suicide (Almendrala 2015, October 2; Suicide Prevention Resource Center 2013). Nalani, a Lumbee narrator, alluded to the suicide of children in her community when asked what the biggest challenges were facing her community, saying, “We have children committing suicide.”

Moreover, these rates may underestimate the number of suicides among Indigenous people, as those who sign death certificates are most likely to misclassify the race of Indigenous people compared to other racial groups (Arias, Heron, and Hakes 2016). Finally, Indigenous people are more likely than the general population to consider suicide (Substance Abuse and Mental Health Services Administration (SAMHSA) 2012), attempt suicide (Substance Abuse and Mental Health Services Administration 2013), or to report suicidal behavior (Centers for Disease Control and Prevention 2014).

The prevalence of suicide is directly related to colonization. An interview study of elders and parents revealed that Indigenous people in a small, rural reservation community in Washington saw Indigenous people as “caught in a cycle that continues to fracture families, creates a sense of hopelessness, and contributes to depression and suicide ideation” (Strickland, Walsh, and Cooper 2006). In addition, scholars argue that the collective pain of an Indigenous community resulting from colonization cannot be distinguished from the individual when examining suicide in Indigenous communities (Duran and Duran 1995; Lawson-Te Aho and Liu 2010). Two narrators touched on this notion in our interview:

Stevie: My sister just got engaged to this guy. He has an alcohol problem, which you know, comes down from his family and through generations. We call it generational curses, like this person has it, this person has it, this person has it, person by person by person. And it's something that you have to break. So maybe not as much here, but definitely like on reservations and stuff from what I understand and from what I have heard. It's bad, cuz it actually leads them to committing suicide and things like that. Like, they have no way to find any happiness on those reservations and they turn to drinking and then their drinking turns to them killing other people or killings themselves. It's bad.

Clara: The year before I went to jail I lost 40 people around me from suicide. And that includes a nine-year old from a tribe out west that I was helping. What makes a 9-year-old do that? 9. There's kids as young as 7 committing suicide. Why would a 7-year-old know about suicide? Because of historical trauma. So that's the work, the issues I'm addressing, because the issue needs to be talked about. Nobody wants to talk about it, but it needs to be. And somebody needs to open the door, and I hope I can open the door, make it comfortable. I'll deal with the uncomfortable part of getting it open. I can handle

that. I've been through enough uncomfortable mess. I can handle the uncomfortable. It doesn't bother me.

Brian: And so that 40 number is all Natives?

Clara: Yep. And I have my one friend, I have a bestie. I remember driving after work to her house. I just was like, I just need a hug. And I just broke down in the driveway. I said, and it was every day. And I remember her talking to me, 'What is going on? Every day I see.' I was kinda stuck on Facebook at that time, posting, every day something was happening. Every day someone's talking about it. She says, 'Are you getting a break?' She says, 'Oh my God, it's been every day for weeks now? What the F is going on?' And at night I stopped by her house, I just melted. I just was like, I can't take anymore. I was full.

Two participants discussed their direct experiences with attempted suicide:

Lizana: I wouldn't let me kids think that I love somebody more than I love them. I wouldn't wish that on my worstest enemy, cuz you don't know what kind of damage mentally that can do to somebody. Cuz as a child dealing with the stuff that I dealt with my stepdad, there was a point where I was at high school, where I tried to take a bunch of pills to get rid of all what was in my head. And a few of my friends saw what I was doing. Stopped me. Tried to get me some help.

God's Child: I just fell completely hard and...when I was younger I did not understand why I was so mad. I was mad all the time. But it was the kind of anger that caused me to hurt myself. I tried to commit suicide, bite my fingernails, doing drugs...

Lizana and God's Child describe the "damage" and "anger" they had that led to their suicide

attempts. Suicide is viewed as an option in colonial society, particularly in the situations of

Lizana and God's Child who experienced family difficulties and sexual violence respectively.

Clara also discussed her experience with suicide, contextualizing her attempt and others within

the colonization of her people as a whole:

Clara: The sadness in this culture and this generation that's living, that's coming now. It's ridiculous. I can't imagine how they're feeling. And when I compare to what I went through growing up, I can't really compare it...I know all the ones that I know that killed themselves, they were all angels. Very sweet, gentle spirits. They just couldn't take it. How horrible. How brave of them to do it...I can't imagine their hurt. I thought I hurt. I can't imagine what they were feeling.

Clara later elaborated on her discussion of suicide, naming those she knew who had killed

themselves within her extended community:



Clara: A couple of nephews, cousins, my second mom. She was 69-years-old and she shot and killed herself...And then people that are in my extended family. Like I said, the year before I went to jail, I lost forty people around me from suicide. And that includes a nine-year old from a tribe I was helping.

Additionally, Chenoa's family also had various experiences with suicide. She discussed how many and how this affected her personally:

Brian: Okay. And you said how many suicides?

Chenoa: Uh, four...I want to say one was accidental. No, I think it was a nicotine overdose. Um, he [her father] doesn't talk about it much cuz it's very difficult for him.

Brian: And you had mentioned he had suffered from traumas. Has any of that trauma passed down to you at all?

Chenoa: I knew that of the early siblings [that they committed suicide], but then two years ago, recently, my aunt, she too committed suicide. So I find that to be kinda chilling. That specifically my Native side of the family that I'm directly connected to, they left by committing suicide. So yea, it definitely hurts me. But I understand it because it was not easy for them at all. No one gave them an option for something better. That's what they had and was left with. But I look at my father and even though he still deals with trauma and pain, he's still finding a way to fight through it every day, and it's because of his kids.

Overall, these narratives of attempted suicide, the suicide of relatives and loved ones, and the categorization of those committing suicide as "brave" is emblematic of the violence of colonialism that results in postcolonial distress among Indigenous people and communities. As Chenoa says of her family members who committed suicide, "No one gave them an option for something better." Colonialism, as she says, does not give Indigenous people an option that does not contradict their traditional, Indigenous cultures. This example of postcolonial distress leads some Indigenous people to the route of suicide, and to other Indigenous people classifying them as "brave" of going through with it, because of colonialism's negative connotation with the action. The wrath of the colonization of Indigenous people is evident in these narratives related to suicide, as some of the participants attempted, while others experienced numerous suicides, both of which serve as postcolonial distress.

## POSTCOLONIAL DISTRESS VIA INTERPERSONAL VIOLENCE

Many participants described instances of corporal punishment endured in their childhood. The legacy of corporal punishment in Indigenous communities lies in the Indian boarding school era, where:

...sexual/physical/emotional violence proliferated. Particularly brutalizing to Native children was the manner in which school officials involved children in punishing other children. For instance, in some schools, children were forced to hit other children with the threat that if they did not hit hard enough, they themselves would be severely beaten (Smith 2005: 126).

Corporal punishment existed in non-Indian institutions, and these institutions utilized corporal punishment as a tool to coercively assimilate Indigenous children (Trennert 1989). Colonialism introduced and then normalized corporal punishment in some Indigenous communities (Garrett 1999), and, it allowed for the conceptualization of the outcomes of corporal punishment that Indigenous people experience as postcolonial distress. This exchange illustrates the normalization of corporal punishment within Stevie and Rhiannon's local community:

Stevie: I mean we got our tails tore up when we were little (laughs)...I've been snatched by my hair a couple of times. You know, it's happened (laughs). I'm pissed it's happened, but it's like one of those things when you grow up around here, it's just like, you understand, you know...

Rhiannon: It's not considered child abuse.

Stevie: It's not considered child abuse, so like we don't look at it that way necessarily.

To reiterate Stevie's point, "it's like one of those things when you grow up around here." The Lumbee community is within the generally poorer, conservative, and religious area of Robeson County with inadequate access to quality education (Bradley 2018, March 29), one factor that increases a family's likelihood of utilizing corporal punishment (Hoffmann, Ellison, and Bartkowski 2017). Corporal punishment exists outside the local Indigenous community as well; my own family utilized corporal punishment against my brother and me while we were growing up. Moreover, the county's Board of Education only recently banned the use of corporal

punishment in schools (Fodera 2018, Aug. 14), a form of punishment disproportionately used against Indigenous children in the county (Isaac 2016, March 26).

Some participants recalled instances of corporal punishment that they endured from their parents. Gad described the punishment she received from her mother as abuse. Gad described her mother pulling and snatching her hair, spanking and slapping her, and “things like that.” She later elaborated:

Gad: My mom was abusive. I didn't tell the things that my mom did. Like my mom would cheat on my dad, bring other men in the household. And I had to keep secrets and I was abused for, like if my brothers did something it was all put on me. Like I would get spankings and stuff for it. She was just mean to me...like if she would get upset, she would pull my hair. Sometimes she choked me. Just beat me...it wasn't normal.

The treatment she endured led to her running away for the first time when she was 13 years-old.

She was “just tired of being abused. Tired of her mistreating me.” She described the incident that led to her deciding to run away:

Gad: So there was this shirt, and back then they called them ugly shirts. They had all the colors on them and you wore a button down, but you slid it back...And my momma hated that shirt I had on that day. And she was going to see one of her friends. It was a guy friend. And she was like, ‘You are not wearing that shirt anywhere with me. Take it off.’ And I was like, ‘Momma, what's wrong with my shirt?’ And I was just trying to have an opinion on what I wanted to wear. She didn't want me to wear it so she took a knife and cut it off of me. And just basically got so mad with me she just cut it and stabbed it on the floor. And when I went home that night, I snuck out the window and ran away.

In all, she described the difficulty she had growing up in her household:

Gad: Oh growing up it was difficult. Cuz my dad was an alcoholic and my mom, she kinda took on everything on her own and she was very harsh on us kids. It was rough. I wouldn't say I had the best childhood. I say at times I didn't have one, cuz I was kinda like the mom. I looked after my brothers, so, I feel like that's what I did basically.

Gad's experiences at home made it a necessity that she grew up fast. This necessity, as well as these experiences with abuse from her mother are examples of causes of postcolonial distress for Gad. Gad's mother lacked the traditional, Indigenous community that would help raise a child.

As one participant noted, “It takes a village” to raise a family within Indigenous traditions and cultures, and unfortunately, for Gad’s mother, the village was absent, an absence contextualized within colonialism that transmitted postcolonial distress cross-generationally to Gad. Soon after running away she became pregnant, and later described the situation at her boyfriend’s house with everything going on:

Gad: They were—it was always something. It was drama all the time. They were well known in the courts. It wasn’t a good situation. They were bad people. In a way it was kinda better than home. Cuz I felt like I was with someone that I like. But he was still abusive. But, oh my gosh, it was a bunch of drama. She was abusive to him as far as, she would curse him out...I mean she just dogged him all the time. And they fought, her and her husband fought, him and his sister fought, and I mean, it was just chaotic. It was just chaotic while I was pregnant.

The abuse of Gad by her mother created a chaotic situation for Gad. She was pregnant at an early age without an assured place to stay and an inability to work because of her age. This is another example of a cause of postcolonial distress, as Gad, individually, did not have the traditional Indigenous community to turn to that was often present in pre-colonial Indigenous societies.

Rhiannon and Stevie also described the corporal punishment they experienced as a child. For example, Rhiannon had a phone thrown at her head after proclaiming she wanted to go live with her other parent. Stevie was beaten with a shower curtain rod. Coco said, “I didn’t get whippings. I got beatings.” Jenette described the punishment she received most often growing up: “We had to bend over the toilet and take our pants down and we got what you call an ole fashioned ass whooping.” God’s Child described being “slapped” for asking about her father.

Rhiannon and Coco described instances where bruises and welts were left from their parents utilizing corporal punishment:

Rhiannon: I was on my bike and we were going to the house and he [her father] was like ‘Don’t pass me.’ And we were going, it was like up a hill and we were going downhill. And it was a new bike and I didn’t really know how to work it and I sped past him. I got home before he did and I sat in the driveway. I didn’t want to go all the way back because

I figured he won't be mad. He made me put my hands on the bed, like the top of the bed, and he gave me like 15 lashes, and I had welts for week.

Coco: And I got to the point where I was not crying anymore... So she would beat me harder just to make me cry, and I remember one summer I had welts all over my body. My arms, my legs. I couldn't even wear shorts. It was summer time and I had to walk around for two weeks in pants and a long-sleeve shirt.

Like Rhiannon and Stevie, Coco contextualized the corporal punishment she endured from her mother, saying "...again, it was about how she was raised," though Coco made the explicit choice to not use corporal punishment on her own children. She also emphasized that her mother later apologized to her for the punishment she used. These narratives are examples of postcolonial distress, as corporal punishment is a tactic introduced and normalized by the colonizers that later enabled its justified use on these women.

In addition to corporal punishment at home, Coco recalled a time when she received corporal punishment at school. Schools utilize corporal punishment disproportionately against Indigenous children (Han 2016). Indigenous children in North Carolina are twelve times more likely to face corporal punishment in school (Lee 2017, April 1), while 80 of the 88 students who experienced corporal punishment at school in the 2014-15 school year were Indigenous children.

Coco described her experience:

Coco: I have had corporal punishment from a teacher. Mr. Blanton, remember him?... There was this kid that kept pulling my hair, so I stood up and slapped him.

Brian: And they gave you a spanking for that?

Coco: Oh yea, hands on the desk. A spanking. And I went directly home and told my mother.

Historically, corporal punishment was used on Indigenous children in boarding schools.

Therefore, its use today can be categorized as experiences of postcolonial distress for Indigenous people, as corporal punishment in schools is a historical, violent tactic used by the colonizers that has been adopted by some Indigenous communities and schools. In fact, Jenette added to this

discussion of corporal punishment, saying, “[With] My stepmomma, the mojo was, ‘If you get a whipping in school, you coming home and getting a whipping too.’” Her step-mother’s statement is a reinforcement in the adoption of colonial forms of punishment, and Indigenous children who encounter corporal punishment in school and at home experience postcolonial distress.

The last form of interpersonal violence discussed in this chapter is violence from a partner or spouse. Five participants relayed instances in which they were in a relationship and experienced domestic violence towards them or one of their children, with some relating specific instances. Lizana and Vickie both recalled times their spouses at the time were violent with their children:

Vickie: I met my boy’s father when I was 15. I dated him for 9 years. Well, we were married for five. And then that was a lot of domestic violence with him. So finally, he hit my oldest son one day. Me and him got in a fight and my oldest son was 7, and he wasn’t old enough to where he could stand up for me. So the first time he done it, his dad started fighting him so I kicked him out.

Lizana: He [her first born’s father] was abusive to my son. He was physically abusive to him and mentally abusive to me...He would try and discipline my son, and when he would he would leave black and blue bruises while I was at work. He slapped my son so hard he left a hand print on his face for two weeks. And when I was pregnant with my second child he told me he didn’t want it. That I needed to get an abortion...And one day when I got off of work, he had left my son by himself in an apartment at 5 o’clock in the morning. So I packed up my stuff. I packed up my son’s stuff and told my aunt to come and get us, because my car had been totaled...So she come and got me when she got up that morning and by the time he got off of work we were gone.

Gad experienced violence from her husband for nine years. She talked about how the abuse escalated later on in their relationship:

Gad: After I had my fourth child he began to get more abusive. And things really escalated. And then come to find out he was doing drugs. He would binge on cocaine. Crack cocaine. He would leave and stay gone for days. He would come home and he would take his frustrations on me. It was just bad. For nine years I stayed in that.

Overall, Gad said that her husband placed guns in her face, locked her in the bathroom, and dragged her by her hair across her field in front of her kids. I asked her to describe one incident between her and her husband that stood out the most:

Gad: His grandmother had passed away that month in January. And he pulled a gun on me. I'll never forget. Nickel plated pump, 12 gauge. He pumped it back and struck it to my face. Said he was going to kill me. I cried and begged him...then, he got to where he would want to take me down the road in a truck and drive 100 miles per hour, with my little baby in the back seat...Two Christmases ago I went to go get my daughters, he pulled a knife out on me there, in front of his momma and our kids.

These examples of abuse from her partner are also causes of postcolonial distress, as Gad experienced gendered violence, actions introduced to Indigenous communities only with the arrival of the colonists. In spite of all she endured with her husband, Gad still contextualized her husband's actions:

Gad: Well I think the pressures on him was that we were a young family. We had bills. There was a lot on him. And, I looked at that too. There he was having to provide for a wife and four children. Working in the hot sun, heat, in the cold. There would be times and he would go and there would be no work for days. And then all'a sudden on a Thursday he might find work. Seemed like the bill would get paid. I mean he would work three days and make enough money, you know, those three days, that normally he would have to take a week to make. But he would work his ass off to make ends meet. He was a provider now. I give him that. I wouldn't take that from him. He would work. You would never have to make him get up and go to work. We didn't go without, we had a nice home, two vehicles, nice vehicles. Our children had the best clothes. When I tell you he was a provider, he was. But he was mean. He was abusive.

She also contextualized her ex-husband's abuse of her further, when she talked about a conversation she had with his mother:

Gad: His mom, I talked to her about things as far as life. She wasn't with his dad because his dad was also abusive...So he kinda grew up in that. That was my husband, he kinda grew up in abuse, so he just followed in the footsteps instead of getting out of them.

Not only did Gad herself, experience what appeared as the intergenerational transmission of postcolonial distress, but her Indigenous ex-husband also experienced it as his dad was abusive

towards him and “he grew up in abuse,” something that was largely absent in pre-colonial Indigenous communities.

Two other participants related instances where they were abused by a partner. Kelly recalled to me that she had no plans to marry an Indigenous man because her father beat her mother when he was drinking and she assumed this to be a quality of Indigenous men. She said:

Kelly: Because there is only so much that I can teach em [her sons], so that means I have to let them be involved with other Native American men. And that’s a whole different ballgame, cuz (laughs) growing up you know, my dad was an alcoholic. And when he drank he beat my mom. It was always in the back of my mind [that] I would never marry an Indian man. Never. Cuz I didn’t want to get beat on.

Her experience with her father, along with the existence and colonial construction of the drunken and violent Indian stereotypes (Wilson 2016), shaped her values in that she “would never marry an Indian man.” However, she did end up marrying an Indigenous man and she described her experience:

Kelly: But I let one sweet talk me and all this stuff and got married and I— [youngest son’s] dad. And he beat me one night to a pulp in front of my oldest son and [middle son]. And all I could think was, ‘Why didn’t I just stick to my core values of never dating or marrying an Indian man?’ And that’s not to say they’re all like that. But the one’s I’ve experienced are like that.

Kelly appears to blame herself based on her belief of the colonial construction of the drunken and violent Indian stereotype as well as her own childhood family experience. However, colonialism and the perpetuation of patriarchy and individualism provide considerable and relevant context to her experience. While it is impossible to know if she would have experienced this violence in a pre-colonial environment, we do know that the perpetuation of individualism and patriarchy in a colonial society foster an environment that facilitates violence against all women, but particularly Indigenous women. Moreover, the colonial environment we live in perpetuates otherizing stereotypes and victim-blaming ideology in situations of spousal abuse of



Indigenous women that arose out of exposure to colonists' invaders. This can be categorized as a cause of postcolonial distress, as the individualistic ideologies that are cumulative effects of colonialism lead Indigenous women like Kelly to internalize blame for experiencing abuse from her Indigenous husband; this self-blame is encouraged by colonial structures.

God's Child vividly recalled details when she was physically abused by her partner, with a focus on one particular event:

God's Child: I got my ass stomped constantly. I got slapped, and I had to go to work at the health department with the side of my face swoll up. He would take his fist and hit me, knock me off the porch. The last incident I can really say that was really bad between us is when I was eight and a half months pregnant with my daughter, and I saw this movie. Well [based on the movie] I had decided, I went and bought me a knife. I had decided I was going to kill him in his sleep, and I was going to run the knife across his throat. And about the time I reached up to get it across his throat he caught my arm and I spent from midnight to six the next morning begging for my life, begging him not to cut my daughter out of my stomach. His family has killer issues. He has several uncles who have gone to prison for killing or have been killed.

God's Child experienced postcolonial distress caused by frequent and violent abuse from her partner. These numerous events led her to further postcolonial distress, in that while pregnant she tried to kill her partner. The cumulative effects of the violence of colonization resulted in her abuse and isolation from a society that might discourage her partner from abuse.

These narratives detailing the violence of women and children are examples of postcolonial distress, as the absence of communal Indigenous societies serves to isolate Indigenous women from support systems that deter or protect from abusive, violent partners. Lizana's narrative is an example of the importance of community, particularly for women who experience violence from their partners. She was in a position to utilize family who lived close by as a resource; however, Indigenous women who experience isolation as a result of colonial policies may not have family as a resource to escape interpersonal partner violence. Moreover, colonialism's introduction of patriarchy to Indigenous people devalued Indigenous women, a

stark contrast to the historical experiences of Indigenous women who were members of more egalitarian societies (Deer 2015; Foster 1995; Jaimes-Guerrero 2003; Maynor Lowery 2018; Smith 2005). Finally, the introduction of gendered violence, a rarity in many Indigenous communities prior to colonization and the boarding school era (Smith 2015), serves as the historical legacy and creates postcolonial distress due to interpersonal violence that Indigenous women experience today. Overall, it is important to contextualize the experiences of corporal punishment and parental abuse of children among Indigenous people within the ideology of colonialism and the Boarding School Era (Smith 2005), both of which spread Christianity that historically used a “‘spare the rod and spoil the child’ approach to discipline” (Trennert 1989: 597) that has been widely adopted across society, including some Indigenous people and communities.

#### POSTCOLONIAL DISTRESS VIA EXPERIENCES WITHIN THE CRIMINAL LEGAL AND CIVIL COURT SYSTEMS

The colonial criminal legal and civil court systems historically and contemporarily discriminate against Indigenous people. Thus, the experience of Indigenous people’s disproportionate contact with the criminal legal and civil court systems can be conceptualized as postcolonial distress. Indigenous people are disproportionately killed by the police (Males 2014), are more likely to be on parole (Alexander 2012), and have the highest rate of people held in local jails (Greenfeld and Smith 1999). Approximately four percent of Indigenous people were within the criminal legal umbrella of “care, custody, or control” in any given day in 1999 (Greenfeld and Smith 1999: viii). More recently, research shows that the rate of Indigenous people in jail increased 4.3 percent each year from 1999-2014, compared to the general population increase of 1.4 percent, while the jail incarceration rate increased from 288 per

100,000 Indigenous residents in 1999 to 398 per 100,000 in 2013 (Minton, Brumbaugh, and Rohloff 2017). The disproportionate imprisoning of Indigenous people in the United States “operate to keep Native Americans in a colonial situation” (Ross 1996: 138), thereby contributing to postcolonial distress (Jacobs 2012).

Indigenous women and girls experience disproportionate rates of punishment. Indigenous girls were eighteen times more likely than White girls to be incarcerated (Wiltz 2016, March 4), while Indigenous women were more than six times likely to go to prison compared to White women (Lakota People’s Law Project 2015). In Montana, Indigenous women were 25 percent of the women’s prison population, though they made up only 6 percent of the population (Ross 1998). Moreover, Indigenous women face disproportionate criminalization during pregnancy by being accused of using illegal drugs or alcohol during pregnancy, not adhering to treatment orders, or being forced to have a medical procedure (Paltrow and Flavin 2013).

Some of the women I interviewed recognized the disparate treatment they and their community experience as Indigenous from the criminal legal system or recounted distressful experiences they had with the system. God’s Child cited the disproportionate treatment in the criminal legal system she witnessed:

God’s Child: Because I watched many Lumbee Indians go to jail that shouldn’t have gone to jail. I had watched Lumbee Indians go to jail for things that other people did...I had been in the courts. I had to go for a DWI. What I had seen is, it is more likely that a person of Color or a poor person is going to go ahead and plead guilty to get it out of the way. And now you have got yourself a record, whether you was right, you have got yourself a record for the rest of your life.

God’s Child added that her son received prison time for DWI, while others whose skin tone was similar to the (White) judge’s did not receive prison time. The disproportionate treatment of Indigenous people in the criminal legal system, itself a colonialist creation, is another cause of postcolonial distress, as the system enacts various harms from the attendant costs associated with

legal encounters to fearing for one's life when dealing with police, the courts, and correctional institutions. God's Child recalled a conversation she had with a member of the church she attends that touches on the stress she experiences from the criminal legal system:

God's Child: One of the differences in being a Lumbee woman in Robeson County, is that I had a son. Well when all of this "All Lives Matter" stuff come up, I had a discussion with one of my White sisters from the church, because she thought we was on the same level. I said, 'No honey, you never had to worry about your son being stopped by the police and getting killed. I have been through that. I have walked that walk. I know what that feels like. So you can't say that you have had the same experiences that I have had because you have not had to worry about that. So since you don't know, don't speak on something that you don't know anything about.' Because the truth is all lives do matter, but Blacks, Indians, have been killed. Now I don't know about other places, but I know Robeson County. I have seen it over and over again, where you had to be careful about what you did, about what you said. I have had the experience of going in the store, being followed because they thought I was going to steal something. I've had that experience where you go somewhere to eat and they are watching cuz they scared you are going to take something home with you, you know, put in your pocketbook, like some extra food.

God's Child referenced Indigenous and Black people receiving disproportionate treatment from the criminal legal system, particularly the killings of Indigenous people she knows. She contextualizes her worrying about her son encountering the police by recounting her own experiences with being followed and profiled by the police and other members of society. These worries can be categorized as a cause of postcolonial distress.

Moreover, God's Child's anxieties attached to living in Robeson County are consistently validated by other Indigenous people and scholars. Lumbee history scholar Malinda Maynor Lowery recounts the Indigenous experience with local police in her chapter titled "The Drug War," which recounts the fears Lumbee and Tuscarora people had during the War on Drugs era (Maynor Lowery 2018). For example, Sheriff Hubert Stone "associated Indian offenders with violence and substance abuse" (Maynor Lowery 2018: 169). Many believe that the local Sheriff's department played a major role in the drug trafficking within the region, and targeted

Indigenous people in cities throughout the county where they “had less political strength” (Maynor Lowery 2018: 178). During this era, there were the questionable killing of unarmed Jimmy Earl Cummings by Deputy Kevin Stone, the Sheriff’s son, the arrest and conviction of Cummings’ mother for drug offenses in retaliation for her civil suit against the Sheriff’s office in her son’s death, and the killing of a Lumbee superior court judge nominee Julian Pierce and the questionable investigation that followed, among other, suspicious events. Eventually, corruption in the Sheriff’s Office was exposed during investigations by the North Carolina State Bureau of Investigation (SBI) in the early 2000s (Maynor Lowery 2018), but this did not ease tensions between police and some Indigenous people in the area.

God’s Child lived through that era, and her worries about her son and her own experiences can be categorized as a cause of postcolonial distress. The postcolonial distress God’s Child experiences is rooted in the historical relations between local police and the local Indigenous people, as well as the criminal legal system’s status as a creation by colonists to control and assimilate the colonized (Jacobs 2012).

Later, God’s Child discussed other personal experiences she had with the criminal legal system, as well as experiences her daughter had:

God’s Child: And then my daughter, I told you she had the nervous breakdown. We had a time when they locked her up for calling 911 too many times and was in the middle of a nervous breakdown, and instead of taking her to the psychiatric ward they took her to jail. And she stayed out there fifteen hours before they finally figured it out that she needed to be taken to the psychiatry ward, and they transferred her there to the mental hospital. But now you think the county jail cared? When I was in there all of those people could have cared less. They would take them [food] trays and shove them through the hole and those trays would fall on the ground. It was a nightmare. I don’t like dealing with the police. I don’t trust them, cuz I have seen too much dirt being done and this county runs on the good ole boys’ system.

God’s Child discusses how her daughter’s mental health crisis went unchecked and untreated in the jail and her own experiences of jail. Their experiences are common within Robeson County,

particularly among Indigenous people Maynor Lowery (2018). These are causes of postcolonial distress, in that God's Child and her daughter's experiences with the criminal legal system occur because of the dominance of colonialism as an ideology. The criminal legal system is a racialized, colonialist system that exists to police the poor and People of Color, and the experiences God's Child describes resemble other experiences of Indigenous people. Moreover, her lack of trust in the system is similar to that of other Indigenous people and communities.

Clara also touched on her distrust with the police in her local community: "There was always a lack of trust for the police because of so much you hear about and things I have experienced with other members of my family." The lived experiences of family members who have been affected by the criminal legal system were passed down to Clara, and this distrust is a cause of postcolonial distress. Clara recounted her own individual, direct experience with postcolonial distress that happened during a stop by police:

Clara: I was in medical crisis and the situation got out of hand. And because of their [failure to follow protocol], they didn't call, all they had to do was call the ambulance. I was pulled over because I couldn't see because my sugar dropped so low in the middle of the night, like 2 in the morning. Had they called the ambulance they could have gotten all the numbers they needed. And they didn't, so when they told me to step out of my car, I was eating and some of the food had fallen, he had said in court that I had vomit on me and my car. There was no vomit. It was sauce from the, but it was kind of a dry chicken wrap. Because he smelled the beer, and I said, 'Well you are gonna have to wait, I'm eating.' And I still couldn't see. I remember that point getting yanked out of my car violently. And when I went down on the ground and he pulled my bad arm back, and I heard my wrist snap. And the pain that hit me, my mouth, I came unglued. And I think anybody would. And I think that a defense mechanism was, I don't remember a little bit there because I went into shock.

Like God's Child's daughter, Clara experienced a health crisis that the police treated as resistance. She ended up with a broken wrist, "rocks in my knees," and "bruises all over my arms and legs." While she admitted to cursing the cops out, she was a slim 5'2" at the time of the incident, but, like other Indigenous people before her, was treated with violence. She was

accused of spitting on the police officers and later sentenced to a nine-year sentence, eight of which were suspended. She was jailed for twelve months. She discussed her case in the following excerpt:

Clara: And regardless of all the evidence in my favor, that disappeared. All my truth, cuz I don't lie. I was still convicted. Wrongfully accused of something I didn't do, on top of all these other ridiculous, made up falsified charges, like a circus. I felt like I was in the middle of a circus. And I'm sitting on this high wire with no net, and I'm watching the ponies and the dog show, and who's the main guy who does the circus? That's the district attorney, because he ran the court.

Clara later discussed the impact that this violent incident had on her life in the present:

Clara: I'm good now, but I was still purging things at the time this happened. I guess I was just starting to awaken. You know, when you turn 40, when you are in your 40s you're awakening. And I was getting ready to hit 50...Going through all this stuff and coming to peace with my past. All of that was new, so when this happened and how I was treated, I just never expected it from the locals, physically.

The violence that Clara endured during this incident, along with the time she spent in jail are examples of postcolonial distress. In her words, she was beginning to come to peace with her past before encountering this "traumatizing" experience.

Jenette also described a time she had a health crisis that led to police involvement and the neglectful treatment she received while she was in jail:

Jenette: My diabetes was so high, like eight or nine hundred. I was driving up to the Dollar Tree. My grandbaby, she was 4 at the time. And she walked in and I drove off. And I didn't know I had done that. When I come home, when they had got off school, asked me where my granddaughter was. I said I carried her to her sister's, but I didn't. I carried her and I had left her at the Dollar Tree. And so they locked me up. And then I kept tellin them that night, 'Please check my sugar. Please check my sugar.' They wouldn't even take the ambulance to come and get me and take my sugar. Went to jail overnight, got up the next morning, they gave me somebody else's medicine. I went in overnight and they didn't even have a chance for no doctor to give me medicine.

Jenette also encountered postcolonial distress with this interaction with the colonial criminal legal system. In addition to its general existence as a colonial construct, the criminal legal system

neglected Jenette's needs in a rush to punish her for her actions, failed to provide her the needed medicine, and gave her the wrong medicine, which fortunately did not harm her.

Of those who served time in the colonial criminal legal system's prison system, Clara and Tabitha discussed their time in jail in the most detail. First, Clara described it as a "shithole." She said, "I thought I had really been through some stuff. I hadn't been through nothing until I went there." She later expanded on her experience:

Clara: Felt like 12 years. It was horrible. It was ridiculous. It was just inhumane. What a waste of life to just have nothing to do and to just sit all day. I didn't even work out cuz there was nowhere to do it, and I was always very athletic. I couldn't go outside because I was in the block with the murderers and bad girls that were much younger. Drug addicts. People coming in and getting off of opioids and crackheads, and because of the fighting we never got to go outside. It's all isolated.

Meanwhile, Tabitha also shared her experience serving time in a local jail. This was after her motorcycle accident that decreased her ability to keep her balance and to use her arm. She recalls the time she twice fell in the shower:

Tabitha: Oh God, it was horrible. It was just horrible. I was in Robeson County Jailhouse and they put me in the medical cell. Okay, they had two showers in there. They had a handicap shower and a regular shower. Well, the first night I was in there I went to use the handicap shower. Used the bar to stand up. It come out the wall. I fell. So then they told me 'Don't use that shower, go to the other one.' Well I didn't have nothing to hold on in that one. And when I washed my hair and hold my head back I lose my balance. So I fell in that shower and busted my shoulder up, and they put me in a holding cell, an observation cell just cause I already had brain damage, you know. They wanted to observe me for 24 hours. And while I was in there, the man that brought me my tray, them girls would always get me tray for me. My food tray. And I dropped it on the floor when I was in the cell by myself. And they wouldn't even give me another plate of food. And I was like, 'Ya'll sorry.' I mean, you know, I was like, 'What? Are you serious?' And so it was just a horrible experience.

Tabitha, Jenette, and Clara's narratives of their jail time are examples of postcolonial distress, as they served time in the criminal legal system that was a colonial creation. The criminal legal system as a creation of the colonial structure serves to keep Indigenous women in a colonial situation, which leaves their needs neglected and their health endangered.



## POSTCOLONIAL DISTRESS VIA SUBSTANCE ADDICTION

The struggles of Indigenous people with substance addictions are also cumulative effects of colonialism. An interview participant in another study discussed how “there was no alcohol in this continent 500 years ago. There was no drugs” (Gone 2007: 292). Alcohol did not exist in Indigenous communities prior to European contact (Abbott 1996; Frank, Moore, and Ames 2000). However, alcohol is widely available in some Indigenous communities today. Both mortality rates for alcoholism (Landen et al. 2014) and substance use rates during pregnancies are higher for Indigenous women than the general population (Hanson et al. 2016; Sarche and Spicer 2008; Walters, Simoni, and Evans-Campbell 2002).

Recently, the opioid crisis has deeply affected Indigenous people, as the incidence rate ratios are higher for Indigenous people than for Whites, Blacks, or Asian-American/Pacific Islanders (Calcaterra, Glanz, and Binswanger 2013). Drug overdose death rates rose 519 percent in nonmetropolitan Indigenous communities from 1999-2015 (Mack, Jones, and Ballesteros 2017). Like alcohol and other dangerous substances, colonialism is directly tied to the opioid crisis as pharmaceutical companies are primarily responsible for dumping millions of pills in Indigenous communities for the pursuit of profit (Baker-Limore 2017, Sept. 3).

The consequences of the use of alcohol and drugs can be contextualized as causing postcolonial distress. As mentioned above, substance use and addiction are the legacy of colonialism in Indigenous communities, and the introduction of dangerous substances by colonial forces continues to create and perpetuate postcolonial distress among Indigenous people. In addition, the colonial structures that promote individualism and perpetuate violence, trauma, and distress in Indigenous communities, lead to potentially dangerous substance use and

addiction as means of coping. The following paragraphs relate the experiences told to me by Indigenous women.

Multiple participants described one of their parents as alcoholics. God's Child said this about her mother:

God's Child: My mother had bipolar and was not diagnosed until she was 80-years-old so she was quite loud and boisterous. She could also be very mean. With the first set of kids she had a drinking problem.

For Kelly, whose father was an Indigenous man, her memories of her father impacted her perceptions of Native men:

Kelly: And to be a single mom of two Indian boys it's rough. Because there is only so much that I can teach em, so that means I have to let them be involved with other Native American men. And that's a whole different ballgame, cuz (laughs) growing up, my dad was an alcoholic. And when he drank he beat my mom. It was always in the back of my mind, I would never marry an Indian man. Never. Cuz I didn't want to get beat on.

Here, God's Child and Kelly describe experiences with postcolonial distress because of the use of alcohol, in addition to stereotypes and exposure to Indigenous people who abused alcohol.

Kelly later added, "Indians can't handle alcohol. It's just that gene that we have." She also related the distress she experienced later when she did date and marry an Indigenous man:

Kelly: And he beat me one night to a pulp in front of my oldest and middle son. And all I could think was, 'Why didn't I just stick to my core values of never dating or marrying an Indian man?' And that's not to say they're all like that, but the one's I've experienced are like that.

In this instance, Kelly experiences postcolonial distress via the shame she experienced in relinquishing her "core values" regarding dating or marrying an Indigenous person, values that arose out of the colonial use of alcohol to control Indigenous people, their resulting struggles with alcohol and drug addictions, and the stereotypes that then arose.

Gad also described her father as an alcoholic and described the process by which he became such:

Gad: Well when he was like 8-years-old his sister, they were going to school and walking to the bus, and a car was coming through and she pushed him out the way and she was hit by the car and was killed. My family told me that from there, Daddy picked up alcoholism at 14 I think it was. He grew up and he started drinking very early. And it was to hide his pain, and he started drinking early and he just kept drinking. Kept drinking and it got worse and worse. Daddy wasn't abusive, he was good to us kids and that was like my sunshine.

Her father's alcoholism caused postcolonial distress as it led to bullying from other Indigenous children at school because "people knew that my daddy was an alcoholic." Here, the Indigenous children at Gad's school took on the identity of the colonial structures and acted upon her as if her father's alcoholism was an individual problem and created hostility among herself and her Indigenous peers.

