# The Politics Classroom

Episode 2021.15: Indigenous Sovereignty in the United States
Host: Professor Kate Floros
In The Classroom: Professor Anton Treuer (Bemidji State University)

[00:00:00] **Professor Floros:** Welcome to The Politics Classroom, a podcast of UIC Radio. I'm Professor Kate Floros, a faculty member in the Political Science Department at the University of Illinois at Chicago. In the United States, we've just finished celebrating Thanksgiving, which supposedly commemorates the celebration of a successful harvest between Native Americans and the Puritan settlers they helped adapt to their new home.

This year marks the 500th anniversary of this first Feast of Friendship. But is the story we learned in elementary school actually based in fact? And what do most Americans actually know about the Native people who lived in the Western Hemisphere before Europeans even knew it existed, or their present day descendants?

Today, we're going to explore these topics and many more with Native American scholar, Professor Anton Treuer. So, let's get started in The Politics Classroom, recorded on November 30, 2021.

## Intro Music

You're listening to The Politics Classroom, a podcast of UIC Radio. You can find other podcasts, blogs, and the live DJ schedule at uicradio.org. I'm Professor Floros, and you can find me on Twitter @DrFloros. Today, I'm thrilled to welcome to the classroom, Professor Anton Treuer. Professor Treuer is a professor of Ojibwe at Bemidji State University in Bemidji, Minnesota.

He received his bachelor's degree in public policy and international affairs from Princeton University and his master's and PhD in history from the University of Minnesota. Professor Treuer has written many books, including The Language Warrior's Manifesto, The Assassination of Hole in the Day, Warrior Nation: A History of the Red Lake Ojibwe, and Everything You Wanted to Know About Indians But Were Afraid to Ask.

He is the editor of Oshkaabewis Native Journal, the only academic journal of the Ojibwe language. He has participated in speaking engagements all over the world about Indigenous history, language, and culture, and today he is here in The Classroom. Professor Anton Treuer, welcome to The Politics Classroom.

[00:02:46] **Professor Anton Treuer:** Thank you so much for having me. It's an honor to be on.

[00:02:49] **Professor Floros:** So, you grew up in Bemidji, Minnesota, and now you are back teaching at Bemidji State, so, you've kind of come in a circle. So, can you take us through the path and how you got from growing up there to coming back as a professor of Ojibwe language?

[00:03:07] **Professor Anton Treuer:** Yes. If you had this conversation with my high school self, I would have been telling you I am getting out of town and I am never coming back. And, uh, I, you know, I think a lot of high schoolers have that idea. I also probably naively thought that there was a way to escape the brambled racial borderland of my youth, um, and realized it would just follow me everywhere that I went, and there wasn't a way away from it. I just had to find a way through it. By the time I finished college, I probably entered college thinking I was going to go into the law and be a

politician maybe or something like that, and I completely abandoned those ideas thinking even if I was good at those things, I would have been miserable trying to do them.

And, uh, probably traumatized my parents completing college with an Ivy League education, and I said, I'm not taking a job. I'm not going to graduate school. I'm coming back home, and my plan is to walk the earth. I'm going to hang out with my elders. I'm going to learn about my language and culture. And I kind of stumbled into a life altering journey with one of our elders named Archie Mose, who I met right after college, went to see him and he, he was really quite old then. He had been born in a wigwam, didn't speak English until he was a teenager. He was, you know, a, a teenager, the first time he saw a white man and in his thirties the first time he saw a black man or a car. When I met him, he was in a modern house watching WWF Smackdown, you know, wrestling on a TV, laughing loudly.

And, uh, when I came in, he just turned, looked at me, shut off the TV, and he said, oh, I've been waiting for you. And I remember thinking that's so strange because he had never met me before, but he had a dream about someone. And I looked to him like the person he saw in his dream. And he kind of opened the door to me in an emotional sense, but you know, in a practical one too.

And I ended up living on his couch and driving him around to ceremonies. And I, you know, he could speak English though, not that well. I had a pretty immersive experience with our language and culture. Eventually, you know, my parents had said, you're a college graduate, so good luck paying for your food. We're done and had to take a job. And eventually I applied to graduate school with the thought that I'll put my language and culture to use, you know, doing oral histories and things like that. And since then, I've kind of worn a number of hats.

So, one of them is, you know, when Archie passed away, I ended up inheriting some of his ceremonial duties and obligations. So, I, I officiate at our tribal ceremonies, uh, life ceremonies, funerals, things like that. It's both liberating and a tether. I am obligated to be in my home community to carry out that kind of work. I often turn down jobs that would triple my salary and take me somewhere else because that would take me away from who I am and what I've promised to do with my life.

But it's also very liberating. I live on the property that I grew up in, in my home community. I raised my children there where they get to experience their culture and be part of and connected to their community rather than hunting for those things as adults, wishing that I had shown them more.

[00:06:43] **Professor Floros:** Okay.

[00:06:44] **Professor Anton Treuer:** And so that's one of the hats I wear is my kind of cultural service and community language work. I'm a professor now. And so, I teach our tribal language, history, and culture. And as you mentioned in the intro, I've written a number of books. So, they, you know, I'm trained formally as a historian, so some of them are history books. I've done a lot of work with language. So, some are language books, and some are kind of broad general reader type things, like the Everything You Wanted to Know about Indians, but Were Afraid to Ask.

As my career has gone on, I've also kind of donned another hat, which is that aside from my academic and community work, I do a lot of work around diversity, equity, and inclusion. So, I'm, you know, a regular facilitator at the National Summit for Courageous Conversation About Race. And I do a lot of work in K-12, higher ed, health professions, courts, and law enforcement around diversity, equity, and inclusion. Some of that is Native specific, but a lot of it is to the broadest issues and important toolbox related to that.

