

Anti-Indian bill aborted, but the struggle over native rights continues

Sovereignty under siege

By Shelley Means

On April 7, 1998 the anti-Indian movement rallied near Seattle, Washington in a show of support for the “American Indian Equal Justice Act.” This display of militant racism was occasioned by a field hearing of the Senate Indian Affairs Committee on the proposed Act, Senate Bill

1691. Sponsored by U.S. Senator Slade Gorton (R-Wash.), the bill attacked tribal sovereignty and immunity on such issues as taxation, liability, tort law, and the tribal court system. Local tribes such as the S’Klallam, Lummi, Quinalt, and Muckleshoot were represented, well as Lakota from South Dakota and members of several Southwestern tribes.

As tribal elders from around the region prayed with their grandchildren before testimony began, they were interrupted by several hundred non-Indians shouting the Pledge of

Allegiance in voices filled with hate and self-righteousness.

During the hearing, game hunters held graphic photos of slaughtered elk they claimed had been poached by Indian hunters and wealthy retirees waved signs decrying Indians’ alleged “Special Rights.” A man glared at pro-tribal materials on the table where I stood, then shouted at me, “And you call yourself an American?” His voice rose, “You call yourself an American?!” before he whirled around and disappeared into the crowd. At the microphone, King County Councilman Christopher Vance and retired state senator Scott Barr of eastern Washington called for completely abolishing reservations and treaty rights.

While Gorton’s bill later died in committee, to declare victory would be premature. The primary purpose of the hearing — and perhaps the bill as well — was to rally anti-Native forces and the topics addressed by the bill remain points of conflict between tribes and some non-Indians.

The anti-Indian movement

The anti-Indian movement consists of three factions (*see article on facing page*): 1) extremists who base their arguments on white supremacy; 2) private and political interests that view Indian sovereignty and treaty rights as obstacles to their own power, profit or liberty and willfully ignore or distort history, the U.S. Constitution and an established body of Indian law to achieve their ends; 3) “bystanders” who accept at face value the arguments of the first two factions, which they often pick up from mainstream media. The anti-Indian movement is present and growing in our cities, rural areas, and even within the boundaries of Indian reservations.

Points of conflict

Anti-Indian leaders rely on conflicts — real and imagined — over natural resources, governmental jurisdiction and economic development to build momentum for their initiatives and attacks on tribal rights. These attacks focus on a number of complex issues. In many cases, these conflicts have at their root the increasing competition for natural resources between tribes and their neighbors, particularly as non-Indian migration to the West swells demand. Treaty and natural resource conflicts alone include: Hunting Rights; Shellfish Fishing Rights; Whale Harvest Rights; Salmon Fishing Rights; Mineral Rights; and Water Rights.

Other conflicts relate to issues of governmental jurisdiction:

TAXATION. “Indians don’t pay taxes” is a basic misconception held by many in the region. In truth, Native Americans and Alaska Natives pay federal income tax, and reservation-based businesses often pay state and local taxes as well.

Justice and Law enforcement. Senator Gorton

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Native American activists assert their humanity

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has spread the misconception that non-Indians have no civil rights or legal recourse on Indian reservations. People who have lost their claims in tribal court often jump on this bandwagon, claiming they were denied justice.

LIABILITY & SOVEREIGN IMMUNITY. Like any other government, tribes are guaranteed immunity from lawsuits on the basis of their sovereignty. In many cases, tribal governments waive immunity in contracts with businesses that come to the reservation. Senator Gorton's version is that tribes are the only governments (among federal and state) who have not waived their immunity.

Conflicts have also arisen over economic development issues:

INDIAN CASINOS.

Wherever tribes have built casinos, anti-Indian forces have attacked their right to do so, often citing moral objections not generally raised against state lotteries, pull-tabs and private, and corporate casinos thriving around the country.

LAND USE.

Property development and resource extraction interests promote the misinformation that tribes are subject to the same laws as corporations or individuals, not as self-determined governments with their own regulations that operate within a federal context.

Native Americans Fight Back with HONOR (Honor Our Neighbors' Origins and Rights) is a national human rights coalition founded in 1989 and based in Wisconsin that focuses on American Indian issues. Members — Indian and non-Indian — stand together as allies, seeking justice on critical concerns facing Indigenous peoples today.


In 1991 HONOR formed a Northwest affiliate. Northwest HONOR works to educate and connect churches, urban and rural social justice groups, environmental groups and non-

traditional allies to stand with Indian leaders as they work to protect their treaty rights, spiritual traditions, natural resources and human rights.

Northwest HONOR, from its base at the American Friends Service Committee (AFSC) in Seattle, played an active role in countering the anti-Indian interests present at the Senate field hearings for S-1691. HONOR organized written and oral testimony from the Church Council of Greater Seattle, AFSC, the NW Coalition Against Malicious Harassment, the Washington Association of Churches and others to stand with tribal leaders at their press conference that day.

Northwest HONOR has worked for a statewide ban on Washington's offensively named "Treaty Beer"; and educated the public about shellfish treaty rights and the use of Indian mascots by sports teams and other instances of stereotyping of Native Americans.

To confront anti-Indian sentiments, Northwest HONOR is working to expand its ability to help people in their communities. Our primary objective is to provide accessible, accurate information directly from the Native American communities in our region when possible. Through our links with urban and reservation leaders, we keep track of the forums, articles, events and talking circles through which organizers confront and educate the anti-Indian forces within their communities.

Northwest HONOR calls upon non-Indian coalition partners and others to support self-determination in Indian country and to counter the hatred and ignorance which threaten it, as the NW Coalition Against Malicious Harassment did by launching a campaign in Washington State to confront the anti-Indian movement. Call Northwest HONOR at 206/632-0500 for more information. 

Shelley Means is a program associate with the American Friends Service Committee's Regional Indian Program in Seattle, and an organizer for HONOR.



Impact Visuals

Native Americans rally for their rights