Science Diplomacy with U.S. Indigenous Peoples

Science Diplomacy 2015: Scientific Drivers for Diplomacy
Session on Earth and Environmental Sciences

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The five minute version

The historical context within which any scientific diplomacy with Indian tribes will occur
The U.S. treaty period, 1778–1871

First treaty between the U.S. and American Indians: With the Lenni-Lenape (Delaware) in 1778 (Treaty of Fort Pitt; in essence a treaty of alliance against the British and recognizing the Lenape as a sovereign nation)

- By 1779 the Lenape were expressing grievances about the treaty, and ended up as allies with the British

Last: Formal treaty-making with tribes ended by statute on March 3, 1871 (with a flurry just before that), often cited as the end of the treaty period, but the “10-Cent Treaty” of 1904 with the Turtle Mountain Chippewa also has a claim

Overall, nearly 400 treaties signed with the tribes, by which Indians were forced to surrender claim to over a billion acres of land
Nature of treaties

- Most required (a) surrender of Indian land to U.S. in trade for (b) having Indian rights to other lands guaranteed inalienable “as long as grass shall grow and water run”
  - Part (a), at least, was rigorously enforced

- Treaties often also required
  - Annual payments to Indians, many of which were never made
  - Certain services, such as free medical care and education, only part of which was forthcoming
A series of decisions by John Marshall’s Supreme Court, including:

- Cherokee Nation v. State of Georgia, 1831: Indian tribes constitute “domestic dependent nations”
- Worcester v. Georgia, 1832: Cherokee Nation was actually sovereign, Georgia could not enforce state laws within its territory, U.S. Indian Removal Act (leading to the Trail of Tears) was illegal, unconstitutional, and violated treaties made by the U.S.
Jackson just plain refused to abide by the decision

Possibly apocryphal, but correctly represents Jackson’s attitude: “John Marshall has made his decision; now let him find the troops to enforce it!”

His actual recorded statement, in a letter to John Coffee: “…the decision of the Supreme Court has fell still born, and they find that they cannot coerce Georgia to yield to its mandate.”

Sent the Army to implement the Indian Removal Act, sending the Cherokee and other tribes to Indian Territory (now part of Oklahoma)
To learn more (the one hour version)
“Those who cannot remember the past are condemned to repeat it”
(George Santayana, *The Life of Reason: Reason in Common Sense*. Scribner’s, 1905: 284)

And American Indians have a strong tradition of remembering the past.
Promises made of benefits to the tribe from a scientific partnership *must* be scrupulously kept, within the promised time frame.

And *all* science done by others on Indian land or involving Indian tribes is a scientific partnership.
Recognition that tribal entities are not just another regional governmental authority

- Difference can be subtle, but *must* be understood and appreciated when working with tribal groups
  - Residents of, say, a county in Michigan, and, similarly, citizens of a reservation, may not like some scientific endeavor being done on private land in that political entity
  - The reservation-based people will generally have much more of a sense that this is a violation of their right to control what is being done
    - Extends beyond reservations. Classic example: Big telescopes on Mauna Kea
Do seek partners, but be aware of what they can contribute

- Tribal colleges are, in theory, more likely to have geoscience degree programs than almost any other type of community college
  - Almost all are sustainability or resource development programs

- Discover and respect what their faculty can contribute to a scientific endeavor
  - An entry to the community
  - Remarkable knowledge of the local environmental and geophysical parameters
Recognition of cultural and historical differences

What is good for one tribe of people, may not be good for another; a program that solves the problems of one tribe, may not solve the problems of another. This is true because of differences in early culture, location, resources or lack thereof, religion, education or tradition. Consequently, no single, national policy can fit the needs of every Indian individual or tribe. — Ross O. Swimmer, former Principal Chief of the Cherokee Nation of Oklahoma

- Diplomatic interactions with tribes require
  - Knowledge of historical and current culture
  - Knowledge of historical and current interactions with other tribes and the majority culture
  - Knowledge of the power structure of the tribe
Recognition of complex attitude by Native people toward traditional Native religions, spirituality, and cultural imperatives

- It’s not always what non-Natives think
- Spirituality can be “oriented on subjective experience and psychological growth independently of any specific religious context” (Wikipedia)
- A good way to get tossed off a rez: Start talking about Native “superstitions”; Native “myths” not quite as bad, but still can be offensive
Some further suggested principles for diplomatic interactions with U.S. tribal groups

Selected points from the Bali Principles of Climate Justice, 8/28/02

3. Climate Justice affirms the rights of indigenous peoples and affected communities to represent and speak for themselves.

5. Climate Justice demands that communities, particularly affected communities, play a leading role in national and international processes to address climate change.

18. Climate Justice affirms the rights of communities dependent on natural resources for their livelihood and cultures to own and manage the same in a sustainable manner....

20. Climate Justice recognizes the right to self-determination of indigenous peoples, and their right to control their lands, including sub-surface land, territories, and resources....

21. Climate Justice calls for the education of present and future generations, emphasizes climate, energy, social and environmental issues, while basing itself on real-life experiences and an appreciation of diverse cultural perspectives.
Examples of great diplomacy and one of its worst failures

+++ The Navajo Nation Math Circles Project
  For more information: Tatiana Shubin, Department of Mathematics, San Jose State University

--- What has happened to traditional Native lands and peoples as part of the Alberta tar sands projects
  See http://www.ienearth.org/what-we-do/tar-sands/
One final suggestion about diplomacy with tribal groups or indigenous peoples in general

- **Do not** substitute, for genuine diplomatic interchanges conducted respectfully, a representation of what one or a few (possibly prominent) American Indians believe is acceptable
  - An old tactic, remembered with bitterness by many
An example

- Charles Curtis, 31st Vice President of the U.S, 1929–1933, enrolled member of the Kaw American Indian Nation, who grew up on the Kaw Reservation.
  - An aside: Try asking others who was the first person of color who won a national election in the U.S., and see how many can give you the right answer.

- As a member of the U.S. House of Representatives, he was author of the Curtis Act of 1898 that dissolved the Cherokee, Chickasaw, Choctaw, Muskogee, and Seminole Reservations in Oklahoma. There have been major negative consequences.

- Was the dissolution of those reservations okay because a prominent American Indian thought it was okay?
  - In fairness, Curtis was not completely happy with the final version passed by Congress, but still believed that those tribes needed to give up their reservation-based way of living.