



Reviving Indigenous Kinship Systems

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The culture comes
from the language.

Darrell R. Kipp, Blackfeet



Peoplehood

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Stí7ti7ixw
Xwílngexw
Elhtál7ngexw
('Native, people')

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[T]hose who kept the rules consistently and gladly, this honoring all their fellows, were good Dakotas—meaning good citizens of society, meaning persons of integrity and reliability. **And that was practically all the government there was.**

Ella Deloria, Lakota, “Speaking of Indians,” 1944

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“Nationhood”

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“ [B]oth as a European colony and as an independent nation, the U.S. was a racial dictatorship. From 1607 to 1865—258 years—most non-whites were firmly eliminated from the sphere of politics....

We use the term **racial formation** to refer to **the process by which social, economic and political forces determine the content and importance of racial categories**, and by which they are in turn shaped by **racial meanings**.

Michael Omi & Howard Winant, “Racial Formation in the United States: From the 1960s to the 1990s” (quoted by Robert Williams, “Who Belongs? From Tribal Kinship to Native Nation Citizenship to Disenrollment”)

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The Congress shall have the power to...regulate commerce with foreign nations, and among the several states, **and with the Indian tribes.**

U.S. Const., Art. I, Sec. 8, Commerce Clause,
1787

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[T]he tribes of **Indians** inhabiting this country were fierce **savages** . . . When conquest is complete . . . the **conquered inhabitants** can be blended with the conquerors, or **safely governed as a distinct peoples**.

John Marshall, *Johnson v. McIntosh*, 1823

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It may well be doubted whether those tribes which reside within the acknowledged boundaries of the United States can, with strict accuracy, be denominated foreign nations. They may more correctly, perhaps, be denominated **domestic dependent nations**.

John Marshall, *The Cherokee Nation v. Georgia*, 1831

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The words ‘treaty’ and ‘nation’ are **words of our own language**, selected in our diplomatic and legislative proceedings, by ourselves, having each a definite and well understood meaning. **We have applied them to Indians . . .**

John Marshall, *Worcester v. Georgia*, 1832

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“ A young man from Saskatchewan named Howard:

‘What I don’t understand is, why ‘citizen’? And why ‘nation’? **Are those concepts ours? Are they in our languages?** Are they the best translations for what is in our own languages?’

Kim TallBear, Lakota, “Twentieth Century Tribal Blood Politics: Policy, Place, and Descent”

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Kinship (Pre-1492/1700s)

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‘[T]heir government, if I may call it government . . . has neither laws nor power to support it.’...[T]here is **no law nor subjection amongst them.**

Rennard Strickland, “Fire and Spirits”

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Before contact with Europeans, Indians were organized in at least 2,000 groups with divergent languages, rituals, social systems, and methods of subsistence....The constituent social units of most native communities were clans or extended **kinship groups**.

Cohen's Handbook of Federal Indian Law (2012 ed.)

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Each indigenous nation [used interchangeably with ‘Community,’ ‘people,’ or ‘nation’] or city-state or town comprised an independent, self-governing people...

Among the factors in each integrated nation, in addition to language, were shared belief systems and rituals and clans of extended families that spanned more than one town.

Roxanne Dunbar-Ortiz, Cherokee, “An Indigenous People’s History of the United States”

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“Mighty pulverizing
force[s]” (1850s-1934)

“ Under the rules and principles of federal Indian law derived from the [discovery] doctrine, **the United States acquired the continent ‘in perfect good faith’** that its wars and acts of genocide directed against Indian people accorded with the rule of law.

Rob Williams, Lumbee, “The American Indian in Western Legal Thought” (quoting *Lonewolf v. Hitchcock*, 1903)



“The American people have compassion for the descendants of those Indians who were deprived of their homes and hunting grounds by the drive of civilization....Generous provision has been made willingly to allow tribes to recover for wrongs, **as a matter of grace, not because of legal liability.**

Tee-Hit-Ton Indians v. U.S., 1955



**With neither good faith nor grace, our
land-based kinship systems have been
“pulverized,” at law, by the U.S. for the
last two centuries**



Allotment/Per Capita (1906/1988)

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Reorganization (1934)

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“ [T]he imposition of tribal councils had all but dissolved traditional governance. In its place, a **winner-takes-all electoral system** turned relatives against each other and harsh political divisions broke down the family kinship unit, the tiospaye—an extended network of relatives that was fundamental to decision making.

Nick Estes, Lower Brule Sioux, “Our History Is the Future”

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“Membership” (1934)

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Blood Quantum (1910s/1934)


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“ Culture isn’t carried in the blood, and when you measure blood, in a sense you measure racial origins. Culture is carried on in many ways—kinship, geography, language, religion, lifeways, habits, and even gestures—but not in blood.

David Treuer, Leech Lake Ojibwe, “The Heartbeat of Wounded Knee”



“Disenrollment” (1900s/Post-1934)

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Capitalism (1934/Post-1988)

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Enforced social change, indirectly because of the loss of the buffalo [and salmon] and the hunting lands and directly by the policies of the [federal] administrator [resulted in] the **forced transition to a cash economy**... [to] the individualistic, materialistic attitude that drove the nation's economic system

Charles Wilkinson, “Blood Struggle: The Rise of Modern Indian Nations”

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Enrollment Moratoria (Post-1988)

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**Venal exclusion has supplanted
traditional kinship and inclusion.**



Post-Colonialism: Hybridity

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[A]re these the best conceptual frameworks for organizing our decolonization and how we govern? Will we think of something better, especially as these concepts are increasingly undermined or come to lack coherence in nations much more powerful than ours?

Kim TallBear, “Twentieth Century Tribal Blood Politics: Policy, Place, and Descent”

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[T]he West's archaic, mediievally derived legal discourse respecting the American Indian is ultimately genocidal in both its practice and intent.

Rob Williams, "The American Indian in Western Legal Thought"

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Starting with our discourse, Indigenous peoples must revive traditional kinship systems, and reconcile them with “nationhood” principles.



Thank You

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