To me, all of those hats intersect with each other and feed each other in really healthy, positive ways. So, you know, my academic work feeds the DEI work and my language work and my cultural work and authenticity there, you know, accelerates my DEI work and ability to pull in multiple perspectives there. Keeps life interesting and fun. Um, but those are kind of the main hats that I wear, you know. Other ones are, you know, I'm a father and, uh, have actually nine children.

[00:08:27] **Professor Floros:** Wow.

[00:08:28] **Professor Anton Treuer:** Yeah. So, three of whom I, I ended up adopting and the others of my own making big, blended family. And yeah, and so I do my best to kind of raise them, you know, actively engaged with our culture. So, we, in addition to the ceremonial side of culture, we harvest wild rice and hunt and fish and do things like that. And I, I think those things are very positive, affirming experiences for the kids and kind of shape who they are in many ways.

[00:08:57] **Professor Floros:** Well, that's fantastic. And given that all you have on your plate, I am especially grateful for the time that you're giving me for the podcast. So, thank you again. I want to talk a little bit about some of what you just touched on, but before we get there, I want to talk about nomenclature for a second. So, what terms are appropriate and not appropriate to use when referring to the people who lived on the land before the Europeans arrived? So, Native American, Indigenous, Indian?

[00:09:27] **Professor Anton Treuer:** Yeah, it's a, it's a great question. And unfortunately, that's doesn't have a really simple answer. I would love for us to do like what they did in Canada where they had a big national conversation. The terminology there used to be Aboriginal or Indian. And they said, let's do away with those, you know, Chris Columbus got lost and thought he was in China or Japan or India, boom, and the label stuck. And let's use something else that speaks to our indigeneity and sovereignty and things like that. So, in Canada, they use First Nation and instead of calling the communities reserves, they call them First Nations and they call the people First Nations people, not too many syllables. Everyone knows who you're talking about.

They actually have three distinct Indigenous classifications in Canada. So, they are First Nation, Inuit for the Arctic Indigenous communities, and then Métis, which is kind of a Creole or hybrid, uh, culture and language that emerged throughout the 1700s and 1800s. Uh, and so those are the three distinct classifications there. Makes it a little easier.

Here in the US, we have not gotten that far. Um, so just like, you know, the black community has gone around and around. Is it black? Is it African American? Don't use colored people, but maybe people of color as opposed to being more inclusive, you know, and it's shifted and changed and, and that's why. Even just quoting Martin Luther King can be cringeworthy because so much of the terminology is now completely out of date. Um, so, you know, we've had this happen with other communities too, and that's kind of where we're at on the Native stuff here. As a general rule of thumb, Native, Native American, and Indigenous are all politically correct and pretty widely accepted, preferred by some folks.

But there is the National Congress of American Indians and the American Indian Movement who have said, let's use this to distinguish ourselves from our brothers and sisters in Canada and Mexico and things like that. And because it has specific meaning in public policy and law as a means of, you know, identifying sovereignty and tribal citizenship, not just ethnicity and race. So, there's some dispute and debate about those things in spite of them being less politically correct. They haven't quite died.

And for what I usually advise people to do, if you're part of a school, an organization, a nonprofit, or what have you, is just have this conversation with your Native stakeholders. Ask the parent committee. What do you want us to do? And whatever they say, you know, you can follow their advice and you'll be tuned in to your Native stakeholders and listening to them and empowering them. And if anyone gives you grief, you've got to get out of getting beat up around the ears card.

[00:12:25] **Professor Floros:** Sure.

[00:12:26] **Professor Anton Treuer:** And you can always respond to anyone else, well, thank you for your feedback. We revisit the subject on a regular basis, and I'll make sure your comments get to our Indigenous advisory group. And that's kind of a more politic way to, to handle it. For our conversation today, you may hear me use them all somewhat interchangeably as a means of establishing safe space, though I would love for us to get to Native Nation, you know, something like they did in Canada that's easy enough for all of us to get behind and pronounce and everything else.

[00:12:58] **Professor Floros:** Where you grew up was on a reservation, is that correct?

[00:13:02] **Professor Anton Treuer:** I grew up and it's actually literally right on the border. Like the property I live on today, some of it's on the res and some of it's off the res.

[00:13:10] **Professor Floros:** Oh, wow. Okay.

[00:13:11] **Professor Anton Treuer:** So, it's like literally straddling the border.

[00:13:13] **Professor Floros:** Oh, wow. You could write a whole book about that. Okay. So at least when you wrote the, What You've Always Wanted to Know book, you were not an enrolled member of the local tribe.

[00:13:28] **Professor Anton Treuer:** Uh huh.

[00:13:29] **Professor Floros:** So, has that changed at all? Can you talk about the difference between someone who is officially enrolled and someone who maybe just culturally identifies as Native? How do you determine who is and who isn't? Can you just talk a little bit about that?

[00:13:47] **Professor Anton Treuer:** So, I'll, I'll, uh, share a little bit about the context for tribal enrollment, and then I'm happy to speak to my experience with it too. So, first of all, there is something very distinct about the Native American experience, which is different from that of other distinct racial minorities in America, which is that we're not just a racial category and not just an ethnic group. Um, but we have a distinct political identity that has special meaning. So, tribes have sovereignty that predates that of the United States. Um, and still exists today. Now, granted that sovereignty has been under assault and has been chipped away at over, you know, hundreds of years, but it still has meaning.

So one of the most visible and obvious dimensions of that to most Americans is that if you're in a state that says gaming and gambling is illegal, except for Powerball, pull tab and church bingo, then that law will not apply to tribes because they are sovereign and as a result, tribes can create a casino even if the state in which that reservation is located has not legalized casino gaming across the state.

Um, so that's just one example of an application of sovereignty that is still there. So being Native American has multiple contexts. One of them is, are you a citizen of a sovereign Native nation. And just like in the United States, just because you happen to be walking around on the street, doesn't necessarily mean that you're an American citizen. You might be a tourist who's visiting from another country. To be an American citizen, you have to be born here and turn in the paperwork or immigrate and turn in the paperwork, right? So, so there's a process for becoming a citizen. Native nations, reservations have their own processes for determining who is a citizen and who is not.