Some participants described their own personal experiences using alcohol and other substances considered illegal, while others described their partner's involvement with them. Jenette stated that she had been on drugs previously, but no longer was. Clara declared that she "became an addict at an early age and I was until my early 30s." Tabitha and God's Child recalled times using cocaine. Clara, Tabitha, and God's Child all indicated that they used alcohol and drugs as a means to cope with some of their life circumstances:

Brian: So before church, how did you cope with those things?

God's Child: Drinks and drinks. I started off with drinking. Then I found grass. I really loved grass. If I could find grass I wouldn't drink. I would just do grass. Well then I went into treatment...and then I met Mr. Cocaine. Well Mr. Cocaine flipped my life right off, cuz I was hooked from day one. It gave me energy. I could do anything I wanted to do and I could open my mouth.

Brian: How old were you when you first started using?

God's Child: I was 13 when I started drinking alcohol and smoking grass.

Brian: Was there a particular instance or occasion or an event that led you to drink?

God's Child: The molestation.

Brian: Was that [using drugs] a coping mechanism for you?

Clara: I think so. I think I was lacking emotional closeness with my mother. We never bonded and I didn't realize that until I got much older that, that was something that I was missing, and it may be why I had chose these addictions...so yea, I believe that it was coping with a lot that I didn't have in my life.

Tabitha: I got on cocaine. I had used before the accident, but I laid it down for four months before the accident. And then after that I was like, you know, bump this. It just takes you away from that place you are in at the time. And so, I battled through that for six years. But I made it out.

Brian: And were you taking it for coping?

Tabitha: It helped me. I mean, I used that as an excuse. But yea, it would just take my mind off, because I was in a very deep depression.

For God's Child, Clara, and Tabitha, their use of drugs as a means to cope is rooted in colonial, individualistic ideologies that diminished community cohesion of Indigenous people and communities. Not only were dangerous substances introduced to Indigenous people by the colonizers, but the colonizers also erased cultural and religious methods of coping with "deep depression" or "a lot that I didn't have in my life."

Janice also discussed her experience with using drugs and the impact that it had on her life:

Janice: Well I got caught up with drugs and stuff, and I didn't care about my children. I didn't even care about myself... That was before my house burnt down. I wouldn't pay the bills and stuff. And wouldn't pay the light bill and I got on drugs and stuff. So, I decided to let my sister take my youngin. But with my little boy, DSS got involved with that and so, I was on drugs then. But I'm clean now, but it was just the drugs and I couldn't take care, I wadn't even caring about myself at that time, and so if I didn't care about myself, I didn't care about my children at that time. So, but I still love them, but I wanted drugs more than, but they understood what I was going through, and I told them 'Momma needed help. Momma's on drugs and stuff.' So they know. They know I'm doing better.

Here, Janice recalls losing her kids to her addiction, while having internalized the colonialist, individualist rhetoric of the oppressor to explain why she lost them. She is resigned to the individualistic ideology that colonialism uses to explain one's substance addiction, and experiences postcolonial distress with the loss of her children, who at the time of our interview, had not been returned to her.

Gad also talked about the circumstances that surrounded her and her ex-husband's experiences with substance addiction:

Gad: I've been addicted to painkillers.

Brian: How did that come about?

Gad: When it first started out I got them from my husband. Okay, I broke my finger, and I got pain medication. And instead of taking them, he did. But I started having complications with my hand. I had two broke fingers. And so, little did I know that he was addicted to them the way he was. He would go out and seek them and buy them. And so then he would have a Loracet on top of the refrigerator. And I would take it. And it just progressed. And it wasn't to the point where some people have an addiction of \$100 a day. It was still an addiction. It was still that I felt like I needed it, you know.

Brian: Have you taken anything as a means of coping, of hiding the pain that you suffered?

Gad: I think I self-medicated, yes I do. And I think there was a point that I self-medicated as far as alcohol. I would drink.

Brian: Can you describe an average time where you would have that urge?

Gad: I would just get frus[trated], and this was during the time where it seemed like I was falling apart. Where I would be alone, be by myself and I would just want to get drunk. And I would get beer and just drink and, or I've gotten liquor. I remember being here one time and I got on Southern Comfort, 100 proof. Tortured. I was on that and, we left and went to another town and [the person she is staying with] bought a brand new phone and I threw it out the window. I was drunk. So he called the police out here...I can't remember what I was angry about Brian. But at that time I would get upset and drink, and I would take my frustrations out. Rahhhhhhhh [she screamed as if she were upset]. I would rant and rave, rant and rage. I haven't done that since then. I was embarrassed. I really was. But I think that was my way of self-medicating.

As with the other participants, Gad described her experiences with substance addiction as her "way of self-medicating." This self-medication and experience with addiction to dangerous substances like painkillers and alcohol, are causes of postcolonial distress as Indigenous people were not exposed either to these substances or to their use as a coping mechanism prior to colonization.

In addition to Gad, other participants mentioned that their spouses used and/or sold drugs. Jenette referenced that her ex-husband sold drugs, "And that was just the most intense thing to live in." During this time in her life she was in constant fear of "being busted by the law"

especially since she was not helping him sell drugs. Cindy explained that her husband's drug problem early on in their relationship was why they were without a steady home:

Cindy: Yea, that [being without home] was cause the drug habit he had. At one time he sold marijuana and cocaine. We made a living from that for like a year because he was doing that. But then he began to use and that got out of hand. And that's when we got the lights cut off...Actually he got arrested because they had a drug bust at the house we were staying in...but he wasn't in jail long, maybe overnight or something like that. But then things just go worse from that. So the lights got cut off and I went to Momma's and stayed and he came with me.

Cindy also discussed how her husband's frequent incarcerations because of his drug habit meant that she and her husband were frequently separated during this time. This is another example of postcolonial distress: her husband sold drugs to provide for her family in a time of economic hardship that can be contextualized within the county she lived in entirely, as Robeson County experienced rampant loss of employment opportunities and increased reliance on the illegal drug trade during this period of her life. She later referenced drugs as the biggest issue facing her community, particularly pills and opioids, which are also products of colonialism. In all, these stories of substance addiction are examples of postcolonial distress that these women experienced, as these dangerous substances were introduced to Indigenous people by the colonizers.

#### POSTCOLONIAL DISTRESS VIA SEXUAL VIOLENCE AND SEXUAL HARRASSMENT

Another form of postcolonial distress that some participants encountered was sexual harassment and sexual violence. Since the arrival of the colonists, Indigenous women have faced stereotypes that hypersexualize them, which scholars link to their disproportionate experiences with sexual violence and sexual exploitation (Deer 2009; 2015; Smith 2015). Whether it was in early artworks (McLerran 1994; Portman and Herring 2001), contemporary films, or Halloween costumes (Monchalin 2016), Indigenous women face these hypersexualizing stereotypes.

Rhiannon talked about her direct experience with these hypersexualizing stereotypes with a piano teacher she had:

Rhiannon: I think people, guys especially, like non-Native guys have this perception of Native American women. One of my professors out here, my piano teacher, he was really creepy once he found out I was Native American and I didn't take piano for that reason this semester. It was a private lesson, and he like really—

Stevie: He even called her. He called her and she wouldn't answer the phone when I went and ate [with Rhiannon], and I answered the phone. And he was like, 'Are you gonna take the class?'

Rhiannon: Yea, he added me on Facebook and he found out I was bisexual. Cuz like, I'm pretty open about it if it's not my family. And like I had made a joke or something and he asked me a bunch of questions. And I thought it was really unprofessional...I thought it was a little much that he tried to add me on Facebook and he sent me a request outside of class. And I didn't accept it. I just kinda left it there. And the next class he was like, 'Why didn't you accept me on Facebook?' He was like, 'Go do it now.' Well I couldn't be like, 'Well, no.' I mean, I'm on my phone. So he kinda cornered me into it, it was kinda creepy because he wasn't like that until he found out [I was Native], so I think like, not stereotype, but like Native woman is perceived through Hollywood to be a sex symbol and this, that, and the other, I don't know...And it's only a thirty-minute lesson a week so there's not really time. Like, playing the piano, there's not really time to talk, so you are trying to play and he would just, in the middle ask me about my culture...Like, one time he asked me if I prefer guys or girls, and it was really awkward...And then he asked me what kinda guys I liked more, White guys or Black guys. And...I was scared cuz he was a lot bigger than me, and it was in an enclosed room...and that is why I didn't take it this semester, and that pisses me off, because he's the only private lesson person I can take...And you want to fuck it up for me because you want to make sexual comments and piss me the fuck off, and like my Facebook pictures. Like, leave me the fuck alone. I don't want to make it a thing and be like, 'Dude, you are creeping me out,' but I just didn't take it this semester and I'm upset about it because I could have been learning so much more this semester.

Stevie: That's a woman thing though.

Rhiannon: Yea, that's a thing.

Stevie: So let it go, let it go, like you are just a guy.

Rhiannon: Yea, I'm not making excuses for him because I know he is like a creepy old pervert, but I told [another musician] about him, and he was like that is most musicians. I'm like, I'm not giving ya'll a pass just because you are a musician. You are a fucking creep. I just think that is more of a woman experience, but like, in my experience he didn't start like that until he knew I was Native. Like I guess he just assumed I was White at first and then—

Stevie: Acts like an exotic something.

Rhiannon: Yea, like, 'Oh, she's different.' (both laugh).

Here, Rhiannon recalls the sexual harassment she experienced from her piano teacher. She and her friend Stevie contextualize the harassment within the colonial stereotypes of Indigenous women as “exotic,” “different,” and a “sex symbol” that is to be desired by other racial groups. This experience, along with her decision to no longer take private piano lessons, are examples of postcolonial distress, as these stereotypes of Indigenous women are rooted in colonialism. Rhiannon was not the only participant to recall experiences with sexual harassment or sexual violence. Clara described her experience with a brutal, sexual attack that she occurred a few years prior to our interview:

Clara: I was left for dead in 2013 in this town. Just this guy came across the parking lot, in the apartments up the road. I took some drunk friends that called me, home... After dropping them this guy comes out of nowhere. And I guess he knew I was Native, I don't know if he followed me, if he stalked me, I don't know. Um, but here we are called, 'Red niggers.' And I remember him saying, 'You red nigger. I'm gonna kill you.' And he tried. He choked me out... I had bite marks all over my breast and I think he was a necrophiliac. After he'd kill me he was gonna have sex with me.

As mentioned previously, Indigenous women were hypersexualized in colonial society. In Clara's instance, she was sexually assaulted and devalued and demonized as a “red nigger,” a term she says non-Indigenous people in her community use to refer to Indigenous people. The hypersexualization and devaluing of Indigenous women causes postcolonial distress that they endure on its own, further exacerbated by direct instances of sexual violence like the one that Clara described.

Additionally, God's Child shared her experience with sexual violence at a young age:

God's Child: Well, first conflict really came when I was 8. I was molested by a stranger down behind the corner store. And I just sort of, I would tell my momma and them what was going on cuz we didn't talk to Momma about stuff like that. But she started to take me to the therapist and the therapist discovered what it was and so [the therapist] told her and then I had to talk to Momma about it.



The experience led to her substance addiction later on, as she coped using alcohol and drugs. It also led to her harboring ill feelings and fear towards Black men, as that was the racial demographic of her attacker. The substance addiction, experience with sexual violence, and fear of Black men are all rooted in colonialism and serve as examples of postcolonial distress. Her daughter dated and had a child with a Black man, and she had to overcome her fear associated with her attacker's racial makeup and colonial definitions of race that led her to categorizing and fearing all Black men, so as not to confront or act prejudicially towards her granddaughter's father.

In addition to the personal experiences relayed by the respondents, Jenette relayed the experience of her daughter with sexual violence:

Jenette: Well when she [her daughter] was young, like two years old, my husband's daddy sexually assaulted her. And in her mind she says I let him do that. And I didn't cause I told my husband that if you don't get your daddy outta my house I'm gonna kill him. And she knows that I didn't know nothing about it until she told my sister and my sister told me...And to the day, she gets to thinking and wanting to get mad with me and argue. She throws that at my face, and I didn't allow her to get raped...when she got old she's picked other boys in the trailer park that tried to sexually assault her.

In Jenette's case, she experiences postcolonial distress simply from her daughter's sexual assault, and then additionally through the blame placed on her by her daughter for the assault. The victim-blaming mentalities of colonialist society are evident in the blame she receives from her daughter.

Finally, June Mac described the sexual harassment she endured during her time in the military and being referred to in her battalion by her sergeant as the "Battalion Princess":

June Mac: I had a bad experience at [military base]. I was the only female who worked at the military battalion...My commanding officer knew what I was facing. I was being stalked. It was pretty bad...I bowled for the league at [military base]. And there was this one major, he would show up every night, just staring...And then he would follow me out to my car. He would follow me to my apartment, and it was sorta scary. I didn't know

what to think. He was a stalker...They said they liked running behind...because they liked looking at my ass. You know, stuff like that. And it was very degrading.

June Mac's experience in the military with the stereotype of being the "Battalion Princess" alongside the stalking and degrading, hypersexualizing behavior she experienced from fellow military members caused her postcolonial distress that eventually developed into her diagnosis with Post-Traumatic Stress Disorder (PTSD).

## SUMMARY

This chapter utilized postcolonial distress as a framework to contextualize the experiences of Indigenous women who are members of federally unrecognized nations. Postcolonial distress refers to Indigenous people and communities' collective experiences with injuries that are results of colonization, the cumulative effects that occur from these injuries and experiences, and the cross-generational impacts that produce legacies of harm (Hartmann and Gone 2014). The narrators in this study experienced postcolonial distress via familial conflicts, suicide, interpersonal violence, the criminal legal and civil legal systems, substance addiction, and sexual violence and sexual harassment. The narrators' experiences with these social problems are examples of postcolonial distress, as their experiences are connected to the larger ideology and project of colonization.

## CHAPTER VI

## “YOU’RE NOT FULL-BLOODED INDIAN. I’VE MET YOUR DADDY.”: SOCIAL DEATH

Chapter 2 outlined the genocidal actions of European invaders to contextualize the current conditions Indigenous communities encounter. This chapter defines social death and uses the concept to understand and situate the genocidal techniques of the United States. Social death emerged as an important construct when reviewing the narrators’ various experiences with systematic violence, humiliation, and natal alienation via cultural and religious erasure, bureaucratic erasure, and the delegitimization of their Indigenous identity. They also experience social death in their multiple identities as Indigenous, as Indigenous women, and as Indigenous women who are members of federally unrecognized nations. By shedding light on Indigenous women’s experiences with social death, this chapter seeks to further contextualize Indigenous people’s overall experiences with violence and trauma.

## SOCIAL DEATH

In this analysis, I explore Indigenous women’s various experiences with social death (Patterson 1982). Social death is the eradication of social vitality, which are “relationships, contemporary and intergenerational, that create an identity that gives meaning to a life” (Card 2003: 63). Most important to consider when using this conception of genocide is that it does not solely involve the physical loss of Indigenous people via murders and massacres. Social death considers the loss of relationships and identities. While all Indigenous people suffer from social death to some degree, Indigenous women, particularly those who are members of federally unrecognized tribes, have varying experiences with social death, because of their identity as Indigenous, as Indigenous women, and as Indigenous women who are members of federally

unrecognized nations. This section begins by providing an overview of the concept of social death and ends with an application of social death to the general experiences of Indigenous people and communities.

### *What is Social Death?*

Social death was originally conceptualized to describe the life of enslaved people (Patterson 1982). Enslaved people were at the mercy of their masters, with no freedom to move through life on their own volition, making them nonpersons or noncitizens. In all, social death includes exposure to three conditions: systematic violence, degradation/humiliation, and natal alienation (Patterson 1982; Price 2015). In a state of social death, an individual is legally without rights to personhood. Once people are condemned to social death, the position is often a permanent stigma they must navigate (Price 2015), even when “provided” with the right to personhood or humanity as this is “disempowering because they can be interpreted only as asking to be given something sacred in return for nothing at all” (Cacho 2012: 7).

The first characteristic of social death is the experience with systematic violence. Masters had the power of death of the enslaved person in their hands (Patterson 1982). If an enslaved person took part in forced slave labor they most likely would live, whereas if they resisted they might be subject to violent whippings, beatings, rapes, and/or death. They might also have been subjected to violence from people who were not their masters, as some laws allowed for any citizen to arrest enslaved people who ran from their master’s plantation, while others allowed for the killings of runaway enslaved people without due process (Reichel 1988). States also created slave patrols whose duties included patrolling the homes of enslaved people, punishing enslaved people who ran away or were unauthorized to be off their master’s plantation, whippings, and

apprehending and transporting enslaved people to local magistrates for criminal offenses (Foner 1975). Overall then, slavery acted as a commuted death sentence, because enslaved people were legally powerless to resist being an enslaved person, even though they exerted resistance in other forms (Patterson 1982). “The execution was suspended only as long as the slave acquiesced in his powerlessness” (Patterson 1982: 5).

The second concept of social death, humiliation, is “stripping people of dignity, honor, or pride, rendering them helpless, and making them the object of contempt” (Price 2015: 41). This differs from shame, in that when individuals experience shame, they typically believe they deserve that feeling. However, humiliation does not occur because one feels they deserve to be humiliated. It occurs through the powerful’s domination of the powerless (Price 2015).

The third characteristic of social death is natal alienation (Patterson 1982). Natal alienation occurs “in the lives of an ethnic group when the social practices of the society into which they are born forcibly prevent most of them from fully participating in, and thus having a secure knowledge of their historical-cultural traditions” (Thomas 1992: 150). Enslaved people exerted no control in the social relationships they experienced, were unable to protect themselves and their family from violence and were unable to incorporate the lived experiences of their ancestors into their own experiences. The social and familial ties of enslaved people did not exist in the eyes of the master or of the law (Price 2015).

### *Applications of Social Death*

Scholars apply this conceptualization of social death to the current and formerly incarcerated (Price 2015), to immigrants subject to deportation (De Genova and Peutz 2010), and to groups not under the umbrella of whiteness (Cacho 2012). For example, prisons are the cause

of social death for the incarcerated and their families. The concept of social death allows us to broaden our understanding of the harms of the prison. The prison's relationship to social death is evident in the systematic violence, natal alienation, and humiliation that the incarcerated experience (Price 2015). The incarcerated are at the mercy of the prison, forced to rely on the institution for all of their pressing needs. The incarcerated experience sexual harassment, sexual violence, and assault in many forms.

By using social death to think about the experience of prison, it expands the focus beyond just bodily harms on the incarcerated. Social death allows us to see that the impact of prison stretches to the incarcerated person's family and community (Price 2015). The prison fosters natal alienation by separating the person from their loved ones and community, while simultaneously separating the loved ones and community from the incarcerated person. Therefore, "The harm is borne by all of them" (Price 2015: 25). Moreover, prison and the consequences of conviction of a crime eliminate voting and parental rights, which eliminates the participation of people convicted and incarcerated for crime.

Finally, the prison also creates humiliation of incarcerated people that perpetrates social death. In prisons, humiliation "is organized, institutionalized, routine, and largely legal" (Price 2015: 42) though illegal forms of humiliation exist. The incarcerated are subjected to cruel treatment and conditions, strip searches, and sexual violence and sexual harassment (Price 2015). As such, the incarcerated experience social death via humiliation as they are "cast simultaneously as an object, even a sexualized object and a piece of garbage, a throwaway body (Mignolo 2009; Scheper-Hughes and Bourgois 2004: 19, 21)" (Price 2015: 57).

Scholars also apply the concept of social death to immigrants subject to deportation (deportability) (De Genova and Peutz 2010; Elizabeth and Elizabeth 2018). People who are

eligible or face the threat of deportation are subject to natal alienation, as they may be separated from their family. Moreover, they face constant systematic violence indirectly via worry and anxiety about their status and possible familial separation (De Genova and Peutz 2010), as well as directly when confronted by U.S. Immigration and Customs Enforcement (ICE) (Elizabeth and Elizabeth 2018).

Another application to social death examines the concept through the lens of social value (Cacho 2012). Specially, society views criminality via a comparison to decriminalized whiteness:

The refusal to recognize young White males as criminal relies upon recognizing the figure of the criminal as not only always already racialized but also as one whose conduct and character must be imagined as proportionately more depraved than that of a White person who commits comparable crimes (Cacho 2012: 28).

Thus, criminality is a racialized ideology that automatically labels People of Color as criminals and leaves them without the possibility of being law-abiding (Cacho 2012). Social death is a consequence of societal valuing of life within neoliberal capitalist social, economic, and political contexts. Instead, we should focus on transformative ways to define the value of life that “do not require us to appeal to market values or to redirect juridical and social repudiation toward other populations that constitute the ‘negative resource’ to American value” (Cacho 2012: 33).

## SOCIAL DEATH AND INDIGENOUS PEOPLE IN THE UNITED STATES

The conceptualization of social death further applies to Indigenous people in a variety of ways. Specifically, social death is at the center of the ongoing genocide of Indigenous communities (Card 2003). Beyond the systematic violence that caused widespread, physical loss of Indigenous lives, Indigenous people and communities have experienced natal alienation via cultural and religious erasure, bureaucratic erasure, and the delegitimization of their Indigenous

identity. Additionally, they have experienced exoticization as a tool of humiliation by the powerful. This section discusses historical and contemporary examples of Indigenous people experiencing social death via systematic violence, natal alienation, and humiliation.

### *Systematic Violence*

The various acts of systematic violence experienced by Indigenous people occurred mostly from 1492-1900, and included slavery, war, disease, and the Indian Removal Act. At least 2.5 million Indigenous people were enslaved (Reséndez 2016; Rushforth 2012) and were deemed rightless by their master and the law (Patterson 1982). These enslaved Indigenous people were without freedom and the ability to incorporate the experiences of their ancestors into their own experience. They were separated from their culture and language, physically erasing them from the ability to pass these on to their children.

Through war, disease, and the Indian Removal Act, Indigenous people experienced social death via systematic violence. War with colonist invaders resulted in numerous casualties for Indigenous people, particularly as the colonist military focused on the killing of women, children, and the elderly (Dunbar-Ortiz 2014). The acts of war and outright killings perpetuated the physical loss of Indigenous people. Moreover, colonists brought with them diseases to which Indigenous people had not yet developed immunity (Cook 1998; Dobyns 1983; Fenn 2000; Hacker and Haines 2006). Sometimes, colonists deliberately spread diseases to Indigenous communities, as when they delivered blankets contaminated with smallpox (Fenn 2000).

This systematic violence continued into the 1800s, as the federal government passed the Indian Removal Act of 1830 to force and coerce Indigenous communities to leave their sacred homelands (Cave 2003). This led to the deaths of large proportions of Indigenous nations and the



loss of sacred lands, as the federal government failed to protect tribal nations from intimidation and invasion (Cave 2003; Glenn 2015; Hacker and Haines 2006; Thornton 1987). Overall, these forms of state-sponsored war and systematic violence led to an 85 percent reduction in the Indigenous population from 1492-1900 (Hacker and Haines 2006).

Since the 1900s, systematic violence of Indigenous people and communities has continued. The Indian Health Service (IHS), under the direction of the federal government, forcefully and coercively sterilized thousands of Indigenous women throughout the United States in the 1970s (Smith 2015). This prevented many Indigenous women from bearing children and physically, mentally, and emotionally harmed the women sterilized.

Finally, the U.S. government participates in more evolved systematic violence through environmental racism that serves to physically harm and kill Indigenous people and separate nations from their sacred land. For example, between 1946-1959 the federal government tested nuclear bombs on Rongelap territory in the Marshall Islands that led to increased infant mortality rates and high cancer rates (Smith 2015). Indigenous nations and their lands have also been more likely to reside near hazardous waste sites, causing congenital defects among Indigenous people (Orr et al. 2002). Exposure to materials associated with mining waste affects Indigenous people more than other racial groups (Anderton, Oakes, and Egan 1997; Bullard et al. 2008; Malcoe et al. 2002). Indigenous nations were also more likely to encounter the dangers of military nuclear waste sites following the Cold War (Hooks and Smith 2004). Additionally, the presence of copper, oil, coal, and uranium on Indigenous reservation land (Churchill and LaDuke 1992) led to the federal government breaking treaties and using coercive means to gain access to these resources (La Duke 1979).

More recently, studies have highlighted recent environmental issues in five Indigenous nations (Lynch and Stretesky 2012). The Akwesasne Nation in Eastern New York and Canada experience exposure to industrial pollutants, specifically Polychlorinated Biphenyls (PCBs) associated with liver, gallbladder, gastrointestinal tract, brain, skin, and breast cancers (Lynch and Stretesky 2012). The exposure to PCBs also negatively affected the “cognitive functioning, including long-term memory, comprehension, and knowledge” (Lynch and Stretesky 2012: 110) of members of the Akwesasne Nation (Newman et al. 2009). The largest nuclear waste accident in the history of the United States occurred on Navajo territory in New Mexico, resulting in contaminated food and water, and escalating rates of kidney diseases (de Lemos et al. 2009; Lynch and Stretesky 2012). In the Four Corners Region, the federal government coerced Indigenous people to work as uranium miners without sharing the negative health outcomes of doing such (Dawson 1992), while another study reveals elevated rates of respiratory diseases in deceased Navajo miners (Lynch and Stretesky 2012; Roscoe et al. 1995). Meanwhile, the Lumbee River, the main water source for the Lumbee Nation in Robeson County, North Carolina, faces contamination from the building of the Atlantic Coast Pipeline (ACP), a natural gas pipeline. In addition, chicken processing plants such as Sanderson Farms and other concentrated animal feeding operations (CAFOs) affect the water quality of the Lumbee River, and create respiratory hazards for members of the Lumbee Nation (Emanuel 2019).

### *Humiliation and Exoticization*

Indigenous people also experience social death via humiliation and exoticization as a tool of humiliation, particularly through stereotypes of Indianness that arise in the media, and via blood quantum and federal recognition policies. These stereotypes created and perpetuated by

the federal government are reinforced by members of society who reproduce these harmful, humiliating stereotypes in individual and structural interactions with Indigenous people and nations.

The experience of social death via humiliation and being exoticized has occurred throughout history, particularly for Indigenous women. Artwork depicted Indigenous women as exotic and morally inferior (McLerran 1994; Portman and Herring 2001). Recent films represented Indigenous women as sexualized Indigenous princesses, or dumb and ignorant (Monchalin 2016), and Indigenous Halloween costumes are still prevalent in October and sold on Amazon. Here, exoticization or being exoticized refers to the sexualization that Indigenous women endure from society, in addition to societal stereotypes and views of Indigenous people as animalistic, bizarre, archaic, or unusual. Indigenous people experience this through the media, like in the movie *Pocahontas* that exoticizes her as a lustful, animalistic, Indigenous princess (Monchalin 2016; Portman and Herring 2001), while portraying and referencing Indigenous people as a whole as “‘heathens,’ ‘savages,’ ‘devils,’ ‘primitive,’ and ‘uncivilized’” (Fryberg 2003: 2).

In addition, Indigenous people are often negatively portrayed in the media as being lazy, alcoholics, and uneducated (Greenberg, Mastro, and Brand 2002; Kopacz and Lee Lawton 2011). Other stereotypes include depictions as unworthy or of receiving benefits they did not earn or are entitled to (Tan, Fujioka, and Lucht 1997) and as wealthy owners of casinos (Corntassel and Witmer 2008). Meanwhile, in the entertainment media and in art, Indigenous people are often depicted within the contexts of these negative stereotypes (Fryberg 2003; McLerran 1994; Monchalin 2016; Portman and Herring 2001). In addition, when Indigenous people are cast in more “positive” positions, they are cast as regulators of the status quo (Clark 1969), such as

police officers, public-school teachers, military, or government officials (Fitzgerald 2010) if they are even cast at all (Fryberg 2003; Fryberg et al. 2008; Mastro and Behm-Morawitz 2005; Mastro and Greenberg 2000). While one might think these are only positive portrayals, they also serve to legitimize the colonization of the colonized (Fitzgerald 2010; Memmi 2013). Instead of “doctors and lawyers” as Nalani, one of the narrators, and other researchers suggest (Fitzgerald 2010), Indigenous people in entertainment media are either portrayed as putting their lives on the line to enforce colonial norms and values, or “in a morally inferior position” (Portman and Herring 2001: 189).

The stereotype accessibility perspective (Macrae, Mitchell, and Pendry 2002) helps explain why Indigenous and non-Indigenous people believe in these negative stereotypes: “...if American Indians are frequently and consistently associated with only a few traits, images, or behavioral tendencies, then powerful, hard-to-break, mental links or stereotypes will be formed between the social category ‘American Indian’ and these behaviors or traits” (Fryberg et al. 2008: 209). In all, these negative portrayals in various types of media perpetuate colonial stereotypes that are reproduced in interactions with and among Indigenous people.

Finally, humiliation may be fueled by the various sports team’s mascots in Washington, D.C., Atlanta, Cleveland, Chicago, and others that are based on stereotypical Native imagery. Evidence shows that these mascots and the use of stereotypical Native imagery diminished the self-esteem and collective self-efficacy of Indigenous youth (Fryberg 2003), while they also report reduced “community worth and fewer achievement related possible selves” (Fryberg et al. 2008: 208). These demeaning stereotypes may humiliate some Indigenous people away from their culture. In addition, Indigenous people may encounter these shameful stereotypes when in contact with other people who perpetuate them,.

### *Natal Alienation*

Indigenous people also experience social death as natal alienation in various ways, including via cultural and religious erasure, bureaucratic erasure, and the delegitimization of their Indigenous identity. In general, natal alienation occurred as a result of the systematic violence Indigenous people and communities experienced that exacerbated cultural and religious erasure, in addition to particular policies and practices enacted under colonial rule. For example, American colonists directly targeted Indigenous people for religious conversions to Christianity using physical and legislative force (Irwin 1997). In 1892, the Bureau of Indian Affairs banned Indigenous communities from practicing their religion (Irwin 1997) until the passing of the American Indian Religious Freedom Act in 1978 (Locust 1988), though this did not yet apply to Indigenous people who were incarcerated (Ross 1998). Prior to the passage of the American Indian Religious Freedom Act, Indigenous people either had to conceal their religious practices to avoid discovery or convert to Christianity.

Furthermore, colonists forced Indigenous children to attend mandatory boarding schools under Grant's Peace Policy of 1869 (Smith 2015); more than 100,000 Indigenous children attended these boarding schools. Indigenous parents were required to send their children to these boarding schools or face imprisonment (Adams 1995). These schools instituted colonial values into Indigenous children, and refused to return children to their parents until they were successfully assimilated (Smith 2015). Children who attended these boarding schools were not allowed to speak their language and practice their culture. Thus, descendants of Indigenous people who attended these boarding schools were unable to incorporate the traditional language and culture of their ancestors into their own lives (Brave Heart and DeBruyn 1998).

Meanwhile, boarding schools introduced gendered violence to many Indigenous nations as physical and sexual violence were widespread (Smith 2015), and these behaviors were then reproduced in Indigenous homes (Brave Heart and DeBruyn 1998). The trauma and experiences of these boarding schools were passed down to descendants of those Indigenous children who attended them. Overall, boarding schools and religious suppression led to some tribal nations losing their traditional religious practices and eliminated the possibility of tribal descendants practicing their traditional religion and diminishing their abilities to incorporate the experiences of their ancestors into their own experiences (Burger 1995), contributing to natal alienation.

Indigenous people have also experienced natal alienation via bureaucratic erasure in various ways. One of the first was the “Doctrine of Discovery” policy that authorized European countries the right to Indigenous land if they “discovered” the land (Corntassel and Witmer 2008). Later, the passage of the Nonintercourse Act of 1790 provided the federal government further control over Indigenous lands and negotiations with states (Jurss 2017; Koenig and Stein 2013). The Marshall Trilogy court decisions defined Indigenous nations as sovereign yet ruled that the federal government overruled the power of sovereign Indigenous nations (Koenig and Stein 2013). In the late 1800s, the Dawes Act divided Indigenous land into plots, distributing them to individual Indigenous landowners (Stremlau 2005). This act forced the colonial, patriarchal values of individualism on Indigenous communities, separating them from their traditional cultures. Moreover, the act led to the land theft of Indigenous nations and people, leaving hundreds of thousands of Indigenous people without land (Philp 1983).

The Dawes Act was an important factor for the distribution of land and wealth on the Osage Indian Reservation in Oklahoma. In 1897, the Osage people began producing oil on their land (Harmon 2010). Afterwards, federal officials opened the enrollment into the tribe, allowing

numerous applications of tribal membership to people the Osage Nation rejected, or people who did not claim to have Osage ancestry (Bailey 1972; Chapman 1943). In all, 1,300 of the 2,229 people eligible for land via the allotment act “had substantial Euro-American ancestry” (Harmon 2010: 190). The act also, consciously or unconsciously, put people more likely to interact and marry Whites with more control over the wealth of the Osage people. This led to the transmission of Osage wealth to White people. Meanwhile, the Office of Indian Affairs (OIA) was more likely to recognize people with mixed ancestry as Osage, than those that Osage people recognized as Osage (Harmon 2010). Therefore, race and blood became the determining factor for Indian membership, as opposed to culture, with those considered half-blood or less Indian considered better able to handle allotments of land (Harmon 2010; Hoxie 2001; Meyer 1999). This bureaucratic theft of wealth and Indigenous identity served to erase Indigenous culture and Indigenous wealth, perpetuating natal alienation.

The Indian Reorganization Act of 1934 legislated the increased reliance on race and blood to determine Indianness. The law required tribal members to prove they had at least one-half Indian blood through pseudoscience techniques like anthropometry (Maynor Lowery 2013; Williamson 2011). This served to expand the power of the U.S. government over tribal nations in defining Indigenous identity, which depleted the Indigenous population as additional policies forced and coerced assimilation on Indigenous nations. These policies bureaucratically erased and disappeared Indigenous people who had claims to their identity via their participation and acceptance in the culture, contributing to natal alienation.

In Virginia, the state government attempted to eliminate tribal nations and people from the population. Walter Plecker, head of the Bureau of Vital Statistics, worked to ensure that the institution categorized Indigenous people as colored (Gonzales, Kertesz, and Tayac 2007). When

the federal government sought to validate claims of existence of Virginia tribes, Plecker using these records as evidence to deny they existed (Fiske 2004, Aug. 18). This prevented some tribes from meeting the old Federal Acknowledgment Process (FAP) criteria of proving their uninterrupted existence since 1900, and potentially erased tribal nations and people from their culture, further contributing to natal alienation.

The federal government's methods of bureaucratic erasure of Indigenous nations evolved over time. During the 1950s, the United States simply terminated relationships between themselves and tribal nations (Deloria Jr and Lytle 1983). Today, federal recognition policies serve to bureaucratically erase Indigenous nations. Unrecognized Indigenous nations must meet seven criteria (see Appendix 1) established by the Bureau of Indian Affairs to prove their existence as a nation (Miller 2004). The BIA based these criteria on Western stereotypes and beliefs and what a tribal nation is, and this makes it difficult for Indigenous nations in the East to receive recognition (McCulloch and Wilkins 1995). Gonzales and Evans (2013) detail the Ramapough Mountain Indians' quest for federal recognition and the biased, western stereotypes of what it means to be a tribal nation (review Appendix 1 for a detailed discussion of the case). In all, the absence of federal recognition may eradicate the relationships that Indigenous people and their ancestors have with their tribal nations, contributing to natal alienation.

Overall, these forms of bureaucratic erasure have separated Indigenous nations and people from their traditional cultures and sacred land. Moreover, this is natal alienation as these bureaucratic policies have eradicated some relationships between Indigenous people and their tribal nation. Further, Indigenous people in some cases have been unable to remain in their sacred land as policies pushed urbanization and assimilation of Indigenous people (Fixico 1986). This limits the opportunities and abilities for some Indigenous people to incorporate the



experiences of their ancestors into their own experiences, a characteristic of social death (Patterson 1982).

Finally, Indigenous people also experience natal alienation via the erasure and delegitimization of Indigenous identity from non-Indigenous people. Specifically, many Americans claim to have at least one Cherokee ancestor, and these claims have only increased (Day 2016, July 5; Smithers 2015, Oct. 1). The number of people claiming Cherokee heritage exceeds 819,000, while the number of enrolled citizens in the three federally recognized Cherokee Nations is below 400,000 (Daniels 2018, Oct. 16). In addition, approximately 70 percent of those claiming Cherokee ancestry say that they are biracial (Smithers 2015, Oct. 1). Some Indigenous people refer to this as the “Cherokee Grandmother Syndrome” in which people argue that, “...because they have an ancestor who was American Indian, they also have some type of repressed cultural gene which is waiting to emerge if they read books or endeavor to reclaim that ‘part of who they are’” (Brayboy 2000: 422). The federal government’s conflation of biology and culture through policy, as well as southern Whites’ attraction to the Cherokee history of anti-government resistance, created this phenomenon among non-Indigenous people (Maynor Lowery 2013; Smithers 2015, Oct. 1).

It is important to note that comparing the number of people claiming to be Cherokee on the Census to enrolled members of the three federally recognized nations is problematic. There are other bands of Cherokee people who are not recognized by the federal government, and these might possibly account for some of the discrepancy in numbers. As Opelousa/Atakapa-Ishakf scholar Andrew Jolivet (2015) notes, some Cherokee avoided the Trail of Tears and were not recognized as Cherokee because of legislation. Yet, other Indigenous people recount their

experiences, particularly with White people, claiming Cherokee ancestry based on stereotypical, biological beliefs of what it means to be Indigenous. Vine Deloria, Jr. makes mention of this:

During my three years as Executive Director of the National Congress of American Indians it was a rare day when some white didn't visit my office and proudly proclaim that he or she was of Indian descent. Cherokee was the most popular tribe of their choice and many people placed the Cherokees anywhere from Maine to Washington State.... Whites claiming Indian blood generally tend to reinforce mythical beliefs about Indians. All but one person I met who claimed Indian blood claimed it on their grandmother's side. I once did a project backward and discovered that evidently most tribes were entirely female for the first three hundred years of white occupation. No one, it seemed, wanted to claim a male Indian as a forebear (Deloria 1969: 2-3).

