

“You Can’t Be Indian Because They’re All Dead”

by Barbara Child

a response to

We’ll Build a Land: The Invention of Race as a Tool of Empire

by Michael Tino

Ohio River Group, November 11, 2014

I was only half listening to “Morning Edition” on my local NPR station, WFIU in Bloomington, Indiana. But then I heard this woman recalling a conversation she had had as a teenager with a little girl next to her on a bus:

And she turns to me – and she’s a little blonde girl – and she goes, “What are you?” And I laughed, and I said, “Well, I’m Native American,” I said, “I’m, you know, Creek and Sac and Fox.” And she goes, “What?” And I say, “I’m Indian.” And she goes, “No you’re not.” And I said, “Yes I am.” Now we’re having this fight, you know, this fourteen-year-old kid and this six-year-old kid, back and forth. And then finally she goes, “You can’t be Indian.” And I said, “Why not?” And she goes, “Because they’re all dead.”ⁱ

I was stopped in my tracks. It was as if the purpose of the Doctrine of Discovery had finally been fulfilled. Not only had the lands on which Native American peoples lived become *terra nullius* but also the peoples themselves had become *populus nulus*. They didn’t exist. They were people who were not there.

In the videos the UUA provided to educate us about the Doctrine of Discovery before the 2012 resolution to repudiate it, Steve Newcomb of the Indigenous Law Institute captured for me most powerfully the effect of the Roman law of *terra nullius* – “60,000 years of culture wiped out because their ancestors were made null and void.”ⁱⁱ Newcomb focuses on the effect of outlawing a language – destroying a way of thinking as well as behaving. He calls it “linguicide.”ⁱⁱⁱ The enemy then is not people but a system of thought.

And there we have it. The six year old on the bus exemplifies a system of thought that was able to take hold in this country including the belief that Indians don't exist. They're all dead. That six year old is not an anomaly. Here is another child, a boy of about five or six, who along with his mother witnessed "two skinny kids, no more than 15 years old" come into the restaurant where they were eating, grab the cash box, and run. The child's mother described to him the two black thieves as "those horrible people." Patricia J. Williams was sitting at a nearby table, and she describes the child's response: "His piping little-kid voice carried well as he cheerfully imagined the pain he'd inflict [if he caught such a robber]. He'd clearly thought this through, and when he mused about boiling entrails and how you have to drain the blood before you put the severed head on a pike," he evoked English jurist Blackstone's description of the gothic punishment for high treason.^{iv} Williams was impressed, she says, but also unsettled. Williams teaches at Columbia Law School; she is black.

There is a special irony in her title for this column in *The Nation*, "Dangerous Children." In it she compares the white child who would happily dispatch "those horrible people" to the "dangerous children" held in the United States today in juvenile detention. She reports that there are documented records of "systemwide maltreatment of minors" in 42 states. And while most incarcerated teens admit doing something illegal, the ones behind bars are mostly youth of color - in New York City where Williams lives, for instance, 94% of them. Her poignant conclusion:

There is a vast gap between the dangerous white child, whose lawyerly loquacity elaborates the violent punishment he would mete out to "those people," and the dangerous black child for whom there is no sufficient language with which to make a claim for his existence.^v

There it is again - the effect of what Newcomb calls "linguicide" - the absence of the very language needed to articulate an appropriate way of thinking about people whose existence has become null and void.

How on earth did we get to such a state of things? I am grateful to you, Michael Tino, for your summary of the history and current effects of

the Doctrine of Discovery, both in your paper and in your jubilant interview filmed right after the passage of the 2012 UUA resolution repudiating the doctrine. My reading tells me that our investigation of a doctrine making much of the import of race does well to include investigation of the import of religion in relationships among the Abrahamic peoples in medieval Iberia before Christopher Columbus made his way west under the patronage of Ferdinand and Isabella.^{vi}

When the Muslims governed Iberia, not so long before that journey, Christians and Jews were yet able to thrive there with no persecution. Still, when Granada fell in 1492, ending Muslim rule in Iberia, Ferdinand and Isabella forced the Muslims and Jews to leave, convert to Christianity or be killed. Jews did not have as hard a time of it in late 15th century Christian Iberia as Muslims at least in part because historically Muslims were “Saracens” or “Moors” and so, that is, thought of as black.^{vii}

But that was then. What about now? I remind myself to maintain focus here not simply on evidence of racial prejudice in individuals but instead on race as a tool of empire – systematic governmental take-over by way of obliteration of a people. All right then. Here is my balance scale.