And those criteria for citizenship were not developed by the reservations themselves. They were developed by the United States government at the time of treaty, and the US government, you know, started developing these criteria in the 1800s and some of it was still being refined or created or lists developed in the 1900s. And this is at the same time that you have Darwin writing, um, you have, you know, the beginning of the eugenics movement. There was a belief that you could tell what someone's race was by measuring craniums and stuff like that.

[00:16:27] **Professor Floros:** Yeah.

[00:16:28] **Professor Anton Treuer:** Right? So, so those are the kinds of crazy criteria that were used for determining tribal citizenship. They determined that you had to prove a certain percentage of blood from that particular group in order to be eligible for citizenship. And the records were all really messed up. There are numerous stories. As an example, in 1887, the U.S. government decided that, oh wow, we moved all the natives to reservations, but now we realize there's all kinds of land inside the reservations full of resources that we want. Like in Oklahoma, they included oil. It was the beginning of the oil boom, but also timber, mining, different things. And so they decided to chop up the reservations through a policy called allotment, give parcels to individual Natives, and open the rest of the land to white settlement.

So, of the reservations, they didn't just parcel them all out to Natives, they parceled one third of reservation lands out to Natives, and two thirds was opened for white settlement. So even like most of the Oklahoma land rushes happened, not just on Native land, but inside Indian reservations. Land opened for free white.

So as this happened, then the pressure soon came on the Natives who had received allotments to sell them. And there were all kinds of shenanigans around them. And at White Earth, which is one of the reservations in Northwestern Minnesota, there were all kinds of land issues. And there was a piece of legislation that came after the Allotment Act of 1887 called the Burke Act, essentially says, this was passed in 1906, mixed bloods, people who are part white and part Native are part competent and therefore able to sell their land.

So, if you got some white blood, you're able to like manage your own finances and sell your land. And most of the land in White Earth was taken out of Native hands. Now there were over 5,000 full bloods at White Earth who said, my land was taken away from me, and I never even saw the land or any paperwork, never went to court. I should be compensated or get my land back. And so now the U. S. government had to prove who is actually a full blood, which is someone who should be protected from, from the loss of their land, and who's a mixed blood who is competent enough to sell theirs.

So, they literally brought up two scientists, one was from the Smithsonian, one was from the University of Minnesota, and they literally, measured craniums. Um, they measured the height of cheekbones. Um, they did a scratch test where they scratched people's skin. If it changed color, clearly a mixed blood. And they went from over, it's, it's so ridiculous, but we went from over 5,000,

um, self-proclaimed full bloods to 126, which meant only 126 people needed to be compensated. But what's maddening is that those records are still the criteria for who is going to be an enrolled member at White Earth today.

[00:19:33] **Professor Floros:** But if tribes have sovereignty, can't they change that criteria?

[00:19:38] **Professor Anton Treuer:** Technically, yes, but it is complicated. So other dimensions to the blood quantum thing, you know, they count blood from a particular tribe. So, you could actually be 100 percent Native American by blood. But if all four of your grandparents are each from a different reservation, you're 25%. And you marry someone else from a different tribe and your kids are not eligible for enrollment. Um, so that's another dimension to the enrollment criteria with blood quantum.

Now you're right. Tribes can exercise their sovereignty and change their criteria for enrollment, and some have. So, the Cherokee nation has moved from blood quantum to lineal descent. The Red Cliff Band of Ojibwe in Northern Wisconsin have done the same. And there are other tribes that have done that.

[00:20:25] **Professor Floros:** Okay. And so just, just to clarify, so the blood quantum is about like, what percentage of your blood is indigenous versus something else. And then the lineal descent is, can you, what point, do you have evidence that you have ancestors?

[00:20:44] **Professor Anton Treuer:** You have to prove that you are a direct descendant of someone from the original roles.

[00:20:49] **Professor Floros:** Oh, from the original roles. Okay.

[00:20:51] **Professor Anton Treuer:** Yep. And so lineal descent opens it up, but not completely. So, examine, for example, the Cherokee.

[00:20:59] **Professor Floros:** Mm-Hmm.

[00:20:59] **Professor Anton Treuer:** Um, you know, when the Trail of Tears was going on in the 1830s, it wasn't really the Trail of Tears, but the Trails of Tears, right? There were multiple relocations. Um, some of the Cherokees said, forget this whole country, packed up their bags and went to Mexico.

[00:21:16] **Professor Floros:** Okay.

[00:21:17] **Professor Anton Treuer:** Um, even folks like Sequoia, who had developed the Cherokee syllabary and was a well-known Cherokee citizen, moved to Mexico just to get away from American persecution.

[00:21:26] **Professor Floros:** Okay.

[00:21:27] **Professor Anton Treuer:** Others hid out in the mountains in North Carolina, and you know, we're not on the rolls. Others sought refuge in white communities, like hide us out, and were, and were not on the rolls. And so being a lineal descendant is being a lineal descendant of somebody

who walked on the main Trail of Tears and had their name written down into a ledger book. So, it still doesn't catch everybody, although it catches a lot more people. There are a quarter million people enrolled at Cherokee Nation.

So, you know, that was a solution, but it's not a perfect solution. And then there are other dimensions to this. So like, for example, White Earth wants to change their criteria for enrollment because their records are especially flawed. Um, that's actually where my mother was enrolled, uh, and struggled to do so because technically White Earth is one of six reservations that are part of a larger Indigenous entity known as the Minnesota Chippewa tribe.

[00:22:27] **Professor Floros:** Okay.

[00:22:28] **Professor Anton Treuer:** And so, to change White Earth's constitution, they actually have to change the constitution for the broader overarching entity. And they are one of six reservations who are part of that and cannot convince everybody else to change the criteria.

[00:22:44] **Professor Floros:** Wow.