Many debate and discuss why Whites have a fascination to claiming Cherokee ancestry. Some of it is tied to the Cherokee tribe's history of inclusion of outsiders and migration throughout the United States (Day 2016, July 5; Smithers 2015, Oct. 1). Another explanation suggests that Southerners saw similarities between themselves and the Cherokees. In particular, the Cherokees' resistance to removal and desire to self-govern struck a chord with Southerners who sought secession. This led to an increased declaration of Cherokee identity from White Southerners:

Throughout the South in the 1840s and 1850s, large numbers of whites began claiming they were descended from a Cherokee great-grandmother. That great-grandmother was often a 'princess,' a not-inconsequential detail in a region obsessed with social status and suspicious of outsiders. By claiming a royal Cherokee ancestor, white Southerners were legitimating the antiquity of their native-born status as sons or daughters of the South, as well as establishing their determination to defend their rights against an aggressive federal government as they imagined the Cherokees had done. These may have been self-serving historical delusions, but they have proven to be enduring (Smithers 2015, Oct. 1).

The claims to Indigenous identity, particularly Cherokee identity, without proof or community affiliation continues today. People such as Johnny Cash, Miley Cyrus, Bill Clinton, Johnny Depp, and Rachel Dolezal have been criticized for falsely claiming Cherokee heritage (Cobb 2014; Day 2016, July 5; Solomon 2015, July 7). Scholar-activists such as Andrea Smith

and Ward Churchill have been criticized by Indigenous people for falsely portraying themselves as Cherokee (Cobb 2014; Indian Country Today 2015, July 7; Russell 2015, July 1).

The most recent example is Elizabeth Warren, United States Senator of Massachusetts, who Harvard University touted as the first woman of color to receive tenure at the institution (Nagle 2017, Nov. 30). Somewhere along the way, Senator Warren identified herself as a minority, before retracting this after gaining tenure. When Warren was confronted about her identity during her first Senate campaign, she reinforced racist stereotypes of Indigenous people by stating that her family knew they were Cherokee because of their “high cheekbones” (Nagle 2017, Nov. 30). Indigenous and non-Indigenous people and journalists have renounced her claims of Cherokee heritage since her initial run for United States Senate, particularly since she has never embraced or been enmeshed in Indigenous culture or fought for Indigenous rights (Moya-Smith 2016, June 29; Nagle 2017, Nov. 30; Sainato 2016, Dec. 6). Senator Warren’s identity claims resurfaced when, in response to President Donald Trump’s racist reference to her as Pocahontas, she released DNA results that apparently revealed a smattering of Indigenous heritage. Immediately, some Indigenous journalists criticized her for taking the test and some Indigenous people highlighted the convenience of her taking the test as she considers a presidential bid (Moya-Smith 2018, Oct. 16; Nagle 2017, Nov. 30). She has apologized recently for conflating tribal citizenship and sovereignty with her claims to Native ancestry, and added that she never did use the claim for employment or personal gain (Linskey and Gardner 2019, Feb. 5). However, she was found to have identified as “American Indian” on a registration card for the State Bar of Texas (Linskey and Gardner 2019, Feb. 5).

In all, the tendency for non-Indigenous people (most notably, White people) to claim Indigenous identity, may delegitimize Indigenous people and their culture. This is another

example of the perpetuation of natal alienation that Indigenous people may experience. Non-Indigenous people perpetuate the beliefs and stereotypes set forth by federal policies like blood quantum and federal recognition that lead non-Indigenous people to question the lived experiences and social realities of Indigenous people. Non-Indigenous people arguing for their right to practice Indigenous culture based on distant ancestry diminish the culture itself in their claims (Brayboy 2000). It also leads others, like President Trump, to question Indigenous identity and claim that they are more Indigenous (Brockell 2016, July 1). Moreover, “If one is not allowed even to determine one’s self, or within one’s peer group, the answer to the all-important question ‘Who am I?’ what possible personal power can one feel s/he possesses?” (Jaimes 1992: 136).

In sum, the federal government of the United States continues to participate in the perpetuation of natal alienation of Indigenous people. This occurs through, cultural and religious erasure, bureaucratic erasure, and the delegitimization of Indigenous identity. This is natal alienation, because these examples of erasure prevented some descendants of Indigenous people from knowing or being aware of their family’s traditional ways of living, culture, language, and religion. These Indigenous people were unable to integrate the experiences of their ancestors into their own lives. Moreover, perpetuating stereotypes of Indigenous people and falsely claiming Indigenous identity diminishes the value of Indigenous culture in the eyes of the powerful society that is seeking to erase them from existence.

## SOCIAL DEATH EXPERIENCES OF INDIGENOUS WOMEN WHO ARE MEMBERS OF FEDERALLY UNRECOGNIZED NATIONS

The remainder of the chapter focuses on the ways in which the Indigenous women who are members of federally unrecognized nations that I interviewed experienced social death.

Narrators discussed experiencing social death via systematic violence, humiliation, particularly the humiliation connected with harmful stereotypes, sexualization, and exoticization, and natal alienation via cultural and religious erasure, bureaucratic erasure, and the delegitimization of their Indigenous identity.

### *Systematic Violence*

Narrators discussed and/or acknowledged indirectly the ways in which colonization has utilized systematic violence against Indigenous people. Nalani acknowledged the original goal of colonists in the following comment:

Nalani: Our people were oppressed and the goal, the primary goal of the federal United States government was the total genocide of Indigenous people. So, there were federal laws. The fact that I'm still here today, the fact that my children—we are national treasures, because we are the Indigenous people of this land.

Nalani understands that if the colonists had their way, she and her children would not be able to exist today as Indigenous people. Tabitha also acknowledged the fact that Indigenous people were already here when Columbus “discovered America” when asked about the biggest challenge facing her people:

Tabitha: Getting recognized, because I look at it like this right here. Christopher Columbus only discovered that the world was round. He didn't discover America because we were already here. Indians were just done wrong. First man, it was our land. I don't know if it was our land just because we were here first. I mean, because they weren't nothing in writing. But we were here first. And I mean, just from the history it's sad what people do.

Coco cited some atrocities the Indigenous people experienced through colonization, saying “From the first colonization of the ‘New World,’ they brought in smallpox blankets to kill us. They brought in disease because we weren’t immune to that.” Nalani, Tabitha, and Coco express their awareness of the various examples of systematic violence that Indigenous people have been exposed to by European invaders. Meanwhile, God’s Child, when confronted with an acquaintance who complained about the mythical belief that President Obama was giving the United States to Muslims, countered with a slight at how the United States was founded:

God’s Child: I’m like, ‘Well Jill, that just seems kinda ironic don’t it. Ya’ll come over here and took it from us and now someone about to take it from ya’ll.’ And she got upset (laughs). But now how ironic would that be? They came and took it from us, and now somebody going to take it from them (laughs). Life comes full circle.

These comments reflect narrators recognizing the history of systematic violence the Indigenous people in the United States experienced historically. Nalani goes as far to assert that in the face of colonization and its goal to physically eliminate Indigenous people, she and her children’s identity and presence in this world are “national treasures.” Indigenous people resisted widespread systematic violence and genocide. However, these various experiences with systematic violence have led some Indigenous people and communities to lose access and awareness of their culture, language, and land. This leads to the experience of natal alienation because they have lost relationships through intergenerational trauma. Descendants of those who experienced physical erasure were unable to fully integrate their ancestor’s experiences into their own lives (Patterson 1982).

Meanwhile, systematic violence is still prevalent today in Indigenous communities. Indigenous women, specifically, have some of the highest suicide rates compared to other races and an estimated 1 in 5 Indigenous girls attempt suicide (Jiang et al. 2015). Some narrators shared their experiences directly with family and friends committing suicide, while

acknowledging the historical trauma that led to it, and that they experience personally because of physical erasure. Chenoa shared her and her family's experience with Indigenous people close to them committing suicide, saying "I find that kinda chilling that specifically my Native side of the family that I'm directly connected to, they left by committing suicide. So yea, it definitely hurts me." Earlier, Clara shared her experiences with people close to her committing suicide that surrounded her and the toll it took on her mentally, referring to it as historical trauma. Clara's discussion of suicide in Indigenous communities directly connects suicide to historical trauma. This historical trauma via systematic violence is passed down to her through these losses she experiences as she illustrates the emotional toll she experienced with these deaths.

Other contemporary forms of systematic violence include invading Indigenous lands for various resources. Under settler colonialism, violence is used to remove or discard Indigenous people in pursuit of resources like oil and natural gas as Whites are deemed to be more worthy of them (Wolfe 2006). One of the most recent, high profile examples of systematic violence directed at Indigenous people for the resources on their land occurred at the Standing Rock uprising in 2016. Construction workers for the Dakota Access Pipeline (DAPL) destroyed Indigenous burial and cultural sites on the Standing Rock Reservation, and when confronted, their private security unleashed guard dogs and pepper-sprayed water protectors (CBS News 2016, Sept 5). During this same protest months later, police pointed water cannons in below freezing temperatures at water protectors, and utilized various weaponry on them, including "sponge rounds, bean bag rounds, stinger rounds, teargas grenades, pepper spray, Mace, Tasers and a sound weapon" (Wong and Levin 2016, Nov. 29).

Narrators mentioned the Atlantic Coast Pipeline (ACP) a project similar to the DAPL. The ACP is a natural gas pipeline passing through the territories of four Indigenous tribal

communities, including the Lumbee, Haliwa-Saponi, Coharie, and Meherrin (Sturgis 2018, March 2), and would also impact the Tuscarora. Approximately 13.2 percent of the population within census tracts in North Carolina affected by the pipeline route are Indigenous people, while they only make up 1.2 percent of the general population (Emanuel 2017b). Like the DAPL, the ACP could potentially contaminate the local water supply and rivers these Indigenous communities cherish (Emanuel 2019). These environmental harms that invade Indigenous territory are examples of systematic violence, as the federal government perpetuates environmental harm in Indigenous communities that destroy sacred Indigenous land and harm the people living on the land. Coco discussed this within the context of the ACP:

Coco: Well it's gonna affect it, because um, why Indian Country? Why you gotta go through here? Why? Because we are expendable. We are less important, so if something happens to us it's fine. We are expendable...Natives, we always have been. From, the first colonization of the 'New World.' They brought in small pox, small pox blankets to kill us. They brought in disease because we weren't immune to that. Take our babies and beat the drums with it.

As Coco mentioned, the federal government treats Indigenous people and land as expendable. The policies and environmental experiments they conduct on Indigenous land may physically erase some Indigenous people and Indigenous ties from the community. In addition, this is an example of systematic violence as these harmful environmental experiments and atrocities historically facilitated Indigenous women's natal alienation (Smith 2015). For example, the explosions at Marshall Islands led to increased infant mortality rates and contaminated food. Coco indirectly acknowledges the increased possibilities of harms that are consequential in the proposed building of the ACP on her Indigenous nation's territory.

Stevie and Rhiannon also acknowledged the pipeline in our interview. In a back and forth exchange, they said the following after a question about the ACP:

Rhiannon: (deep breath) It pisses me off, because it is very unsafe and like—



Stevie: Not even just from the aspect of being Native American. Like, everybody should care about that pipeline. If anything leaks you are gonna have so many problems, and people don't understand that if this leaks pollution you are done. You don't have water. They can't filter everything out of water—

Rhiannon: I can just see us becoming like Flint, Michigan because we are so underrepresented.

Here, they compare the potential building of the pipeline and its effects on the local community to Flint, Michigan, an area also affected by mass deindustrialization, job loss, and the absence of clean water since at least 2014. The city is majority black with 41 percent of residents living below the poverty line (White 2019, Jan. 18). They understand the similarities Lumbee territory has with Flint, as the majority Lumbee Indian town of Pembroke, NC where the ACP will end, has a poverty rate at 48.7 percent, according to the 2013-2017 American Community Survey 5-year estimates.

Kelly conceded that the government will allow the pipeline's building on her tribal land's territory saying: "Of course, no, we can't stop it. It's gonna happen one way or the other." However, Kelly noted the importance of educating Indigenous people about issues within the community, with her focus on her Lumbee community and the Atlantic Coast Pipeline. This is important because, as she discusses, colonists will continue to use varying techniques to physically eliminate Indigenous people. Kelly discussed her thoughts on what will happen to Indigenous people in her home community because of the industry and absence of federal recognition in the region:

Kelly: And the sad thing is that the state of affairs that's going on down there, knowing that my true background is Tuscarora and Waccamaw-Siouan. I'm about ready to turn in my tribal card (laughs). And that's sad. But you know, I'll look at what I've heard and what I've read. 'Oh we can get federally recognized IF, you know, we allow them to come in and put, you know the pipeline. We allow them to come in and put a casino. We allow them to come in, you know, build all.' But what about the community, you know? Are you gonna take that community and just it's a reservation? Well you can't do that. They're not gonna classify us as a reservation because then of course, when you got a reservation you get to have your own tribal law. You know, police and everything. So

where does the majority of your cotton from? Robeson County. Tobacco? Robeson County. Soy beans? Robeson County. You block that off then those individuals can really start bargaining, you know, the price. And I don't think any government official wants that to happen. So what do you do? I think eventually, what's gonna happen is they are just gonna come in and they are gonna plow them over. And that's gonna happen because the individuals [that] live there are not staying educated and being involved.

In all, some narrators viewed the pipeline's building as an invasion, asking why here, while others figured they were helpless to stop the pipeline and should bargain for whatever money they can receive. This is systematic violence, as pipelines have potentially deadly, long-term consequences to people, water, property value, and the land of Indigenous people in this case who are disproportionately affected by the pipeline (Emanuel 2017a; Emanuel 2019). The ACP is another example of the physical invasion of Indigenous territory for capital gain that may erase some Indigenous people from having access to land and cultural values once held by their ancestors. Yet, this does not deter Rhiannon and Stevie from fighting the building of the pipeline and they are members of a grassroots organization that is protesting the pipeline.

### *Humiliation*

This next section discusses the ways in which the Indigenous women I interviewed experienced humiliation. Indigenous people, in general, experience humiliation in various ways, including through negative stereotypes of Indigenous people in the media, and via federal policies that perpetuate stereotypes of what it means to be Indigenous. Since most people do not have contact with Indigenous people or communities (Fryberg et al. 2008; Pewewardy 1995), people form their views of Indigenous people based on portrayals in entertainment and news media.

Nalani sums up how Indigenous people are often portrayed in the media: "We are portrayed as being ignorant and drunk and criminals. When do you ever see a Native American

doctor or a lawyer or in some professional setting?” Research supports Nalani’s statement, as Indigenous people are often portrayed as “degenerates” in the news. Specifically, they are portrayed as “lazy and beyond redemption, alcoholic, untidy, uneducated, welfare reliant and unable to keep a steady job or survive outside of reservations” (Greenberg, Mastro, and Brand 2002; Kopacz and Lee Lawton 2011: 333). Nalani later addressed the difficulty of countering the “degenerates” stereotypes, saying, “There’s nothing to counteract [negativity] cuz you don’t see Native people in professional positions. Everything about our story is always, ‘Ok, we have the highest high school dropout rate, the highest suicide rate.’” Additionally, the news media portray Indigenous people as receiving unearned benefits (Tan, Fujioka, and Lucht 1997) and as wealthy casino owners (Cornassel and Witmer 2008), in spite of their disproportionate experiences with poverty (Davis, Roscigno, and Wilson 2015).

Indigenous people may experience instances of humiliation based on these negative stereotypes and media portrayals in various interpersonal interactions they have with other people. The narrators I interviewed discussed how they experienced humiliation based on the “degenerates” stereotype, not fitting stereotypical looks of Indigenous people, not fitting policies that create stereotypes of who is and is not Indigenous and based on stereotypes that exoticize and/or sexualize Indigenous people.

Canvas described her individual interactions with people who enacted these “degenerate-like” stereotypes upon her as Indigenous people:

Canvas: People have said this to me, that an Indian doesn’t have anything to tell them.

Brian: What does that mean?

Canvas: ‘It doesn’t matter how smart you are, how intellectual you are, how many degrees you have after your name, you can’t tell me anything because you are Indian.’ I will listen to nothing that you have to say because you are Indian. That’s coming from an Indian. And it’s that kind of mess that won’t ever go away.

Canvas, as someone with a terminal degree in her field, still encountered people, Indigenous as well as non-Indigenous people, who doubted her or viewed her as degenerate because of her status as Indigenous. These were instances that happened in her job as school administrator. Even in her position as a trained expert, she is not treated as one because of powerful, pervading stereotypes associated with being Indigenous, which leads to Canvas experiencing humiliation.

Meanwhile, God's Child explained some of the stereotypes she experienced throughout her life: "You were an Indian giver, you ain't nothing but a squaw, you ain't nothing but an Indian, and you ain't never gonna be nobody." Meanwhile, Clara recalled the local meaning of the phrase "red niggers," which locals (mostly White) use to demean the local Indigenous population. Consequently, these examples of humiliation may cause Indigenous people to feel as though they should not claim their Indigeneity to avoid the humiliation that comes with the status, which may lead to the elimination or avoidance of community and tribal relationships that are part of their Indigenous identity.

Mascots also portray demeaning stereotypes of Indigenous people, and affect Indigenous youth negatively (Fryberg 2003; Fryberg et al. 2008). Nalani went to high school in an urban area and she described this encounter with her school years after graduating from there:

Nalani: Well lo and behold, guess what my mascot was in high school?

Brian: What was it?

Nalani: The Braves. In 1999, I got the chance to speak before the Board of Education to share from my perspective, why that was demeaning. And to me it made perfectly good sense. But you would be surprised at the number of people there that were like, 'My daddy graduated as an Indian and I wanted my children to graduate as an Indian.' And I'm sitting there thinking, this is the most ludicrous thing I have ever heard of. Are you freaking kidding me? You think you are honoring my people by putting on a bunch of made-in-China beads and fringe with a fake headdress, acting stupid running across a football field?

Nalani tried to explain how the high school's supposed "honoring" of her culture was actually "demeaning." Yet, as is typical in America when it comes to racist, Indian sports mascots, there

was pushback to changing the name based on this argument. Instead, some narrators described people as attached to this mythical mascot and symbol that negatively portrays Indigenous people and culture. This is emblematic of the responses to the call for changes in professional sports Indian mascots in Cleveland, Atlanta, Washington, and others. For example, in Cleveland, every year Indigenous activists protest the home opener of the Cleveland Indians, protesting the “Indians” name and the Chief Wahoo logo that is on the uniform. Video shows those against changing the mascot (mostly White people) shouting racial slurs, profanity, and gesturing obscenely towards the protestors. The protest in 2018 was especially contentious according to some present, because the Cleveland Indians announced they would no longer use the logo on their uniforms in 2019 (Stevens and Waldstein 2018, April 9).

These harmful mascots that are purported to represent Indigenous people, lead to experiences such as the one Kelly’s son experienced:

Kelly: I remember my oldest son, he started kindergarten and they were doing a friendship feast for Thanksgiving. And the teacher had lined everybody up and gave em numbers. ‘1,2,1,2,1,2,1,2.’ All the ones were gonna be dressed up like pilgrims and all the twos were gonna be dressed up like Indians. Which is, cut little feathers out. Well my son got put in the pilgrim. And he was not gonna have it. I get a call from the school, ‘He’s really upset. We need you to come and calm him down. He won’t listen.’ I got there and I was like, ‘Well what’s going on?’ And she was like, ‘Well we were talking about what we were gonna do for Thanksgiving and he ended up being in the pilgrim group and he’s trying to tell us that that’s not how Indians dressed and he’s not a pilgrim and everything.’ Even to her we looked Hispanic. I said, ‘For starters, he’s not Hispanic. He’s American Indian. And the reason he’s fighting you so hard is because he knows that Indians don’t go dressed around in fringe and everything like that. He has a regalia, which is a suit of honor, and when he puts it on he’s proud of it. He’s not gonna let you make fun of him. So the only thing I can suggest to you is to take one of your 2’s that are Indians and let them be a pilgrim, and vice versa.’ And she said, ‘Well if I do that then I gotta change for everybody, because everybody wants to be an Indian.’ I said, ‘Everybody can’t be Indian.’ I said, ‘My child—you are not helping him understand what you are trying to do,’ I said, ‘Because Thanksgiving is not what you think it is.’ I said, ‘Your one little, two little, three little Indian song is not what it is.’ I said, ‘But he’s very proud of who he is, and he knows that if he’s gonna do it he’s gonna do it right.’

One of Kelly's oldest son's earliest experiences in school was his exposure to stereotypes of what an Indigenous person looks like or must possess. In this case, it was the presence of feathers. This potentially set the tone for her son's experiences throughout school, and may have led to unwanted questions, pressures, and microaggressions based on his status as Indigenous, particularly as his teacher was teaching other children the mythical history of the Thanksgiving holiday. Moreover, he was initially denied the chance to be his true self, because of the chance assignment as a "1", when he was really excited at the potential to share his identity with his relatively new classmates. The teacher initially humiliated him based on the teacher's preconceived stereotypes and mythical beliefs of Indianness and the Thanksgiving holiday, which had the potential for damaging consequences on Kelly's son's self-identity.

Other stereotypes Indigenous people might experience throughout their lives that are used to humiliate them are those coming from non-Indigenous people who claim that they do not look like an Indigenous person. For Indigenous people to be "recognized" as Indigenous outside of the confines of their own community, this "may require long hair, beads, moccasins, brown skin, dark brown or black hair, and a long, serious face" (Fryberg 2002: 68-69). About half the narrators commented on experiencing these stereotypes from non-Indigenous people. Gad discussed the stereotypes she experienced based on the supposed physical features she is supposed to possess as an Indigenous woman:

Brian: Are there any physical features that people point out, other than being darker, that people say, "Well that's why you aren't Lumbee," or "That's why you are not Indian at all," or anything like that?

Gad: Our hair. I guess some of us had the bad hair. That part.

Brian: What does that entail? What is 'bad hair'?

Gad: That you had nappy hair. Curly, thicker, more wooly instead of straight fine hair. With straight, fine hair you were considered Native. With that thick, bushy hair, you had Black in you. And that was the way they would judge you. And back then we didn't have flat irons. And back then I had some bad hair. And I still, I'm not saying that I have perfect hair now. But my hair was kinda curly back then. Still is.

Because she did not have straight, long hair that Indigenous people are stereotyped to have she was judged and considered to be partially Black, not Indian. These race-based stereotypes do not consider the multiple ways in which Indigenous tribal communities consider membership in a tribal nation.

Rhiannon mentioned how the skin color of Lumbee people in particular varies, saying “Some can almost look like they are almost Black, and then be as light as me, and still identify as Lumbee. I feel like people don’t understand this history of Lumbee people, because they just assume.” Their assumptions are based on these stereotypes that pervade and exist in American colonial culture that illustrate Indigenous people as having a certain hairstyle and a brown skin tone. These stereotypes serve to humiliate people like Gad and Rhiannon, particularly when those stereotypes are used against them in interpersonal interactions.

Jessica, Tabitha, and Stevie also discussed their experiences with these humiliating stereotypes based on skin color and hair. Jessica said, “I got bullied [at school] because of the color of my skin. A lot of African-American girls picked on me because—they would go, ‘You are not Indian. You look White.’” Meanwhile, Tabitha discussed how she has lighter skin, and she said people told her previously “‘You White, girl. You ain’t Indian.’” Due to her continuous experiences with these stereotypes she said, “It was like, I don’t have to explain myself to you man, I know what I am. It got to that point to where I was like, ‘Whatever. Believe what you want, I don’t care.’” Finally, Stevie described an experience she had with a non-Indigenous person trying to humiliate her because she did not fit this person’s preconceived stereotypes of what an Indigenous person looks like.

Stevie: This lady came in one time, and she asked me, ‘Where do you get your hair from?’ Older African-American lady. And I was like, ‘Um, I’m Native American.’ She’s

like, ‘Oh’ (shocked). And she goes, ‘Now I don’t know if you know this or not, but Native Americans are supposed to have long, straight black hair (laughs). And dark skin.’

These narratives of Jessica, Tabitha, and Stevie are examples of the humiliating stereotypes that Indigenous people encounter that are perpetuated by colonialism and exist in attempts to strip them of their honor and pride in being an Indigenous woman. Additionally, June Mac and Kelly also shared brief narratives on their experiences in school of existing as an Indigenous woman who does not fit the Indigenous stereotype:

June Mac: I had very curly hair. So I didn’t fit the standard of Native American. It wasn’t straight. It was dark, very dark hair. We were called ‘High Yella,’ all kind of names.

Brian: Which means?

June Mac: Mixed. Just a lot of names that I was called. So I think sports and being rough and tough was an outlet for me.

Kelly: My brother and I spent a lot of time in the principal’s office (laughs), defending who we were. People would tell us, ‘You don’t look like the Indians that they have on TV with the straight black hair and dark skin and dark eyes.’ And we didn’t. So it was a constant, having to prove and defend our identity.

Like Indian boarding schools that existed to police gender and racial norms, June Mac and Kelly, who both went to schools in more urban areas, described how their Indian identity was policed by other students, while Kelly specifically described her and her brother’s experience with constantly going to the principal’s office for defending their identity. As such, the school perpetuated these humiliating stereotypes of who is and is not Indigenous. Rhiannon noted how these humiliating stereotypes take away her identity:

Rhiannon: Even if our skin looks like we are White or whatever, they look at us different if we are light skinned. And it’s like, we are the same as you, we can be hurt about a problem just the same as you can. You are taking away something from me by saying that we are not pure Native or whatever, and it’s like, White people don’t really have to go through that. Black people don’t really have to go through that, you know?

When society perpetuates these colonial stereotypes of Indigeneity, Rhiannon describes how it takes “away something” from her, providing indication that these humiliating stereotypes



produce harm on Indigenous people and communities. Moreover, these stereotypes are then promoted on various platforms, like the radio. Rhiannon and Stevie recalled a discussion they heard on a radio station about the legitimacy of Lumbee Indian's status as Indigenous:

Stevie: Do you remember on the radio station where they had a whole debate on whether or not Lumbee people were actually Native Americans?

Rhiannon: And it was non-Natives talking.

Stevie: And it was all Black people talking, like they knew exactly what the hell they were talking about...My thing is why do people get to have opinions on whether or not we are what we are? And why do we have to defend it so hard? We shouldn't have to defend it this hard...And for them to say you know, your tribe isn't a tribe because they have blue eyes? Go in Cherokee, they have blue eyes. Go to anybody in Oklahoma. They got blue eyes. Go ahead.

Rhiannon: But they don't know that because it all goes back to a lack of being taught. It's just ignorance. They just don't know. And, you know, people that are the least informed have the most to say.

In all, respondents frequently encountered instances where people confronted them on their claims of Indigeneity based on stereotypes of what Indigenous people are supposed to look like. The respondents had varying skin tones, hair color and styles, accents, facial expressions, and other physical characteristics, just like other groups society defines into one racial/ethnic category. However, societal portrayals of Indigenous people occur within the context of one stereotypical look, and Indigenous people who do not fit this look are exposed to these humiliating, colonial stereotypes that exist to question their legitimacy as Indigenous people with the end goal of assimilating them.

Indigenous people also might experience humiliation via stereotypes that are based on their perceived "inability" to practice their culture or speak their language. Because federal policies made it illegal for Indigenous people to practice their culture or language, some descendants of older tribal members were unable to learn. Or as Nalani put it, in some instances "We had to relearn these stories." A persistent stereotype is that all Indigenous people are able to

speaking their language or culture, and some are confronted with this stereotype. Respondents spoke of their confrontations with these stereotypes.

Rhiannon: Um, I guess the whole real Indian thing, I have heard people say, ‘Oh cuz you don’t have a language,’ or because somebody—  
 Stevie: ‘There’s not enough historical documentation.’  
 Rhiannon: ...They think, well one they live on a reservation. Two, they live in tipis. They still hunt buffalo (laughs).

Nalani: Back then you identified American Indian with your tipi and feather, and if you didn’t have those and you couldn’t speak a language, then you must not be a real Native American (imitating what others thought). So it was very hard growing up here. My sister ended up quitting school when she was in the 11<sup>th</sup> grade. I hated school. It was like being in a foreign country...Most of the schools I went to, it was just me, my brother, and my sister as far as being Native. They had these stereotypes of Native Americans, even down to our own teachers. And so it wasn’t a place I felt welcomed.

As they mentioned, there are these stereotypes of Indigenous culture that one must fit. That they all live in tipis, they all live on reservations, have feathers, or hunt specific types of animals. Then if their Indigenous culture does not fit these colonial stereotypes, they are exposed to humiliation from other people.

June Mac felt ashamed that she was unable to properly confront these stereotypes of her culture because she was not fully familiar with how to describe her Lumbee heritage:

June Mac: Being dark skin at the time I never felt like I could fit in anywhere. I didn’t feel like I was White, didn’t feel like I was Black. I was in between. I always knew I was Lumbee, but I could not describe to people about my heritage because of where we grew up. I think the impact that it had in the beginning was being intimidated, inferior, and trying to get past that. That I am as good as anybody else. And really have to rise above it, and it took years.

The humiliation June Mac felt in not being able to, in society’s view, adequately describe her culture created this feeling of inferiority for June Mac, even though the legacy and existence of colonialism continues to make it difficult for Indigenous tribes and communities to retain stories of their existence.

Lizana also recalled her stories of experiencing humiliation. First, she experienced people questioning her Indigeneity in school because of her hair, describing how people would come up to her, touch her hair, and say ““You got Black people hair.”” She also received questions from her White mother-in-law about her hair, saying:

Lizana: She used to think I was half-Black. She didn’t think I was Indian cuz of my hair (laughs). Cuz normally my hair is curly. I mean like real, real curly, and if I don’t keep it wet or keep something done to it so it looks real knotty and nappy. And she looked at me one day and she was like, ‘You ain’t Indian. You got the’ and she said the n-word and I was like, ‘No. I’m Indian. My momma’s Indian. My daddy’s Indian. I’m Indian.’

These comments and the bullying she experienced took a toll on Lizana. It caused her to be self-conscious about her hair, and to be uncomfortable with how she looked and her hair until her adulthood. She also felt self-conscious about her Indigeneity, sometimes feeling inadequate because her hair did not fit the stereotypes associated with Indigenous people.

Overall, encountering these stereotypes may serve as humiliation and may lead to the elimination of relationships that Indigenous people might otherwise seek out based on their identity as Indigenous. For example, Nalani referenced how her sister dropped out of school, because of how school seemed “foreign,” to Nalani and her sister. She described how they were treated as foreign people with these humiliating, colonial stereotypes based on their identity as Indigenous people.

Furthermore, some respondents also had experience with humiliation in their identity as Indigenous in instances of blatant discrimination from non-Indigenous people. Jenette says she and her friends and family were discriminated against in another bordering area for being Lumbee. She describes this in a discussion with her daughter who was present for the interview:

Jenette: In Emporia, a Lumbee cannot go to that motel there and stay because they do not let people from Robeson County, the Indians, admit there. They are prejudiced over there. They will not rent you a motel over there.

Daughter: We went up there twice and tried to do it and they said no.

Jenette: Uh huh. Cause we are Lumbees.

Daughter: And they look at like, cuz the way you talk and stuff, they look at you and they can categorize you as a Lumbee.

This humiliation may lead to Indigenous people to not claim their identity, or from outwardly expressing their Indigeneity because of discrimination from those outside their community. Mary describes her brother's reaction to blatant discrimination when they were younger at an ice cream shop:

Mary: We went with Daddy in the plumbing truck and we wanted ice cream. I had gotten mine and Dad sent my brother, who is darker, to get his and they told him that they didn't serve Indians...Another time, we had to go to another city to pick up supplies. Daddy was letting us go to the movie, while he picked up the things. Daddy dropped us off and gave us money. Waved to the woman at the booth because she knew us. And my brother started crying. I said, 'What's the matter?' And he says, 'What if they don't let me go in because I'm Indian?'

This experience with discrimination was obviously traumatic to her younger brother, and the experience Jenette and her daughter had may have been equally upsetting, though they did not portray it when retelling the story. Again, this humiliation may contribute to or dissuade Indigenous people from claiming their Indigeneity or from passing it on to their children.

There are also federal policies that perpetuate humiliating stereotypes of who is and is not Indigenous, which leads to society utilizing these stereotypes on Indigenous people. These include federal recognition, gaming, and blood quantum policies. Respondents discussed instances when they were confronted with stereotypes based on their tribal nation's status as federally unrecognized. Ms. Flowers said, "Some people look down on us that we're not federally recognized with funds." Stevie shared what her ex-boyfriend's friend said in a conversation about the Lumbee:

Stevie: My ex's friend was up there and they out of the blue started talking about the Lumbees. It's like, 'Ha, Lumbees. If you can even call them a tribe' or something and he takes a shot of something. And I'm sitting there and I'm like (breathes heavily to show her displeasure). I'm looking around and my ex goes, 'Did you say Lumbee? She's a

Lumbee' (referring to Stevie). And then the guy looks at me and you can see how big his eyes get, and I'm like, 'Ehhhhmmm, Ehhmmm. Keep fucking around with the fuck around.' But sometimes you just have to let it go. Like people, because people don't know. If you can react negatively what are you going to accomplish. Even though on the inside you are like, 'I'm going to cut you,' while on the outside you be like, 'I love you even though you don't know what you are talking about.'

Finally, Tabitha shared an experience she had with a friend's boyfriend when they were having a conversation about her Indianness:

Tabitha: And then her boyfriend would always pick at me, 'Tabitha, what kind of Indian did you say you was?' And he would get online and try to look it up and couldn't ever find anything about the Lumbee Indians. I'm like, 'We aren't recognized.' Then he would be like, 'Why you walking around here telling people you Indian?'

These experiences are harmful and traumatic, and again, may humiliate Indigenous people to the point where they do not seek out relationships within their own community. They are seen as Indigenous people who are less than or not Indigenous at all because they are without recognizable "proof" of federal recognition. This exchange with God's Child sums up how these stereotypes might make Indigenous people feel:

God's Child: Ya'll ain't even recognized by the government, you ain't even people...  
 Brian: How do you think the bullying and stereotypes you experienced from people as a Lumbee Indian and not recognized by the government, how did those specifically affect you?  
 God's Child: They killed me. They killed me cuz I took every one of them to heart and believed everything they had to say to me.

Indigenous people who are members of federally unrecognized nations may encounter people who do not believe they are Indigenous because they are not members of federally recognized nations. Those who believe this lack context and understanding of the development and procedures for obtaining federal recognition yet continue to project their beliefs onto Indigenous people. These actions are also harmful and serve to humiliate members of federally unrecognized nations. This may also lead this category of Indigenous people from claiming their Indigenous

identity out of the humiliation they experienced for encountering people who did not believe them to be a “real Indian.”

Canvas sums up what she believes people feel on an individual level when someone claims they are not Indigenous because they are not members of a federally recognized nation, saying “...they don’t have very much self-esteem, very much pride. They don’t even want to tell people they are Indian, you know that kind of stuff. Because somebody’s denying that they are.” Canvas discusses how the lack of federal recognition of her people contributes to experiences with humiliating stereotypes that leads people to be ashamed of their Indigeneity, and ashamed of themselves because some use the absence of federal recognition to delegitimize them. This humiliation, shame and the hiding of one’s Indigeneity potentially leads to natal alienation, as it eliminates relationships with ancestors that Indigenous people may have, as federal policies and society’s reinforcement of those policies through rhetoric encourage people to be ashamed of or hide their ancestry and community ties.

Respondents also experience humiliation from stereotypes rooted in blood quantum procedures and policies. Blood quantum refers to the arbitrary amount of Indian blood one must have from their ancestry, while also relying on physical appearance (Maynor Lowery 2013). The federal government used this policy to facilitate the full assimilation of Indigenous people by dwindling their population. For example, if a “full-blooded” Indigenous person has a child with a White person, the federal government considers that child to be a “half-blood” Indigenous person. Older policy required Indigenous people to possess at least one-half Indian blood (Miller 2004). Blood quantum is now deeply engrained in federal and Indigenous nations’ policies because of colonialism, and some Indigenous nations require a certain amount of blood to apply for membership, even though this was not how they historically identified. Moreover, some

Indigenous people have to counter those who confront them with arguments about the “blood” makeup of Indigenous people. One stereotype of Indigenous people for example, is that they are biracial people with Black and White ancestors. Nalani acknowledged this as a stereotype, saying “I’ve literally had a conversation with someone trying to explain to them that an Indian is not half-Black and half-White.” Kelly also recalled an experience with this humiliating stereotype of Indigenous people:

Kelly: Everybody kinda looked at us and they didn’t know how to address us. There wasn’t a lot of Hispanics during that time, so it was like, ‘Well we know you are not White. We know you aren’t Black.’ And when we would say we were American Indian, we would get comments like, ‘No you’re not. Indians don’t exist anymore.’ Or ‘Lumbees are half-White and half-Black.’

Rhiannon and Stevie acknowledged that having people say to them or think that they “are not Native or...full Native” hurts them. However, when Indigenous people express this hurt, pain, or anger at these humiliating stereotypes that question their legitimacy as Indigenous, they are told that they should not be hurt over it. Kelly described a time when she was told that she should not care that people question her legitimacy as Indigenous, when someone claimed they had more Indigenous blood than she did:

Kelly: A girl that lived in our neighborhood, I remember her telling me that she had more Indian in the tip of her pinky than I had in my entire body. And again that was such a touchy situation because we had to fight all the time. And when she said it, it just set me off and we got into a fist fight. And being taken to the principal’s office it was more along the line of, ‘Well you shouldn’t be so sensitive about it.’ Well why shouldn’t I be?

