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## [Introduction to] American Indian Politics and the American Political System, Third Edition

David E. Wilkins

University of Richmond, [dwilkins@richmond.edu](mailto:dwilkins@richmond.edu)

Heidi Kiiwetinepinesiik Stark

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# **American Indian Politics and the American Political System**

**THIRD EDITION**

**David E. Wilkins and Heidi Kiiwetinepinesiik Stark**

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# Introduction

This conference will serve as part of the ongoing and important consultation process that I value, and further strengthen the nation-to-nation relationship.

—President Barack Obama, 2009<sup>1</sup>

**O**N NOVEMBER 5, 2009, President Barack Obama welcomed nearly four hundred tribal leaders to the White House Tribal Nations Conference, the largest and most widely attended gathering in U.S. history. In inviting leaders of the 564 tribal nations to Washington, Obama appeared to be making good on campaign promises to give native nations a voice in his administration and to shape more appropriate federal policies regarding Indian Country. Obama assured tribal leaders that he would uphold the nation-to-nation relationship. Acknowledging past grievances, he stated,

We know the history that we share. It's a history marked by violence and disease and deprivation. Treaties were violated. Promises were broken. You were told your lands, your religion, your cultures, your languages were not yours to keep. And that's a history that we've got to acknowledge if we are to move forward. We also know our more recent history; one in which, too often, Washington thought it knew what was best for you. There was too little consultation between governments.<sup>2</sup>

President Obama apparently acknowledged this history and sought to forge a new relationship with tribal nations.

President Clinton had issued an executive order in 1998 that sought to establish regular and meaningful consultation and collaboration between native nations and the federal government. Yet only a few agencies executed that order. Obama sought to invigorate the intergovernmental relationship, signing a presidential memorandum that directed every Cabinet agency to provide a detailed plan within ninety days. He delivered additional opening remarks and then engaged in an interactive dialogue with tribal leaders. The conference also included discussions between native leaders and

high-level federal officials covering the areas of economic development and natural resources, public safety and housing, education, health, and labor.

Indian Country had emotionally and emphatically embraced Obama during his presidential campaign. Making history as the first African American president of the United States, Obama noted in his victory speech that much of his triumph could be attributed to the support of native voters. More than one hundred tribal leaders and numerous tribal nations and organizations had endorsed Obama.<sup>3</sup> Indeed, the Crow Nation honored him with the name “One Who Helps People Throughout the Land” and Hartford and Mary Black Eagle adopted him into their family. Much of this support may have been attributed to Obama’s detailed principles for stronger indigenous communities. His campaign in Indian Country focused on sovereignty, tribal-federal relations, and the trust responsibility. He emphasized the importance of consultation and said he would include American Indian advisors in his administration.

The Obama administration has already shown some of its commitment to strengthening the nation-to-nation relationship and improving conditions across Indian Country. The \$787 billion stimulus package, entitled the American Recovery and Reinvestment Act of 2009 “included \$100 million for job creation within tribal communities, \$500 million for the Indian Health Service, and nearly \$500 million for various education, college, and school construction programs.”<sup>4</sup> In addition, Obama has also made good on his promise to give native peoples a voice in his administration by appointing Larry EchoHawk (Pawnee tribe of Oklahoma) assistant interior secretary for Indian Affairs, Kimberly Teehee (Cherokee) senior advisor for Indian Issues, and deputy associate director of the office of intergovernmental affairs Jodi Gillette (Standing Rock Sioux), to name a few. Obama’s broad campaign slogan, “Change We Can Believe In,” may perhaps, at least for Indian Country, prove true.

To me, it is now a question of sovereignty.

—Cecelia Fire Thunder, 2006<sup>5</sup>

Indian Country is often a microcosm reflecting the struggles that divide the United States. Several of the critical issues that continually arise during important elections and conflict voters at the polls have also proven difficult to solve in Indian Country, such as economic development, health care, and women’s reproductive rights. As varied as Indian nations are, so too are their responses to these increasingly difficult issues. This was evident when, in March 2006, South Dakota governor Mike Rounds (R) signed into law House Bill 1215, the nation’s most restrictive ban on abortions. In a clear attempt to challenge the 1973 Supreme Court ruling known as *Roe v. Wade*, the bill provided no exceptions for rape or incest, and only limited protection for the woman’s life.