[00:22:45] **Professor Anton Treuer:** And so, they have to navigate that. And so, there are a variety of barriers to changing a tribal constitution. I mean, even just start by imagining if you ripped up the U. S. Constitution and said, we're going to build a new, better one. Would anybody be nervous or testy? Right?

[00:23:03] **Professor Floros:** Yeah.

[00:23:03] **Professor Anton Treuer:** So, so native people get nervous and testy too, um, about changing the status quo. Others are willing to embrace that, but you have both structural issues as well as social resistance to that. One of the arguments used in favor of blood quantum is, well, for those who stayed on the res and kept the language and culture alive, if you change this criteria, pretty soon we'll be enrolling anyone who's ever seen a native, um, hunting for a scholarship, and we will be surrounded by Elizabeth Warrens, and that's not going to be good for us because then they're not going to vote for our language and culture and things that matter to us. And so that concern has been raised.

You know, as far as I'm concerned, my perspective, and I'll probably not win election, you know, for a tribal government with this idea, is that we should do away with blood quantum because it's a non-Indigenous idea. Develop our own criteria for enrollment. Could be lineal descent. You could have a strong residency requirement for those who hold tribal office as a way of mitigating Johnny Come Latelys who really aren't embedded in the community from managing the tribal agenda. You could also limit the expenditure of tribal resources to, you know, residents on the reservation, you know, in some capacity too, like tribal housing program, things like that.

[00:24:23] **Professor Floros:** Okay.

[00:24:24] **Professor Anton Treuer:** And you know, I think that might mitigate some of those concerns. Again, not a perfect solution, but I think our best route forward. Also, you know, any country with declining birth rates, Italy, Japan has declining power on the national stage. Some tribes actually have a smaller tribal enrollment each year.

This, this system is designed to have us bleed ourselves out of existence. So, I think we should dispense with the politics of exclusion and do away with that. In my family, you know, my mother is an enrolled member at White Earth. Her mother was an enrolled member at White Earth, her father, an enrolled member at Leech Lake.

She grew up at Leech Lake and was resident there, but, um, never changed her enrollment over to Leech Lake under her father and our blood quantum records have been all goofed up too. So, I actually have more than enough Indigenous blood in my veins and, you know, I've got the braids and the Brown and everything else people would associate with, uh, being a Native person, but I am not an enrolled member. We may get that resolved at some point in the future. It's up in the air. Of my nine children, six are enrolled members and three are not.

[00:25:33] **Professor Floros:** So, your children by blood are enrolled. I assume that's because your wife, but the three who you adopted don't have that?

[00:25:43] **Professor Anton Treuer:** Well, no, we, we have a big, blended family.

[00:25:46] **Professor Floros:** Oh, okay. So, it's more than that. Yeah.

[00:25:48] **Professor Anton Treuer:** Yeah. Their mother's blood also contributed to their blood quantum and whatnot. So, uh, that enabled most of them to get enrolled. The others, in spite of being Indigenous and culture and looking apart, not, not eligible.

[00:26:03] **Professor Floros:** That is really unfortunate. You spoke in your opening story about being a spiritual leader in your community. So, does anyone have an issue with you holding this type of position and not being an enrolled member of the tribe? Like, is that problematic for anyone?

[00:26:25] **Professor Anton Treuer:** I don't think so. You know, like the political definition of indigeneity is different from the social and cultural one. And so, I think because I'm a fluent speaker of our language, because I've, you know, been kind of steeped in our cultural practices, I think that satisfies most people.

And, you know, I, it probably helps that I look the part, you know, and so forth as far as like social acceptance, but I mean, you, you won't get to an Ojibwe community in, you know, Minnesota and Wisconsin, you know, where people don't know me too. So, it's, you know, years of service have kind of established that.

Whereas I think when I was in high school or college before establishing myself in these different ways, I think people would ask those kinds of questions. Um, and I think, you know, in a social context, there are some people who want to out-Indian each other or something, you know, and so I can't say that that does not happen in a social context.

It can be a special pain for people who have a strong Indigenous consciousness. What might look white or look black or look racially ambiguous being treated with suspicion or doubt by either people outside of their Native community or inside their Native community. Um, that can be difficult feeling outed, marginalized, rendered invisible, things like that.

So, I, you know, while I don't experience that quite as much, especially with, where I live and how I live, it is difficult for some people. And I, I think it's helpful to think about race, not just as color. Color

is one of the dimensions of race. Race is a socially constructed idea, not something biologically objectively identifiable. But, um, you know, it's partially about color and you can take even like a black Dominican who speaks Spanish, a black Haitian who speaks French Creole, and African American who speaks English. They'll all get racially profiled the same way because of color. They all start talking to each other though, you know, the black Dominican might have more affinity with a Spanish speaker who looks white or brown, um, because of culture. So, race is partially color. It's partially culture. And it's also partially consciousness. It's how we see ourselves.

[00:28:45] **Professor Floros:** Let's take a break. I've been speaking with Professor Anton Treuer, a professor of Ojibwe at Bemidji State University. This is Professor Floros in the Politics Classroom, a podcast of UIC Radio.

**Music Interlude**

Welcome back to the Politics Classroom, a podcast of UIC Radio. I'm Professor Floros, and you can find me on Twitter at Dr. Floros. My guest in the classroom today is Bemidji State University Professor of Ojibwe, Anton Treuer.

[00:29:37] **Professor Anton Treuer:** There's a difference between someone saying my great grandmother was Cherokee and saying I am Cherokee, or I am Cherokee and white, or I'm Cherokee and black. And the difference is in consciousness. How do we own that part of our identity as opposed to, you know, name all of the parts of the mathematical equation to everyone's heritage?

[00:30:00] **Professor Floros:** So, the problem with Elizabeth Warren claiming, I don't, I don't even know what she claimed, Native descent or that she was Native American, it, I'm trying to get at what the critiques that were leveled at her for that, and I'm wondering if it had to do with that it was so far back, like her blood had been diluted, or that you can only claim to be Native American if you're, have some kind of enrollment or political association or that she didn't live on a reservation or grew up on a reservation or couldn't even name who that antecedent was. Were all of those a problem? Some of them, not, none of them, or just like she didn't live as a, as a Native person, and so she shouldn't claim herself to be Native.