The school administrator questions why Kelly is “so sensitive” about her claims to her Indigenous identity, which might be a product of how Indigenous people exist in a society that emphasizes only their racial identity, without considering the political and cultural aspects of their identity. In this instance, the school administrator tried to humiliate Kelly for being proud of her identity and for fighting back against a student questioning the legitimacy of her identity.

This appeared to occur because the principal and student were ignorant to the significance that comes with her Indigenous identity. These humiliating stereotypes are perpetuated in society, like when Donald Trump claimed to have more Indian in him than some of the Indian casino owners (Brockell 2016, July 1).

The most striking instance in which someone experienced a stereotype rooted in blood quantum policies comes from Kelly:

Kelly: My youngest one had a shirt that said FBI on it. 'Full Blooded Indian.' And he was wearing it and his music teacher at the time came up and says, 'You're not full-blooded Indian. I've met your Daddy.' Well he was just floored and devastated and came home and was upset.

Kelly recalled how she retrieved her son's birth certificate and paid a visit to the school to meet with his teacher:

Kelly: So I go and pull his birth certificate and, of course in our traditional society you follow the bloodline of your mother. And on his birth certificate it's never been marked biracial, multiracial. It's American Indian because you follow the bloodline of the mother. So, I took his birth certificate in there. I walked into the class and she was like, 'Oh, hey. How are you doing?' I said, 'Not real good.' And she asked me what was wrong and I said, 'He wore a shirt and what he said was "FBI", "Full-Blooded Indian."' And she said, 'I know, I told him he's not full-blooded because I know who his daddy is.' I said, 'Then you don't know anything.' I said, 'Cuz here's his birth certificate that says American Indian. Nothing else.' I said, 'Our tradition, you follow the bloodline of your mother.' I said, 'I'm American Indian.' And she just looked at me and I said, 'My son is very proud of who he is. He works very hard to share his culture with people.'

The music teacher in this case doubled down on her reinforcement of colonial ideas of Indigenous identity and blood quantum. Kelly, armed with her son's birth certificate, explains how Indigenous identity worked for their tribal nation, which eventually resulted in the teacher's apology. However, this story illustrates how Indigenous people experience stereotypes, particularly from non-Indigenous people who attempt to use these stereotypes to humiliate Indigenous people. These stereotypes are so pervasive that non-Indigenous people continue to ignorantly reinforce them to Indigenous people. These stereotypes act as a form of social death



because they delegitimize the status of Indigenous people as Indigenous. Indigenous people are unable to live free from questions of their identity and status, particularly as society demeans them as “not Full Indian” if both of their parents are not members of the community.

### *Humiliation from Other Indigenous People*

Colonialism’s presence in society also impacts interpersonal interactions between Indigenous people as Indigenous people perpetuate humiliating, colonial stereotypes amongst themselves. Coco said, “I get more discriminated against with my own people than the outside world.” Jessica, who went to a predominantly Indian elementary school, said “I got picked on because I wasn’t dark enough to be Indian.” Ms. Flowers said that a fellow member of an Indian committee said, “... ‘if you weren’t federally recognized and drawing funds, you weren’t a real, true Indian,’” while also stating her belief that the “Cherokee is kinda against us,” because “...they feel like we are not true Indians or something.” Finally, Nalani experienced “passive aggressive communication” at a Powwow she attended when she told other Indigenous people she was Lumbee. This communication was based on stereotypes of federal recognition, the absence of language, and cultural attire.

Colonialism and racialization are so endemic in our society that in some cases, Indigenous people use the n-word to disparage other Indigenous people. Gad was picked on and called the N-word because of her last name. She explained that the n-word “was really bad to be called” and that some Indigenous people in her community did not accept Black people. This relates to humiliation as social death, as it may lead to the questioning of one’s own Indigenous identity and may contribute to natal alienation.

These interactions could have potentially detrimental, individual consequences for Indigenous people who experience them, particularly because these harmful interactions are coming from people with similar experiences in their general identity as Indigenous. Some of the respondents discussed how they faced questions about their identity from other Indigenous people based on these colonial definitions of what it means to be Indigenous. As such, this humiliating treatment potentially leads to natal alienation, which separates Indigenous people from access to relationships they could have had, a tenet of social death. They encountered humiliation from other Indigenous people, which may have led them to questioning their own beliefs in their identity. This also occurred in one respondent's narrative based on where she lived in comparison to the determined location of the tribe:

June Mac: I was considered a White Indian because of where I was from.

Brian: What did that mean?

June Mac: Because I hung out with White people. And my children went to school with White people. You know, 'They're White Indian.' You are not considered as being as much Lumbee if you are from outside the area. I meant that is how it is perceived. I'm not going to say that it's actually true, but that is how it is perceived.

She later told me that her daughter was called White Indian, because her friends were White and because she was taking honors and AP courses. Therefore, these negative stereotypes and beliefs are transmitted to the children, which could create conflict and tension related to them and their children's identity. It potentially leads to additional humiliation that may keep some Indigenous people from transmitting Indigenous culture to their children.

One of the more tragic stories retold to me was from Stevie. Stevie was dating an Indigenous man who did not know she was also Indigenous until later in their relationship. She described what happened:

Stevie: Anyways, so while we were dating he thought I was White, which is what drew him to me. And then he found out that I wasn't and I didn't know that it had bothered him so much. But like, the way he grew up, apparently his daddy was in jail so he was never

around his Native side of the family too much. He was always with the White side, and even if you go to his Facebook pictures it is literally only him and White people...He's like, 'I don't know if I can be with you forever because you are not White.' He was like, 'You just don't act White.'...he was like, 'You just don't act White. I just don't want my kids to be more Native than what they are going to get from me. I want my children to be White.'

Earlier, Stevie recited something her dad told her about marrying another Indigenous man in order to "help raise your (nation) up." Here, she found someone she was fond of enough to date who was Indigenous but was eventually rejected because of her status as Indigenous. Stevie experienced humiliation as social death in this interaction, but it is also important to highlight that the man in this case experienced this in his own life, which led him to deny his Indigeneity and to make the ultimate decision to not pass this down to his children.

It is important to remember to contextualize these interactions between Indigenous people described by respondents. These experiences are rooted in colonialist policies that perpetuate stereotypes of who is and is not Indigenous based on one's looks, blood, or recognition status. However, this does not diminish the potential impact this must have on respondents. These interactions are examples of humiliation as social death from other Indigenous people, and these interactions may carry more weight because it comes from people within their community.

### *Exoticization as a Tool of Humiliation*

Some respondents encountered people using exoticization towards them as a tool of humiliation. Here, exoticizing refers to sexualizing, in addition to this view of Indigenous people as bizarre, archaic, or unusual people. On pages 155-56, Rhiannon and Stevie discussed Rhiannon's piano professor and how she sexualized her once he realized she was Indigenous. Rhiannon recalled how "he was really creepy" once he found out that she was Indigenous.

Additionally, Rhiannon identifies as bisexual and was open about this with those not within her family. When the piano teacher found this out, Rhiannon said she felt cornered at one point, intimidated because he was bigger than she was, and asking inappropriate questions about whether she preferred guys or girls and the types of guys she preferred. This genuinely angered Rhiannon because she felt extremely uncomfortable taking private piano lessons with him. She had to quit taking piano lessons altogether because there was no other affordable alternative. The sexualization of Rhiannon by her professor serves as an example of exoticization as a tool of humiliation. Unfortunately, this humiliation and the lack of access to another teacher led Rhiannon to quit taking lessons and eliminated her from relationships she might otherwise have wanted to seek out.

Another example of exoticization as a tool of humiliation recalled by a narrator comes from Clara, who explained the general hardships of growing up in her community as Indigenous:

Clara: Just living in Virginia as an Indian was not easy. And especially for women. And if you were raped or assaulted in any kind of way by a non-Indian or Indian you didn't say anything. Even for me in high school, the mothers and fathers didn't want their sons to date Indian girls. And when I did date em it was kind of secretive, even in the 70s and 80s it was just taboo...Because we were considered easy.

Later in her life, Clara was violently attacked by someone who was familiar with the exoticization of Indigenous women in her community. Her perpetrator referred to her as a “red nigger” as she attacked and nearly killed her as she describes on page 201. The slur was meant to humiliate her because she is Indigenous. It was also shouted at her by her attacker during the beating, and she feels she was targeted because she was Native. She experiences social death via attempted humiliation, while at the same time experiencing a violent, sexualized assault that nearly led to her death.

Kelly also described an early interaction that she had with a person she dated in the past related to the sexualization of Indigenous women:

Kelly: When we first started dating he was like, ‘So, is it okay if I call you Pocahontas or squaw?’ I said, ‘No.’ And he said, ‘What?’ I said, ‘Well for starters, Pocahontas is not what you see in Disney. She was taken at 12, 13, she was raped. So that’s not a really great story.’ And he was like, ‘Oh my God.’ Cuz he was actually from New Hampshire so in that area he said, they never learned about Indians. And I said, ‘As far as squaw, squaw is a derogatory name they gave Indian women because they raped em. So, you don’t need to call me that. Let’s go ahead and tell your family not to call me that, cuz if they say it and it comes out, it’s gonna be an ugly situation and I’mma have to leave.’ And that’s what I mean about educating someone.

These examples underscore Indigenous women’s experiences with being exoticized as a tool of humiliation. Stereotypes such as “squaw” and that of Pocahontas that society exposes to people are problematic in that they do not provide context. They romanticize Indigenous women, which leads to harmful, potentially traumatic interpersonal encounters that may humiliate Indigenous women. Moreover, they contribute to Indigenous women’s experiences with sexual violence, as these stereotypes portray Indigenous women as sexual objects to be exploited.

Another instance of exoticization as a tool of humiliation was recited by Rhiannon.

Rhiannon was exoticized and stereotyped as an archaic, bizarre, animal-like creature. Rhiannon recalled this instance from her time at a university in an urban area:

Rhiannon: When I went to this university, this one White girl asked me ‘You look White, but you don’t?’ And I was like, ‘What does that mean?’ She was like, ‘What are you?’ And I think that is the most offensive way to ask somebody their ethnicity. And I was like, ‘Oh, I’m Native American,’ and she was like, ‘Oh my god, that’s so cool.’ And I’m like, ‘Yea, I guess.’ And then she went on like, asking like they do, and she was like—  
Stevie: (mimicking the White girl) ‘Do you do raindances?’ (laughing).

Rhiannon: She asked me if I live in a tipi, and I’m like yea I just carry it around, I don’t have to pay for um, dorms, housing or anything. I just carry it. And she went on this whole conversation and then she asked me If I ever scalped anybody? And, she was being serious. And I was just like, I don’t know whether or not to make a joke or like cuss her out. I was like I do have my knife in my back pocket like, shit, I don’t know. I was just flabbergasted, I was just like, ‘Do you know what scalping is? And she was like, ‘Yea, when you like, rip somebody’s scalp.’ I’m like, ‘You can’t like, grow that back. I would

kill you. So it's like you are asking me if I'm a murderer essentially?' And she's like 'I just didn't know if that was like something ya'll did on your reservation.'

This is an example of exoticization as a tool of humiliation, as Rhiannon's Indigenous status was relegated to stereotypes that she is a bizarre, strange creature that participates in ritual scalplings. Rhiannon was exposed to these long-held stereotypes that portray Indigenous people as savage-like, archaic creatures that scalp people on "your reservation." Instead of outright calling Indigenous people savage, non-Indigenous people perpetuate these humiliating stereotypes on them, dehumanizing them and their culture.

#### *Natal Alienation via Cultural and Religious Erasure*

Narrators also talked about their own personal experiences and reflected on natal alienation in relation to the attempted erasure of their culture and religion. Colonists targeted Indigenous people for forced assimilation, which included methods such as boarding schools and legislation that sought to erase cultural and religious ties from Indigenous people. God's Child was very direct in her statements about the loss of her culture. She said:

God's Child: I'm talking about the fact that our land was taken. Our language was taken. We were made to dress like them, instead of us. I heard the Lumbee native language for the first time when I was 52 years old. Had never heard it. Didn't even know what the woman was speaking. And the whole time she was speaking our tongue. And see if we spoke our tongue we went to jail. And so that was gone. And, it was rough trying to get through that period. It is still rough sometimes.

Here, she describes the toll the loss of her culture has taken on her, indirectly touching on Patterson's (1982) discussion of the absence of familial and community connections in relation to social death. Indigenous people were not free to live, and this eliminated God's Child's ability to integrate the experience of her ancestors and to pass this on to her own children. God's Child

expanded on her response about Indian education, expressing frustration and anger that society does not want to acknowledge the erasure of Indigenous culture.

God's Child: But it happened, and it is still happening whether you choose to acknowledge it or not, it's still happening. And when they speak about immigrants, truth, the only Native Americans are the Indians. And when you told the immigrants to go home, did you pack your bags? Did you PACK YOUR BAGS? Why is it nobody wants to talk about that? Why is it she [her Sunday School teacher] don't want to talk about it? Why is it not in the history books? Why is Indian education such a joke? The only Indian education I ever got was from my Momma. She told me what was up. But so far as ever seeing it in the history book, and these schools got money for that. And I'm like Indian education, what a joke. Because I never saw anything from it.

Additionally, God's Child talked about her lack of exposure to the Lumbee culture because of the lack of accessibility to the various cultural classes offered by the tribe. Even today, as a member of a tribe with cultural classes that teaches some of these historical, cultural ways and values, she feels left out because of her inability to access these classes without a car. "And Lumbee Tribe talks about giving cultural classes. Well how about bring some to [where I live], because that is a long walk [to town]." She is frustrated by her inability to access her culture, as she longs to understand her people's history. This is an example of natal alienation as social death, as she has been unable to access her tribal culture because some of that has been lost due to colonialism and because she does not have the means or the resources to travel to these classes.

Some narrators talked about the direct loss of their language and/or culture in a general sense. For example, Clara said the following:

Clara: Oh, I'm proud of my heritage and that I know it as much as we can. You know, the Civil War—our records are so destroyed. Who knows what more I would know if those records would have made it through this war. And [if] those buildings weren't destroyed, and all of that world history that was recorded. Oh my God. And in a lot of ways as an Indigenous group we lost so much. Our language. Our histories. So I always felt like one of the Indians that lost. I guess I always will feel that way. Cuz it's been over (laughs), you know since the 1300s and some forced assimilation and stuff, so um, we lost our language. Out west they have dealt with it for 200 years. Eventually they will lose their

language and their families will stop teaching it and they will stop speaking it. And the elders and people that know their crafts and stories will die. And the new generations that are dying from dope and heartbreak and trauma don't have time to focus on those silly things. They are trying to make it out here. And this world is such a mess. The world's not, people are. George Carlin said one time in one of his shows, 'The world is gonna shake us off like a bad case of fleas. Start all over.' That's what I'm waiting on. It's coming. It's scary.

Clara acknowledges the harms that colonialism has caused and references the new generations that are suffering from traumas that continue to be reproduced. These traumas, as she mentions, are keeping the current generation from trying to maintain their culture and religion. This is natal alienation as colonialism's diminishment of Indigenous culture and religion has created new generations of Indigenous people who have to focus on surviving the current colonial climate, which leads to the sacrifice of Indigenous practices and culture. Like Clara, descendants of tribal nations are sometimes unable to incorporate into their own lives the experiences of their ancestors because of the damage colonialism continues to cause.

Rhiannon discussed briefly the pride she would feel in being able to participate in the culture her ancestors practiced:

Rhiannon: ...it's not our fault we don't have a language. I mean, we have a dialect (laughing)—it's not our fault. I mean I'm pretty sure if we had the option to still have a language, we would have one. I mean I would love to know our language and to be able to speak it, and to have a Native name, but we don't, and it sucks because I feel like that's a part of our culture that we were robbed of.

While Clara described herself as feeling "lost" without her culture, Rhiannon feels like she and other Indigenous people like her "were robbed of" their culture. These narratives illustrate natal alienation as social death, as colonialism's impact continues to impede descendants of Indigenous nations from practicing their religion and culture.

Moreover, descendants of Indigenous people may never be aware of their Indigenous heritage because of the humiliation their ancestors experienced in their identity as Indigenous.



Chenoa describes her perception of her grandfather's experience growing up and the humiliation transmitted through her father's side of the family that nearly kept her from knowing about her Indigenous heritage:

Chenoa: [My father] wasn't tied into his community, to his culture. He was raised to be ashamed of who he is and where he came from.

Brian: And when you say ashamed do you know what was meant by that?

Chenoa: Right. So my grandfather married a White woman. Blonde hair, blue eyes. So a very dark man marrying a light woman during that time was unheard of. And, not only were they judged, people had prejudice towards them. Their kids for sure because the kids didn't know where they belong. And so my grandparents knew they were gonna have trouble in school, and so they were just told to tell them that they were White. That if they said that they were Native they would have many more problems than they already did have.

This response from Chenoa was in the context of a conversation about how her mother taught her to be proud of her Coharie background. However, because of the humiliation her father and grandparents experienced, she almost never received awareness of her Indigenous background. This illustrates natal alienation, as she was unable to grow up within her ancestor's Indigenous community. She describes how she felt not growing up in her Indigenous community:

Chenoa: I think what it was, is when I was in high school and I dyed my hair blonde, and I would go to Powwows and I just felt ostracized. I felt like I just didn't belong, you know. I felt in my heart I didn't. But at the end of the day I would still call myself Native knowing that I'm not connected to my family. And I felt like I was being a poser. I didn't like that at all. I felt ashamed that I was really Native American but I didn't grow up with my people.

She almost lost relationships that she is proud and happy to have today, because of the humiliation that society attempts to place upon Indigenous people who do not look and act a certain way, or in which colonialism separated them from their homeland, people, and culture.

Nalani discussed how the erasure of her tribal nation's cultural and religious history affected her tribal nation:

Nalani: We had to relearn these stories. They hadn't been lost, they had been dormant for a very long time, right? Because there were federal laws. See people don't understand,

there were federal laws that forbidded us to speak our language. That would not allow us to do our ceremonies, or dances or anything to do with our culture.

She described Lumbee stories not as being lost, but as stories that need to be relearned, acknowledging the laws that led to the natal alienation of some Indigenous descendants by preventing Indigenous people from practicing their culture. She explains that it is difficult for people to understand why members of various tribal nations do not speak their language or engage in cultural practices because they do not understand the context of colonialism. Later, Nalani shared an experience with her son's high school embracing his Indigenous heritage, while her daughter's high school attempted to prevent her from expressing her culture during graduation:

Nalani: My children went to two different high schools. So as a Native person, the highest honor you can receive is an eagle feather or a hawk feather. And they were both presented eagle feathers by a tribal elder. Not necessarily from our tribe, but another tribe. Someone they have the utmost respect for and he had been in their lives for quite a while and watched them grow and this was to honor him. And then, one of their, I call them Native mothers because it takes a village right? It takes a whole tribe. So when we do things, especially the women, we do things as a team, as a group. And so, she beaded and I, I can bring down their cap. Well, my son's school was so proud. They were honored to have a Native American student who wanted to express his Indigeneity on graduation day. He could have worn his whole regalia with eagle bustles. I mean, he could have come out and they would have been honored. My daughter was informed the day before graduation that she would not be able to walk across the stage with her beaded cap and her eagle feather.

Brian: Did they tell her why?

Nalani: So, about a month before graduation we were told you couldn't decorate your cap. So, I commenced to write the principal and the lady in charge of graduation, and I sent them articles from the Native American Rights Organization, why wearing an eagle feather was part of our religious rights and they didn't really have the right to tell us we couldn't do that. So they came back and said, 'Well okay, we understand.' Well I didn't think anything about it when we got there, the part beaded because it like, comes as a set. I mean that is something that we have been doing for several years. So the day before graduation we had posted some pictures on Facebook and one of her classmates had seen it and sent it to the lady in charge. So the day before graduation Anna was told 'We will get you a blank cap and you can put your feather around it, but you can't wear your beaded cap.' The day before graduation... Well, you know, I'm gonna challenge the process and so I challenged the process. And I made a phone call and I commenced to tell them that they didn't have the right to tell her that she couldn't, I said, 'She has been in

your school for four years. She's been an exemplary student. And, and, you would do this to her?' And the lady made the mistake of telling me, 'Oh I'm so sorry. I understand because I'm part-Cherokee.' Well then, I said 'Shame on you because you obviously know nothing about your people.' But I said, 'I tell you what. You do what you have to do. But make no mistake about it, we're gonna do what we have to do.' And I left it at that. Now I talked to my daughter, and I said we have a choice here. And it is your choice, and whatever choice you make will be the right choice. I said, you can do as they say and you can put on a plain cap and walk across that stage and no one is gonna think any less of you. And I said, or we can ignore em, and I will be at the end of that stage along with your two 6'2, 300-pound uncles, and we will be waiting for you on the other side. But I said, this is your choice. This is totally your choice. But I said, if, if this is what you want, and you want to wear that cap they're gonna have to arrest me before they stop you walking across that stage. And, and that takes courage. And that takes bravery. But that's what she was prepared to do. Now imagine that child's demeanor and her, how she felt the day before her high school graduation. She was a nervous wreck. She cried and she, I mean it was awful. And again, from a cultural perspective, that it is unjust. Now of course, on the day of graduation, I get this little snippet email that said, 'Ms. Nalani, you have put us in a very difficult situation. However, after further consideration and the fact that Anna,' [but] they misspelled her name, 'has been such an exemplary student that we are gonna let her go ahead and wear her cap.' I called her, I can remember it like it was yesterday. I got the email at 7-o'clock that morning and I think she had to be at school at like, 7:40, no, she had to be at school at 8:30 and, and she got the call right before she got ready to walk into school that morning. And her graduation was that night, that she would be allowed to wear her cap to graduation. We are in 2018 people.

Nalani experienced varying levels of acceptance of her children's culture. They had to decide whether or not to fight an urban high school's attempt at cultural erasure, a task that a young teenager must find difficult, particularly as Indigenous teenagers experience varying levels of self-esteem due to stereotypes of their culture (Fryberg et al. 2008). Moreover, the school administrator claimed to understand, quibbling 'I'm part-Cherokee.' However, and as Nalani notes, the school administrator did not understand the significance and impact of Lumbee culture in the lives of Nalani and her daughter. Fortunately, Nalani's daughter was able to wear her cap, but not without the school creating a traumatic experience of natal alienation.

Other narrators also acknowledged the natal alienation via cultural and religious erasure that they experienced. Chenoa shared her experience visiting the National Museum of the American Indian (NMAI), a federally funded museum that highlights Native voices:

Chenoa: I know when I went to the American Indian Smithsonian there was a picture of the United States, and it had all the tribes on there. And my tribe was not. I looked at my mom and I was like, that's really crazy, because they had a lot of federally unrecognized tribes on there too. Mine just wasn't on there, I think it's because it's so small. There's not many of us. There's just like a thousand, now very quickly we are dying out. So, just not a lot of people know about the Coharie. Even people who know, it's just not many.

When I followed up to ask how this made her feel, she responded:

Chenoa: Because there's no awareness it's difficult for people to understand who I am, and it's difficult for me too, because it's not like I can go on Google and research everything on the Coharie. There's little information about them, so it makes it difficult for sure for me to learn about my people.

Chenoa was taken aback by the lack of awareness of her tribe, particularly on a map that includes other tribal nations unrecognized in the United States. The hurt she had when she was unable to find her tribal nation was clear in her voice. She struggles with this, as society is already unaware of her tribe's presence in the U.S, which also makes it difficult for her to learn more about her people. Her tribal nation struggles to exist because of its size, and federally funded institutions also fail her tribe by eliminating their presence in exhibits that purport to be “serving the greater public as an honest and thoughtful conduit to Native cultures—present and past—in all their richness, depth, and diversity,” according to the website about the NMAI. Additionally, she discussed how a lot of people do not know about the Coharie and later recalled how she would like, one day, for the Coharie to be spoken of or as known as widely as the Cherokee. She fears that the lack of awareness and understanding of her tribe will lead to the natal alienation of her descendants who, she feels, might not be exposed to their Coharie cultural background because of the tribe's erasure from history. Her reaction to this map is an experience

of natal alienation via cultural erasure, as her descendants and descendants of other tribal members may be unable to relate their experiences to their ancestor's status as Coharie.

Rhiannon talked about going to a school in an urban area that is outside her tribal nation's traditional homeland. She specifically touched on a discussion in class with another student about a Washington football team's mascot in this back and forth with her friend Stevie:

Rhiannon: And like, when I was there, that was when the debate about the Redskins, the team. And I remember I was in class—

Stevie: Oh god. They need to change that name.

Rhiannon: I was in Sociology class and this girl was like, 'I don't understand why people are getting mad about this. They are not gonna change it. There are not enough Indians to even protest.' I was like, 'Bitch!' And I was just like, 'Do you understand like, the history behind it?' She was like, 'It's just a name, it's just because your skin is red.' And I'm like, 'My skin's not red. Number two, that comes from scalping people, like'—

Stevie: They were called Redskins, the scalps of Natives.

Rhiannon: That was when they were trying to eradicate us as a race. So I was like, when someone says it for a fucking team, and when you, I was like, 'You don't hear about the Minnesota Niggers,' and I said that and a bunch of Black girls got mad. I said, 'Ya'll are mad, I'm mad too.'

Stevie: The Washington Crackers.

Rhiannon: Like, it's a derogative term, and you don't understand why because you don't take the time to learn about Native American history. And it's not all your fault. It's not taught in schools, it's not, you know, it's something I want to change around here at least, because even in Robeson County, you don't learn anything.

Here, Rhiannon discussed her encounter with the white-washing of the historical context related to the naming of the Washington football team, comparing it to naming teams after other derogatory words to describe other races. Scholars note that this practice of using mascots of a group of people was also something that the Nazis did of Jewish people, by portraying anti-semitic tropes (Churchill 1993, March). Just as in that case, people in American society lack an understanding of Indigenous culture, in part, because of cultural erasure tactics by the federal government, which leads individual Indigenous people to have experiences similar to Rhiannon when discussing the name of the football team. In addition, Rhiannon's classmate's comment

that ‘There are not enough Indians to even protest,’ illustrates a lack of understanding of the pervasiveness of colonization that contributes to the natal alienation of people like Rhiannon.

Some narrators, particularly those of smaller tribal nations, discussed how other Indigenous nations and people perpetuate the cultural and religious erasure of other tribes. Cindy lives in a community where her tribe is significantly less populated than the other tribe in the area. People take for granted that anyone in the county who is Indigenous is Lumbee. She directly experiences this form of cultural erasure within her own community from Indigenous and non-Indigenous people, when they automatically believe she is Lumbee.

Cindy: They [her employer] sent out a question that they ask that has several different tribal affiliations and they wanted to know from us, what tribe do we affiliate with. Well they didn’t have Tuscarora on there. So I called over to the director and I said I identify as Tuscarora and that’s not on there.

I followed up by asking if she thought this was a mistake, and she responded emphatically, ‘Noooo, it is because they don’t think we exist in this county (laughing).’ I ended this sequence of questions by asking her if she had any other experiences like this:

Cindy: I really hadn’t had any, because I think they know, well people that know me and people even out in the community. And even my pastor, he has had this habit he would state sometimes when he stands up in the church he would say, ‘You know how we Lumbees are.’ And I’m thinking, so I told him, I said, ‘I am Tuscarora. I am not Lumbee, I am Tuscarora.’ And I tell folks that in church too. When they are talking you know, ‘Well you know Lumbee people,’ and I say, ‘No I’m not Lumbee, I’m Tuscarora.’ So now he says, he calls my husband and says Brother Randy, and says Tuscarora, so he includes us (laughs). I guess it is all knowing, okay, these people, we are here, we were here, we’ve always been here. It is just that we have been overlooked through the years, you know?

In these sequences, Cindy discussed her pushback against those who automatically assume she is a member of the Lumbee Nation. This is another way in which Indigenous people might experience social death via cultural erasure, as they are simply erased in the minds of people because they are a smaller tribal nation (though, they are still seen as Indigenous). Cindy later

acknowledged that there is fighting between Lumbees and Tuscaroras, as she gave her perception of the situation: “the Lumbee people here in this county don’t recognize the Tuscaroras.” One can trace the root of this fight to colonialism, as colonial practices separate and divide tribal nations for the purposes of cultural erasure and assimilation.

Colonialism’s legacy continues to impact Indigenous cultures today, particularly in erasing traditional Indigenous values. For example, Indigenous cultures generally did not believe in the European, heteropatriarchal structure of gender and sexuality:

Broadly speaking, Indigenous views on sexuality were not rooted in heteronormativity, but rather they accounted for diverse sexual practices and identities... While it is important not to romanticize Aboriginal peoples as being uniformly accepting of gender and sexual fluidity, research and oral histories reflect widespread respect and honour for Two-Spirit people (Hunt 2016: 7).

In all, the assimilation of Indigenous people somewhat erased Indigenous cultural values of Two-Spirit people, a phrase that, in Western society, may refer to Indigenous people who identify as LGBTQIA+, who in a traditional society with more gender and sexuality fluidity, may not have had a label and were more fully integrated into their society (Hunt 2016). The loss of culture and language perpetuated the loss of meaning and knowledge related to Two-Spirit people and their roles (Hunt 2016). Today, we see colonialism’s impact as Two-Spirit people continue to struggle for recognition within Indigenous and non-Indigenous circles (Brotman et al. 2002; Fieland, Walters, and Simoni 2007; Hunt 2015; 2016).

The history of the recognition of Two-Spirit people in Indigenous cultures and colonialism’s impact on current thinking is something narrators touched on in our conversations. Rhiannon self-identifies as a Lumbee woman who is bisexual, and she described her experiences navigating heteropatriarchal structures in her interpersonal relationships:

Rhiannon: I feel like God is not gonna condemn me to hell because I’m bisexual. Because I did not choose that. I didn’t pick a day and was like, ‘Well, I’m gonna like

both guys and girls,' cuz it sucks. I hate being this way, cuz it's like, it's a conversation you have to have with everybody you ever get serious with. And then there's like the issue, it's like, 'Oh, you are going to cheat on me with a girl,' if I'm talking to a guy. If I'm talking to a girl, it's 'You are going to cheat on me with a guy.'

One can contextualize Rhiannon's experience within colonialism that forced Indigenous people to practice Christianity to survive and "to follow a heteropatriarchal model of marriage in order to gain rights and status" (Hunt 2016: 9) (Barker 2008). Later, she expressed her displeasure at the erasure of Indigenous culture's general thinking on Two-Spirit people. As a bisexual, Lumbee woman living in the South, she is privy to discriminatory behavior based on her sexuality from Indigenous and non-Indigenous people, which prevents her from coming out to her family:

Rhiannon: Well in the Lumbee, it doesn't make sense cuz it's like, if you take American Indian studies classes it is like, you learn that back in the day there was Two-Spirited Natives and they were like valued members of the tribe. It's like, they were often medicine men, or important roles in the tribe.

She later touched on colonialism's impact on Indigenous cultural beliefs on Two-Spirit people within the context of the community she lives and interacts with:

Rhiannon: It's very ironic to me when Native Americans go by like Christianity and stuff like that. Cuz I'm like, this wasn't what we believed. We didn't believe in this like, we were forced to believe in this or we were killed...But now, you know, if I were to come out to my family, I'm going to hell.

Vickie, another Lumbee woman also discussed her experience with locals, particularly Lumbees, who demonize her for her son identifying as gay. She indirectly referenced Lumbees who embraced heteronormative culture through the process of colonization in her narrative earlier, and how they would not accept her son dressing like a woman. Both Vickie and Rhiannon experienced social death via cultural erasure through their own personal experiences with being a member of the LGBTQIA+ community (Rhiannon), and having a child who is a member (Vickie). They both express frustration at their community's lack of acceptance of



LGBTQIA+ people, but it is important to contextualize the community's feelings towards LGBTQIA+ people as part of colonization that enacted these heteropatriarchal and heteronormative structures on Indigenous peoples and culture through assimilation policies and boarding schools (Hunt 2016). The impact of these structures was evident in some interactions I had in interviews. For example, when I asked questions of each narrator about gender pronouns or sexual orientation, one said "Female...I'm not confused (laughs)" while another said "Oh, I am very straight (laughs)." Another narrator shared an experience with a close relative who disagreed with her about her beliefs in marriage being between a man and a woman, and used an anti-lesbian slur while doing so:

She got big broad shoulders and she is a dyke. So it was like they got mixed up or something in the womb. It was really traumatic. Matter of fact I had lost contact with them when I got up with her on Facebook. And she seen a post where I said that I put up there about God saying marriage is between a man and a woman. And she was furious. She said, 'We can't be friends,' and I said, 'Well that's fine then. That's fine cuz I'm not gonna change my mind about how I feel. It's your choice to feel however you want to, but this is my page and God's, therefore we won't be friends.'

Here, some narrators express their beliefs in the heteropatriarchal structure, which counter the general Indigenous cultures' beliefs and values of Two-Spirit people. These narrators openly discussed their Christian affiliations, and this combined with their location in the South might explain their beliefs about the LGBTQIA+ community. This is the widespread impact of colonialism and the social death that some Indigenous people experience, as not only did it erase some Indigenous people from their ancestors' beliefs in the inherent dignity of Two-Spirit people (Hunt 2016), but it also created division between Indigenous people as illustrated by one narrator's lost relationship with a relative over these beliefs.

Overall, the Indigenous women in this study experienced natal alienation via cultural and religious erasure as social death. While some narrators mentioned the broad experiences of

Indigenous people losing their culture and religion, some experienced and continue to experience this erasure personally. It is important to highlight once again that this is a direct consequence of colonialism, which included boarding schools and assimilation policies that forced and coerced Indigenous people to believe and operate within heteronormative, patriarchal structures that often explicitly reject traditional Indigenous cultures and values (Adams 1995; Brave Heart and DeBruyn 1998; Burger 1995; Hunt 2016; Irwin 1997; Smith 2015).

### *Natal Alienation via Bureaucratic Erasure*

Some of the interviewees discussed general and specific experiences with natal alienation via bureaucratic erasure as social death. Bureaucratic erasure refers to the erasure of Indigenous people through policies, whether through the theft of land via treaties, eugenics policies that explicitly attempt to erase documentation of Indigenous people, or federal recognition policies. Some narrators talked about the broad effects that natal alienation via bureaucratic erasure had on them individually and their community. For example, Canvas said the follow:

Canvas: I can understand that federal recognition gets to be a matter of pride, [but] for me it has nothing to do with money. It has to do with someone telling me I'm not an Indian, and the government is crazy. That they can have a piece of paper, in fact that is annihilation, that's a form of annihilation. If you can't actually kill em, line em up shoot them and kill em, then you make them disappear with a piece of paper. And that is the piece that hurts more than anything else for me personally and a lot of people like me feel that way...It has to do with feelings more than anything else because for somebody else to tell you, you are not who you are, just by a stroke of a pen (laughs), you can say I am not who I am, and that if I say I am this I have to have this document on record to prove to somebody that I am.

Canvas talks about the feelings she has in having to prove that she is who she is as a member of a tribal nation. This quote highlights natal alienation, as not only do policies work to disappear people "with a piece of paper," but they also eliminate the opportunities of descendants of those disappeared from incorporating the experiences of their ancestors. The following exchange is

between me, Jenette, Coco, and Jenette's daughter about their tribe not having federal recognition:

Jenette: I would really like to be recognized as somebody, because we will, we bleed blood just, red just like everybody else in this world.

Coco: Yea, cuz when sometimes when you are not recognized you almost feel like you are—

Daughter: Like you don't belong.

Coco: Yea, exactly. Like you don't really belong. And with Lumbees—

Daughter: And like, when you fill out a form, it's Native American, it's never like—

Coco: But you can't even really put Native American because you are not recognized.

Daughter: No, you can't, then you—

Coco: But you do, you put it down.

Daughter: Then like they file, then they go even farther like with 'tribe,' they never have 'Lumbee.' They never have Lumbee.

Coco: They have 'other' sometimes.

Brian: Now, how does that make you feel?

Coco: Incomplete.

Daughter: Like an other. It makes you feel like an other.

Coco: Yea it makes me feel incomplete because you don't have a home. Like every nationality, race, origin, they have something that, you know, you are Scottish.

These experiences illustrated how bureaucratic erasure serves as natal alienation, in that the narrators felt like they don't belong, are "incomplete", and "an other." It perpetuates a misunderstanding of who they are and the historical and cultural traditions associated with their Indigenous identity, all of which are associated with natal alienation.

Canvas, Jenette, and Coco discussed how the absence of federal recognition serves to delegitimize their tribal nation as an existing entity. Colonialism perpetuates this general problem for tribal nations not recognized by the federal government and members of those tribes who encounter people of all backgrounds who may question their status as Indigenous because they are not federally recognized. They all touched on this idea of legitimacy because of a bureaucratic policy that denies their existence. This is natal alienation via bureaucratic erasure, because it serves to assimilate Indigenous people and nations into the orthodox, white colonial

culture that diminishes the value of traditional Indigenous cultures, while potentially eliminating relationships people may have had otherwise with their tribe or fellow tribal members.

Colonial methods of bureaucratic erasure evolved over time, including again, the creation of federal recognition policies that serve to divide and conquer Indigenous nations. Policies of federal recognition create incentives for recognized tribal nations to dispute the existence of unrecognized tribal nations, due in part, to funding. Some women explicitly discussed how federal recognition policies created conflict between their tribal nation and the Eastern Band of the Cherokee Nation, or other tribal nations more generally. For example, June Mac said the following:

June Mac: Well I know the main reason they are lobbying against us is because it's going to pull some money from them. And then if we ever got federally recognized and we have the main highway here, 74 and 95, a casino will take a lot of their (laughing) potential clients [and] tourists, because we have a large population that travels 74 and 95. And I think they are very much afraid, cuz you know they are fighting against the Cheraw Indians about getting a casino cuz they are federally recognized.