On the one side:

Item – The killing of Michael Brown in Ferguson, Missouri, happened on the same street as the cemetery a few miles away where Dred Scott is buried, Dred Scott being the slave who in 1857 fought for his freedom in court and lost, giving his name to the U.S. Supreme Court decision ruling that African Americans could not ever be citizens of this country. The case also declared the Missouri Compromise unconstitutional and opened up new territories to slavery. The proximity of Dred Scott’s grave to the ground where Michael Brown fell dead at the very least gives rise to the question whether blacks today are truly recognized “as full citizens, as full people.”^{viii}

As of this writing, we do not know whether the grand jury will indict Darren Wilson for breaking any law when he shot Michael Brown. However, irrespective of Wilson’s fate at the hands of the law, we are in conversation here about empire. The opinion of one person about black

people, even the opinion of a police officer who shoots an unarmed man, may ultimately not be so telling as the continuing militaristic response of law enforcement generally throughout the area long after the killing,^{ix} including the disempowering of the black head of the Missouri State Patrol, Captain Ron Johnson.^x And this month questions have arisen in the media about the no-fly zone imposed on the area for days after the killing and whether its purpose was to keep the media from reporting fully and accurately about what was happening there. At least potentially here is another instance of linguicide.

Item – Karen Armstrong, in her book on fundamentalism, reminds us that among Christian fundamentalists in this country these days are the Reconstructionists, who would among other things reinstate slavery.^{xi}

Item – Bob Burnett, writing in *The Progressive Populist*, offers a three-part explanation for the persistence and malignancy of racism: (1) economic inequality, with the median white household income 72% higher than the median black household income in 2011; (2) the prevalence of a conservative ideology including the belief “that if you are disadvantaged – poor, sick, elderly, or just down on your luck – you should suck it up because it only takes willpower to become triumphant” ; and (3) a lack of focus on the elements of racism that are all around us, evident in such phenomena as for-profit prisons that target black and Latino men, laws that make it harder for them to vote, and laws that make it easier for black people to be shot and the shooters acquitted.^{xii} As Gary Younge put it in this week’s *Nation*: To be young, black, poor and (usually) male is, in the eyes of the American state, to be guilty of something. The details will be worked out later.”^{xiii}

On the other side of the balance scale:

Item – Ronald Takaki has achieved considerable renown as a scholar who has made multiculturalism a widely understood and respected concept. Not only does he give us insight into how the slave trade grew and flourished;^{xiv} he also asks us to revisit Frederick Jackson Turner’s interpretation of “frontier” and the manifest destiny of Americans not only as white people transforming the wilderness but as a people also transformed by their encounter with wilderness and the

indigenous peoples there.^{xv} Takaki goes further, inviting us to notice that “[t]he war against Nazi Germany with its ideology of Aryan supremacy forced us … to face the inconsistency between our ideals and our treatment of racial minorities.”^{xvi} And he gives us in *A Larger Memory*, a collection of voices, a great multicultural collection of actual voices that might even just give the lie to linguicide in this country.

Item – Louise Erdrich’s *The Round House* is of course a work of fiction, but we know that fiction often tells more important truths than purported non-fiction. So when in this novel tribal judge Bazil Coutts patiently explains to his son Joe the import of *Johnson v. McIntosh*, we come to see the noble purpose of Coutts’ refusal to throw up his hands and resign from his tribal judgeship. He says:

These are the decisions that I and many other tribal judges try to make. Solid decisions with no scattershot opinions attached. Everything we do, no matter how trivial, must be crafted keenly. We are trying to build a solid base here for our sovereignty. We try to press against the boundaries of what we are allowed, walk a step past the edge. Our records will be scrutinized by Congress one day and decisions on whether to enlarge our jurisdiction will be made. … What I am doing now is for the future…^{xvii}

If Bazil Coutts can maintain hope and purpose, then who on earth are we not to?

Item – In another *Nation* column, Patricia Williams writes of a play called *I, Too, Am Harvard*, written by sophomore Kimiko Matsuda-Lawrence and a “broad coalition of classmates.” The first act shows the wide diversity of Harvard’s black students; the second shows what they have in common. “They are treated with open disdain… They are figured as criminals… Their sexual prowess is interrogated, their beauty denigrated.”^{xviii}

So why do I put this item on the plus side of my balance scale? Because in their own voices, like the voices in Ronald Takaki’s book, these students offer a revelation for all who have ears to hear. They are anything but null and void. In addition to the play, they made a gallery of

photos on Tumblr (#ITooAmHarvard), showing themselves holding up signs with real comments classmates and supposed friends made to them – comments like “You’ re really articulate for a black girl” and “Are you all so fast because you spend so much time running from the cops?” They include some of their responses as well, such as “No, I will not teach you how to ‘twerk’ ” and “Please don’ t pet my hair, I am not an animal.”^{xix}

Williams’ point is that #ITooAmHarvard represents an emerging nationwide movement led by students of color, and joined by a great variety of other groups of marginalized people who know what it is to be bullied. She concludes: “Together, they have begun a new kind of dialogue about belonging and worth.”^{xx} Again, no linguicide here!