[00:30:48] **Professor Anton Treuer:** Ah, so with Elizabeth Warren, for me, those weren't the issues.

[00:30:53] **Professor Floros:** Okay.

[00:30:54] **Professor Anton Treuer:** Like none of them, maybe for some people, you know, those were thrown around, but essentially like if she was a Ojibwe descendant and has blonde hair, blue eyes, and lives in Massachusetts and came to me and said, hey, I'm really interested in my language and culture. Can you help me? She would be welcomed with open arms. A third of our people have been adopted and fostered out of our homes and communities. We should be welcoming them back. And cultural inclusion is not prohibited by enrollment status or complexion. So, if she had, you know, Elizabeth Warren had, you know, cause she had, has Cherokee heritage, if she at any point in her life wanted to explore her Cherokee heritage, reach out, ask about names, clans, can I get to the smoke dance, whatever? You know, I think that would be welcome.

The problem is it's not that she exploited this in any way. Like, you know, she didn't even, you, you know, use it for school applications or things like that. So, there wasn't that, but it appeared when she was being considered for even running for president in the age of culture wars and people playing race cards and things like that. And so, the problem was it didn't appear as an owned part of identity

so much as political opportunism. And so that made the I'm Native claim seem insincere to some Native people. And I think especially with the Cherokee, whose enrollment criteria is lineal descent, they sometimes feel besieged and beset by doubters.

Uh, and things like that. And so, some people are like, she's not enrolled. There's a simple process if she is. So, she's, she's not enrolled here. She's not legit here. I don't know why she's saying that, you know? Um, and so she was running into those sorts of things too. If I was like on her political advisory team, I would have advised her, let that one go. Let someone else speak to that because you will make, render yourself vulnerable for, you know, this kind of attack. And worst of all, if you get it from Native people as opposed to someone else.

[00:33:12] **Professor Floros:** Right.

[00:33:12] **Professor Anton Treuer:** And so Donald Trump, when he starts calling her Pocahontas.

[00:33:17] **Professor Floros:** Yep. I was gonna ask you about that.

[00:33:18] **Professor Anton Treuer:** Right? It was like, it was the perfect one-word way to say you are a liar, you are misrepresenting yourself, you're full of crap, you are not Native. That's what he was saying with one word. Now granted, he offended all the Natives too, because there are special sensitivities about Pocahontas, and there's a lot to say about her narrative, forced into marriage to a British guy, paraded around England, has a baby, all while she's a minor child.

[00:33:48] **Professor Floros:** Yeah.

[00:33:49] **Professor Anton Treuer:** You know, and the romanticization of that, you know, within Disney and everything else. So that was offensive to Native people. At the same time that it just totally put Elizabeth Warren in her place. There's very little she could say to that, you know, you know, she could say you're offensive, but then the Natives are saying, you know, she's not us. So it just took all of her power to navigate that one on strong ground with a bunch of Native people behind her back away from her. Um, so it was a devastating attack in terms of politics. Effective, though offensive, which is very troubling.

[00:34:26] **Professor Floros:** Right. I thought it was especially cringeworthy when he referred to her as Pocahontas at the ceremony at the White House to honor the surviving Diné or Navajo Code Talkers from World War II. That seemed like an especially painful time to bring up that, to score political points. And yeah. Okay.

Before we move on to the first Thanksgiving, there's also now disenrollment of folks from tribal lists, and I'm wondering what might be the reasons behind someone being disenrolled?

[00:35:05] **Professor Anton Treuer:** Yeah. So, there are really two, one is just good old-fashioned politics. And the other is, although there aren't that many tribes that do this, some tribes that have big casino operations and small tribal enrollments do per capita payments to tribal members. And when that happens, if you have more people on the tribal enrollment list, you have more people to share the money with, and if you have fewer people on the tribal enrollment list, you have fewer people that you have to share the money with. So that can provide a financial incentive not to change the criteria for tribal enrollment. And for some places, you know, you have a nasty politics of exclusion and division that is, you know, impacting all of that.

So, there are some tribes that, you know, one in Michigan and a couple in California, um, that have done that. I think it's really painful and damaging to the enrolled members who are being excluded, but I think it is damaging to the health and sovereignty and reputation of those tribes to do that to their own citizenry. Ultimately, we should be concerned about expanding the tribal citizenry and the power and ability of tribes rather than diminishing that. And if you get too small to be viable, you can be terminated.

The U. S. government terminated 100 and, over 100 tribes in the 1950s. And they said, you are no longer a tribe. You don't exist anymore. And, you know, you are left with your American citizenship and nothing else. So, tribes better be careful setting themselves up for that kind of vulnerability. And I do think that they are not thinking about the big picture. They're thinking about a short-term win, not the long-term stuff.

[00:36:53] **Professor Floros:** Okay. I'm going to skip the first Thanksgiving for a minute because as I was reading your book, I, I just kept thinking like, how is this legal? How is this possible? How can the U. S. government get away with doing all of these things? So, if tribes are recognized as sovereign and up until what, 1871-ish, I think treaties with Native tribes had to go through the same treaty ratification process as a treaty with France would.

How can the U. S. government just decide that, oh, no, you are, you are recognized versus you are not and we can take your land? And I just, I don't understand. And maybe because I study international relations and sovereignty has a very distinctive meaning in terms of you can control what's going on inside without interference from outside. And it sounds like the United States government has totally trampled on the non-interference. Like there's never been a point where Native matters were free from external interference if they were in contact with the U. S. government.

[00:38:06] **Professor Anton Treuer:** That's true. Yeah, there's so many pieces to unpack here, you know, you're going to need a few podcast sessions.

[00:38:13] **Professor Floros:** Okay.

[00:38:14] **Professor Anton Treuer:** All of it.