June Mac discussed how other Indigenous nations, particularly ones that are geographically close, believe that the potential federal recognition of the Lumbee Tribal Nation will take funding away from them in the form of tourism and a casino. It is important to note that the Lumbee Indians have no formal plan to build a casino if federally recognized, and that it has been explicitly forbidden in the written legislation that has failed to pass in Congress (Maynor Lowery 2018). However, the stereotypes and beliefs that with federal recognition the Lumbee Indians would pursue a casino continue, as this rhetoric serves to facilitate the bureaucratic erasure of various tribal nations.

Chenoa and Coco also acknowledged the role money plays in their tribe's inability to gain federal recognition. Chenoa mentioned that tribal nations that are federally recognized and receive funds "think that they're better," while Coco said the reason her tribe has not received

federal recognition “is because that will be less money in the pot for the other tribes that are recognized.” While Coco referred to it as money in the pot, three other narrators explicitly discussed a pie metaphor, saying that tribes were seeking to fight the recognition of their tribe because it would decrease the piece of the pie for those tribes:

Canvas: Let me see if I can explain it to you like it was explained to me. You have this pie, okay and it is already divided, and the other group as large as we are, 65,000, then they are going to get a piece of that pie and it is going to be bigger than some other groups. So that means that the slices of pie will shrink for other people. Just the fact that we get a slice no matter what size it is would mean that someone else loses or gets decreased. And there is always the possibility that someone buys, purchases property, designates it tribal property and a casino goes up along I-95 and US-74. That is the biggest fear for them is replacing them. I said my goodness how in the world can you replace, those folks are in the mountains they are 5 and 6 hours from here. So maybe it is the whole business of diverting traffic, or when Donald Trump wanted to open one in Atlanta and they stopped it real quick.

Nalani: And the unfortunate part is we have a pie, right? It’s an 8-inch pie. They’re not making the pie any bigger. And so, what happens is when you add another tribe, then everybody else’s slices get smaller. Well what do you think everybody else is gonna do? They are gonna fight against you getting a slice of that pie. So, it’s unfortunate that now, not only do we have the federal government we are trying to you know, adhere to all these rules and regulations. But we have our federally recognized tribes fighting against us because they don’t want their pie to get any smaller. You know?

Gad: Okay, so it’s just like the Cherokee Indians. They’re against us getting federal recognition, because it’s like a piece of pie. And they feel like that if we get our piece of pie then that is going to take from them. And it will, because we are a big tribe considering you know, comparing us with the Cherokee tribe.

These narrators acknowledge how the limited funding available incentivizes tribes to continue to maintain their “piece of the pie.” And, these narrators are aware why other tribal nations lobby against their recognition. Canvas noted that every time a lobbyist for the Cherokee Nation in North Carolina stops the federal recognition of her tribe, that lobbyist receives a \$1 million bonus. Further, they describe how some tribes will adopt and utilize conceptions of Indianness to maintain the status quo to retain their funding. This is natal alienation via bureaucratic erasure. The absence of federal recognition with funding may diminish the various opportunities for

unrecognized Indigenous people. Moreover, with federally recognized tribal nations adopting colonial arguments of Indianness to fight against unrecognized tribes, these race-based arguments could further separate Indigenous tribes and communities from their traditional ways of recognition and existing. They may instead rely on colonial conceptions of Indianness that fuel their natal alienation and erasure.

In all, it is important to contextualize this conflict within the framework of colonialism, as this is a conflict created by colonial/capitalist structures. Bureaucratic policies like federal recognition perpetuated these conflicts among Indigenous nations. The absence of federal recognition, as illustrated in some of the narratives, makes members of unrecognized nations feel “incomplete,” which might also serve to distance Indigenous people from their culture. Nalani describes the intent of federal recognition policies in the following statements:

Nalani: I only experienced that [discrimination based on federal recognition] when I started travelling and going to national conferences that had other Native people there. It's very unfortunate. That was another tactic that the United States government put together that keeps us fighting each other. Of being federally recognized versus state recognized.

Nalani is aware of why federal recognition policies exist in the United States. As she stated, they exist to pit tribes against each other. It is a way to utilize natal alienation on Indigenous tribal nations recognized and unrecognized. Clara sums up the purpose more directly in calling federal recognition “a form of paper genocide.” One can see evidence of Clara’s statement in the conflicts described in this chapter. The policies create further conflicts among tribes with the purpose of bureaucratically erasing them from existence.

Colonialism is an ideology so strongly engrained, that even people in and among Indigenous communities are resigned to these “rules” of Indianness. For example, Vickie exhibited beliefs in colonial definitions of Indigeneity, like blood quantum, in the following

statement: "...the reason we are not federally recognized is because, we are not full Indian.... we are not full Indian like the Tuscaroras or the Cherokees. We got every race. Every race is mixed up with the Lumbees, but they won't admit it." The bureaucratic erasure of Indigenous people serves as natal alienation, as it may separate people from their ancestors or divide them among beliefs in their true Indianness. In addition, it strives to divide and conquer tribal nations among themselves, by promoting beliefs and stereotypes as to who is truly Indigenous. These policies also lead to Indigenous people being resigned to these rules and alienate them from their traditional cultures.

Further, some narrators blatantly acknowledged how the bureaucratic process of federal recognition is an example of social death via bureaucratic erasure that serves to divide tribal nations from and amongst each other.

Nalani: Well, for Lumbee people, that's a fine line because technically in all aspects of federal recognition, they do recognize us as being Indian people. With one stroke of a pen, 'comma, you are not eligible for any federal funds.' So they recognize us as being a Lumbee tribe. We just don't have any funding... They have all these rules and regulations of what you need to do to be a federal tribe, and yet all these regulations are tied to a federal law that they had that prevented us from obtaining these.

Here, Nalani referenced how the federal government recognized the Lumbee Nation during the termination era, but "with one stroke of a pen," said "nothing in this Act shall make such Indians eligible for any services performed by the United States for Indians because of their status as Indians, and none of the statutes of the United States which affect Indians because of their status as Indians shall be applicable to the Lumbee Indians" (Wilkins 1993: 136). Therefore, the Lumbee Nation continues to resist the bureaucratic erasure of their people, and the social death they consequently experience.

Canvas described how she attempted to resist this bureaucratic erasure in her job as a school administrator:

Canvas: I used to say this to the counselors, I would say, ‘Listen, when you are enrolling, those of you working at kindergarten schools,’ or I says any school, ‘when a new kid comes to your school and that student tells you they are Native American, they are Lumbee,’ I says, ‘if they do not have a 506 form on file, that needs to be part of that package that you give them for enrolling. Well some of them didn’t want to deal with that and I said, ‘It doesn’t matter, there is not a one of you in this room that is non-Native that have to prove to anybody that you are White, you are Black, or you’re Hispanic.’ I said, ‘You don’t have to fill out a piece of paper.’ I said, ‘Well these children do so it behooves you to have those forms. You may work your entire career and [never] have a child come to your school that will have to fill one out, but,’ I says, ‘some of you I can tell you where you work you will have to offer it to them.’ I said ‘Particularly when you do kindergarten registration.’ I said, ‘Youth development workers will be there to do that but you need to also be very much aware that that’s a form that they need to fill out as well. For someone to say well there isn’t any Indians in North Carolina other than Cherokee (laughs), you know that’s a joke, or there aren’t any Lumbee, we don’t have any 506 forms on them. There is only this many and that is because someone didn’t fill out a piece of paper.

Canvas discussed how she had to remind colleagues the importance for them to file a 506 form for all Indigenous children they encountered. As she stated, non-Natives, for the most part, do not have to prove to people or institutions who they are. In this instance, Canvas appeared to fight back against these policies that attempted to erase them bureaucratically. She understands that these bureaucratic policies may lead to natal alienation, because Indigenous people may lose their identity if “someone didn’t fill out a piece of paper,” which could eliminate relationships that people have with their ancestors or other tribal members.

Furthermore, it has become important for Indigenous people to disrupt the bureaucratic erasure of their people, as the population declined dramatically from 1492-1900 (Hacker and Haines 2006), to where they currently make up approximately one percent of the population (Perry 2004). Stevie describes a conversation with her father that touches on other strategies of resisting erasure encouraged among some Indigenous people. She provided context as to why her dad wanted his children to marry only Indigenous men in this conversation with her friend Rhiannon:



Stevie: My daddy was literally just giving me this speech this week. He was like, 'This is why I told ya'll girls that I wanted you to marry a Native American man.' But he was saying like, if you were to graduate from college and you married a Native American man that graduated from college. If you were two educated Native American people that can help raise your country up.

Rhiannon: Your country?

Stevie: Your nation, as in Lumbee Indian. And then if you have children, your children can also help and he's like, you know, 'Why would you not want to?', I guess—

Rhiannon: Desert the culture?

Stevie: Yea.

Stevie discusses what her father sees as the importance of Lumbee people marrying each other to combat physical and bureaucratic erasure. This is a survival technique that some Indigenous people may utilize to keep their culture alive, made necessary by colonialism's physical and bureaucratic erasure through the use of racial science, among other far more direct forms of physical, genocidal methods.

Finally, one narrator's experience with natal alienation via bureaucratic erasure struck me the most:

Kelly: Take UNCP, and to this day it is hard for me to say University of North Carolina at Pembroke, because for as long as I can remember it's been PSU. And when it was PSU, that was the Indian school. If Native kids couldn't get into any other college PSU made a way to get them kids into college and they could transfer. But now because you know, the system changed funding and to be able to keep the doors open they had to become part of the UNC network. And what I've heard from my own kids, 'I can't go to Pembroke, because the population of Indian students isn't there anymore.' So they make this big UNC network, but they forgot that Pembroke was built to help educate the Lumbee students there. The Indian, the Indigenous people, because you had UNC Chapel Hill. You had Duke. You had Wake Forest. All those were going there... I mean, like I said it was a school you know, you got all these extra buildings outside, but Old Main was the school. That was it. And I even heard it from my grandparents when they talked about not having the education that one of their sons or daughters could go right there at Old Main and take a couple of classes they would still be better off than trying to get in somewhere else... They, what she did and the community and stuff, to be able to have that and leave a legacy so Lumbee, you know, just say Lumbee children could have a place to go to school if they couldn't get into anywhere else they weren't gonna be turned away there. And I just feel, you know, when it became part of the UNC system, it's lost its identity. You know, you can tell someone, 'Well when you get to Pembroke go to Old Main,' and you know, that's the university. You tell people to go to Pembroke now, or UNCP and find Old Main, it's like, it's been shadowed by everything else. It's been

forgotten. And you know the more it gets forgotten the more it's taken what our grandparents worked so hard to leave a little piece so that Lumbee children or Lumbee students would have something to call their own. And politics, money, and you know, someone who's great, great, grandmother was whatever, has come in and said, 'No we need to make this school for everybody.' Well you know sometimes things just ain't for everybody (laughs). And you know again, when I can hear my son say 'I don't want to go to Pembroke, cuz Pembroke's not what it used to be,' I'm like, wow. And that's 20th century kids talking about it. And you got some that's went down there, they'll still even go, 'It's just not, they are all about this and they are all about this rating here and.' The community used to be more involved there. And with everything that's gone on the community's been pushed away. The elders are being pushed away. And like I said, the more that all of that is taking away, Old Main, that used to be this big (makes hand gesture), is getting smaller and smaller and smaller. Now it's just, it's the museum. But they don't even focus on the museum as much as they should because, they just don't. And that's sad. I honestly feel like by the time my granddaughter gets to go to college Old Main will be renamed something else. And I guarantee you it won't be after a Lumbee. And that's sad.

This example struck me the most because of my affiliation with the University of North Carolina at Pembroke. I started going to school there in August 2009, without any consideration of the school's history as an Indigenous university. As Kelly mentions, this used to be an Indian-only university institution, until in 1953, the University's Board of Trustees allowed White students to make up no more than 40 percent of the student enrollment (University of North Carolina at Pembroke n.d.-a). With the Supreme Court's ruling in *Brown v. Board of Education (1954)* the school opened to people of all races.

Until my conversation with Kelly, I had not even thought to consider my positionality as a White man at what was historically an institution solely for Indigenous people. However, it made me realize how the University of North Carolina system, which included UNCP in its inception in 1972 (University of North Carolina at Pembroke n.d.-a), is an example of natal alienation via bureaucratic erasure. These policies, and what Kelly describes as politics and money, led to the strictly Indian school's assimilation into an orthodox University that serves everyone. This policy, whether intentionally or not, diminished the cultural significance of the

formerly all-Indian school. Now, as Kelly mentioned, Indigenous children she knows do not want to go there because of the focus away from Indigenous education. As an alumnus of the University, it had not occurred to me how I participated in what might be considered the cultural appropriation of a formerly Indigenous-only institution, and how this might be perceived by Indigenous and Lumbee people who value what the university used to be.

*Natal Alienation via the Delegitimization of Indigenous Identity*

The final example of natal alienation via erasure is how narrators experienced this through the delegitimization of their Indigenous identity. This includes narrators' experiences in interactions with other people who are unaware that Indigenous people are still present in the United States. A few narrators experienced or recalled their relatives' experiences with people who claimed that Indigenous people no longer existed.

Chenoa: I had a time when I was in high school where this one girl, I told her that I was Native, and she was like, again, 'No you're not.' She says, 'Natives have died out. It's like saying that you're Mayan or Incan. It's an ancient civilization.'

Nalani: Most people don't even know that American Indians still exist. Do you know how many people I come in contact with that didn't even know there were Indian people in North Carolina, much less heard of a Lumbee Tribe?

Nalani also recalled an experience her daughter had while in elementary school:

Nalani: So she comes home one day and was like, 'Mom. Do you know what [other student] said to me today?' I was like, 'What' (Mimicking her daughter) 'He told me I was not a real Indian.' (She lets out a huge gasp) Oh my god, no. Oh, I've failed. I've failed. I wanted to prevent my children from having to experience that. I'm an awful mother. I failed. 'Well, what did you do?' Going to the refrigerator getting her, her afternoon juice pop, 'I, I told him um, he said I wasn't a real Indian because all the real Indians were dead. I told him I wasn't a member of the dead tribe, I was a member of the Lumbee Tribe.'

Here, Nalani and Chenoa described their interactions with people who did not believe Indigenous people still existed. Nalani was taken aback and hurt by her daughter's experience with other

people's ignorance of her existence. Though she was proud of the way her daughter handled the experience, she still initially felt a sense of failure that she could not protect her daughter from the ignorance. Meanwhile, Chenoa simply responded to the girl questioning her existence with "...we are still alive today." In all, people delegitimized their Indigenous identity by expressing their disbelief in the existence of Indigenous people.

Some narrators experienced the delegitimization of Indigenous identity through stereotypes that relegated the importance of Indigenous identity to funding and education. Here, Nalani's son's accomplishments were diminished when he went to apply to a prestigious university. Instead of the focus on his accomplishments, Nalani's son, according to the school administrator, was going to get into the university because of his status as Indigenous.

Nalani: You know what my son was told? My son was told, 'Oh yea, you will probably get into this university because they have to take so many minorities.' Now fortunately I was sitting there, and my son was in pain because he had allergies and his little face was like, 'Mom, just let this one go. It don't even bother me. You can just let this one go.' Do you think I let it go? When I got through with her I informed her that my son would get into this university because he had a 4.2 grade point average. He would get into this university because he was a member of the National Honor Society. He played the bass and was all these different things, in addition to being a Native American leader where he was our representative on a national level. And I said, 'But more importantly, he will get into this university because he deserves it.' But this is, this is in year 2010. And you've got this so-called educated person that really believes the only way our Indian children can get into this university is because they have to take so many minorities? Are you freakin kidding me? So, this is still what my children have to deal with.

Later, Nalani added that the stereotypes that portray Indigenous people as receiving money to go to school for free are simply not true:

Nalani: Let me make this very clear, there's not a bunch of money out there for Indian people to go to school for free. My children probably didn't get five percent of their tuition. Even less than that, because one, it's all um, need-based. And then there's not that, and when there are Native scholarships, there may be a scholarship for a particular tribe right? And there are scholarships just for federally recognized tribes. And not state-recognized. And so there is not a lot of money out there for our Indian children to go to college.

Stevie also addressed this stereotype when I asked a question about how important it is for her and her friend Rhiannon to work:

Stevie: Now does this question, does it stem from you know, that Native Americans get checks all the time?

Brian: No, no.

Stevie: Because that is literally the phrasing, that's a stereotype.

Brian: Well do talk about that. What do you mean by that?

Stevie: That's a huge stereotype, like well you get paid to do this, that, and the other.

Rhiannon: You know, that you don't have to pay for school.

Kelly acknowledged these stereotypes of funding in our conversation:

Kelly: Well first I have to (chuckles) get them to understand that just because I'm Indian doesn't mean I don't have to pay taxes. Or I'm not getting a government check every month. I'm working, out working paying my bills, and what I make at work is what I make. The government's not giving me anything.

She later added an experience that she had in a local retail store:

Kelly: We are getting stuff and the lady looks at us and says, 'Oh, you are Italian?' Because it was something we bought. I said, 'No, she's Puerto Rican and I'm American Indian.' And the first thing that came out of her mouth was, 'Oh, I bet you go to college for free, all the money you got, and your kids. You don't ever have to worry about school.' And I was like, 'Who are you talking about?' She says, 'All that free money out there for Indian people.'

These experiences illustrate how Indigenous people experience social death via the delegitimization of their identity based on stereotypes of what Indigenous people allegedly receive because of their status as Indigenous. Nalani's son's counselor did not focus on his accomplishments when preparing him to apply for college, instead delegitimizing his status to that for which he could use to receive acceptance from a university. Others encountered people who relegated their status to that of free college funding. By relegating Indigenous status to that of which one can benefit for college, these societal stereotypes delegitimize the meaning of being Indigenous. Indigeneity is not about college funding or any of these stereotypes, yet these stereotypes relegate being Indigenous to a political status unaccompanied by cultural and

religious traditions.

Some narrators experienced the delegitimization of their identity in interpersonal interactions when non-Indigenous people would claim that they were Indigenous, usually Cherokee as in the “Cherokee Grandmother Syndrome.” Nalani experienced this when she protested the school’s ruling that her daughter could not wear her beaded cap to her graduation. The school administrator’s response to her protest was, ““Oh, I’m so sorry. I understand because I’m part-Cherokee.”” Later, Nalani shared a more general statement about this:

Nalani: Not unless of course their great, great-grandmother is Cherokee, and yes, I hate for people to tell me that. That means absolutely nothing to me. Nine times out of ten it’s not true, and I never know what you want me to do with that information. At least lie and come up with another tribe.

Nalani’s quip that people could “at least lie and come up with another tribe” provides insight into her thinking when people try making these connections, as people often only cite or know about the Cherokee. Kelly also generally referenced non-Indigenous people’s habits of falsely claiming Indigenous identity:

Kelly: If I walk up to somebody and they say, ‘What’s your ethnic background?’ And I say ‘American Indian.’ It’s an automatic that the first thing that comes out of their mouth is ‘My great-grandmother is Cherokee.’ And I’m like, I know, I’ve got so many friends that are Cherokee and they’re like, ‘I know.’ It’s just crazy. But you know, you have to be able to try and look at that person and say, ‘It’s not about what your great-great grandparent was. It’s what you are today. Are you keeping their legacy alive and fighting and being proud of who and what you are.’ And of course, if you are, you know, biracial, you should be proud of both sides, or however many ethnic backgrounds you got. But don’t try and steal from mine. And don’t you think you are more entitled to it than I am. Because I don’t know of anybody if they go and apply for a scholarship at a university [that they have to go through the process that Indigenous people do to demonstrate eligibility]. It’s for an African-American student or a Black student. They don’t have to, ‘Here’s a card.’ You know, ‘I’m 28 percent Kenyan. I deserve it.’ They don’t have to do that. They look at em and say, ‘Okay, that’s fine.’ But when it comes to me, when you look at my two boys when you walked in, they have to show that card because they are fair-skinned, light hair. But it’s not right. I think the whole quantum thing needs to be done away with. You know, if you are raised that, and that’s what you know, and you can back it up by showing your participation and keeping your culture alive, and doing the

dances, doing the stories, doing the crafts and the artwork, and knowing where the roots came from, then that should be enough.

Non-Indigenous people staking claims to Indigenous identity is extremely problematic, as it may serve to relegate Indigenous identity to something that is based solely on blood quantum and recognition policies. As Kelly stated, it isn't about ancestry, but one's participation in the culture that Indigenous people traditionally valued. In addition, falsely claiming Indigenous membership may lead non-Indigenous people to co-opt Indigenous identity for their own economic or material gain. Kelly described a time when this happened to her in an interaction with a co-worker:

Kelly: I think one of the worst things that ever hurt me was being at work and one of the magistrates called me on the phone. And I was like, 'Ok. What do you need?' And he was like, 'I want to ask you a question about Native American scholarships.' I honestly thought he was just referencing something because he held juvenile court a lot. And I said, 'Okay, go ahead.' He said, 'Well, my great-great grandmother was Cherokee. And my son is getting ready to go to college. How would he go about applying for Native American scholarships?' I lost it, seriously. I was like, 'You know what? I'll come up and talk to you on my lunch hour.' I walked up there and he was like, 'Great. I'm glad you came here.' I said, 'I'm here, but not for what you think I'm here for.' I said, 'First and foremost,' I said, 'In your position,' I said, 'You did a commercial a few you know, months ago in regards to the juvenile system and how kids are in foster homes.' I said, 'And you had every color of the rainbow represented in your commercial, except for a Native American child.' I said, 'Which is, you know, just mind-blowing because you have five Native American women that have been your assistant. Me personally I have worked with you,' you know at this time it was like 18 years. 'And you know I have children.' I said, 'You didn't offer not one question, "Hey, can I use one of your kids?" or "do you know a Native child?"' I said, 'That's wrong.' I said, 'Now, you want to know how your child can apply for scholarships or financial aid, because your great-great grandmother was Cherokee?' I said, 'Well, we will start the process like this. When he gets up in the morning what does he identify as?' He says, 'Well, he's White.' I said, 'What does his birth certificate say?' 'He's White.' I said, 'And therefore he is White.' I said, 'I'm truly you know, hurt and upset about this,' I said, 'Because me and my kids have to carry a card with us to prove that we're American Indian for a state-recognized tribe.' I said, 'And they have to work hard for their scholarships. When they go and apply for scholarships, they can't just hand the card, then they have to turn around and prove how much of their blood is all Native.' I said, 'But here you are. Your child has never identified as Native American. And the 18 years I've worked with you, you've never identified as Native American.'

In this story, Kelly was confronted with a White magistrate who attempted to claim Indigenous identity solely because of definitions of blood quantum even though he has never identified as Indigenous. She spoke about how angry this made her feel; other narrators also mentioned instances when they encountered people claiming their grandmother or other relative was Cherokee. This co-optation serves to delegitimize Indigenous identity. The magistrate is in a position of privilege to pay for his child's college or donate to scholarship funds that help Indigenous children go to college. Instead, like other non-Indigenous people, the magistrate only sought to claim Indigenous identity when it was convenient for economic or material gain for himself or a relative. Federal policies such as blood quantum create experiences like Kelly's where Indigenous people are questioned, or their relationships and social reality are delegitimized.

## SUMMARY

This chapter outlined how Indigenous women who are members of federally unrecognized nations experience social death in three ways. Narrators experienced systematic violence, humiliation both from Indigenous and non-Indigenous people, and natal alienation via cultural and religious erasure, bureaucratic erasure, and via the delegitimization of their Indigenous identity. Highlighting these experiences provides further context to these Indigenous women's experiences with both physical and emotional violence and trauma.



## CHAPTER VII

“BEING RECOGNIZED DON’T MEAN A THING TO ME, [BE]CAUSE I’M INDIAN  
REGARDLESS OF WHO THEY THINK I AM.”: SURVIVANCE AND RESILIENCE

This chapter focuses on how Indigenous people resist these assimilation and genocidal tactics through the framework of survivance. Instead of survival, survivance indicates an active resistance to these policies and methods. Moreover, resilience from an Indigenous perspective is “a dynamic process of social and psychological adaptation and transformation...resilience can be a characteristic of individuals, families, communities, or larger social groups and is manifested as positive outcomes in the face of historical and current stresses” (Kirmayer et al. 2011: 85).

The following quotes sums up what Indigenous people throughout the world including in the United States have in common:

...the struggle to survive as distinct peoples on foundations constituted in their unique heritages, attachments to their homelands, and natural ways of life is what is shared by all Indigenous peoples, as well as the fact that their existence is in large part lived as determined acts of survival against colonizing states’ efforts to eradicate them culturally, politically and physically (Alfred and Cornassel 2005: 597).

Nalani, a narrator for this study, mentioned that “the primary goal of the federal United States government was the total genocide of Indigenous people.” The content of this dissertation recites many of the ways in which the colonizing United States sought and continues to seek to “eradicate” the Indigenous people of the land. Indigenous people in the United States continue to encounter varying forms of oppression perpetuated by the ideology of colonialism. The narrators discussed their experiences with oppression in the previous two chapters, some of which are exacerbated by their political status as members of a federally unrecognized tribal nation.

This chapter seeks to amplify the stories of survivance and resilience that narrators shared during our interviews. First, this chapter outlines why it is important for research to include these stories of survivance. Second, I outline how the tribal nations represented in this study have resisted the colonial environment they now inhabit. Finally, the last section will focus on the individual stories that narrators shared in the interviews.

### *The Importance of These Stories*

It is important that research in the social sciences, particularly research involving people who historically and contemporarily experience oppression, focuses increasingly on the stories of survivance. Native survivance refers to “an active sense of presence over absence, deracination, and oblivion; survivance is the continuance of stories, not a mere reaction, however pertinent. Survivance is greater than the right of a survivable name” (Vizenor 2008: 1). Vizenor deliberately chooses survivance over survival, as it indicates “the action, condition, quality, and sentiments of the verb ‘*survive*, to remain alive or in existence,’ to outlive, persevere with a suffix of survivancy” (Vizenor 2008: 19).

In reference to Indigenous people in the United States, settler-colonial theorists assert that “one mechanism by which settler states erode the sovereignty and vital presence of Indigenous peoples is through constraining social narrative to promote a sense of victimry and inevitable erasure (Wolfe 2006)” (Hartmann et al. 2019: 14). Nalani further discussed the importance of focusing on the stories of survival in our interview:

Nalani: ...and so there's nothing to counteract cuz you don't see Native people in professional positions. Everything about our story is always, 'Ok, we have the highest high school dropout rate, the highest suicide rate. You know, Robeson County is the poorest county.' And those things are very much true. They are absolutely true. But my goodness, wouldn't it be great to see, well oh, we've got this Native student and they've done this. Or our Native Students at [city] and the great things they are doing. Or, we just

had a Native student graduate from law school. Or we've got these many Native doctors and lawyers and professional people. You never hear that side of the story. It's always the negative side.

The focus on the negative aspects of Indigenous society serve to “erode Indigenous sovereignty” and may also put the onus of the problems on Indigenous societies, when the reason Indigenous societies face such difficulties is because of colonialism’s promotion of individualistic and capitalistic ideologies and frameworks (Alfred and Corntassel 2005). Therefore, it is important that we dedicate content to the resistance, resilience, and survivance of Indigenous people, families, and communities in the face of these historical processes that seek to eliminate them from society.

This chapter uses the concept of survivance instead of survival to describe the current lived experiences of Indigenous people (Atalay 2006; Baker 2005; Powell 2002; Ross 1996; Stromberg 2006; Villegas, Neugebauer, and Venegas 2008; Vizenor 2008; Vizenor 1999). The term survivance is a rejection of the internalization of Indigenous people as victims of White, colonial discourse; instead, survivance allows for an understanding of how Indigenous people utilize “modes of personal and social renewal attained through welcoming unpredictable cultural reorientations,” and continue to transform their lives “without requiring abandonment of the enduring value of their precontact cultural successes” (Kroeber 2008: 25). Therefore, survivance is active and ongoing, and includes modes of resistance, resiliency, and adaptation.

#### TRIBAL NATIONS’ SURVIVANCE AGAINST COLONIALISM

This section briefly outlines the survivance of the tribal nations represented in this study: the Lumbee Indian Nation, the Tuscarora Nation, the Pamunkey Nation, and the Coharie Nation. The Lumbee and Coharie Nations are federally unrecognized but recognized by the state of North Carolina (National Conference of State Legislatures 2016). The Tuscarora Nation is

unrecognized by both their state and the federal government. The Pamunkey Nation is somewhat exceptional in that they were unrecognized until 2016 when they became the first tribal nation to gain federal recognition in Virginia (Covil 2016, Feb. 2). The Pamunkey are included because of Clara's participation in the interviews. Clara sought me out because for nearly all of her life, including just immediately prior to our interview, her tribe was federally unrecognized; not surprisingly, her life experiences mirrored many of the formative experiences of the other women I interviewed.

### *The Lumbee Nation*

The Lumbee Tribal Nation is the largest Indigenous nation east of the Mississippi River (Bell et al. 2014). The following excerpt summarizes their traditional homelands and their ancestors:

Their historic homeland stretches the 700 square miles from the James River in Virginia south to the Great Pee Dee River in South Carolina, encompassing much of modern-day piedmont and eastern North Carolina. The Lumbees are descendants of the dozens of tribes in that territory, as well as of free European and enslaved African settlers who lived in what became their core homeland: the low-lying swamplands along the border between North and South Carolina (Maynor Lowery 2018: 3).

Today, their homeland rests on both sides of Interstate 95 in the North Carolina counties of Robeson, Scotland, Hoke, and Cumberland (Maynor Lowery 2018). The Lumbee Indians have also been referred to as Croatan, Cherokee Indians of Robeson County, and the Lumbee Tribe of Cheraw Indians.

Historically, one of the early stories of survivance is that from the smallpox epidemic that spread through the Carolinas and the South (Maynor Lowery 2018). Additionally, in spite of the colonists' invasion of their territory, they maintained traditional kinship practices and maintain community. They did not exclude members based on colonial conceptions of race, and sought to

maintain equality politically, socially, and economically (Maynor Lowery 2018). Finally, they made Christianity an active part of their lives, “adapting Christianity to support their kinship networks, their economic needs and aspirations, and their expressive outlets” (Maynor Lowery 2018: 57).

In 1887, the Lumbee Indians founded the Croatan Normal School, an all-Indian school established to train teachers (University of North Carolina at Pembroke n.d.-a). This action encouraged Indigenous nations surrounding the Lumbee to pursue their own schools (North Carolina Commission of Indian Affairs 1979). The school was all-Indian until 1953, when the Board of Trustees opened the school to Whites, followed by Blacks in the 1960s. The school served as the center of the Indigenous community in Pembroke, North Carolina, and was the only state-supported Indian college from 1939-1953 in the country (University of North Carolina at Pembroke n.d.-a). Despite many obstacles, including the school becoming majority-White in a matter of fifteen years after integration, the Lumbees founded a school that continues to be an integral part of their community today (Maynor Lowery 2018).

Over the last 100 years, the Lumbee Indians have resisted attempts at bureaucratic elimination through the Indian Reorganization Act of 1934 and the federal government’s refusal to formally recognize them (Maynor Lowery 2013; Wilkins 1993). In the 1990s they established their own constitution and a tribal government that they still utilize today, even without federal recognition (Maynor Lowery 2018). In all, the following passage describes the current struggle for federal recognition of the Lumbee Tribe:

a lack of federal recognition does not disrupt our ability to exercise our sovereignty as indigenous people, nor does it constitute a ‘struggle for identity,’ as so many outsiders have remarked. We are not struggling for identity; Lumbees know exactly who we are and what it means to belong. The struggle is for fair treatment within a system that was built on our ancestors’ disappearance and that is in a constant state of reformation by

citizens whose stories have also been silenced but who often forget that Native people share their struggles (Maynor Lowery 2018: 239).

One of the most famous examples of resistance in the Lumbee community occurred on Saturday, January 18<sup>th</sup>, 1958, when the Ku Klux Klan planned a rally at Hayes Pond, just outside of Pembroke. Lumbee Indian people received word of the planned rally, and approximately 500 Lumbee Indians showed up to confront the Klan. Grand Dragon James “Catfish” Cole ran away into the woods after the rally, leaving his wife and children behind; they were later helped out of a ditch by a few Lumbee men (Maynor Lowery 2018). Since, neither Cole nor the Ku Klux Klan have organized any rallies in the area.

#### *The Tuscarora Nation of North Carolina*

The Tuscarora Nation of North Carolina also resides in southeastern North Carolina with their headquarters in the town of Maxton. The name Tuscarora came after the passage of the Lumbee Act of 1956, which granted Robeson County Indians federal acknowledgement, but left them ineligible for services from the federal government (Maynor Lowery 2018). After leadership failed to acknowledge the impact the Original 22<sup>1</sup> had on the Indians of Robeson County receiving recognition, members of the Original 22 and their descendants used the term and “renewed their attachments to members of tribes from other parts of the country” (Maynor Lowery 2018: 135). This also came after a Tuscarora activist from New York came to Robeson County to help build a longhouse and sweat lodge for some of the Indians within the community.

In all:

Some surviving members of the Original 22 and their descendants also became affiliated with this new longhouse, and the Indians who attended gatherings and ceremonies there came to identify as Tuscarora, as distinct from Lumbee. Tuscaroras acknowledge that

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<sup>1</sup> The Original 22 refers to twenty-two members of the Brooks Settlement community of Robeson County Indians who were granted eligibility for recognition under the Indian Reorganization Act (Maynor Lowery 2018).

while they are related to Lumbee people by kinship, Lumbee recognition (or lack of it) does not apply to them. Instead, they assert their independence using an emphasis on a connection to a known historic tribe that was undoubtedly part of the community's ancestry (Maynor Lowery 2018: 136).

Today, the Tuscarora Nation of North Carolina continues to operate as independent of the Lumbee Nation, with three groups relating to each other through kinship. They are the Tuscarora Nation of North Carolina, the Tuscarora Tribe of North Carolina, and the Tuscarora Indian Nation of North Carolina, and they recently joined in alliance under the name Confederation of Sovereign Tuscarora Bands of Robeson County in an effort to obtain state recognition (Bigelow 2019, Feb. 1).

The Tuscarora Nation continues to fight for their rights to sovereignty, even without formal recognition from the state or federal government. Federal and local law enforcement authorities recently raided three casinos on Tuscarora territories, claiming that the casinos were illegal (WBTW 2018, July 27). However, the Tuscarora Nation claims that the casinos were legal and that they were using the casinos to generate revenue for the community. They do not follow the U.S. Constitution, instead following the Great Law of Peace, a constitution for the Six Nation Iroquois Confederacy. This is one avenue of resistance that the Tuscarora people have explored.

### *The Pamunkey Nation*

The Pamunkey Nation's history traces back to at least over 10,000 years ago. Originally, their homeland was "At the heart of Powhatan territory, referred to as Tsenacomoca...encompassed the flood plains of the York River and its tributaries, the Pamunkey and Mattaponi rivers" (Spivey 2017: 4). However, the invasion of English colonists in the 1600s isolated the tribe from their homeland and led to various conflicts (Gleach 1997; Potter

2006b; Rountree and Turner 2002; Spivey 2017). Despite the signing of the 1646 Treaty of Peace with Necotowance and the Treaty of Middle Plantation of 1677, the Pamunkey continued to have their land stolen away, while racist animosity impacted their cultural practices and outsiders spread negative views related to the Pamunkey's claims to Indigeneity (Hauptman 1996; Moretti-Langholtz 1998; Rountree and Turner 2002; Spivey 2017).

These racial hostilities persisted into the 1900s, when Walter Ashby Plecker was in charge of the Bureau of Vital Statistics. Plecker helped facilitate the passage of the Racial Integrity Act of 1924, which only allowed people to be categorized as White or Colored (Fiske 2004, Aug. 18; Moomaw 2018, May 13). He then orchestrated the categorization of all Indigenous people as colored for the Bureau (Gonzales, Kertesz, and Tayac 2007). However, Virginia Indian tribes, including the Pamunkey, continue to resist the assimilation and elimination efforts of federal and state policies. Despite the erasure from documentation by Plecker, the Pamunkey Tribe was resilient in their efforts for survivance by fighting for and obtaining federal recognition in 2016.

‘In the face of all of that, we’re still here. And we’re still a vibrant community,’ said Pamunkey anthropological scholar and director of the Pamunkey Indian Tribal Resource Center, Ashley Spivey (Moomaw 2018, May 13). Today, the Pamunkey Reservation rests on a peninsula surrounded by the Pamunkey River in King William County, Virginia, with a tribal membership between 200 and 400. Recently, the tribal nation established Pamunkey Net which brings high speed Internet to the reservation and surrounding rural areas (Moomaw 2018, May 13). They also have plans for a \$700 million casino resort on the Norfolk Elizabeth River Waterfront, the profits of which will go towards education for Pamunkey children and other tribal needs, according to Chief Robert Gray (Freeman Jr. 2018, December 19; Moomaw 2018, May 13).



## The Coharie Nation

The Coharie Indian Tribe is a nation of about 3,000 enrolled members, approximately 20 percent of whom live outside the traditional territory of the tribe, which is near the Coharie River in Sampson County, North Carolina (Coharie Tribe n.d.). They settled here after hostilities caused by colonial invasion sometime between 1729 and 1746. The tribe used its own money to fund the opening of a school in the 1800s, received their own school system in 1911, and established a high school for tribal members in the mid-1900s (Coharie Tribe n.d.). They also utilize churches for “offering a place for kinship, for Elders to be honored, and for social rules to be enforced” (Wegner 2018).