Item – I return finally to the two kids on the bus. The then fourteen-year old Indian was Terri Miles, now a graduate student at Indiana University and an officer of the Native American Graduate Student Association. She told her story on NPR as part of the promotion for the 4th Annual Traditional Powwow at IU the first weekend of this month, Native American Heritage Month. There aren’ t many Native American students at IU. But the powwow attracts hundreds of visitors each year. It is co-presented by the Office of the Vice President for Diversity, Equity, and Multicultural Affairs and the First Nations Educational and Cultural Center.

The history behind the powwow is worth mentioning. During the 1800’ s when Native peoples were driven from their homelands and prevented from engaging in their ceremonies, there was one exception – the Wild West show. Indians were allowed to dance in these shows, but only on the Fourth of July, Flag Day, and Veterans Day. The Indian Reorganization Act of 1934 removed the ban on performance. Today the powwow circuit flourishes more in the American West and in Canada than east of the Mississippi.^{xxi} But in spite of Indiana’ s demographic reality, IU’ s success with annual powwows is worth celebrating. No linguicide here!

So which side of my balance scale holds the heavier weight?
Perhaps you, my ORG colleagues, will have something to say about this.
But before I finish,

A Post Script

Michael Tino, you and Steve Newcomb stress that repudiation of a doctrine is not enough. As you say, our theology calls us to establish right relations not only with our brothers and sisters but also with the earth. With this on my mind, a few nights ago I happened upon the “Sunbeams” page in this month’s *The Sun*. And there I found this:

We will go out into the world and plant gardens and orchards to the horizons, we will build roads through the mountains and across the deserts, and terrace the mountains and irrigate the deserts until there will be gardens everywhere, and plenty for all, and there will be no more empires or kingdoms ... no more rich and no more poor, no killing or maiming or torture or execution, no more jailers and no more prisoners, no more generals, soldiers, armies or navies, no more patriarchy, no more caste, no more hunger, no more suffering than what life brings us for being born and having to die, and then we will see for the first time what kind of creatures we really are.^{xxii}

Drawn by Kim Stanley Robinson’s vision of what we have the capacity to make of this world -- without empires, without kingdoms - I close with the words of the poet Adrienne Rich: “My heart is moved by all I cannot save: so much has been destroyed I have to cast my lot with those who, age after age, perversely, with no extraordinary power, reconstitute the world.” Likewise, I cast my lot with those who see what needs to be done and set about getting on with it.

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i Conversation captured in print at <http://indianapublicmedia.org/arts/fourth-annual-powwowcelebrating-community-enacting-culture-at-IU's-powwow>, 10/31/14.

ii Newcomb, author of *Pagans in the Promised Land*, and featured presenter at the Parliament of World's Religions Conference on the Christian Doctrine of Discovery, 2009, <http://uua.org/multiculturalism/dod/230890.shtml>.

iii Newcomb, speaking at Indigenous People's Forum at Arizona House of Representatives, 2012, *id.*

iv Williams, "Dangerous Children," Regular Column entitled "Diary of a Mad Law Professor," *The Nation*, 11/03/14, 10, at 10.

v! *Id.* at ll.

vi! See Maria Rosa Menocal, *The Ornament of the World: How Muslims, Jews, and Christians Created a Culture of Tolerance in Medieval Spain*, 2002.

vii *Id.*, see "In the Alhambra: Granada, 1492," at 244–52.

viii See Amy Goodman, "The Ghost of Dred Scott Haunts Streets of Ferguson," *Progressive Populist*, 9/15/14, 22, at 22, quoting in part John A. Powell, professor of law and African-American studies at the University of California, Berkeley.

ix See Jim Hightower, “The Lesson from Ferguson,” *The Progressive Populist*, 9/15/14, 3, at 3.

x See Paul Rosenberg, “White Power Won’t Give In,” *The Progressive Populist*, 9/15/14, 1, at 8.

xi! Armstrong, *The Battle for God: A History of Fundamentalism*, at 361.

xii Burnett, “Racism: What’s the Problem?” *The Progressive Populist*, 7/1–15/14, 11, at 11.

xiii Younge, “The Price of Transgression,” Regular Column entitled “Beneath the Radar,” *The Nation*, 11/17/14, 10, at 10.

xiv Takaki, *A Larger Memory: A History of Our Diversity, With Voices*, 1998, Introduction to “Part Three: A Manifest Destiny,” at 47–53.

xv Takaki, Introduction to “Part Four: A Multicultural Destiny,” at 155–56.

xvi! *Id.* at 157.

xvii! Erdrich, *The Round House*, 2012, at 229–30.

xviii Williams, "I Am, We Are," *The Nation*, 3/31/14, 10, at 10.

xix! *Id.*

xx! *Id.*

xxi <http://indianapublicmedia.org/arts/fourth-annual-powwowcelebrating-community-enacting-culture-at-IU's-powwow>, 10/31/14.

xxii! Robinson, quoted in *The Sun*, 11/14, at 48.