[00:38:14] **Professor Floros:** Let's do it.

[00:38:15] **Professor Anton Treuer:** I'll give you a couple things that may help understand. So one is, you know, for everyone who's listening, you could Google, look up and dig a little more deeply into something called the Doctrine of Discovery.

[00:38:29] **Professor Floros:** Okay.

[00:38:30] **Professor Anton Treuer:** So in a nutshell, going back to the late 1400s, there had been this shift going on in human societies in Europe since the dawn of the agricultural age, 10, 000 years ago, when people around the world figured out how to farm and human populations exploded. Um, there were all kinds of innovations in things like music, art, war, technology and so forth. And so there are books like Guns, Germs, and Steel, um, by Jared Diamond and others that explore this. Yuval Harari's book, Sapiens, is, is good at laying out this shift in the evolution of humans. At that point, there evolved a cultural practice in the Middle East and in Europe of objectifying animals and even other humans.

We started killing off competitive predator species, so killing off the lions, the bears, the wolves, converting more land to human food production. And then the language you get, you know, eventually once somebody is taking the food and they lock up the food and then whoever controls the key can leverage other people, so you didn't have things like prostitution or whatever, because you didn't have a way to leverage someone else until you locked up the resources.

Eventually, the key is not just a key, but it is money. We, we monetize the key. And then if you control the money supply, you could leverage people. So, you get feudalism. Eventually it grows into, there's the Divine Right of kings. Some people are preordained by God to rule, and others preordained by God to serve. And even the people who serve believe that it is God's will that they do. So, when you hit Constantine in the middle of the Roman empire, um, he's the first of the Roman emperors who converts to Christianity and begins converting the pagan Kings of Europe into the Christian Kings of Europe at the point of a sword and the language shifts from the Divine Right of kings to the Divine Right of Christian Kings.

[00:40:29] **Professor Floros:** Oh, nice. Okay.

[00:40:31] **Professor Anton Treuer:** And the Catholic Church is busy as a political force, not just a religious institution like we see it now, trying to get the Christian Kings of Europe to quit killing each other and go on crusades and kill some Muslims.

[00:40:44] **Professor Floros:** Sure.

[00:40:45] **Professor Anton Treuer:** So they issue a number of papal decrees, often called *bulla*, after the wax, papal bulls, after the wax seals on papal documents, that articulate only Christian kings are preordained by God to rule. Only Christian kings can own land. There may be people in other parts of the world, but they only have aboriginal occupancy of the lands on which they live. They cannot own those lands. And so, the vassal of any Christian king that goes forth can claim ownership of those lands and ownership of the people who live in those lands, and you get the Age of Exploration. So not, it's not the case that the Age of Exploration brought you the Doctrine of Discovery. The Doctrine of Discovery enabled this Age of Exploration.

So, all of the vassals of Christian kings are busy going out. They're trying to claim ownership of lands in Africa, in Asia, and then eventually the Americas. Um, and this all happens like really in the 1480s and nineties. And, um, you know, as all of this comes out. So, what that does is it takes the language of ownership from the Divine Right of Kings to the divine right of Christian Kings. At that point in time, who is Christian?

[00:42:01] **Professor Floros:** Europeans.

[00:42:02] **Professor Anton Treuer:** It's white people. Yeah.

[00:42:04] **Professor Floros:** Yeah.

[00:42:04] **Professor Anton Treuer:** But what happens is you give birth to race as a social construct. And racism as the operating fault line for the oppression dynamics and colonization. At that point in time, the Africans, the Asians, the, you know, Native Americans are not Christian. Therefore, they only have aboriginal occupancy, and they are preordained by God to serve. They can be owned, but they cannot rule.

And so, this is the language that is baked into not just Catholic Church documents and teachings, but it is baked into the British common law. Um, when England separates from the Catholic Church, you get the Protestant Reformation, the Anglican Church, all this stuff. They still have the Doctrine of Discovery at the center of British common law with all of their colonial conquest. Pretty soon England owns 25 percent of planet Earth.

[00:42:57] **Professor Floros:** Yeah.

[00:42:58] **Professor Anton Treuer:** And then when America is born, it is born out of the British empire. And so, they have the same British common law at the center of American law. And even United States Supreme Court documents refer to the Doctrine of Discovery, which came out of the Catholic church as the enabling mechanism for America's expansion from sea to sea, west, you know, Manifest Destiny, all that sort of stuff.

So, you could flash forward, like there's an Ojibwe treaty in 1855 in Northern Minnesota. Henry Rice is the treaty commissioner. The Natives are saying, look, we never fought you. We don't want to fight you, but we live here. We have always lived here, and we are not interested in selling our land. The answer to your treaty is no. And Henry Rice says, what are you talking about? You don't own this land. You only have Aboriginal occupancy of this land. This land is already owned by your Great White Father. The only reason I am here is as a courtesy to you, an act of charity to his little red children and that you are being offered some money is a kindness to you that you should accept because you will be giving up this land regardless.

And, you know, even said, you know, your Great White Father acquired it lawfully in purchase from France, talking about the Louisiana Purchase. Well, no Native had ever sold the land to France or to the United States and no one had ever consented to it. You know, so that's how that stuff, like through the arc of history keeps going forward. So, sovereignty means self-rule. And at that point in time, there were no white people living there. Native people managed their own affairs, they handled their own justice, they were sovereign.

[00:44:39] **Professor Floros:** Sure.

[00:44:39] **Professor Anton Treuer:** But they still had this large, powerful entity. If you fought, you got killed, you got moved to a reservation. If you didn't fight, you still went on a Trail of Tears and moved off to a reservation. It was an impossible time and circumstance.

[00:44:51] **Professor Floros:** And then they took back most of the land from that reservation out of control, right?

[00:44:58] **Professor Anton Treuer:** Right.

[00:44:58] **Professor Floros:** With the allotment.