Though originally recognized by North Carolina in 1911, this recognition was rescinded two years later (North Carolina Museum of History n.d.). The tribe received state recognition permanently from North Carolina in 1971 and has a tribal council whose members are elected to four-year terms (Coharie Tribe n.d.). According to their website, “The Coharie Tribe continues to facilitate and provide services to enrolled members of the Tribe in the areas of housing, economic development, employment, educational opportunities, tribal enrollment, cultural arts, health and community services” (Coharie Tribe n.d.). They have held a Powwow every year since 1969, which serves as a fundraiser “for the organizations’ cultural and educational activities, as well as to strengthen the cultural identity” (Wegner 2018). In these ways, the Coharie engage in survivance as they struggle against colonial attempts at erasure.

## INDIVIDUAL ACHIEVEMENTS AS SURVIVANCE

Many narrators cited the individual achievements of themselves or of their siblings and children, which can be categorized as survivance. For example, Canvas was one of the first people in her family to graduate college. Born to a tenant farmer, she and her siblings earned

multiple bachelor's and doctorate degrees among them. Canvas herself served in various capacities as a school administrator. Meanwhile, one of her children works for the federal government and another is a chemist. She took pride in this, saying "They are all gainfully employed. I tell them as long as they are gainfully employed (laughing) your momma's happy."

Lizana was pursuing her bachelor's degree at the time of our interview, completing her internship to graduate. She did this while raising kids and working fulltime as a manager at a local plant. She talked about returning to college in her 30s, saying "And I try to tell my kids, I was like, 'You are never too old to go back to school, and you're never too old to do the dreams that you need to get done.'" She was also the first person on her mother's side of the family to graduate from a four-year institution, and the only one on her dad's side so far to finish high school. Her next goal is to have her master's paid for in Environmental science and to pursue a degree in that field to support her family.

Rhiannon and Stevie, two of the younger narrators for this study, wanted to pursue their doctorate degrees in psychology and archaeology and Rhiannon wanted to own her own business one day. Another narrator was happy to discuss the prospects of her adult children. Her daughter wanted to fight against cultural appropriation of Native culture, and she mentioned Victoria's Secret's 2012 network televised fashion show that appropriated Native regalia (THR Staff 2012, Nov. 12). Her daughter wants to be a fashion designer to "design clothes that truly highlight and embody our Native American culture." She is proud of her daughter's goal and looks forward to wearing clothing to wear to work and other events based on her culture. She says, "That is part of our story that we have to tell. So, we are taking our culture back."

Meanwhile, Gad described how “the odds were against me and I was being fought at every end. But that didn’t stop me.” She expressed how proud she was of herself and her children for persevering through the difficulties they endured:

Gad: I mean my girls now, I say ‘Look how beautiful my kids are.’ They are productive. They are sweet girls. They are amazing. A-students, captains of the volleyball team, um one plays basketball and volleyball. They have goals, my baby girl wants to be a veterinarian, and my middle girl wants to be a neonatal nurse and my oldest girl a registered nurse. I have like, maybe 15 credits to graduate with a Bachelor’s in Health Promotions, minor in American Indian Studies, and you know I got off track, I got depressed. I give up in a way. I did. But when my grandson came along, I don’t know, that generation changed me. It was like, ‘What are you doing? Wake up! It is time to get up. It is time to get back on that horse and go get it. Because your grandson, your future grandchildren are going to need you to be strong.’ And I can’t be weak. I just can’t and I can’t give up. And so, I have told you I want to write a book. And in some way, I think that I want to tell my story. I want to tell, even in more detail what really went on. And how my mom was used in a way by the enemy to try and break my spirit. I laugh, I smile, all that I have been through I still hold my head up. Some people walk around with their head down. I don’t. I forgive her, I forgive her. Cuz like my daughter, she’s 19 and I go back to her all the time cuz she never ceases to amaze me. None of them do. But, it’s like me and her talk more because she is a grown up. She says ‘Momma, you gotta forgive, not for them, but for you.’ And if it doesn’t matter five years down the road, don’t give it five minutes of your time. So, I see where, what I put in them is coming out. And it is coming out to help me. So, I didn’t, I don’t think that I sowed any wrong seed, or sowed seed anywhere bad. Cuz I’m seeing my product. And I’m proud of that. I am.

In the face of all that Gad has endured, through the physical and emotional abuse she suffered as a child and as an adult, she is able to stand strong and forgive those who have hurt her. She is able to live in the present, a key factor of survivance, and she continues to pursue her goals of graduating college and writing a book that tells her truth.

Clara, who served twelve months in jail after being accused of assaulting and cursing out a cop during a mental health crisis, was proud of the person she became out of that experience, even though she insists she should have never served time. She said that prior to her time in jail, “I didn’t like myself. I had no self-esteem...but a year ago I wasn’t this person that I am now.” She described herself as philanthropic and felt she needed to “save the world.” However, she

accepted she would have to do this “one person at a time, but I can’t save the whole world. And that was killing me that I couldn’t, because I felt so much awfulness.” She was able to hone-in her feelings of being overwhelmed by all that surrounded her and the circumstances of her community. In addition, she persevered through her experience in jail, even as she believed that her sentence was unjust. In spite of it all, she is still an active presence in her community today.

Finally, Mary and Ms. Flowers’ resilience and achievement stories focus on education. Mary was an educator her entire adult life; both she and her husband earned their master’s degree in elementary teaching and education. She later became a prominent school administrator in the region. Ms. Flowers was also a prominent educator in the region following a difficult school life growing up when the schools were still segregated. She described the conditions of the school:

Ms. Flowers: We received the hand-me-down books from the White schools. We received hand-me-down desks from the White school. You could see the children’s names on em and all. You see the children’s names in the books. But that’s the way we were treated, like, second-class citizens. You know, like I said, there was nobody on the school board that could speak for us... so coming along was a unique situation. You didn’t cross lines. In [neighboring town], you know, we had uh 3 bathrooms for the county.

...

Brian: And you mentioned that with the hand-me-down books and desks you felt like a second-class citizen. Can you talk about that a little bit more?

Ms. Flowers: Well, you felt like you were second-class, but you also, our teachers were all Indian teachers. So they taught us to strive to be better. That we didn’t have like, to go to the theater you had three sections to sit in. And they talked to us about that. That we were not second-class citizens. They trained us that we could be better, you know. And what would help us be better was our education. So they always stressed that to us. See, they could stress it because there was nobody there but Indians in that school, and so they stressed that to us.

Later in our interview, Ms. Flowers shared the survivance story of her sister and others within her family who did not finish high school initially. She said:

Ms. Flowers: Well I guess one of the most proudest moments would be teaching my oldest sister. And she went back, she had got married when she was in tenth grade. And then she went back and finished high school under me. And then she became a teacher assistant. And she was a teacher assistant until she retired. So I think that would be one of

my proudest moments. But then I had nephews and all that went back and finished under me. I had uh, a lot of friends that went back and finished. Some of em were older than I was that went back and finished high school and all. So, I got a lot of people in this county I taught night school a lot and I taught day school.

Ms. Flowers used her experiences in education to spread among the Lumbee community the values they learned. Ms. Flowers taught her oldest sister so that she could receive her education and become a teacher assistant. Ms. Flowers grew up during times where Lumbee children had to “sacrifice their education in order to work on the farms” in order to survive, according to Ms. Flowers’ niece who was present for our interview. Ms. Flowers taught day school for forty years and night school for twenty years to provide an education for many people in her community whose families had limited access to because she had a “concern for my people.”

## PRIDE

Many interviewees demonstrated pride in their culture, an act of survivance that emphasized their presence and identity as Indigenous people. This is a form of resilience and survivance among Indigenous people, who have to navigate colonialism that historically and contemporarily continues to attempt to erase their culture in various ways. Moreover, they encounter instances where their identities are questioned, stereotyped, ignored, diminished, or demonized. One way through which the Indigenous women demonstrated pride in their culture was through their physical expressions, including clothing and tattoos. Stevie talked about her “pinecone patchwork earrings” she wears that are a symbol of the Lumbee culture. Jessica described wearing “Native clothes sometimes with dreamcatchers and I wear earrings with feathers,” while also having feather tattoos on her arm. She followed up this by saying, “You know, I’m really engaged. I’m proud of who I am.”

Another example comes from a response from Ms. Flowers, when asked if federal recognition matter to her as a form of legitimacy. She said, “Being recognized don’t mean a thing to me, [be]cause I’m Indian regardless of who they think I am. And I know what I am, and I know, I was born Indian, and I’ll be an Indian until I die.” Despite incidences of having her identity questioned because she was not a member of a federally recognized nation and despite structural “second class” treatment towards her, she was still resilient and prideful of who she is today.

Kelly is also proud of who she is, despite being someone who officially resides outside of her tribe’s community. She described her experience interviewing for the job she currently has, and how upfront she is about her identity and culture. She said:

Kelly: And what I did was just right off the bat in my interview process, ‘This is my name. I’m American Indian. And this is what I do. I go into the schools. I dance. I attend Powwows. I’m very involved in you know, I’m out there.’ No matter where I’m at it’s my name, who and what I am, then that I want your job (laughs). Cuz you know, I want them to know how proud I am. And if there’s something on the news that’s affected something, affected people in Robeson County, that’s gonna affect me. Even if I don’t live there, that’s my roots. I’m gonna be involved... So that’s you know, the resilience is being upfront, open, and honest about who and what I am. And why. And the why is simply because I want my kids and my grandkids to have a better future. I want them that at some point when they say they’re American Indian or they’re Lumbee, it’s not gonna be, ‘Oh, my great, great grandmother is too.’ It’s gonna be, ‘You know what, I bet you got a rich culture. What do you do to keep your culture alive?’ Not someone coming up wanting to take from their culture or be just like them, because they’re unique. I’m unique. And of course in my job I’ve got my Native stuff around my desk so people know (laughs). So that’s what it’s about, it’s being upfront and honest right off the bat. So, you know, my bosses will know, ‘You don’t go around Kelly joking about being Indian. If you say something about being Indian you better be prepared to defend it, cuz she’s gonna be able to defend her end.’ So, just being up front. That’s what helps with the resiliency is just, you don’t back down. You stand your ground. But that doesn’t mean that you have to put your hands on somebody. You can stand your ground and say, ‘This is why, this is why, this is why. Okay, have a nice day.’ So that’s, you have to be strong. I have to be strong because 20 years from now I hope my granddaughter doesn’t have to, you know, leave work in tears because someone called her Pocahontas. Or someone said Indians don’t exist anymore. So, we gotta teach. We gotta keep building on it. And everything that I do, every day of my life. The decisions I make, the words I say, who I choose to be around, is showing my kids, my grandkids what is acceptable and what is

not acceptable, and how they're supposed to treat people. So we gotta keep building on it and showing the strength so they have it.

Kelly shows her pride by having reflections of her identity on her desk. She also takes pride in talking to people about her culture and explaining to them how she keeps the culture alive. The above interview excerpt presents examples of survivance, as she is discussing how she continues to be present in a society that tries to demonize and diminish her culture. And, she states that she does these things in the hopes that her descendants will not have to suffer through the same experiences that she did. She values maintaining a presence by teaching others, particularly those who are not Indigenous people, about her culture.

Kelly also told the story of her son who served in the military and was killed while overseas. She focused on how her son was also proud of his Native identity and was willing to share his culture with those he served in the military. She said:

Kelly: And, I can say he made a difference, because when his buddies came back and they were tellin me that he would sit over there and play his Native American flute just to be playing. They said he was proud to talk about who and what he was, and where he was from. He had this big tattoo on his back that [illustrated his pride for his culture]. And instead of it being the typical trail of tears, Indian hunched over on the horse, his was raised up, being proud. And these guys said it was nothing for him to talk about who and where he was from, and show us his dances, and to even show little kids over there about his culture. So, to that effect, I know he has impacted his guys. And at some point, he's impacted a kid in [country he served]. Which tells me he was right. One person at a time only, they plant the seed, and the others can come behind em and cultivate it. And that left, when he died, like I said, I had to get over the anger, and then I was like, what's my purpose. You've taken my son. You've put all these other guys in my life. What's my purpose? And I found out that it is to cultivate what he felt.

Kelly took pride in hearing the stories from those in her son's military platoon, about how he was establishing his presence among those around him in the military and among those in the community in which he was stationed. By sharing his dances, demonstrating pride in his culture via a tattoo, and sharing his culture with children, he made his presence known and felt as an Indigenous person.

Nalani discussed the importance and meaning of her culture, particularly in reference to meaningful events in her life. She described the importance of having a “Native American preacher from Robeson County” at her wedding, which required her and her husband to have two preachers. She said, “We had that Native American blanket and wedding vase ceremony.” Initially, she said, it was hard for her husband to understand her relationship to her culture, but eventually, “I think he learned how important it was to me.” She also added that “he’s never stopped me from being involved...he supported us by not putting any barriers ahead of us.” Moreover, she was adamant and prideful in that she was going to pass the Lumbee culture down to her children. She said:

Nalani: My children will only identify as Lumbee. They’re not half-Lumbee. They’re not half-American Indian. They identify as Lumbee because it’s more than a race. It’s a race, it’s an ethnicity, it’s a culture identity, and, and we are learning more and more, it’s a political identity. And so one of the things I’ve done as a mother, like I said, not only to my kids but to other kids, is growing up and they know the history of the Lumbee people... And it was important for me and for him to understand that they identify, and they have the mindset... They know the history. They know where their people came from. They know their own heroes and their own role models. And they tell our stories, and they know about the dancing. And I’m not saying that you know, you are only Indian if you go to Powwows. But it is an important part of our culture and it helps identify who they are.

Her children took pride in the culture also, and instead of having class rings made during high school, they had a Lumbee jeweler make a ring that represented their Lumbee culture. “My children didn’t want class rings when they were juniors in high school. We went down and they got a Lumbee ring.” She acknowledged that, while this was important to her, she “never told them they couldn’t do this because it wasn’t Indian,” adding:

Nalani: As a matter of fact I told them very early on in life that if this is not the path, if you don’t want, cuz this is a hard role right? Cause every time we go somewhere, we represent all, what 1.5 million people in the United States? That’s a hard responsibility. And if you are not willing to carry that is okay.



She gave her children autonomy in deciding whether or not they wanted to do what Nalani was doing, another means of survivance. They take pride in their culture, establishing their presence at their schools and by travelling and representing, not only their own culture, but Indigenous people in general.

June Mac demonstrated pride in her culture by seeking to understand the history of who she was and where she came from. She felt that she needed to delve deep into this history in order to better establish her presence as an Indigenous person. She asserted that one of the differences between people like herself and those of other races is that Indigenous people have to think about where they came from, as colonizers continue to write history from their perspective. She said:

June Mac: I think, the only difference I see is when I look back now in history and I remember an article that came out in the Sunday [city] paper years ago talking about the Lumbee Indians and how we were part of the Lost Colony. And I thought that I was special, you know? I said, 'Oh, that's where I came from.' You know, it was a really difficult time to think, 'Well where did I really come from?' You know, cuz you always heard about the Sioux, the Navajo, the Arapaho, most of your Cherokees, but where did the Lumbees come [from]? But when I finally had a chance and I read the book 'The Only Land I Know,' by Adolph Dial, Dr. Adolph Dial, that gave me a lot of insight too. Brian: How did it make you feel knowing your history?

June Mac: It made me feel a whole lot better realizing Ok, well this is where, and that's why there's so many different eye colors, you know, of our Native Americans. Um, my grandfather, beautiful brown skinned man, had the bluest eyes, blue green eyes you would ever want to see. And now my first two grandchildren have blue eyes (laughs).

Knowing her history made her "feel a whole lot better." She felt better in explaining her presence as Indigenous in the face of stereotypes that Indigenous people often experience that they cannot have blue eyes or vary in skin color. Reading about her history allowed her to be more prideful in rejecting colonial stereotypes of Indigenous people.

Chenoa discussed her pride in her Coharie background and described how she wears a "Make America Indigenous Again" hat and the interaction she had with people who

complimented her on the hat. She said “many people commented on it” and when people were indicating they had not met an Indigenous person, she said, “Well you met one. You met one today.” She was also proud to say that “There’s not just one way to be a Native,” rejecting western stereotypes that Indigenous people must fit one, stereotypical mold. She, herself “doesn’t fit into one category,” but she highlighted the importance that “as long as you are proud to be Native and live your life in a Native way then you belong.” By wearing her hat and by rejecting stereotypes of what it means to be Indigenous, she is establishing her presence in the face of colonialism. She is actively resisting colonial ideologies and stereotypes of Indigenous people.

#### MAINTAINING COMMUNITY

The narrators interviewed also discussed ways in which they resist colonialism through maintaining community in the face of the ideology of colonialism that seeks to individualize their experiences. Frantz Fanon notes the ramifications of colonialism, particularly when it comes to destroying the unity of Indigenous people worldwide:

Colonialism is not satisfied merely with holding a people in its grip and emptying the native’s brain of all form and content. By a kind of perverted logic, it turns to the past of the oppressed people, and distorts, disfigures, and destroys it. This work of devaluing pre-colonial history takes on a dialectical significance today. When we consider the efforts made to carry out the cultural estrangement so characteristic of the colonial epoch, we realize that nothing has been left to chance and that the total result looked for by colonial domination was indeed to convince the natives that colonialism came to lighten their darkness. The effect consciously sought by colonialism was to drive into the natives’ heads the idea that if the settlers were to leave, they would at once fall back into barbarism, degradation, and bestiality (Fanon 1963: 210-11).

Through this convincing, colonialism seeks to divide and conquer Indigenous tribal nations, as “colonial powers erase community histories and sense of place to replace them with doctrines of individualism and predatory capitalism: ‘In the colonial context...the natives fight among

themselves. They tend to use each other as a screen, and each hides from his neighbor the national enemy” (Fanon 1963: 306-307, as cited by Alfred and Cornassel 2005: 603). Chenoa noted how, as a member of a federally unrecognized nation, she and other members of these nations form a “union” to stick together and fight for their interests. This section discusses how these women discussed their participation in efforts to maintain community in the face of colonialism that seeks to divide them.

Nalani and Kelly are both narrators and facilitators of a local Indigenous group that serves the urban area they live near, as well as the surrounding area. They both illustrated how Native organizations are a way for Indigenous groups to maintain community in the face of policies that have attempted to separate Indigenous people from their homelands and their stories. Nalani discusses how she and her community resist the colonizers’ distortion of “the past of the oppressed people” and the erasing of community histories, saying:

Nalani: Our secret to survival has been adaptation...we didn’t assimilate right? Because that is what the government wanted. They wanted us to assimilate so they could wipe away all traces of who we were as Indigenous people. But when we got together as a Native community that didn’t work. We brought our stories from home, and our families, and we reconnected, and we still have close ties to our communities, whether it’s Lumbee or Coharie or Waccamaw-Siouan. But what we did have to do, we had to relearn these stories. They hadn’t been lost, they had been dormant for a very long time, right?

Here, Nalani notes how her community had to reconnect and “relearn” the histories that colonizers tried to erase. Contemporarily, she and Kelly are both members of local Native organizations within the urban area they grew up in and work and live in today. Nalani described the process of the creation of one of the urban Indigenous organizations:

Nalani: And it was in [the 1970s] that the urban organization was created for that specific reason, because um, Native American families were moving here. They were getting lost in the system. The main issue was our children were dropping out of high school by record numbers, and the parents got together and said, ‘Look, we need to create a nucleus for our people.’ And it was also, more than anything it was a space, it was a community. Now, from that, they looked at spiritual, they looked at educational, economics, and

culture. We formed a Powwow which we still have today, and cultural classes that I taught, and my children grew up in, and now they're coming back and teaching cultural classes. And then for spirituality, ten or fifteen years ago we started the [church] and there were all kind of economic programs, board initiatives that we worked on. It was programs that would help someone come in and get that initial experience. You know, we would have jobs for [employer] or [employer] or we would do small jobs for them, but hire Native people to help them get that experience. And then with educational, as I mentioned when I graduated from high school, there was a program there that they could pay for you to go to a community college. So they paid for my tuition and books. I didn't stay on campus of course. And a stipend for gas. And so that was the four-tier model that they used and to try and help these Indian families as they moved to this area.

Brian: And so you, you essentially then adopted each other as a family, as an independent, as a family?

Nalani: As a family. And my children grew up in that family cuz there's a group of us that again, grew up in cultural class and we were in it. We helped teach it. Then when our children came along, we helped teach it again. And then, you know, our children are now coming back and volunteering. So we still actually have cultural class every [day and time]. And that was very important to me.

For Nalani individually, cultural classes affected her children as well as herself. She went to college with the proper support of her Indigenous community, while also learning to convey the history of her people confidently. Earlier in our interview, she described how she was unable to explain to others in her fourth-grade class the history of her people. She stated that the creation of this organization helped her gain confidence in speaking about her community to other people:

Nalani: When I told you about being in the fourth grade and being asked those questions and really couldn't articulate it very well. Well I could promise you that by the time I was 19 you would have a stopwatch to keep me, because I knew. I was like a sponge when I went to a Powwow, when I met elders in my community and was able to talk. One of the ladies was not Lumbee, she was actually from out west, and even though it wasn't my tribe it was still part of my culture and so I got to listen to her stories. And she taught me about her culture and her customs and her regalia. And she shared that with us as we were coming up. And we started the Powwow and gospel singing is part of the Powwow because that is part of our culture, right? It is today.

The local Indigenous organization that Nalani and Kelly are members of stepped up for Kelly at a time when her son was killed overseas. She described what the organization did for her following his death:

Kelly: Oh my Gosh. It was one of those that, I was so involved with them from the time I was ten to when it happened. And you know, my state of mind was just like, (sighs). So it was great for them to come in and, one of the Indian leaders, they owned a print shop, did the programs for the funeral. [Person she names] took over and connected and got the pall bearers and, they worked together and made sure my kids were taken care of. My house was cleaned, food was here, and it was the entire Indian community. And to this day, here we are, going on 7 years later. And if I needed something it was, when um, I had to go to Germany. It was just one of those moments, I was going through my separation and stuff, didn't have a lot of money on me, but because of the cultural group that I work with and being connected to [local Native association], they came up with money and said, 'Here's your money. Get on the plane and go.' And no questions asked. And so you know, that's what it's about. You know, I didn't even have to ask. It was just there.

This organization helped arrange the funeral services for her son. While colonialism emphasizes the nuclear family to the near exclusion of other relationships, people within the community organized to develop and maintain community with other Indigenous people. This becomes important in times of crises such as what Kelly experienced when her son was killed while serving in the military. She relied on the organization for moral support, cultural classes, and money during the time of crisis. She talks about the general importance of the organization after explaining how they helped her after her son passed:

Kelly: And that's just because the community, those that have left from Robeson County and, you know, it's not just Lumbees. But other Native tribes that have come to this community, we have connected. Every [week], or every other [week] now the kids meet together to dance and just connect and just say, 'Hey, it's finally another Indian person.' You know, they are at this school, and forty miles down the road there's one at another school, so on a [certain day] they can all come together. It's keepin us connected. (laughs)...Keeping our culture but still be able to function you know. You hear the reference we walk in two worlds. You gotta put these clothes on every day so I can go into work, make me a paycheck, and pay my bills and living. But on the weekends when it is time to go to a Powwow or I need to go to a school to talk, I can put on my regalia and walk in that world.

Kelly expanded on the importance of this organization later in the interview:

Kelly: And again, like with [local Native association], if I didn't know about them and was kinda stuck over here by myself I wouldn't know the resources. But once you were able to make that connection with [local Native association] you know, no matter who you are or what you are, when something goes bad, you are just looking for one person that's like you...that's what I was saying about [local Native association], you know, it's

an Indian organization that was ran by Indian people, who had made the contacts and, or trusted contacts within the system and stuff like that. So, when something happened within one of the families they could come here and that family felt safe because they trusted [name] or they trusted [name] wouldn't send them out to the wolves. Whereas again, working in the system, I've seen women that come in there that have nothing. They just come in there and it's like, and you see em go through the system and it's like, they don't understand. And so that's the whole thing, having that connection with an urban Indian center was key. And I just think that's just, because we're not at home. We are you know, we are here.

Without the connection to the organization, she would not know where to turn. She references others' experiences in times of crises. This local Indigenous organization is key to Nalani's and Kelly's active presence in the community, as well as their active presence as Indigenous people.

Nalani mentions how it is her "responsibility" to continue to work with the Native organization that helped her grow into the person she is today. She discussed the pride and joy on the faces of Indigenous children she interacts with when they are participating in Indigenous culture:

Nalani: And I work with our Native children and I help them make their moccasins. Do you want to see joy in a child's face? Look at their face after they have made their first pair of moccasins, or they wear those moccasins, or they enter that arena and they understand the stories, and they understand the, why they are dancing. Yes they have fun, but everything we do has a story. The dances we do have a story. The clothing, everything on my daughter's regalia will tell her, the story of not only her personally, of her tribe, of her family. It tells their story. And this gives them such a sense of pride of who they are and understand the resilient and strong people that we come from.

Nalani describes how proud the children are to express and learn their culture. Research documents how important it is for Indigenous children and Indigenous people to have access to resources that are targeted towards their needs, particularly as, "The ordeal of residential schools, the effects of colonization on traditional values and culture, and abusive governmental practices and laws inflicted on Indigenous people...are major causes of risk factors related to the victimization and incarceration affecting Indigenous people" (Monchalin 2016: 146). This community, as illustrated in their narratives, was important for Nalani and Kelly to maintain their

identity as Indigenous people, and for connecting them to resources that they needed to survive and adapt to the present society.

Though Nalani and Kelly live outside of where their tribal nation is based, they still maintain community through familial connections in the area. Additionally, they both categorized Pembroke and the surrounding area as “home.” Nalani says, “As an Indigenous people, having that sense of community and home and land is part of our DNA. You know, I know physically when I get into Robeson County. That is home. That will always be home.” Kelly also described the county as home, saying:

Kelly: It’s easy for me to say I was born and raised in [city] but I’m going back home. And well they say, ‘What do you mean back home?’ Back home is Robeson County. Even though I was born here my roots are stuck down there, and that’s very important. Even with my kids, you know, ‘You may have been born up here, but that is home. Let me show you where you came from.’ You hear a lot of people talk about the river down there... There’s a lot of history in that area. And again, that’s our roots. Henry Berrie Lowrie which was my [distant relative] on my mother’s side. So, to tell my boys about the play *Strike at the Wind*. There’s a purpose to it. Your [distant relative] ran all through the swamps down here. Don’t let anybody ever tell you, you don’t have a home. If you ever get lost, or you can’t find me, come here. Give them your name. They will find you someone that’s connected to you. That’s how strong I think the connection is.

By maintaining community with her relatives “back home,” Kelly has a solid base of people like her to lean on and to share experiences and knowledge. It is important to her to pass these connections down to her descendants so that they know their history and know that they will always have a home, even in the face of colonial pressures that continue to seek to eliminate Indigenous people and communities in general.

Other narrators also discussed what they did in terms of maintaining community through participation in organizations. Rhiannon and Stevie discussed their participation in local grassroots organizations that were fighting the Atlantic Coast Pipeline that invades Lumbee land, and other pipelines that invade Indigenous territories, such as the Keystone XL and Dakota

Access Pipelines. They also talked about their participation in another organization that is “all about the earth. Protecting it, keeping it clean, recycling.” Jessica mentioned her appearances at local Powwows. Jenette referenced a local group that gives out food “seven days a week” for local people to eat. The other form of maintaining community that interviewees mentioned was helping elders maintain contact with people in their community, particularly the church.

Canvas’s husband “does a lot of in-home visitations of sick and shut-in [people] from our church.” Ms. Flowers, a Lumbee woman in her 90s, also discussed a similar program:

Ms. Flowers: On my church program they put down who’s having a birthday that next week. And I take my church director and I can go there and tell you who’s the adults and who’s not. And I send it [cards] to all the adults. And then it also has a list of who’s having an anniversary this week. So I send them an anniversary card. Then it also has a shut-in for the week. One shut-in that we are supposed to call or write or something. So I do all that. On Sunday evening when they bring me my church bulletin. I don’t go to church anymore because I’m kinda a little handicapped, so I don’t try to go. And um, so I do all that. And different people at the church, they’ll send me boxes of cards. Like my son that goes to church, he’ll send me cards. And [name], she’ll mail me stamps sometimes, and she’s always telling me how much she appreciates me, you know. She’s one of those kinds of people. And when my husband died she told me how much she appreciated my family and all.

This is one way for Ms. Flowers to maintain community with fellow Lumbee people. While she is not as able to leave the house as she once was, she writes cards to people. Moreover, people within her community donate stamps and cards for her to use. Letter writing to members of her church helps her to maintain community in a colonial environment that devalues the needs of the elderly. Her active presence as an Indigenous elder through letter writing is an example of survivance.

Chenoa also had individual experiences with maintaining community. She described how her mother and father did not grow up connected to their Indigeneity. According to Chenoa, her mother “looked different and felt different and acted different than a lot of other people around her.” Chenoa’s mother eventually garnered connections through the culture, and Chenoa has



carried this on in her own life. Chenoa described the Indigenous values that her mother instilled in her, saying, “The biggest thing that she tried to raise me around was just to be proud of who I am and where my family comes from.”

Chenoa also talked about her father’s relationship to his Indigenous side of the family, and how that was difficult for her growing up. She said, “he grew up with no tradition. Like, he grew up with not the best initiation, I guess you would say, to the Native culture. He’s a man himself, very much still dealing with the traumas and so he doesn’t talk about it much.” She also knew she was different from others in her family who did not have both parents who were Indigenous. Despite the shame her father felt and despite the lack of contact she had with other Indigenous people, Chenoa continues to maintain community with the Coharie Tribe. She participated in powwows when she was younger. She learned from elders when she participated in the powwows and is still seeking out “to find more connection to my family.”

Later in our interview, Chenoa described a chance encounter that she had with members of the Haliwa-Saponi Tribal nation on her and her mother’s way to a Native band’s concert, and described maintaining community with them:

Chenoa: You know, the universe finds a way to bless me, and I was on, so there is this band called [name]. They’re an all-Native band. They’re [names their tribes]. And we [her and her mother] were on our way to the concert and we met them. We were on the highway and there was this car that had a bumper sticker that said, ‘We don’t smoke grass. We dance grass.’ And they also had a Native American Indian symbol too, and so we went up and we started honking our horn at them, and were like, ‘Hey.’ We pulled up so they could see our tag and they knew that we were Native and we were all so excited. And we ended up going to the same place and now he’s my uncle, like my god-Uncle, but he was like, trying to hit on my mom. And that was funny... And then [one of the men in the group], he’s a bigger man. And he had a son and he was with him... So they invited us back to [the man’s] house at the time. And they had like a drum session, and so I was very fascinated that [the man’s son] was so young drumming and doing drum contests. I thought that was so great. They were very happy to meet other Natives too, because they knew about the Coharie and I met other Coharie women there and it was magical really. So they were very happy that they met more Natives. And then we stopped talking for a few years, and then I came back around and going to more Powwows with them, and they

felt how much I appreciated just being with them and them showing me and bringing me to the Powwows. And showing me how a Native lives in society. And so they felt very comfortable with me, and I felt very comfortable with them, and they knew that I needed them, and through their perspective they knew they needed me. And so they told my mom, they had a conversation with her about their feelings and the way they felt and we had a ceremony and it was like, spiritually adopting me into their family. They gave me a prayer bundle with tobacco and sage and sweetgrass and [man] gave me an eagle feather, which that's one of the most honorable thing you can give to someone. So ever since then I'm their niece. Now when I go to the Coharie Powwows, and when I go to Powwows, [man] is now introducing me to everyone. Instead I was just like an outsider, but now I'm a part of them. And so he kinda was the person to involve me. So I really respect him a lot for it.

Chenoa used multiple methods to maintain community with her Indigenous relatives. First, her mother instilled in her the values and beliefs of her Indigenous culture, encouraging her to attend and participate in cultural activities. She was proud to attend these. Then, in a chance encounter, Chenoa was adopted into a new family, and has established connections that keep her involved in her Indigenous community. What she describes here is not unlike what some traditional Indigenous societies did, adopting those outside of their family into their own. In all, these excerpts from Chenoa's interview are examples of survivance, as she maintains an active presence in society through maintaining community with her tribe and members of other tribes.

## RELIGION AS SURVIVANCE AND RESILIENCE

Religion and spirituality are important components in many Indigenous communities and are distinctly linked to the health and wellness of Indigenous people (Cross 2001; Hodge and Limb 2010; Limb and Hodge 2008; Napoli 1999). Religion and spirituality are related to decreased substance addiction among Indigenous people (Beebe et al. 2008; LaFromboise et al. 2006; Yu and Stiffman 2007). In addition, Maynor Lowery (2018) notes how Lumbees began “establishing religious and social institutions that helped them form community” in response to the expansion of the United States territory. She further notes that:

Christianity became a crucial aspect of Lumbee life, and doctrinal specifications were less important before the Civil War than a religion that allowed for flexibility, independence, and multiple voices to participate. Lumbees adapted Christianity to support their kinship networks, their economic needs and aspirations, and their expressive outlets, especially music (Maynor Lowery 2018: 57-58).

Many women in this study cited religion and/or spirituality as an important part of their lives, many of them using it as a tool to cope and be resilient with the difficulties they encountered. For example, Vickie, who was 39-years-old at the time of our interview and had cancer twice, said, “If it wasn’t for prayer I don’t think I would be alive today.” This section will include more stories of resilience like Vickie’s, who used religion to survive her bouts with cancer and the difficulties that surrounded her life after her diagnoses.

Many narrators talked about the importance of religion as they were growing up. For example, Mary described church as an “important part” of her family life growing up. She grew up singing in the choir, and later was the choir director of her church, which included playing the piano. June Mac said that they would go to church every Sunday while she was growing up. Additionally, Canvas, Tabitha, and Janice also described the church as an important institution in their lives. Canvas described it as “pervading everything,” noting that her relatives founded the church. Tabitha’s father was a pastor and they were present for “every activity” put on by the church. Janice said that her mom and dad were both in the church and that she “grew up in the church.” She added that she is “blessed that my mom and dad was in the church and that we didn’t grow up in a family like some other people grew up in. I thank God.” Every Sunday and Wednesday they went to church, and this became an important institution for her and her family when her father passed away. She stated that she still went to church as she was older, becoming a member of the choir.

As a couple of narrators aged, the church became even more important in their lives. For instance, Mary and Ms. Flowers have been unable to attend church regularly because of the conditions they have developed as a result of aging. Mary describes this as frustrating, but she watches area church services on her television. In addition, one of the local Indigenous churches works with a local Indigenous service provider that delivers food to people unable to leave the house on their own and Mary is a recipient of these meals. Ms. Flowers is also unable to attend church regularly. However, church is important to her and she maintains communication with the church and its members by writing birthday and anniversary cards. The church, its members, and those outside of the church donate cards, envelopes, and stamps to her so that she can continue to be involved with the church.

Narrators also talked about the general importance of religion and spirituality in their lives today. Lizana “got saved” a few years prior and goes to church every Sunday. She believes that while, “I’m not where I need to be at. I don’t read my bible as much as I used to, which has kinda got me a little ways from being a Christian some,” that she is “much better than what I used to be.” June Mac and Jessica talked about how they do not go to church “as much now as I used to” or “all the time” and they both discussed how they pray. June Mac said, “I do pray a lot and I thank God a lot for everything. Every day I thank him for my health and strength and for my family and my children.” She added that she believes that it is “important to be grateful” for the blessings in her life.

### *Leaning on Religion in Difficult Times as Resilience and Survivance*

Many narrators described how important the church was during some of their most trying and difficult life experiences. Tabitha, who grew up in the church, stopped going when she

turned 18. She said that before she started going back, she struggled. “I wasn’t even having money to buy toilet paper.” She started using payday loans to pay for necessities. She decided to start attending church again and she said that “Blessings started coming out the sky at me.” She said: “I was getting blessed. Blessings. I found the doctor to fix my feet. I got my housing approved...to get a cheaper place to live”. As Lumbee Indians before her did, she believed in accepting God’s grace.

Gad, who was in an abusive relationship with her husband who had issues with substance addiction, leaned on her church. She said:

Gad: I was going to church. I was trying to seek God. I was seeking something for peace. So I started seeking out God, started going to church, and while I was in church I became a Sunday School teacher. I became a worship leader. I got the key to the church, the code to the church for the alarm. I mean, I was very productive in church.

She described her experiences with abuse and how she leaned on prayer to seek an escape, saying that she “didn’t want my girls and my son to think that was normal.” She went on to elaborate about the challenges raising children within an abusive home and how she leaned on her religious faith to help her:

Gad: So that was a challenge for me. It was kinda hard, cuz I was like, ‘God, I don’t want these girls to think this is normal for them, to be accepting of abuse.’ By my girls have turned out to be alright. All the adversity we went through is like, I’m amazed. And I know it is God. And the reason I’ve been going to church and being dedicated the way I was, it was for this reason right here. It was for my girls to be stable. To be as stable as they are and to have went through what we went through it’s amazing.

Later in her life, Lizana relied on her religious faith to help her forgive her dad. She said that she always wanted her dad to “be a daddy and not what he was acting like to be.” She did not go into specific details of what she was referring to, but mentioned how religion helped her forgive him, saying:

Lizana: And when I got in the church I had to deal with that issue and forgiveness so I had me a what you would call a come to Jesus meeting with my inner self and decided to

call him and tell him I forgive him for all what had been done, cuz I needed to get past that, and we talked on the phone for a good while... And now he's in the church and we've gotten past it... And he's starting to change his, he's seeing what he's done in the past was wrong, but it took him a long time to get there.