Oglala Sioux Tribal President Cecelia Fire Thunder garnered national attention when, in response to South Dakota’s statewide ban, she vowed to build a clinic on Lakota lands that would preserve women’s rights, stating, “I will personally establish a Planned Parenthood clinic on my own land which is within the boundaries of the Pine Ridge Reservation where the State of South Dakota has absolutely no jurisdiction.”<sup>6</sup> Fire Thunder’s declaration to build a clinic challenged the state’s jurisdiction both over Indian lands and women’s bodies. She remarked, “I’ll continue pushing the envelope and exerting our sovereignty.” She noted that in Lakota history, “You didn’t have people passing laws to control a woman’s body.”<sup>7</sup>

Fire Thunder, the tribe's first female president, was a former nurse who had spent years pressing for American Indian health clinics in California. After returning to Pine Ridge, she worked as a community organizer against domestic violence. Fire Thunder had seen first-hand how Indian women were experiencing disproportionate rates of violence coupled with 85-percent unemployment rates on the reservation. Nationally, American Indians maintained single-parent households at a higher percentage and had a higher ratio of the population living in poverty than the national average. While one in six American women are the victim of a rape or attempted rape, American Indian women suffer from sexual assault and rape at three and a half times the national average.<sup>8</sup> Though much of the initial media focus centered on abortion, Fire Thunder pointed out that the issues went beyond this primary conception. She believed a clinic could also serve as a safe haven for victims of sexual assault as well as a venue for educating both men and women about reproductive health, planned parenting, and contraception. Fire Thunder noted that the state ban had national implications, arguing, "Ultimately, this is a much bigger issue than just abortion. The women of America should be outraged that policies and decisions about their bodies are being made by male politicians and clergy. It's time for women to reclaim their bodies."<sup>9</sup>

This strong assertion of tribal sovereignty was met with varied responses. Indeed, there were many native and non-native people alike who supported the building of a clinic at Pine Ridge. In fact, in November 2006, South Dakota citizens rejected the state abortion ban at a voter referendum, with citizens in the two counties that make up the Pine Ridge reservation voting against the ban by a substantial majority. Yet many also wondered whether the proposed clinic would resonate with Lakota views that recognize children as sacred beings. In addition, many tribal citizens questioned whether Cecelia Fire Thunder had overstepped her position as president of the Oglala Sioux Tribe. While she spoke as a woman, she had also solicited funds on behalf of the tribe for building the clinic, an action that had not been sanctioned by the tribal council. Fire Thunder had already faced threats of removal from her fellow councilmen who voted to impeach her in 2005 "after complaints that she had disrespected elders and improperly sought a multimillion-dollar loan to keep the tribal government from shutting down."<sup>10</sup> On May 30, 2006, the Oglala Sioux Tribal Council banned abortions on the Pine Ridge Indian Reservation and suspended Fire Thunder, pending an impeachment hearing. She was impeached June 29, 2006.<sup>11</sup>

Some questioned whether Fire Thunder's presidency was met with so many challenges because she was the first female to serve in this capacity in a community famous for its historic male counterparts, such as Red Cloud and Crazy Horse. Indigenous politics has seen a major transformation in tribal leadership along gender lines during the twenty-first century. A 1981 study showed that sixty-nine of the more than five hundred federally recognized tribes were led by women. By 2006, 133 women were in head leadership positions among the more than 560 federally recognized tribes.<sup>12</sup> Native women have historically served in prominent positions in their communities, as leadership was often divided across various roles and actors. As many of these positions have been consolidated in modern tribal governments, the primary roles were often filled by men. However, in recent decades there has been a growth in women serving in these capacities due to an increase in access to education and a shifting perception of female leadership nationally.

This shift in leadership has also brought a transformation in tribal policy priorities. For decades, tribes had struggled with how to codify kinship systems into law and policy. Tribal leaders strive to blend their traditional values and practices with ever-shifting social circumstances to meet community needs. Women's activism and leadership in varied capacities have brought much needed focus to the relationship between kinship and law, such as child welfare, tribal citizenship, same-sex couples, and elders programs. These issues remain as complicated and contested in Indian Country as they are across the larger state.

The right of taking fish and of whaling or sealing at usual and accustomed grounds and stations is further secured to said Indians.

—Treaty with the Makah, 1855<sup>13</sup>