[00:44:59] **Professor Anton Treuer:** Yeah. It was just ridiculous. Some tribes like the Ho Chunk actually endured nine separate relocation orders. The Meskwaki, another one, you know, that endured multiple relocation orders. Numerous treaties relocated from Illinois to Iowa, to Kansas, to Oklahoma. Some say, screw it, I'm heading to Mexico. Others sneak back to Iowa. You know, and they're scattered all over the place. And so stuff like that keeps going, and then they start opening up the reservations to white settlement through allotment, and still tribes have a lot of sovereignty.

But the U. S. government had other ways they chipped away at tribal sovereignty. So those included, you know, in the late 1800s, they passed a piece of legislation called the Major Crimes Act, um, which said in cases of murder, rape, and then the rest were all property crimes, arson, larceny, so forth, that in these cases, the U. S. government will assume jurisdiction over tribes. And so, what tribes had sovereignty over started to be whittled away at.

Um, in the 1950s, they passed another piece of legislation which created a real scattershot checkerboard jurisdictional nightmare and said in some states for some tribes, the U S government will allow the states in which those tribes are located to impose state jurisdiction over tribes. So, for some reservations in the same state even, a native person kills a native person on the rez. In some, the federal government will conduct the investigation. You go to a federal prison if you're convicted, and in others, you'll, a state agency will investigate, and you go to a state prison if you're convicted. So, you get all this weird stuff with regard to jurisdictions and legal patchwork, because ultimately the U S government has sought different ways to, um, whittle away at tribal sovereignty and they have done damage to it, but they have not completely eliminated it.

So it's not just with regard to gaming operations, but tribes in many places, especially the ones that are larger and have scale, have their own courts, their own police, run major businesses, um, diversified business plans, and, you know, have a lot of say, um, and autonomy over what they're going to spend their money on and so forth.

Also, you know, America has been pretty rough on Native people and there are many other examples of how they whittled away at tribal sovereignty or took all the kids away and sent them to residential boarding schools and things like that. But the U. S. government also signed over 400 treaties with tribes. And, you know, in the U. S. Constitution, it says treaties are quote, the supreme law of the land. And so, you can't totally disregard tribal sovereignty without ripping up the U. S. Constitution. Over 100 treaties have specific health and education clauses that said, as partial payment for land sold, the U. S. government promises to provide for the health, education, and well-being of tribal people from this community, as long as grasses grow and rivers flow. So, the reason you get an Indian Health Service or the Bureau of Indian Education is not a special right for a special interest group. How unfair and un-American, um, but it's actually partial payment for the land sold.

And so, if the U S government does not follow through on its, what's known as the federal trust responsibility for tribes, it is reneging on treaties, and we get all the land back. And if you want to renegotiate the treaties then bring it on because we got lawyers now. So, this is also part of the sovereignty equation where the U. S. government has to maintain nation to nation relationships with tribes and honor its treaty obligations. Now you can make the case that the U. S. government has not done a good job of honoring its federal trust responsibility. And it has lied and broken its words so many thousands of times, it's not even worth trying to count.

And so, there's a case to be made there, but ultimately the reason that even the most conservative and anti-indigenous, anti-sovereignty groups in the United States have not succeeded in doing away with tribes or tribal sovereignty is because of its constitutional protections and treaty history.

[00:49:17] **Professor Floros:** Wow. Yeah, we are going to need a lot of these, a lot more podcast conversations. So, I wanted to talk a little bit about citizenship, right? So, we talked about enrollment and official enrollment within tribes, but Native people are also citizens of the United States and that came about in a very piecemeal way as well.

There was the Dawes Act that said if the tribe allowed allotment to go through, correct me if I'm wrong, then they could become American citizens. For those who didn't, they didn't become eligible for citizenship until the 1924 Indian Citizenship Act. Was it a benefit to get American citizenship and what does it mean practically for someone to be a citizen of both a Native tribe and the United States?

[00:50:11] **Professor Anton Treuer:** Yeah, so you're right that citizenship happened piecemeal. Some tribes actually became U. S. citizens when they signed a treaty.

[00:50:19] **Professor Floros:** Oh.

[00:50:19] **Professor Anton Treuer:** Um, so it even predated the Dawes Act. Some became citizens when they received allotments through the Dawes Act, um, but that wasn't all. And then in World War I, Native people had served in a larger rate per capita than any other racial group in the country, and they were not citizens.

[00:50:39] **Professor Floros:** Yeah.

[00:50:40] **Professor Anton Treuer:** And so that brought a public outcry and there was a Citizenship Act passed in 1919 just for U. S. World War I veterans.

[00:50:48] **Professor Floros:** Okay.

[00:50:49] **Professor Anton Treuer:** Filled out an application and then the general, you know, Indian Citizenship Act happened several years later, um, 1924. So, some Native people said, yes, we want this. Why are we treated as second class? You know, uh, we've given to this country too. Um, but some, you know, like the Mohawk, for example, said, we do not want citizenship. We are citizens of our own Native nations. We do not want to be part of the American nation. We want you to leave us alone. You know, we repudiate American citizenship.

Um, it was imposed anyways. Um, and I think for American policymakers, the idea was, and they wrestled with this, you know, with, the black community to where three fifths compromise, you know,

[00:51:32] **Professor Floros:** Right.

[00:51:32] **Professor Anton Treuer:** So, there was a concern about how does this affect politics and power dynamics and things like that. So not all white people wanted Natives to become citizens. To be clear, citizenship and voting are not the same thing.

[00:51:47] **Professor Floros:** Right. I was going to bring that up. Yeah.

[00:51:49] **Professor Anton Treuer:** Right? So like women were citizens of the United States for a long time but could not vote until a hundred years ago. And you had for both Black and Native Americans, um, the denial of voting rights long after citizenship. So, you know, and for Black Americans through Jim Crow, um, with Native Americans in states like Arizona and South Dakota, there was legislation prohibiting them from voting for a long time.

[00:52:13] **Professor Floros:** Oh, wow.