Cindy experienced difficult times with her husband during the 1980s, when the illegal drug market escalated in her community. She talked about the difficulties of their relationship:

Cindy: We were without a home. I mean we had a place to stay but it wasn't our home. When we first got married, god it was bad. My husband was on drugs and that went on probably about two or three years. We stayed in a home that was just like an inherited home. It wasn't our home. (deep, high-pitched sigh). Things got bad there so we---got the lights cut off so we moved in with my momma and daddy and we stayed with them for a couple of weeks.

Cindy described that it was not until she and her husband were saved in the church that her husband was able to obtain work with the preacher of the church, and they were able to persevere through the problems they encountered:

Cindy: When he got saved I was working at [store] in [town]. And, then he got saved like in May, then in July I got saved. Cuz when he told me that he got saved I had to know for sure that he was (laughs) getting saved because of all the stuff we had gone through. I mean, I was working and he would take my money from me. Man, talk about hard. It was hard. And I'm with my two boys and we stayed in an apartment that was only one bedroom so they were sleeping on the sleeper sofa that was in the living room area there. (sighs).

Today, she and her husband are active members of the church. They both taught Sunday school in their churches, and she also has served in multiple capacities within the church's day-to-day operations. They also both participated in the Vacation Bible School for children.

God's Child continues to use religion to persevere through her bipolar disorder diagnosis. She describes bipolar as the "one of the worstest nightmares I have ever had to go through." She elaborated further on how she continues to lean on her faith in this regard:

God's Child: I would have to face those demons. And I did it cause I've had to acknowledge the truth and I found out that there are different perceptions of what truth is. My truth is not everybody else's truth but I do know that there is one truth that has never changed and that's God's truth. So once I got (pause) to the place where I could begin to

trust in the Lord that he loves me, faults and all, and He was not gone let me go, that there was a purpose for everything that I had been through... I have a favorite saying, you can either pray and be raised, or you could complain and remain the same. And sometimes I do that, but nine times out of ten Imma go ahead start praising the Lord, cuz no matter what you do to me, He's gotta plan for you... Cuz I have been through a whole lotta hell and I know what hope is and if I can reach out and help that person out, it has made it all worthwhile.

Later, God's Child discussed how society should rely on faith and Christianity, saying, "There ain't no hope for us. And if we don't get it together, 'In God We Trust,' not in a man or woman, but in God. And people seem to have forgotten that."

Lou and her parents found solace in their faith when her brother was hit by a car when he was nine-years old. Lou's father had a drinking problem prior to the accident, and afterwards, he and Lou's mother were saved in the church. Lou described how her father quit drinking after this, and even was able to stop drinking after her brother passed away about a year after his accident.

Clara, who was formerly incarcerated, discussed the importance of the church during her time in jail. The pastor of her church brought her mother to visit her in jail. In addition, she:

Clara: [I] got to have professional visits with my pastors from the Indian churches that came to see me. And I got to bring the Native drum in as part of my culture, which is historical there. They got to come a couple of times and sing for me. And that helped me through. And then I got to sing with them and dance with them. That was so healing in itself.

Out of her experience in jail, and her ability to heal through access to her Indigenous culture, Clara said she "learned a lot more patience..." She was able to resist the colonial narratives of her as a victim and welcome this unpredictable life event that she endured to turn it into a positive for her, using her religion as a means to accomplish this.

## SUMMARY

The Indigenous women who are members of federally unrecognized nations and participated in this study discussed the ways in which they express resilience and survivance in their lives. They focused on the individual achievements of themselves and their relatives, their pride in their culture, their striving for and ability to maintain community, and their expression of religion and spirituality. Perhaps Chenoa's statement most fully illustrates survivance and resilience:

Chenoa: I personally think I have a lot of control over my life. I make sure that I do. And sometimes I break a couple of rules doing that, but I think it's for the better good. I'm okay with doing that, because I'm a fighter. As long as I'm alive, you are gonna hear my roar, you know what I mean? If I'm behind bars (knocks on table) so help me, you know, if anything happens then I am going to continue to be fighting for what is right.



## CHAPTER VIII

### DISCUSSIONS AND CONCLUSIONS

This dissertation is part of a growing focus on Indigenous women in the United States and Canada in news media and research. Much of the news coverage focuses on the missing and murdered Indigenous women in the United States and Canada, particularly both countries' lack of knowledge of how many and why Indigenous women go missing and are murdered every year (Cohen 2018, Sept 6; Coletta 2018, May 12; Domonoske 2018, Nov 15). News coverage also examines the opioid crisis among Indigenous women, particularly opioid addiction's impact on pregnancy (Horwitz 2018, Jan. 9) and sex trafficking (Chon 2016). Research explores additional issues related to Indigenous women's experiences with violence (Rosay 2016), suicide (Jiang et al. 2015), environmental racism (Lynch and Stretesky 2012; Smith 2015), and the dynamics of missing and murdered Indigenous women in the United States (Lucchesi and Echo-Hawk 2018).

This dissertation expands on research that focuses on federal recognition policies in the United States. In theory, when the United States grants federal recognition to a tribal nation, the tribal nation has "the immunities and privileges available to federally recognized Indian tribes by virtue of their government-to-government relationship with the United States as well as their responsibilities, powers, limitations, and obligations of such tribes" (Washburn 2014: 4749). In practice however, federal recognition creates conflicts for and between tribes, including the creation of additional Indian tribes that question the legitimacy of some Indigenous peoples' and tribes' claim to their Indigeneity (Brockell 2016, July 1; Maynor Lowery 2018; Miller 2004), as well as federal control of the recognition process (Wilkins 2002) and the various trust accounts of recognized tribal nations and their people (Bowman 2003). There are currently 573 federally

recognized tribal nations. In the last 5 years, seven Indigenous nations from Virginia received federal recognition, including the Chickahominy, the Eastern Chickahominy, the Upper Mattaponi, the Rappahannock, the Monacan, the Nansemond (Portnoy 2018, Jan. 30), and the Pamunkey tribal nations (Covil 2016, Feb. 2).

Less is known, however, of the experiences of members of federally unrecognized nations. Members of these tribal nations may experience issues unique to their status as a member of an unrecognized nation, but that is difficult to fully understand. While they may be recognized and stereotyped as “Indians” in most social and cultural circles, they remain ineligible for various services and resources that may benefit individual nations and their members. They also experience stereotypes based on their status as “unrecognized Indians,” that call into question their identity. By acknowledging and providing services to federally recognized nations while leaving out those that are unrecognized, this serves as an assimilation and genocidal tactic that seeks to eliminate some Indigenous nations bureaucratically.

I conducted semi-structured in-depth interviews with 21 Indigenous women who are members of federally unrecognized nations in Virginia and North Carolina with the following research question in mind: What are the lived realities of Indigenous women who are members of federally unrecognized nations, explicitly, their experiences with criminal victimization, the criminal legal system, homelessness, unemployment, racism, and other structural criminogenic conditions? This research seeks to understand barriers to justice for Indigenous women by considering the absence of federal recognition as part of their story.

Virtually no interview studies focus specifically on members of federally unrecognized nations. Without recognition, members of these tribes are unable to access various resources and opportunities available to others. Furthermore, federally unrecognized tribal nations are locked

out of federal grant opportunities like the Tribal-Research Capacity Building Grant from the National Institute of Justice, which explicitly calls for proposals from those seeking support for “research involving federally recognized tribes (or tribally based organizations) on issues of crime and justice in the United States” (National Institute of Justice 2018: 1), even though there is little, if any research that exists to show a difference in crime and justice between federally recognized and unrecognized tribal nations. Therefore, federally unrecognized nations and members of these nations are important to consider for research, as research often excludes them and this designation as a consideration for their lived experiences.

Indigenous women, whether as members of federally recognized or unrecognized nations, disproportionately experience many forms of violence. This includes sexual violence (Deer 2015), intimate partner violence (IPV) (Black et al. 2011), physical and psychological violence (Rosay 2016), and suicide (Jiang et al. 2015). They also disproportionately experience negative health outcomes, including post-traumatic stress disorder (PTSD) (Gnanadesikan, Novins, and Beals 2005) and diabetes (Center for Native American Youth at the Aspen Institute n.d.), which results in a life expectancy that is 4.2 years less than the general population (National Congress of American Indians 2016).

Tribal Critical Race Theory (TCRT) serves as the theoretical framework for this dissertation. TCRT is an adaptation of Critical Race Theory (CRT), which seeks to analyze societal differences along the intersections of race, class, and gender (Crenshaw 1994; Potter 2006a; Schneider 2004; Wing 1997). The main difference between CRT and TCRT is that CRT argues that racism is endemic to society, whereas TCRT argues that “colonization is endemic in society” (Brayboy 2005: 429). Additionally, TCRT contains eight other tenets, including: that United States policies have their roots in imperialism, white supremacy, and gains in capital,

land, and wealth; that Indigenous people are racialized and political people; that Indigenous people seek tribal sovereignty and autonomy, self-determination, and self-identification; that the concepts of culture, knowledge, and power through an Indigenous lens is different and more encompassing for Indigenous research than through a western lens; that all policies' end goal is assimilation of the Indigenous people; that tribal values and visions illustrate the lived realities, differences, and adaptability of Indigenous people; that Indigenous stories make up theory and are legitimate data sources; and that theory and practice must work to create social change (Brayboy 2005: 429-30).

I utilized semi-structured, in-depth interviewing methodology for data collection. Interviewing allows narrators to tell their stories and speak on their experiences that they wish to share (Lofland and Lofland 1984; Miller 1997). The narrators came from contacts I developed as an inhabitant of Robeson County, home to the Lumbee Tribal Nation, the largest tribal nation east of the Mississippi River. I left fliers with these contacts who passed them along to other people in various capacities. I interviewed members from four federally unrecognized tribes in Virginia and North Carolina from January 2017 to September 2018; one of these tribes, the Pamunkey, did achieve recognition approximately two years before interviews began but is included here because the narrator, Clara, has lived the vast majority of her life in the tribe when it was unrecognized.

The interview data were transcribed and analyzed using thematic analyses (Braun and Clarke 2006). This is a six-step coding process which involves becoming familiar with the data through repeated readings of the transcripts, generating initial codes, searching for and reviewing themes, sorting the initial codes into broader, significant themes, defining and naming the

themes, and writing the report. The three broad themes were experiences of postcolonial distress, social death, and resiliency and survivance.

Chapter V uses postcolonial distress to contextualize the experiences of the Indigenous women who are members of federally unrecognized nations who participated in this study. Postcolonial distress is a form of historical trauma that Indigenous individuals experience when they are aware of previous, historical events that were harmful to their community, in addition to exposure to contemporary events and policies that harm their communities. Postcolonial distress includes the concepts of colonial injury, collective experience, cumulative effects, and cross-generational impact (Hartmann and Gone 2014). Colonial injury contextualizes the current experiences of Indigenous people throughout their contact with colonial invaders who sought to take their land and resources and inflicted widespread harm that damaged Indigenous communities. Collective experience references how Indigenous communities' identities, ideologies, and lives were impacted by colonization. Cumulative effects are the injuries sustained through ongoing harm and oppression within the continuous ideology of colonialism. Cross-generational impacts are the results of colonial injury, collective experience, and cumulative effects that are transmitted to future generations, resulting in disproportionate exposure to risks and harms that impact various health outcomes.

The narrators' experiences with postcolonial distress include experiences with familial conflicts, criminal legal and civil court experiences, interpersonal violence, substance addiction, sexual harassment and sexual violence, and suicide. These experiences recited by the Indigenous women who are members of federally unrecognized nations who participated in this study are rooted in colonialism and connect with their identity as Indigenous people.

Tribal Critical Race Theory (TCRT) helps to explain narrators' experiences with postcolonial distress. The first tenet of TCRT is that colonization is endemic to society (Brayboy 2005), meaning that colonization structures how people live in the United States. Colonization's focus on capitalism, individualism, and competition counters many Indigenous cultures that value community and kinship. Colonization diminished the ability of Indigenous people to live their traditional ways of life and within their culture and ideology, which perpetuate some of the negative experiences Indigenous people encounter today. By attempting to completely eliminate Indigenous ways of living, colonialist society facilitated the isolation of some Indigenous women from communal Indigenous societies that served as deterrents and protectors from harm. For example, boarding schools, assimilation practices, and other colonial policies continue to foster family separation and division within Indigenous communities today. These examples are also part of the introduction of various types of interpersonal violence, sexual harassment and sexual violence, and substance addiction issues that Indigenous people disproportionately encounter today, that also perpetuate disproportionate rates of suicide.

Moreover, TCRT asserts that governmental policies targeting Indigenous people seek to assimilate them and are rooted in white supremacy (Brayboy 2005). This is evident in the development of criminal and civil court systems that facilitate punishment disproportionately against Indigenous people, as discussed by some narrators who had encounters with these systems. The system itself also neglected some narrators who had health crises under the system's surveillance.

Chapter VI uses the concept of social death to understand/situate the genocidal techniques of the United States, in particular, towards the Indigenous women who are members of federally unrecognized nations who participated in this study. Social death refers to the loss of

access to traditional identities and relationships that provide meaning to one's life (Card 2003; Patterson 1982). In a state of social death, a person is without legal rights to live and includes exposure to systematic violence, natal alienation, and degradation/humiliation, (Patterson 1982; Price 2015). Specifically, the chapter discusses how the narrators experience social death via systematic violence, natal alienation via cultural and religious erasure, bureaucratic erasure, and the delegitimization of their Indigenous identity, and humiliation in their multiple identities as Indigenous, as Indigenous women, and as Indigenous women who are members of federally unrecognized nations.

Narrators described experiences with the three concepts of social death including systematic violence, humiliation, and natal alienation via various types of erasure, including cultural and religious, bureaucratic, and the delegitimization of their Indigenous identity. They also experienced social death via humiliation in their encounters with harmful stereotypes promoted by federal Indigenous policies, in addition to society's sexualization and exoticization of Indigenous people. Two tenets of TCRT help explain these findings: (1) that U.S. policies enacted to target Indigenous people are rooted in white supremacy and imperialism, and (2) that Indigenous people occupy dual space as political and racialized people, with the most emphasis on the racialized component of their identity (Brayboy 2005). The findings in Chapter 6 highlight how federal policies structure some interactions for Indigenous people, including with people who believe they are not Indigenous because they are not federally recognized, or delegitimize Indigenous identity by claiming they are Indigenous through blood alone. Moreover, these policies create and perpetuate situations of humiliation for Indigenous people and may lead to them feeling as though they should not claim their Indigenous status.

Chapter VII relates stories of survivance and resilience recited by the narrators in this interview study. Survivance refers to an active presence in society in the face of policies that seek to assimilate or eliminate Indigenous people and communities (Vizenor 2008). Highlighting these stories reminds us that Indigenous people and those who are members of federally unrecognized nations are not only dehumanized victims of erasure (Wolfe 2006) Their experiences of survivance and resilience focused on their individual achievements and those of their relatives, their striving for and ability to maintain community, and their expression of religion and spirituality.

#### TRIBAL CRITICAL RACE THEORY'S IMPACT ON THE PRESENT RESEARCH

This research utilized Tribal Critical Race Theory as the theoretical framework (Brayboy 2005). TCRT helps us understand the context of these narratives. This section outlines the nine tenets of the theory and how it applies to this particular research.

The first tenet is that colonization is endemic to society (Brayboy 2005). Many narratives demonstrate the impact of historical and ongoing processes of colonization. Chapter V explores the relationship of the narrators' stories to postcolonial distress. Colonization is a cause of historical trauma that continues to impact Indigenous people's lived realities today that lead to suicide, substance abuse, interpersonal violence, and contact with the criminal legal system, among others. For example, Clara connects historical trauma that Indigenous people and communities experience to the rates of suicide in her community.

Moreover, one can see the impact colonization has in Indigenous peoples' and communities' resistance to the ongoing process. Historically, the colonizers resisted Indigenous culture, dating back to when they refused to negotiate or respect Indigenous women and their political roles (Jaimes and Halsey 1992). Chapter VII provides concrete examples of survivance,



resistance, and resilience of Indigenous women who continue to resist these processes of colonization.

The second tenet of TCRT acknowledges that the purpose of U.S. policies towards Indigenous peoples are for the maintenance of white supremacist, imperialistic ideologies that serve the material interests of the U.S (Brayboy 2005). The narrators for this research indicated their knowledge of these policies and their connection to material interests. For example, Nalani described this when she mentioned the direct objectives of the United States was the “total genocide” of Indigenous people through policies that banned Indigenous people from speaking their language or practicing their culture. Another example is when Coco acknowledged that her people are “expendable” when private companies want to invade their land with a natural gas pipeline like the Atlantic Coast Pipeline. Overall, the narrators understood the overall goal of U.S. policies historically and contemporarily.

The third tenet of TCRT addresses the uniqueness of Indigenous people as racial and political beings. In relation to this project, the unique political relationship between tribal nations and the federal government is equally imperative to consider here, as “American Indians are both legal/political and racialized beings; however, we are rarely treated as such, leaving Indigenous peoples in a state of inbetweenness wherein we define ourselves as both, with an emphasis on the legal/political, but we are framed as racialized groups by many members of society” (Brayboy 2005: 432-33). Many people are either unaware that Indigenous people still exist or of their multiple statuses as political and racial beings. In addition, many, including Indigenous people, are unaware of the parameters of the political status of Indigenous communities. This unique colonial creation of Indigenous people and nations as both political and racial beings is difficult for Indigenous people to navigate when society solely emphasizes their racial identity. Nalani

illustrated her understanding of this premise when talking about her children only identifying as Lumbee. She describes being Lumbee as “more than a race,” and acknowledging how also, it is “a political identity.”

The fourth tenet of TCRT is the belief in ultimate tribal sovereignty through tribal autonomy, self-determination, and self-identification (Brayboy 2005). This project is rooted in the belief that Indigenous people should be the ultimate determiners of who and what makes someone Indigenous. This project also operates with the belief in self-determination for tribal nations without the supposed “guidance” of the United States. Finally, this project operates from the belief that tribal nations must be able to decide how their land, resources, and boundaries will be divided. These stories highlight TCRT’s assertion that Indigenous people seek to gain full self-determination.

The fifth tenet of TCRT operates within the notion of rejecting western ideologies of culture, power, and knowledge (Brayboy 2005). Instead, culture and knowledge work together to produce power. Power develops when Indigenous nations are able to have ultimate tribal sovereignty within their individual communities that allows them to define and identify its own needs. In all, power resides within each individual member and with the tribal nation, working together to allow Indigenous nations to progress. This project rejected western ideologies of culture, power, and knowledge related to federally unrecognized Indigenous nations and people. Instead, this project operated within the belief that Indigenous nations do not have full, sovereign power until they are free from assimilation tactics and pressures that reject Indigenous definitions of culture and power.

This project also operated using the sixth component of TCRT, in that U.S. policies related to Indigenous communities strive toward assimilation (Brayboy 2005). The focus in this

project is on recognition policies that have rejected the “Indianness” of some in an effort to assimilate them. These recognition policies also created divisions among Indigenous people to question each other’s legitimacy. The Chapter VI section titled “Humiliation from Other Indigenous People” illustrates how these recognition policies created divisions among Indigenous people to the point that the narrators for this study experienced other Indigenous people questioning the legitimacy of their identity. However, as Nalani notes, Indigenous policies that sought to fully eliminate and assimilate Indigenous people “failed” and Indigenous people continue to be “a thorn in the side of the United States government.”

The seventh tenet acknowledges the importance of understanding the lives of Indigenous people through their own tribal customs, values, and beliefs that will also demonstrate the differences among individual Indigenous people and among Indigenous nations (Brayboy 2005). While the focus of this study is unrecognized nations, it will be important to make clear any distinctions that may exist for other Indigenous nations. Even though this research focuses on Indigenous nations in a specific region of the country, there are variations that are important to consider, whether it’s culture, values, size, and visions for the future. The majority of my interviews were of Lumbee women, and it is imperative that myself and scholars understand that the experiences of Lumbee women do not speak for all experiences of unrecognized Indigenous nations. In sum, “It is difficult to make generalizations that authentically appreciate the wide historical and cultural diversity of each AI and AN community” (Crossland, Palmer, and Brooks 2013: 74).

The interviews that represent the data for this research mirror the eighth tenet of TCRT, that theory consists of stories, and these stories are important, legitimate data to evaluate (Brayboy 2005). The stories told by these Indigenous women are important to consider for social

change and considerations for ways of knowing and existing in the world. These stories should be viewed as legitimate forms of data, in contrast to notions proposed by colonial research methodologies, to theorize how Indigenous people can proceed and continue to survive. This works in tandem with tenet number nine, in that research using TCRT “must expose structural inequalities and assimilatory processes and work toward debunking and deconstructing them” (Brayboy 2005: 440). This research utilizes the stories of Indigenous women who are members of federally unrecognized nations to explore federal recognition as an assimilatory process that facilitates and perpetuates identity conflicts among Indigenous people and communities. Moreover, Chapter VII amplifies survivance stories of Indigenous women who are members of federally unrecognized nations and thereby deconstructs the narrative that Indigenous people are facing inevitable erasure (Wolfe 2006).

#### DOES THIS APPLY TO OTHER INDIGENOUS PEOPLE WHO ARE MEMBERS OF FEDERALLY UNRECOGNIZED NATIONS?

Clearly, this interview study is not generalizable to all Indigenous women who are members of federally unrecognized nations. However, the study does attempt to describe the lived realities of members of federally unrecognized tribal nations in Virginia and North Carolina. Even within this sample, there are distinct differences among the narrators. For example, the majority of narrators reside in rural areas and on/near their tribal homelands, though these are disproportionate representations (Rural Health Information Hub n.d.). However, some narrators grew up outside their home, tribal community in urban areas with few Indigenous people. Additionally, some narrators grew up during segregation and went to all-Indian schools, while others grew up during the era of the War on Drugs and/or went to schools with non-Indigenous people.

The narrators come from various class backgrounds. Some come from less monetarily privileged families and had experiences with risk factors that reflected what they were likely to encounter with poverty. Others came from more monetarily privileged families and were less likely to encounter these risk factors. However, even the more privileged people within the population experienced forms of humiliation from other people based on their status as a member of a federally unrecognized nation, in addition to other experiences with risk factors, whether it was themselves or their children.

Narrators came from four different tribes although the majority are members of the Lumbee Tribe of North Carolina, a tribal nation that consists of 55,000 members across the United States (Lumbee Tribe of North Carolina n.d.). Sixteen of the 21 narrators said they were members of the Lumbee Tribe when they were asked, and one narrator later said they were a member of the tribe when they were asked for clarification on their tribal identity. Moreover, the overwhelming majority of narrators come from Robeson County, North Carolina, one of the most diverse, poor, and neglected counties in the Southeast. Eighteen narrators either grew up in the county, lived in the county for a substantial portion of their lives, or have family that live there whom they visit. This potentially slants my findings as narrators experienced increased exposure to various risk factors associated with living in rural areas, poverty, as well as their experiences with bullying and stereotyping from people who are non-Indigenous.

Therefore, while these data are certainly not generalizable to other Indigenous women overall, and specifically Indigenous women who are members of federally unrecognized nations, they do include stories that are useful for understanding the impact of federal recognition and Indigenous identity on individual experiences. There are even similarities that exist between the narrators and larger groups of Indigenous women. For example, narrators discussed their

experiences with non-Indigenous people who claim Indigenous identity based on the “Cherokee Grandmother Syndrome.” This issue relates to other Indigenous people due to federal policies that conflate biology and culture and Whites’ lore for the Cherokees’ resistance movement towards the government during the Removal era (Brayboy 2000; Maynor Lowery 2013; Smithers 2015, Oct. 1). Overall, there are similarities and differences that exist between the narrators in this study and Indigenous women and people as a whole.

”MAY I ASK WHY YOU DECIDED TO PARTICIPATE?”

To understand their motivation, I asked narrators, “May I ask why you decided to participate?” As a White male who made clear my status as such, this is a legitimate question to ask to ensure that narrators did not feel coerced and to understand if they trusted me. It is also a legitimate question because it seeks to gather information on narrators’ broader motivations such as wanting to tell their story, so that others could benefit, or to educate others, including myself. Several narrators confided that they agreed because of their trust in the contacts I had developed in the community. I grew up in the community where the majority of these interviews took place and attended and graduated from the University of North Carolina at Pembroke (UNCP) with a minor in American Indian Studies. I developed and continue to maintain relationships within the department there. My contacts there led to additional contacts in Virginia that led to more narrators. Some narrators cited these contacts as reasons why they participated and that my contacts served as a form of legitimacy.

Additionally, I knew two narrators prior to beginning this interview study and they cited this as the reason they participated; I had interviewed one for a project during my time at UNCP. Three other narrators were recommended via my immediate family and they indicated that they trusted and liked my family and so felt that I was trustworthy.

A couple of narrators said they participated because they like to help people. The following are excerpts for those who cited this as their reason for participating:

Lou: Well, to help your education. I likes to help people. You know, when you mentioned about [being] in school and to help you out. Yea. Money wise, no. To help you to get where you need to be in your school and stuff. I love seeing people educating and carrying themselves farther. I tell my people and I tell my young people at church, 'Go,' and I tell my children, 'Go to school.' Get all the education you can...I love helping people to get where they need to be.

Cindy: Well, when you are doing stuff like this you need other people's information. You need their story which is going to help you. And I don't mind helping anybody that wants help so that is why. I don't mind talking about myself and where I have been, where I have come from and who I am so, if it is going to help you.

These comments express the selflessness of and commitment to the mainstream value of education from Lou and Cindy. These comments also reflected their desires to help others beyond myself move "farther" in life through education.

Narrators gave a myriad of other reasons for participating, including that they "thought it was interesting," they "wanted to tell my story," to help other people, and for their own therapeutic purposes. One of the more indicative comments of this to me came in a text message after our interview, where the narrator wrote, "Ok thanks whether u know it or not I thank u for listening to me tell my story...it felt good to vent." Narrators reflected a desire to tell their story and the story of their people. The following excerpts reflect responses reflecting a desire to tell their story and generativity, which is wanting to help other people that are like them that follow their generation:

Janice: Um, to let people know how it is for Native American females, and how it is for Native American girls. It ain't what people think. It's how you live your life. It depends on how you individually live your life.

Gad: Because I felt the need of telling my story and to also hope that this could help our people. In many ways. And just knowing that what you are doing is a service to us, as a people. And you wanting to understand us, it felt good inside my heart. And so, I did it because I felt the need, and I felt the urge inside, my spirit, to help you with that.

Jessica: Well, when [her cousin] called me and asked me if I would participate in a survey about Indianness and being an Indian woman, I told her, ‘Sure,’ because I’m engaged in my culture. I love my culture. I love my people. And if there is anything I can do to help my people become better and get the help that they need, I’ll be more than glad to do whatever it takes.

Nalani: Because I have a story to tell, and I think it’s a pretty powerful story. And anytime I get the opportunity to share this story and to share—and when I talk about my story I’m not talking about me personally. I’m talking about my tribe and my children and our young people and our elders. And anytime I have the opportunity to share this story I definitely want to take advantage of it.

These comments indicate a pride in the story they have to tell, and a desire in helping people who are like them in their communities. Finally, one narrator made it clear that it was my identity as a White man that was influential in her decision to participate as she thought that my research might make a contribution:

Kelly: I think what you are doing is important, because you know, sometimes all of us Native women can sit around and talk about this needs to be done, and you know, we need a voice and we can go out and say it but no one really wants to pay attention to us because we are just a bunch of Native women together. But when someone that’s not us once again, a man and not Native, takes an interest, somebody’s gonna turn and say, ‘Well wait a minute. Is he seeing something that we haven’t seen?’ And that’s important. So mainly that, just to you know, you’re gonna be our voice for a while hopefully (laughs). Whatever you write hopefully it comes out to be a good thing (laughs).

It is important to unpack what Kelly said here, particularly within the context of Tribal Critical Race Theory (TCRT). One of the tenets of TCRT is that the stories of Indigenous people are legitimate forms of data, while another argues that concepts of knowledge, culture, and power have different meanings within an Indigenous context. Kelly saying that I socially carry legitimacy, which the TCRT framework recognizes as a manifestation of colonial culture, in that the stories of Indigenous people and People of Color are often not taken seriously unless a White man considers the stories. Her statement also produced in me a deep sense of sadness and anguish during the interview and when coding for themes, and serves as another example of how society delegitimizes Indigenous people and communities and their experiences.



Meanwhile, multiple narrators denied, unsolicited, that they participated because of the money, while only one interaction with narrators discussed money as a reason for participation. When asked why she participated, one narrator's daughter replied "(laughing) She's broke, she just needed the money," to which her mother responded, "No, that's not it." Lou said directly it was not the money that led to her participation, and she even tried to refuse the compensation I gave her. Only through these verbal interactions can I perceive that money was not the reason for participation for most narrators, though this could have been a motivation that was not conveyed to me out of any embarrassment they might feel in mentioning it.

## POSITIONALITY

Positionality is always important to consider in qualitative research. Positionality refers to the researcher's own social position, including race, class, and gender (Moffat 2016). Additionally, it is important to consider my relationship to power in conducting the research and my power "to classify 'evidence', (re)shape narratives and (re)construct representations" (Clarke, Chadwick, and Williams 2017: 273). It is important to share as much information about myself relevant to the research project so as to be transparent to readers and the members of communities to which I have conducted research and will research in the future.

First, it is important to make clear my position in regard to race, class, and gender. I am a cisgender, middle-class, White male, and therefore, am not a political member of an Indigenous tribal nation nor do I identify as an Indigenous person. My position does not allow me to know or understand the lived realities of the women I interviewed, nor does it allow me to fully understand Indigenous theories or ways of knowing. While I want my own thinking to fully align with Indigenous views of the world, this does not mean that I fully understand these views. I

have never lived these experiences and I will be limited in my ability to understand them. Overall, I realize that my cultural lens is a hindrance for this research.

That said, I do believe that my own lived experiences provided me with some of the sensitivity and awareness needed to talk to the women I encountered on this journey. For example, I grew up in a community not far from the home of the Lumbee Tribal Nation, in Lumberton, North Carolina. Though I did not live in their community, being one city over afforded me the opportunity to go to school and church, play sports, and interact with Lumbee people. Growing up, I was fully aware of the stereotypes, mostly perpetuated by White people, that the Lumbee Indians were “not real Indians” based on their status as federally unrecognized and stereotypes of Indigeneity related to blood quantum.

Growing up in this community, I learned the story of Henry Berry Lowrie, a renowned Lumbee Indian icon who led a resistance to colonial rule during the Civil War. Moreover, through my attendance at the University of North Carolina at Pembroke, I minored in American Indian Studies where I was exposed to Indigenous history and the continuing legacy and prevalence of colonialism. This exposure led to my involvement in this research.

Overall, I feel that my position in terms of where I grew up and went to school, in addition to what I have read, studied, and the Indigenous people I have listened to provided me with a level of sensitivity and awareness necessary to conduct this research. However, it is important to again reiterate that this does not mean that I fully understand the experiences narrators shared with me. Instead, I seek to amplify the experiences recited within the context of Tribal Critical Race Theory that argues that the ideology of colonialism is endemic to society and continues its attempts through governmental and educational policies to assimilate and

disappear the Indigenous people of the United States. Therefore, these stories should not be taken as evidence of an Indigenous problem. This is a problem of colonialism.

*The Inevitable Presence and Perception of Power*

There is an obvious power differential that exists between myself and the narrators I interviewed. As researchers, our position relative to the research is as the initiator of contact (Presser 2007). We control the purpose of the interview which is explained when discussing informed consent and gaining narrators' agreement to the interview and research (Presser 2007). We also control the direction of the research and the ability to shape the narratives, findings, and implications.

In order to diminish, to the extent possible, this obvious power differential, I described to narrators the purpose of my study when they initiated contact and before the in-person encounter occurred. Additionally, I offered them a chance to view the interview guide before our interview by either emailing them the guide (especially in cases where I had to travel a considerable distance) or prior to starting the interview. Finally, I tried to counter the power differential by letting narrators talk, uninterrupted, unless there was something that needed clarification.

It appeared that some narrators were unsure of a power differential between them and me as we spoke. For example, two narrators expressed hesitancy or remorse at using expletives over the course of our interview by either using phrases such as "Excuse my language," or asking, 'can I use the A-S-S word?' When these occurred, I told narrators they are free to use whatever language they wanted over the course of the interview. I also mirrored the language used by narrators when possible throughout our interviews so that they felt comfortable and open being themselves. However, it is hard to know if the hesitancy to use certain language had to do with

power differentials, or the rural South's stigmatization of using expletives, specifically women's use of the language. Therefore, it is possible that the hesitancy had to do with perceived differentials in power, the obvious differential in gender, or just a product of conducting interviews in the rural South where church is a renowned institution in the region.

One narrator expressed some concern in offending me. As mentioned, I let all of my narrators know my status. Jessica interviewed with me over the phone, and at one point seemed to make it clear that she was not being racist. She said, "I'm not being racial, okay, don't take this the wrong way. Um, you know, we were taught that White men came over and took our land from us. You know, government can't go in and take their land." I did not acknowledge her hesitancy in this case, as she was in the middle of a long answer, and, unfortunately, I did not have the ability to provide non-verbal cues of comfort. However, as mentioned, I was upfront with narrators about the harms that White people have caused to Indigenous people, in hopes that they would not be hesitant talking about race, particularly White people, in my presence.

Other examples where narrators viewed potential power differentials were when they were hesitant to answer certain questions. One narrator expressed through body language their discomfort answering a question. In this example and others, I was quick to remind narrators that they did not have to answer any question they did not want to answer. Another narrator did not want to share an experience with violence that she had, and in that case, I moved on to the next question. In other cases when we approached delicate subjects, I would preface questions with some form of "Would you mind" to indirectly remind narrators that they did not have to share. In response, a narrator said, "No, I don't want to share that." From there, I simply moved on to the next question. This same narrator asked during the final questions of the interview to "Keep note of the things that I asked you not to share." Those things I struck from the transcript.

Another concern to address is the issue of sexual advances or sexual and gender harassment when collecting data with people (Presser 2007). Most of my narrators identified as straight, as do I. However, I never sensed any sexual advances coming from any narrator, and I took care to not exhibit any behavior that would be interpreted as a sexual advance, or sexual or gender harassment. One narrator asked for a hug because “it was great to finally meet you” as we had been trying to come together for an interview for over a year. Here, I did reciprocate. However, there was no case where I asked narrators for hugs, or any form of physical contact, due to the power differentials already present between us.

In one case, the husband of one narrator was present for part of our interview. She chose to do the interview at her house, and when her husband drove up, I asked “Do we need to stop? Do you want to keep going?” She responded, “No, no, he knows you are coming.” When the husband came inside, I greeted the husband with, “How you doin?” when she introduced me. During the rest of the interview, the husband was in the living room where we were doing the interview. He sometimes jumped in to answer questions that I asked, including when I was wrapping up the interview and asked, “Is there anything that you would like me to know about you, anything else we haven’t talked about?” He responded, “Other than that she’s a pain in the ass.” In their back and forth that ensued, he said, “That woman there bud, it takes a real man to be with that one. And gonna be no scrub.” He also said, when asked what other questions she thinks I should ask of other women, he said, “Should have asked on a scale of 1 to 10 how mean is she.” Finally, the last interaction, when asked why she decided to participate, he said, “She likes attention,” while later adding “She’s selfish, likes attention” and, “You a crazy woman.” I could have misinterpreted these back-and-forth exchanges; however, these did make me feel uncomfortable. I interpreted some of these comments as inherently sexist, but I did not confront

him on them. I felt that he was demeaning her and I did not know how or whether to respond as I was in their house and their relationship may be different from my own, personal experiences, and did not feel it was my place in that time to intervene. She had revealed in our interview that they constantly argued, but never revealed that he made her feel unsafe. I left her with the service provider sheet so that she had the number to resources that could help in case she felt she needed to call them, and also told her that she could call me with any questions or concerns. She did not.

Despite my position as a doctoral student at a university outside of the immediate area where I conducted my interviews, I do believe that my position as someone who grew up in the area, had gone to school with Indigenous people, and attended and graduated from the University of North Carolina at Pembroke, provided narrators with a sense of comfort that increased my rapport with them. Oftentimes, narrators asked about my education or my experiences in the area. One narrator who accompanied another narrator who I talked directly to, asked me, “Are you from here?” I responded that I was from Lumberton, a town that borders Pembroke where we were conducting the interview. Her response was, “See. He knows. He knows. You know some things. You know some things.” This was in reference to the county and its politics and additional dynamics within the county. In addition, I provided all potential narrators a brief narrative of my life and my position in pre-interview conversations that I believe helped with rapport.

Other issues of power that I encountered with positionality, particularly as a White person, was in recruitment. I utilized my contacts to generate other contacts with people who might want to be interviewed. At the university, I left flyers with former professors in the American Indian Studies department, as well as in other places throughout the university. One person shared my flier with my status as an American Indian Studies minor multiple times on a

listserv she was part of that generated some interviews. Other contacts provided fliers to people that they encountered in their work. I did not directly approach strangers with solicitations for interviews. While I attended some tribal events that were open to the public in both Virginia and North Carolina, I did not try to solicit interviews at these places. I felt that, as a White person, this would be inappropriate and invasive.

Twenty of 21 narrators initiated contact with me, while I received permission from one narrator to contact another narrator. She provided me this interviewee's phone number. In this case, I wanted to be sure that this person had an opportunity to ignore my initiation. Therefore, I sent this individual a long text message, explaining why I contacted them, who provided me with their contact information, and information about the study. I thought a text message would be most appropriate in this situation, and I was not going to follow up if I did not receive a response. However, she responded with interest and we scheduled an interview.

