

# Indigenous Claims

Colonial history, the state and the present global system

# In the Light of Reverence

Clashes over naturalized views of:

religion

property

“progress”

history

# religion: “I don’t see it”

1st amendment:

“Congress shall make no law respecting an establishment of religion

“or prohibiting the free exercise thereof”

disagreements over means of protection

# American Indian Religious Freedom Act

1978

validate rights already there- issues:

scared sites

scared objects

need for privacy (in “public” places)

- “On and after August 11, 1978, it shall be the policy of the United States to **protect and preserve** for American Indians their **inherent right** of freedom to believe, express, and exercise the traditional religions of the American Indian, Eskimo, Aleut, and Native Hawaiians, **including but not limited to access to sites, use and possession of sacred objects, and the freedom to worship through ceremonials and traditional rites.**”

# History...who knows it?

colonial dispossession / genocide

boarding schools/missions

reservations & the 'land grab'

treaties

# dispossession

international context: struggles for sovereignty

legalized dispossession:

legal-treaties/laws

land/resources taken -violent clashes

# managing 'the natives'

Administration = integration

government structure

racial projects

control = institutionalized (schools/missions etc.)

# National Acts

Indian Removal Act (1830) -reservations

Dawes Act (1887)

blood quantum

state sponsored discrimination

Indian Citizenship Act (1924)

# Treaties and sovereignty

Treaties between states recognized sovereignty

Article VI section 2 of the **United States Constitution** declares treaties to be:

“the supreme law of the land” and

“judges in every state shall be bound thereby”

Contradictions

laws, military action, judicial decisions

# Treaties and the state (changes)

Marshall Trilogy (1821-1832)

“doctrine of discovery”

established “trust relationship”

denied property rights

370+ treaties with Native Americans

treaty paradox

# Contemporary Battles

linked to:

colonial dispossession and resource reallocation

denial of treaty rights

re-use of “progress” narrative (‘development’)

continued denial of indigenous rights