[00:52:14] **Professor Anton Treuer:** Even after citizenship, uh, and then other, you know, Jim Crow type policies. It really started to shift, I think, in the civil rights movement era for Natives. Even some Natives just did not embrace their American citizenship or voting. Um, and like, I abstain from that. I just care about my tribal election. Um, but that started to change and some of the tribal leaders like Roger Jourdain at Red Lake, for example, did voter registration drives. And he said, we have to move the needle on American politics if you want anyone to take us seriously. And that worked. And they have one of the highest voter turnout rates for any group in the United States, even today.

[00:52:49] **Professor Floros:** Is this, Oh, sorry. Is this why some of the new voting restrictions prohibit people turning in somebody else's vote by mail? Because a lot of reservations don't have postal systems, and so you have to like drive an hour to get to a, to be able to do a mail in ballot. I don't, I don't think I know enough about how that is, why there aren't post office that they can mail it out, but is that kind of part of it? Because so many Native people were mobilized during the civil rights movement that now they want to try and go back to the days when there was not that, as easy an ability to vote?

[00:53:31] **Professor Anton Treuer:** Well, first of all, you know, broadly, being a democracy does not mean being fair.

[00:53:40] **Professor Floros:** True. Yes.

[00:53:41] **Professor Anton Treuer:** Okay, so like, even when Hitler came to power in Germany, which was a democracy and there was an election, only around 30 percent of Germans voted Nazi. 30%. But that agenda still controlled the agenda for an entire country and got 50 million people killed in the world, you know?

So in America, the number of people, for example, who, who are Republican of this entire citizenry that's eligible to vote is actually quite comparable. It's not 50%, right?

[00:54:16] **Professor Floros:** Okay. Yeah.

[00:54:17] **Professor Anton Treuer:** 30 percent of America is Republican, but Republicans continue to win, you know, depending on where you're at, 50 percent of elections or more. There are some places that lean much more heavily Democratic, some places that lean much more heavily Republican. California, Texas, right? But we're still flipping back and forth between Democratic and Republican presidents, control of Congress and things like that. As a general rule of thumb, when people vote, Democrats win. When people do not vote, Republicans win.

It's not quite that simple, but that is one of the trends and everybody knows it. So there is a fear of white erasure amongst some people, especially in the Republican party. And there are efforts to protect a basket of unearned privileges and advantages that have disproportionately gone to white Americans. Keep the Muslims out, keep the Mexicans out, make it harder for people to vote. All of those things suppress the number of Democratic leaning votes and the number of votes in general. And as long as you make it harder, you don't have to stop everybody from voting. You just have to make it harder for people to vote to discourage just enough people to win close elections.

[00:55:34] **Professor Floros:** Right.

[00:55:34] **Professor Anton Treuer:** So, for example in North Dakota, one of the whitest states in America, pretty solidly Republican, to the great shock of everyone, a Democrat won and was elected, Heidi Heitkamp was elected to a major office by very thin margins. So immediately afterwards, they passed a law that said you have to have a physical address on your state sanctioned ID card in order to be eligible to vote and we will throw out all of the previously established voter registrations. They will not be grandfathered in. And the problem was you know a lot of the reservations in North Dakota were very rural areas where they did not have federal Mail Service to people's homes. So, you had to get a P. O. Box. And so, if you only have a P. O. Box and you do not have a physical address, you don't have one to put on your driver's license. So essentially that effectively disenfranchised a lot of Native American voters in the state of North Dakota, and out went Heidi Heitkamp.

[00:56:39] **Professor Floros:** Didn't tribes mobilize though, and like, create physical address? I mean, I'm just, I,

[00:56:46] **Professor Anton Treuer:** Yes,

[00:56:46] **Professor Floros:** I know that people, it didn't happen at the time, and yeah.

[00:56:49] **Professor Anton Treuer:** Right. Once that happened, then people sought to find an answer. Let's establish physical addresses. Let's help people get their IDs. But you have to take someone, you know, in some cases who has limited financial means, who doesn't have internet service and get them to engage in that process or send someone to their house, drive them to the multiple meetings and courthouses and whatever it takes just to get the ID certified. And sometimes you need like multiple utility statements. You know, you have to have two pieces of paper that show your physical address and your name with that place, you know, like they create all these arcane rules that make it more difficult.

So again, the process, you know, people look for an answer around it and some find it, but it's obstructed and rendered more difficult, which discourages just enough to maintain the existing power dynamics. I think, you know, in the long run, the gerrymandering and the voter suppression efforts, they'll continue, but I think in the long run, they will be more difficult to consistently orchestrate with the same outcomes. Ultimately, the politicians are going to have to find ideas that are going to be appealing to more people to maintain that system. But it has kept that system going for a very long time. And there's no reason to think it won't for the next several election cycles.

[00:58:11] **Professor Floros:** Oh, you're more optimistic than I am. I think, I think we're in for a good half century.

[00:58:17] **Professor Anton Treuer:** Yeah.

[00:58:17] **Professor Floros:** At least. Because I think who, who controls the courts has a big say in how things are interpreted, right? I mean like, the whole striking down Section 5 of the Voting Rights Act that opened the door for all of these voter restrictions.

[00:58:34] **Professor Anton Treuer:** Yeah.

[00:58:35] **Professor Floros:** Yeah. Okay. Professor Treuer, there's so much more we could talk about, but we are out of time. Thank you so much for joining me in The Politics Classroom today.

[00:58:45] **Professor Anton Treuer:** Thank you so much.

[00:58:46] **Professor Floros:** Professor Anton Treuer is a professor of Ojibwe at Bemidji State University in Minnesota. If you're interested in hearing previous conversations with other guests on issues of critical race theory, representation in politics, et cetera, you can find previous episodes of The Politics Classroom on Spotify, Apple Podcasts, Google Podcasts, and other podcast platforms.

You've been listening to The Politics Classroom, a podcast of UIC Radio. I'm Professor Floros. That's all I've got for this week. Class dismissed.

**Exit Music**