

STUDENT

Many Nations of Native America: Section H  
Professor Boyer  
16 October, 2015

O'er the land of the free and the home of the brave?

How would America be today if there was a mutual understanding of views from the Native American peoples that these lands were originally theirs? How much of an impact is rooted in the culture and identities? What if we did not force them to give up so much? By trying to discover what the meaning of sovereignty and comparing that definition to what it meant for the Native Americans helps suggest the importance of how looking back in today's society of taking away their lands was morally wrong. Moral values of the traditional past compared to the contemporary, and the push of expansion through the Americas, had a severe affect on Native Americans because of how Natives defined themselves through a strong connection to the land. The definition of sovereignty and the complexity of how it can apply to the Native Americans as individuals, and vice versa, is the believed right for other cultures to feel they have a God given right to expanded their cultures, shows these impacts. Along with the impact and force of colonization, the expansion of film and culture in America has affected the Native peoples, with the harsh stereotypes it causing them to begin questioning their own identity and creating their own identity in a modern society to correct these stereotypes (cite). Issues of sovereignty still impact Native America today.

In the article titled "Myths and Realities of Tribal Sovereignty," Joseph Kalt and Joseph Singer give the basic definition as follows "Sovereignty is self-rule" (6). The authors compare how Native American tribes use this to ask questions about themselves, and when they give answers or even ask it allows for them to have their

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own self rule of how they identify their systems of government, culture, and ways of life.

Through sovereignty, Native Americans establish themselves as self-governing groups of peoples that have been located in North America for a long time. The problem that occurred during expansion from the colonized societies involved a conflict between tribal sovereignty and a lack of colonial understanding of this inherent right. In the beginning when tribes had very strong sovereignty this allowed for the United States to respect and protect the rights of the Native Americans (Kalt 9). Sovereignty was able to make treaties and gain some respect for tribes, when they created a self governing system that made the United States understand their importance.

However, when the United States needed to expand further and further west, it was brought on by the concept of Manifest Destiny, which was the religious right for Christians and Catholics to be able to expand through the Americas because it was their god given right (cite). Even though the tribal nations were respected, the Doctrine of Discovery allowed for the "European monarchies treated indigenous land as 'unoccupied,' as long as Christians were not present. Status of a 'human' was based on religion" (New York Yearly Meeting).

Papal bulls were documents that had the power of the Pope and other high religious authorities that allowed for them to feel they have a higher sense of power because they were not Catholic or Christian and that made them uncivilized, thus keep pushing the Native Americans more and more (cite). This resulted in problems because of arguments against the monarchies, thus having killings, feuds, slaves, rape, and taking away Native identities. The reason why of taking these identities because they related so much to the landscape and how that effected them as a society. Which is what

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biocultural diversity represents “the diversity of life in all of its manifestations -- biological, cultural, and linguistic -- which are interrelated... within a complex socio-ecological adaptive system” (Columbi). That the Native Americans are so attached to where they live, creates their identity of who they are as a society, where they came from, and how they represent themselves through the land itself. So the land that the Native Americans tribes placed themselves and where they live, creates their own sovereignty and when that is taken away from them it is so important that they cannot find who they are as a tribe.

Throughout the expansion of the United States allowed for several court rulings and concerns for both the United States and Native American tribes, because of who land goes to legally from the law of the Doctrine of Discovery. *Johnson v. M'Intosh* allowed for those to question why and who receives the Native land, and was ruled by the Supreme Court and John Marshall. “Marshall declared Indian nations held title that could only be extinguished to the Federal Government” (Byrn, date). This then allowed the Federal Government of the United states to be able to gain control over Native land when sold, yet when still owned by the Native's in other Supreme Court cases the United States cannot have any authority. This then allows for partial sovereignty to occur because the Natives where still in control of what they can do, yet their lands were beginning to be taken away from even more by the Indian Removal Act.