Another way I tried to diminish the power differential between myself and narrators was by offering narrators the opportunity to choose the location of the interview. I conducted ten interviews at narrators' homes, one interview over the phone, four interviews at restaurants or coffee shops, four interviews at local libraries, and two at the narrator's work office. Asking where they wanted to conduct the interview helped increase rapport, as it increased the likelihood that narrators would be comfortable with their surroundings by choosing the place to be interviewed. Most importantly though, I wanted narrators to be as comfortable as possible during the interview. When conducting interviews at narrator's homes, narrators were extremely kind to me.

Moreover, on my way to interviews, I always texted narrators in advance and asked if there was anything they needed or wanted me to bring. Only one narrator took me up on this

offer, and she asked for a pack of cigarettes. With the interviews at local restaurants and coffee shops, I offered to buy narrators what they wanted. One person did not allow me to pay, and I did not push. I did feel that since narrators were sharing their time with me that this would be important to offer, although very few narrators took me up on it. All narrators were paid \$20 as a thank you for participating, in recognition of their time and effort.

I was also careful to take time to discuss the interview with my narrators, as well as other topics of conversation that came up. In multiple instances, I spent time with narrators before or after the interview. In one case, I met a narrator for coffee for a scheduled interview over a two-hour drive away. We talked three hours without even starting the interview, and we rescheduled the interview for the following week. In another case, I met a narrator at her home, and we drove around the community as she showed me sites in the area that are important to her and her family's history. In another case, I asked to see a narrator's ring because I had never seen one before. The ring was a symbol of the tribe's history. All of these instances speak to building rapport with narrators, in addition to carrying on conversations with them that treat them as human beings, as opposed to subjects of a research study.

At the end of the interview I provided narrators with a sheet that had various types of resources. These resources included Legal Aid, as well as Indigenous specific resources in the area. I adapted this resource sheet based on the location of the interview and where the narrator was from. Moreover, one narrator asked for resources beyond the resource sheet that I provided. These were not resources that she needed immediately; as I was unaware of the resources additional research was required on my part. About a week later, I emailed those resources to the narrator, and she thanked me for doing so. Also, I told other narrators that if they requested any additional resources that I was happy to do so if they emailed me.



*“You can call me [my legal name]”*

One thing that took me aback during the research process was the willingness of narrators to put their own name on their story. As someone who has been trained to conduct research, mostly based on western values of objectivity and the need for anonymity to receive the truth, researchers expect that providing this anonymity will result in narrators being more forthright and truthful, as well as serving protection. However, some scholars argue (Kovach 2010), particularly for research focused on Indigenous people, that the assumption that anonymity is necessary is problematic: “Our claim is that not being identified as the data source might cause harm to a person, and that anonymity in fact takes away one’s control if that control only implies a default right to *not* having one’s identity revealed” (Svalastog and Eriksson 2010: 105).

Throughout this process, multiple narrators said that I could use their name when I asked them to come up with a pseudonym for themselves. However, I was unable to do so due to IRB requirements against such a practice. I felt that this was unfair to the narrator to not allow them to use their name if that was their choice. Therefore, through this process, I began to believe that “in some cases the default of anonymization should be replaced by a careful deliberation, together with research subjects, of how to handle the issues of identification and confidentiality” (Svalastog and Eriksson 2010: 105).

## IMPLICATIONS

There are implications that arise from the data, including for theory, policy and other general implications. This section will discuss policy implications discussed directly by narrators, policy implications that arise from the data, and a discussion of self-determination and decolonization that arise out of the interview data.

### *Policies Discussed by Narrators*

The narrators were asked what they thought were the biggest challenges facing people within their Indigenous communities, and out of this question, they discussed policies that they saw as benefitting them. These policies included broad discussions of federal recognition, serving economic needs, and cultural preservation. This section uses quotes from narrators to describe the various arguments they made around policies.

#### *Federal recognition*

The first policy implication, and most important for this study, is seeking to obtain federal recognition. What TCRT highlights and is often left out in western research of Indigenous people is that being Indigenous is a political and racial identity, something Nalani also noted in our interview. Generally, narrators were split on their thoughts of federal recognition in terms of whether they thought their tribe should seek it. Some narrators believed that obtaining federal recognition was one of their tribe's biggest challenges going forward. Janice indicated that "Trying to get recognized," was the most important challenge facing her people. Coco and her daughter mentioned that they lack a sense of belonging because they are not members of a federally recognized tribe. Tabitha said federal recognition was important because "We just want to be put on the map." Cindy said, "I wouldn't want it with a casino, but I think it would be worth it because we would get more money in here, I would hope for education." Canvas described obtaining federal recognition more as a matter of pride. Jessica provided an elaborative answer as to her thoughts on federal recognition:

Jessica: If it was went about the right way and everybody had funding and we did accumulate a check every month—and it's not always about the money. But, you know, it would help. It would help, because you know, then I would be guaranteed assistance if

I needed it...like as far as housing and things, you know what I mean? If I ever needed housing, I could get it. No questions asked.

Brian: Okay. And when you said it is not just about the money can you elaborate on what else federal recognition, you feel would bring, or how it would affect your life?

Jessica: If the Lumbees decided to do like the Seminole Tribe and have their own reservation. They have their own laws. They don't have to follow the government laws. They have their own government. They have their own laws. And that would be, you know, beneficial because...you know, government can't go in and take their land. They could, they very well could, but you know, they would have a better chance at fighting to keep their land because they own their—they have recognition. You see what I'm saying?

Jessica went on to cite the building of the Atlantic Coast Pipeline as an example of land being taken from Indigenous people again, and how she feels this might not have happened if her tribe had federal recognition. Lizana also cited the Atlantic Coast Pipeline in her answer about what she sees as benefits to federal recognition:

Lizana: It would be nice, but it would be interesting to see how they would get government funding, what they would do with it. If they would put it to use like they say they would...So, that'd be interesting to see what comes. That would be nice, because everybody would benefit from it, outside of North Carolina. Cuz I know that if you go to school outside of the state of North Carolina, if you prove that you are a federally recognized tribe, you get like money for school, and like help with other things. But, it's a little different when it's a state-recognized tribe. Like in the state of North Carolina you get grants for Native Americans who have state recognition, but I don't think they do that for outside of the state. I'm not quite sure, but it's the same thing as with this, the Atlantic [Coast] Pipeline that comes through here. I don't know if it's stopped or not, but I know that the tribe was—supposedly accepted money from them to actually approve it to be built through here. Which is kinda funny because they sent people from our tribe to North Dakota to protest their pipeline. But they'll accept a pipeline to come through here. That's totally the opposite of what you just did. But, I like to just, if we get federal recognition, just seek what they're gonna do. It will be interesting is all I can say.

While Lizana said it would be “nice” for her tribe to receive federal recognition, she did not appear convinced that it would lead to good things for the tribe and their members. This is similar to others who were uncertain of the consequences of federal recognition. Nalani, who lives outside of where the Lumbee Tribe has its headquarters, indirectly summed up why people are split on the issue:

Nalani: That is such a grey area, and I don't work well in grey. I think it's easy for me, because of what I accomplished you know? I mean, even with federal recognition I wouldn't benefit financially from what would come in. The older I get the less I need affirmation from the federal government. It's not all good and it's not all bad. If I actually had to make a decision, I don't think what we would be giving up is worth it. But also, if I lived in Robeson County, I'm still at the poverty level. That would be hard for me to say, because we need—and that's still in my opinion part of the state, but we still need so much in Robeson County. We need those jobs. Our people do want to work. They're not lazy. They're not sitting there waiting for the government to give them a hand out... So it is a very grey area and, you know, me personally, I don't know how it would benefit me or my children. But I do know there is still a lot of hardships and the educational funding, and especially healthcare, I could see some financial benefits. But again... I think having that amount of money coming to an area would cause more problems. It would solve some problems, but I think it would create a lot more.

While she believes that federal recognition would require the Lumbee Tribe to relinquish more than it would benefit them, she does understand the position she is in compared to people who live within the county. She also sees the good and bad in federal recognition and how people, particularly people in Robeson County who are struggling would want federal recognition. This is not an uncommon position among scholars in American Indian/Indigenous Studies. In the Introduction to their edited volume on recognition struggles, Den Ouden and O'Brien (2013) note that authors in their book (with the exception of one) “overwhelmingly...represents the position that more is to be gained through federal recognition than through rejecting it as a hopelessly fraught colonial relationship that true sovereigns need not pursue” (16).

Nalani's response is similar to Kelly's, who described federal recognition as “a double-edged sword” in a narrative from an earlier chapter. Kelly indirectly connected colonial capital interests to reasons why the federal government has not yet granted federal recognition to the Lumbee Indians. As she noted, there is a lot of cotton, tobacco, and soybean production in the region, and it is unclear what happens to the ownership of that production if the Lumbees are granted a lot of this land. While she seems to indicate that federal recognition is problematic, she goes on to say:

Kelly: Federal recognition is important, but they're trying to get federal recognition the wrong way, you know. And it's only gonna benefit this class of people up here. It's not gonna benefit the class down here. And that's not the way it needs to be, you know... So to me, my opinion, the federal recognition is important. Gosh, I hope to see it before I'm dead. But I don't think it's gonna happen with the process. I see them giving us federal recognition but wiping out everything else. And so, if you wipe out everything then why would my identity be important?

While Kelly seems to advocate for federal recognition in some form, she was not alone in how she described it. Clara, whose tribal nation received federal recognition in 2016, did not speak kindly of the policy:

Clara: I think federal recognition is still a form of paper genocide. And when you got federal Indians against non-federal Indians even, I don't see what—the poorest parts of the country are in Pine Ridge Reservation, where they have a 19% employment rate, or 90% meth addiction, from 6-year-old and up. And their income, you gotta 85-year-old grandmother taking care of 13 grandkids cuz their mothers and fathers are in jail or dead. And they're federal. Where's their help? They're not getting casino checks, but they have casinos. Their tribal leaders are getting that money. So, when we got federal recognition, I expected, first the elders to get help. I thought, 'Hey, we'll be able to do some things now. We will be able to fix up our museum. The elders will get some help. We will come together. Make decisions.' It's not what[']s happening and I don't agree with federal recognition. I don't think there's any good in it. I think it's paper genocide.

Clara calls it paper genocide and makes a potentially hyperbolic comparison<sup>1</sup> to the Pine Ridge Reservation. She says in her own tribe that those who need help are not receiving it. Her knowledge of her own tribal people's plight, as well as other tribes throughout the United States, have negated her support for federal recognition.

These feelings of federal recognition as a form of genocide and colonial control are shared by some Indigenous scholars. For example, Coulthard (2014) rejects the idea that the Canadian federal government can reconcile what it has done to Indigenous people and

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<sup>1</sup> The unemployment rate on the Pine Ridge Reservation was estimated at around 80 percent (Laughland and Silverstone 2017, Sept. 29). While meth was an attributed reason to the increase in homicide on the reservation (Tiffany Tan Journal staff 2017, Feb 12), this spike was only for one year (Tiffany Tan Journal staff 2018, March 4). I could not independently confirm the rates of meth addiction she provided.

communities “via a liberal ‘politics of recognition.’ In his book he argues “that this orientation to the reconciliation of Indigenous nationhood with state sovereignty is still *colonial* insofar as it remains structurally committed to the dispossession of Indigenous peoples of our lands and self-determining authority” (Coulthard 2014: 151).

Overall, thoughts about federal recognition among the narrators who spoke on the topic varied. Some were openly for it, some were on the fence, and others viewed it as another form of genocide and colonial control. Therefore, a general implication from this uncertainty could be that obtaining knowledge on the federal recognition process is important for understanding whether or not federal recognition is a path to full self-determination that tribal nations seek. However, it is important to reiterate Tribal Critical Race Theory’s assertion that Indigenous people’s overall desire is full tribal sovereignty, autonomy, self-determination, and self-identification (Brayboy 2005). Thus, federal recognition should be considered with this tenet in mind.

### *Community Needs and Associated Policies*

Narrators noted the need for increased economic benefits for the areas where their tribe and tribal members live, cultural preservation, and coming together. For increased economic benefits, Canvas said she thought adequate housing and fulfilling, sustainable jobs were important for her community. She referenced that sheet rock is a big industry in the area, but said, “that’s dwindling” due to the overall decline in the national economy. She added about housing:

Canvas: And just decent housing. You know if you don’t have a good job you are not going to be able to afford decent housing, so some of them end up in some really junky places living, and I can’t always say that they have to be there, but they are, and if you are not making good decisions because you don’t have the education to make them, you

don't have all the wherewithal, the mother-wit to know that there's a better way to function day-to-day, then they end up in those dilemmas. And the tribe, somebody else might tell you it's federal recognition. Well I don't know. We have lived a long time without appropriations, but that goes to the pride of being Native American. I don't think it is federal recognition. I think it's housing and employment right now. Those are the big things and the tribe offers some of that employment but not to any great extent. Like they don't actually own any businesses in any industry.

Canvas reiterated that these jobs need to be sustainable for them to be beneficial. In addition to her mentioning the economic benefits, she sees the value in education for obtaining a sustainable job and adequate housing, in addition to abstaining from drug using and selling that "are prevalent, easy money." She connected involvement with drugs and obtaining a job via a story she relayed where a significant amount of people (Indigenous and non-Indigenous) were denied local jobs in the area because they failed drug tests.

Coco and Jenette also mentioned the importance of increased economic benefits for the region where they reside. Coco said:

Coco: I think it's economical. I think it's the economy, financial. I do. That's what I think is one of the biggest challenges. Because with poverty leads to bad health, poor education, all of that. So, with better economic environment, financially stable, will come better health, and more education and what not.

Coco makes the link to other positive outcomes with increased economic benefits in the region, including education and health. These would be important to her to address so that the community can be better served.

Cultural preservation and coming together were two other needs that narrators touched on when asked about the biggest challenges facing their communities. June Mac mentioned "inside fighting" as the biggest challenge facing her community. Vickie mentioned that "the Lumbee problem is Lumbees," referencing the need for her people to stand up for and help each other. Clara indicated that her main concern was:

Clara: Pamunkey isn't the Pamunkey that I grew up with. The majority of people living down there are not Native people, so when the state figures out, or the government says, 'Oh, well there's no Indians there anymore. We are going to take their land.' So all those bones in that graveyard, maybe mine too, I'm concerned what's gonna happen when we leave this world. Who's left behind me, cuz I don't have children. I'm the end of my family. And I'm my mother's apprentice, so I'm the last of the traditional artists there, cuz nobody else is really concerned or cares. So, I just hope that we can communicate better, because these girls that I grew up with, they weren't raised this way. This greed. It's amazing, money is the root of all evil for sure. Just how that has changed these personalities that were really kind people. And now they're just impossible. And it's not just me saying it. Everybody is saying it.

Here, Clara touches on both cultural preservation and coming together in the face of monied interests as issues facing her community. Other narrators touched on these ideas of cultural preservation and coming together, including Cindy, who said that it was important for her people to come "together as one group of people, one voice." She also added:

Cindy: Well I will tell you what my cousin who stays in [adjacent county] says. She says there's nothing (pauses), nothing in the schools for her kids, for the Indian kids in [adjacent county]. She says there is nothing up there. No kind of program for her kids to get involved in. That's one reason we've talked to the tribal chief about getting programs in [adjacent county] for Indian kids to be able to participate in.

Both Cindy and Clara see the value of cultural preservation, particularly to children who reside outside of places where the tribe is located. These programs would be important for children as cultural awareness among Indigenous children relates to various successes, levels of resilience, and serves as protective factors against various harms (Allen et al. 2006; Brave Heart 1998; LaFromboise et al. 2006; Stumblingbear-Riddle and Romans 2012; Walters, Simoni, and Evans-Campbell 2002; Whitbeck et al. 2001).

## FUTURE RESEARCH

This research sheds light on the experiences of Indigenous women who are members of federally unrecognized nations, in that criminologists should consider all identities when looking to understand involvement in crime and violence. These identities include political membership



or affiliation in tribal nations that are federally recognized or unrecognized. We do not know whether these tribes experience crime, violence, and the criminal legal system differently or why they might. Criminologists must consider how Indigenous people occupy dual spaces as political and racialized people, as noted in Tribal Critical Race Theory (TCRT).

Moreover, criminological research should begin considering the multiple identities of Indigenous people and how this impacts their experiences with crime and research. Oftentimes, Indigenous people are grouped together in criminological research, implying that they are not unique people. Yet there are very distinct social and geographical differences among Indigenous people, groups, and communities. In future work, I propose that we take these multiple identities into account and include Indigenous people of all nations and included members of federally unrecognized tribes in order to adequately address the needs of individual Indigenous communities.

The role of other intersections in the lived experiences of Indigenous women must also be considered in research. This study only included one person who was not straight, and so more is left to be discussed in terms of the specific challenges faced by LGBTQ+ members of federally unrecognized tribes. There are also class and location distinctions that exist and may present different challenges. The experiences of Indigenous women who are members of federally unrecognized nations who I interviewed may be different from these women in other parts of the United States.

## CONCLUSION

This research highlights my assertion that the political status of Indigenous people, specifically their membership in federally unrecognized tribal nations, is important to include in research that explores the challenges Indigenous people and communities encounter. This

dissertation sheds light on the various truths of some Indigenous women who are members of these tribal nations. As Chenoa emphatically insisted “As long as I’m alive, you are gonna hear my roar.” To support and amplify that roar requires that we embrace the existence of Indigenous people who are members of federally unrecognized tribes in our research.

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## APPENDIX I

## CURRENT FEDERAL RECOGNITION PROCEEDINGS

## FEDERAL RECOGNITION TODAY

The Bureau of Indian Affairs created the Federal Acknowledgment Process (FAP) in 1978 (McCulloch and Wilkins 1995). According to this process, currently known as the Office of Federal Acknowledgment (OFA), Indigenous nations must submit proof of seven criteria (Den Ouden and O'Brien 2013). These included:

- (1) The petitioner has been identified historically and continuously until the present as 'American Indian.'
- (2) A substantial portion of the group inhabits a specific region or lives in a community viewed as American Indian, distinct from other populations, and that its members are descendants of an Indian tribe that historically inhabited a particular area.
- (3) The petitioner has maintained historical and essentially continuous tribal political influence or other authority over its members.
- (4) Furnish a copy of the group's present governing document
- (5) Possess a membership list of individuals who could establish descent from a tribe that existed historically
- (6) Prove that the membership of the group is composed principally of persons who are not members of any other Indian tribe.
- (7) The petitioner is not subject to congressional legislation that has terminated or forbidden the federal relationship (Miller 2004: 44-45).

The BIA put these criteria in place, succeeding regulations perceived as contradictory and politicized (Miller 2004). The result was regulations deemed objective, "scientific, unbiased, and fair," at least in terms of western-preconceived notions and images of a tribal entity (Miller 2004: 46). However, the BIA still had ultimate authority over decisions of federal recognition. Moreover, Indigenous nations had to be able to prove to the OFA that they met all of these criteria (Den Ouden and O'Brien 2013). These criteria that emerged based on the status of already 'recognized' nations in the western United States, made it nearly impossible for eastern nations to prove recognition (McCulloch and Wilkins 1995).



Additionally, the petitioning process is a stereotypical bureaucratic process that takes significant effort and resources with no guarantee of success. Gonzales and Evans (2013) provided an example of the drastically long process the Ramapough Mountain Indians went through in their application for recognition. On August 14, 1978, the Ramapough submitted a letter to the secretary of the interior, stating their intent to apply for federal recognition. It took the tribe twelve years to submit their full petition:

... which consisted of more than one thousand pages of documents, including legal affidavits; photocopied birth, marriage, and death certificates; torn and faded newspaper clippings; and other documents believed by the group to provide evidence of their existence as an Indian tribe from historical times to the present (Gonzales and Evans 2013: 44).

According to BAR, the Ramapough failed to meet four of the seven criteria for federal recognition, including continuous identification from historical times to the present, inhabiting a specific area, maintaining political authority over the tribe, and existing from a tribe that was always autonomous (Gonzales and Evans 2013). An update to the Federal Acknowledgment Process in 1994 allowed Indigenous nations to only prove their distinct existence to outsiders since 1900. After appealing under the updated regulations, the Ramapough were still unable to meet three criteria and officially denied recognition on November 11, 1997, twenty-two years after submitting their original petition (Gonzales and Evans 2013).

When evaluating the reasons for the denial of recognition, these criteria were far from objective and fair as they were supposedly intended to be (Gonzales and Evans 2013). One of the criteria the Ramapough failed to meet was establishing that they were a distinct population that inhabited a specific area. BAR concluded that they were distinct but did not exist as an Indigenous community. The Ramapough, according to the findings, assimilated into the cultures around them, relinquishing their distinction from those communities. While the Ramapough

dispute this claim, arguing that unlike outsiders, tribal members can identify markers between them and surrounding communities, the BAR denied the evidence of the tribe (Gonzales and Evans 2013).

Next, the BAR claimed that the Ramapough Mountain Indians failed to meet the criteria requiring that tribal political influence existed over its members from historical times until present (Gonzales and Evans 2013). The BAR rejected multiple claims of political leadership by the Ramapough. The first, based on land ownership, the BAR denied, asserting that land quantity is not a marker for political leadership. The next, arguing that religious, community, and civic leaders showed political influence, the BAR denied, arguing that these individuals were only leaders of their surrounding geographic regions, not the entire tribe (Gonzales and Evans 2013). The final, contending that their current, formal leadership structure is an example of historical political leadership, the BAR denied on the basis that this structure emerged after their recent incorporation to become recognized in 1978. Finally, the BAR also disregarded evidence submitted by the Ramapough, which provided outside, non-tribal references to their tribe as a clan (Gonzales and Evans 2013).

The last criterion that the Ramapough failed to meet involved evidence demonstrating tribal lineage that dates back to a tribe that historically existed as a single incorporated tribe (Gonzales and Evans 2013). The Ramapough provided evidence of 836 ancestry charts, while also incorporating records that historically discriminated and mislabeled Indigenous people as “colored,” “mulatto,” or “Jackson Whites.” The Census through 1950 relied on outsiders’ classification of communities of color, which the BAR used against the Ramapough in ruling that they failed to meet this criterion. The Ramapough, because of the need for outsider evidence,

had to rely on evidence developed during the eugenics movement that referred to their people as “degenerates,” and of “poor genetic stock” (Gonzales and Evans 2013: 50-51).

The quest for federal recognition by the Ramapough Mountain Indians highlights the unfairness of the federal recognition process. In it, “the BAR staff imposed their own interpretations on evidence that group leaders thought demonstrated the Ramapoughs’ existence as an Indian tribe from historical times until present” (Gonzales and Evans 2013: 51). The federal recognition process requires that Indigenous nations use evidence designed suppress and eliminate their people administratively. The written evidence the process requires is already slanted against Indigenous nations attempting to apply for recognition, eliminating any objectivity the process might have. “Such objectivity, however, is inherently subjective because the only acceptable evidence is that contained in written records created and maintained by outsiders” (Gonzales and Evans 2013: 52). By making the process appear objective, the FAP continues the historical legacy of administratively eliminating Indigenous nations, though appearing as a mechanism of fairness and inclusion.

#### *Current Guidelines for the Application of Federal Recognition*

The criteria for federal recognition have undergone slight changes since their original implementation in 1978. Today, the updated criteria for federal recognition is as follows:

- (1) Requires that the petitioning entity have been identified by reliable external sources on a substantially continuous basis as an Indian entity since 1900.
- (2) Requires that the petitioner has maintained a continuous community from historical times to the present day.
- (3) Requires that the group show that it has maintained political authority or influence on a substantially continuous basis from historical times until the present day.
- (4) Requires that the group submit a copy of its governing document, or if it does not have a formal governing document, a statement describing its membership criteria and how they are applied.

- (5) Requires that the current members of the petitioning group, as a whole, descend from a historic tribe or tribes, which amalgamated.
- (6) Requires that a petitioner's members not be mostly members of an already recognized tribe.
- (7) Forbids the Federal Acknowledgment Process to acknowledge groups which were terminated by legislation (Office of Federal Acknowledgment 1997: 41-56).

There are two main differences between the prior criteria and the current criteria. The first is that petitioning Indigenous nations are no longer required to prove existence of identity since "historical times," now only required to prove identity continuously since 1900 (Robinson 2013). The second change is that Indigenous nations that can prove "unambiguous previous federal acknowledgment," would only have to prove their continuous existence since the endpoint of that previous acknowledgment to the present. However, it also disallowed Indigenous nations from using previous denials of federal acknowledgment as proof of existence (Robinson 2013). In all, the FAP is quite the complicated, bureaucratic, and administrative nightmare that requires significant resources for Indigenous nations to "prove," even though the process claims objectivity (Maynor Lowery 2013).

### *Other Types of Indigenous Nations*

Overall, the creation of the Federal Acknowledgment Process (FAP) was a consequence of the passage of the IRA. The IRA made it necessary to distinguish between Indigenous nations as recognized and unrecognized (Gonzales and Evans 2013; Miller 2004). It created the designation of unrecognized nations through the provisions of the law. In addition, the FAP constructed two other types of Indigenous nations, in addition to federally recognized nations: state-recognized nations and nonrecognized nations (Gonzales and Evans 2013). While the federal government does not acknowledge state-recognized nations, states have the power to recognize nations if there are benefits to both the state and the Indigenous nation (Koenig and

Stein 2008). This state recognition sometimes coincides with federal benefits (Gonzales and Evans 2013).

The history of state-recognized nations traces back to the colonial era and continues to be prevalent today (Koenig and Stein 2013). Prior to the Revolutionary war, Indigenous nations struck treaties with the colonists that recognized the sovereignty of Indigenous nations. Specifically, the colonists recognized the Indigenous nations as free, establishing a colony-to-tribe relationship. Once the area became a state, the relationship became a state-to-tribe relationship. These types of treaties created the basis for the relationship between the United States and Indigenous nations in the regions of the original colonies, including Virginia, New York, and Connecticut (Koenig and Stein 2013). According to the National Conference of State Legislatures (2016), there are sixty state-recognized nations in twelve states, though Koenig and Stein (2008) have estimates that include Indigenous nations excluded from the NCSL list.

State recognition brings certain benefits to these nations (Koenig and Stein 2008). The rights and immunities of state-recognized nations are completely up to the state in which they reside. Though similar in establishing government-to-government relationships between the state and tribe, not all state-recognized nations are exempt from state laws that federal recognition allows. Some states give Indigenous nations the power to police their own people and exemptions from state and local taxes, while other states have recognition policies in place solely to recognize the Indigenous nation's presence (Koenig and Stein 2008).

The third category of Indigenous nations Gonzales and Evans (2013) refer to as nonrecognized nations. These unrecognized nations do not have state or federal acknowledgment, or a government-to-government relationship established between themselves and state or federal governments. There are a variety of reasons why they may be

unacknowledged, including that their land was absent of desired resources, never fought against the U.S, or have not negotiated treaties with the U.S., who has ignored their presence (Wilkins 2002).

APPENDIX II  
PRE-INTERVIEW SCRIPT

Before I ask about you and your interest in participating, I want to provide some information about myself. My name is Brian Pitman and I am a graduate student in criminology and criminal justice at Old Dominion University in Norfolk, V.A. I lived in Lumberton, North Carolina for the first 22 years of my life. Robeson County is home to the largest Indigenous tribe east of the Mississippi River, the Lumbee Indians who also happen to be unrecognized. Growing up, I was always curious of the “federally unrecognized” label, and my research and interview with you will seek to explore this label.

I also want to tell you upfront about my status as a White man conducting this research. I explain my status as a White man in the beginning for transparency. Historically, men that look like me have violated the privacy of Indigenous nations, which may impact people’s trust of White people, like myself, who do research. I aim to avoid this abusive behavior and acknowledging the historical mistrust between Indigenous people and White researchers is the first step. I am not looking to do this research solely for my personal gain. This research is to understand the lives of Indigenous women, particularly those who are members of federally recognized nations. Indigenous women experience poverty, violence, and health disparities at rates far beyond most other racial and ethnic groups. In addition, my focus on federally unrecognized Indigenous women is even more specific, as we do not know the impact the label of “unrecognized” has on Indigenous women. As someone who grew up in a community with people of an unrecognized tribe, I am aware of the stereotypes that persist due to this label. As mentioned, I am not attempting to do this solely for personal gain, but to highlight and amplify

the stories of women like yourself to explore ways in which we can decrease the disparities in violence, poverty, and health in Indigenous women. In general, questions for you will allow you to discuss all parts of your life history that you are most comfortable discussing. These include demographic questions, questions about where you grew up and who you grew up with, conflicts, health, religion, family, and experiences with local service providers and the tribe.

#### CONVERSATION SCRIPT PRIOR TO CONDUCTING THE INTERVIEW

Now before we begin the formal interview, I want you to take some time to look over the questions on my interview guide so that you are not surprised as to what you will be asked. Again, I want to reassure you that you do not have to answer any questions that you do not want to answer. After you have read the interview guide if you decide that you do not want to participate I completely understand. If you decide that you do not want your answers recorded I will not use the recorders and will take notes by hand. Please let me know if you have any questions about anything on the interview guide. (once I receive their approval we will begin the interview).



## APPENDIX III

## THE INTERVIEW GUIDE

## UNDERSTANDING THE LIVED REALITIES OF SOUTHEASTERN INDIGENOUS WOMEN

**You have been invited to join a research study that explores the life experiences of Indigenous women who are not members of federally recognized tribes or living on reservations. I am a student and will utilize findings from this study in my graduate work.**

**Participation in this study is totally voluntary. You have the right to not participate at all or leave the interview/study at any time. You can refuse to answer any question you don't want to answer. If after the interview you decide you do not want your interview materials to be used, you are able to withdraw. Deciding not to participate or choosing to withdraw from the study will not result in any penalty or loss of benefits to which you are entitled, and it will not harm your relationship to the research or researchers.**

**You will receive \$20 for a completed interview and \$10 if you stop the interview before completion. Also, you will receive \$10 for each additional follow-up interview that you complete.**

**We will take the following steps to keep information about you confidential and to protect it from unauthorized disclosure or tampering: (1) Interview recordings will be kept on a password protected computer and destroyed after transcription, (2) A pseudonym (or fake name) of your choice will be used in the writing of anything you talk about in the interview, (3) Pseudonyms for individuals you name in the interview will be used in the writing as well, (4) Transcripts will also be kept on a password protected computer.**

**If you have any questions or problems about anything that's happened here today, please contact Dr. Vanessa Panfil at [vpanfil@odu.edu](mailto:vpanfil@odu.edu) or 757-683-4238; and/or Dr. Randy Gainey (Chair of the Arts and Letters Human Subjects Review Committee) at [rgainey@odu.edu](mailto:rgainey@odu.edu) or 757-683-4794.**

I hope that you'll think of this interview as a conversation about your life and your experiences. Before we get started, I'd like to remind you that you may refuse to answer any question, and don't have to talk about anything you don't feel comfortable talking about. You can also end the interview at any time. Your identity will remain confidential, and no one will be able to link you to what you have said here.

I'll be audio recording the interview so that I will remember the information you tell me as accurately as possible. Once I type up what is on the tape, I will erase the tape. You can tell me to turn off the recorder at any point or decline to be recorded altogether.

Do you have any questions before we get started? You can also ask them as we're going along. If you're ready, let's get started with the interview.

## Pre-Interview Questions

1. How old are you?
2. How would you describe your race or ethnicity?
3. If Indigenous (American Indian), what tribe are you a member of?
4. How would you describe your gender? (Ex: Are you female? Male? Transgender?)
5. How would you describe your relationship status (e.g. single, married, divorced, widowed)?
6. How would you describe your sexual orientation? (Ex: Are you lesbian? Gay? Bisexual? Queer? Some other label?)
7. What is your preferred gender pronoun – do you prefer she, he, or something else? (In other words, if I were to refer to you, would I refer to you as she, he, they??)
8. Let's come up with a name that I can use when I write about you, that's not a nickname anyone else calls you. Maybe a name you like, or wish you would've been named? Or even something that describes the way you see yourself?

### I. Life History Questions

1. Can you tell me a little bit about where you grew up?
  - a) Let's talk about your family growing up: who did you live with growing up? How would you describe your family life growing up? How would you describe your relationships with the members of your household growing up?
    - i. Did you ever have conflicts with your family growing up? What were these conflicts about?
    - ii. How would you describe your relationship with the family you grew up with, as of today?
  - b) Let's talk about your current living situation: who all do you currently live with?
  - c) How would you describe your relationship with those you currently live with?
  - d) Have you lived mostly in the same place or have you moved around a lot?
  - e) Have you ever been without a steady home or homeless for an extended period of time? Can you tell me more about that period in your life?

2. Do you have any kids?
  - a) Can you tell me about your relationship with them?
  - b) What do you find the most rewarding about parenting? How about the most difficult?
3. Would you consider yourself to be religious or spiritual? Can you tell me a little about that?
4. Do you do anything now to earn money?
  - a) If YES: What sort of work do you do? Full time or part-time? Is it important for you to work? How is this job similar to past jobs you have held? What about this job is similar/different? How long have you worked there? Would you like to stay at this job?
  - b) If NO: Can you tell me about the ways you support yourself? What barriers do you face in gaining employment? How did your last employment come to an end?
  - c) For all: What is the longest amount of time you have spent unemployed?
5. What is the highest level of education you have completed?
6. What other sorts of activities, hobbies, or groups do you participate in when you have spare time?
7. Can you tell me about your history of relationships with significant others (spouses, partners)? How would you describe the quality of those relationships? Can you tell me about challenges or conflicts you've faced in your romantic relationships?
8. How much control do you feel you have over your life? Are you satisfied and/or happy with the direction of your life?
9. Thinking about your overall health status – how would you describe that?

## II. Experiences with Services and with the Tribe

1. Have you or a close family member had any interactions with your local police, courts, and/or prisons/jails? Can you tell me about how that experience came about? Can you walk me through the interaction?
2. Have you had any interactions with your local service providers? Can you tell me a bit about what led you to reach out to them? To what extent would you say they met your needs or helped you with the service you requested?

3. Can you describe your attitudes/relationship toward your tribe? Have you reached out for help of any kind to them? To what extent would you say they met your needs or helped you with the service you requested?
4. Do you have friends who are part of a tribe that is federally recognized? How do you think your experiences differ from their experiences? How are your experiences similar.
5. Do you have friends who live on reservations? How do you think your experiences differ from their experiences? How are your experiences similar?
6. What about friends/acquaintances of other races? How do you think your experiences as (insert tribe name here) differ compared to your friends/acquaintances of other races?
7. What do you think are the biggest challenges facing (insert tribe here) peoples?
  - a) What are the different challenges facing men, women, and children?
  - b) What are the challenges faced by the neighborhoods and/or tribe?
  - c) How do you think (insert tribe here) people can overcome these challenges?
  - d) What do you think other people outside of the tribe can do to help (tribe) people overcome these challenges?
8. How has being a member of a federally unrecognized tribe mattered in your life?
9. How do you think federal recognition would affect your life?

Now I'd like to talk about your plans for the future.

10. What are your goals for your own future?
  - a) Where do you see yourself in five years?
  - b) Describe how you think the tribe should be able to help you achieve your goals?

### **III. End of Interview Questions**

We're almost finished with the interview! I wanted to provide you the opportunity to answer some questions about the interview process as well as provide some final thoughts.

1. Is there anything else you'd like me to know about you, anything at all?
2. I'll be asking these questions of additional Indigenous women as well. Is there something I've missed in these questions that's important and that I should ask in the future?

- a) IF THEY OFFER A QUESTION: Ask question they just proposed.
  - b) (Also should ask the questions other narrators recommended if useful)
3. I'm very glad you agreed to speak with me today. May I ask why you decided to participate?
  4. Any final thoughts you would like to finish with today?

Thanks so much for talking to me today!

[Ask this of everyone] I was very interested to hear your experiences with *xyz*, would you perhaps be interested in completing a follow-up interview about that topic at a later date?

## VITA

Brian A. Pitman, M.A.  
 Department of Sociology and Criminal Justice  
 6031 Batten Arts & Letters  
 Norfolk, VA 23529

Education

- Ph.D. Criminology and Criminal Justice, Department of Sociology and Criminal Justice Old Dominion University, *August 2019*.  
 Dissertation: ‘...make them disappear with a piece of paper.’: *Understanding the Lived Realities of Federally Unrecognized Indigenous Women in the Southeast*.  
 Chair: Dr. Mona Danner
- M.A. Criminology and Public Sociology, University of North Carolina Wilmington, 2015  
 Thesis: *American Indian Homicide in North Carolina: An Examination of the Impact of Structural and Economic Factors*  
 Chair: Dr. Christina Lanier
- B.S. Criminal Justice and Sociology, University of North Carolina Pembroke, 2012.  
 Minor: American Indian Studies

Peer Reviewed Publications

- Pitman, Brian, Asha Ralph, Joy Camacho, & Elizabeth Monk-Turner. 2017. “You Mind Putting Out Your Cigarette Please? Social Media Users’ Interpretations of the Sandra Bland Arrest Video.” *Race & Justice* doi: <https://doi.org/10.1177/2153368717705420>
- Graham, Roderick & Brian Pitman. Freedom in the wilderness: A Study of a Darknet space. *Convergence* doi: <https://doi.org/10.1177/1354856518806636>

Selected Papers and Presentations

- Lynch, Caitlin G. & Brian Pitman. “The Role of Hypermasculinity in Police Officer Deaths in the United States.” Paper presented at the annual meetings of the American Society of Criminology in Atlanta, G.A.
- Pitman, Brian & Mona Danner. “‘...make them disappear with a piece of paper’: Understanding the Lived Realities of Federally Unrecognized Indigenous Women in the Southeast.” 2018. Paper presented at the annual meetings of the American Society of Criminology in Atlanta, G.A.