The Indian Removal Act was signed by President Andrew Jackson, and forced many tribes to be removed to the West side of the Mississippi River. This act was also the formation of reservations for the tribes, and especially in Oklahoma because that is where a lot of tribes were forced to relocate (Byrn, date). This decision from the Federal

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**Comment [9]:** No. This case made it so they were not at all in charge. By having no control of their lands, they had no control.

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Government to move, Native American tribes displays the loss of sovereignty they had.

By allowing them to have control of jurisdiction and laws in their areas, yet keep relocating them and forcing them into smaller and smaller locations, shows how little power they had and try to put up a bigger fight of defining who they are as a nation. The land is very important in their self-identification, because sacred places were sold and taken away. Also, the lands they were removed to did not allow them to function agriculturally. This relates how today Native Americans are still trying to keep lands and sacred sites from being taken away from them. These examples show that sovereignty has been forced to be weaker by the laws and treaties that the United States won and forced upon them.

Lastly, in today's modern age Native American cultures are trying to regain Visual Sovereignty, which is reclaiming the representation of Native American people through the arts, history, getting rid of the stereotypes and finding the power and authority that they have, because the negative ways they have been displayed in the media in the past (Badoni, date). By trying to change the preconceived idea of what audiences have of Native Americans in films, by being the bad guy and scary. Or even changing the media from the inside out, of how Native Americans can be alcoholics and maybe displaying that for other Native Americans to change their own alcoholic ways because they don't want to be cast personally in that stereotype (Boyer, date). So in today's society Native Americans are still trying to adjust their sovereignty through the visual uses, which in turn will give them a better understanding of their own culture and change the prejudgements because of past events.

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**Comment [10]:** Here you seem to be talking about *Worcester v. Georgia* – but do not specifically state this. That becomes a bit confusing in terms of essay structure.

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Native Americans have battles for sovereignty since the beginning of first colonization of North America, by trying to find who they are as a society and culture. In that culture they identify so much with the land, so when being forced to move and relocate it changes and shifts their sovereignty of how they can adapt onto the reservations or with the Federal Government, with trying to fight for what is theirs. Finally within the popular culture of today and try to adjust their own sovereignty through the visual arts.

## Works Cited

Badoni, Georgina. "Native American Visual Sovereignty" Gallagher Theatre, Tucson. 14

Oct. 2015. Lecture.

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Byrn, Johnathan. "The Marshall Trilogy and Removal." Gallagher Theatre, Tucson. 9 Sept. 2015. Lecture.

Colombi, Benedict. "1493: Ecological Imperialism and the Biological Expansion of Europe AD 900 to Present" Gallagher Theatre, Tucson. 31 Aug. 2015. Lecture.

Kalt, Joseph P, Joseph Singer. "Myths and Realities of Tribal Sovereignty: The Law and Economics of Indian Self-Rule." *Faculty Research Working Paper Series*. (2004): 1-44. Print.

New York Yearly Meeting. "What is the Doctrine of Discovery? Why Should it be Repudiated?" 2012. URL: [http://www.nyym.org/?q=doc\\_of\\_disc\\_factsheet](http://www.nyym.org/?q=doc_of_disc_factsheet)

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STUDENT,

There are some good areas within this essay. I really liked some of the areas where you discussed self-identification as it pertains to lands, environment, and sacred sites. The last paragraph where you discuss contemporary issues was also good.

I would have liked to see a bit more about tribal sovereignty and how it was affected by different decisions, either court cases, acts, or other documents. You do mention some of these, but do not directly answer the question of "how" this affected tribal sovereignty.

Your sentence structure sometimes distracts from your overall argument within the essay. Sometimes sentences are spliced together, redundant, or are partial sentences, have strange verb choices, etc. I think some of this can be worked on throughout the course and working on other assignments.

I would suggest perhaps completing a rough draft of the upcoming research paper –so that you and I can work through some of these issues before it is graded.

Again, I do like a lot about your essay, but there are some areas that need improvement, and in some areas you do not fully approach the goal of the essay topic.

Please let me know if you have any questions.

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