

Testimony before Senate Committee on Indian Affairs on Federal Recognition

May 11, 2005

Kathleen J. Bragdon Ph.D.
Professor, Department of Anthropology
The College of William and Mary

Introduction

Good morning, Chairman McCain and members of the Committee. Thank you for the opportunity to be present here today. My name is Kathleen Bragdon, I hold a doctorate in Anthropology and am currently a full professor at the College of William and Mary. I have been writing about the Native peoples of southern New England and their languages for more than 25 years. During this time, I have been consistently impressed with the persistence and creative adaptability of the Indian communities of the region. I would like to thank the many native people with whom I have worked over the years for the honor of learning from them.

The role of anthropology in the Federal Recognition Process

As you know, scholars, including historians, archaeologists, linguists, and anthropologists, have been involved in the Federal Recognition process since its inception. In New England, the most influential practitioners have been those I affectionately call “Dr. Jack Campisi, and his “band of merry men (and women)” including William Starna, Laurence Hauptman, James Wherry, and Christine Grabowski., all remarkably competent and prolific anthropologists and ethnohistorians (e.g. Campisi et. Al. 1983). When they began their important work, because their expertise was widely, and rightly acknowledged, their evaluations were thoroughly documented, but much less extensive than would be required today. An adequate report twenty-five years ago was 100 pages long; today it would be several thousand. It has also become necessary, because of the increasing research burdens of the recognition process, for scholars to document a wider range of factors than was previously thought necessary. I quote Sheldon Davis:

“As anthropologists... our primary contribution to the rights of indigenous peoples lies in independently and publicly documenting the social realities that these people face” (Davis 1979:223).

In New England, these social realities have included legislative dispossession (e.g. Dubuque 1907; Earle 1861) and detribalization, racial discrimination, poverty, and many kinds of social disruption. These conditions have made the task of documenting their histories and continuity as “Indian Entities” very challenging. In many cases, the haphazard way in which Indian communities have been treated during the past three hundred years has resulted in major gaps in the evidence, so that petitioners are faced

with the impossible task of locating records that were never created, or which no longer exist (e.g. Child 1827; Early 1861; Dubuque 1907; Herndon and Seketau 2000). The gaps in the official records can be filled by using other types of historical documentation, but this material is scattered and requires a good deal of training to analyze, and the necessity for its use because of increasingly demanding standards of documentation required by the Bureau of Indian Affairs, has created a large cost burden for most petitioners.

Another concern is privacy. The existing official records that document the relations of state and local governments and Indian peoples, often include very sensitive information about family history, information that Indian people are naturally very reluctant to have made public. As the demands of documentation required by the Office of Federal Acknowledgement have become greater, however, Indian people feel they have little choice but to make these sensitive records available. Added to this are concerns about sacred sites and knowledge, that make many people reluctant to share information that might help their case.

Finally, Indian people see their histories differently than those of the authorities who controlled the written records, and their views have rarely been taken into account (e.g. Attaquin 1987; Baron et. al.; Lamb Richmond 1994). My own experience has been that it is in these alternative historical views, often expressed through oral histories, folk tales, and “kitchen table talk” that can be found the most powerful pieces of evidence for community continuity and strength.

I wish to emphasize that I think the Federal Recognition process is vital to native interests in New England and elsewhere, and has led to great benefits for many Indian communities. By benefits I mean increased opportunities for education, better health care and the support for cultural enrichment and language study programs that are central to Indian identity and an important part maintaining and celebrating their heritage. Some communities now have been publicly affirmed, and have taken their rightful place as stakeholders in regional and national debates. The difficulties I discussed briefly above, however, have left other native communities out of the process, and this has been an additional source of division and discouragement to many native people (e.g. Hicks and Kertzer 1972). This is due in part to the difficulty of fitting all Indian communities presently, and in the past, into an agreed upon definition of “tribe” (e.g. Grabowski 1994; Campisi 1996, McCulloch et.al. 1995; Starna 1996).

Another difficulty is the persistent belief that there are no longer any ‘real’ Indians left in the eastern parts of North America. A cursory survey of recent newspaper articles in prominent and local newspapers in New England demonstrates the strength of this misconception, even among educated people (see for example Doughton 1997; Weinstein 1986; see also Harris 1993:7). Non-Indians also misunderstand the historic relationship between the Federal Government and Indian peoples, and see Federal Recognition as a kind of undeserved entitlement (e.g. Brodeur 1995). Native people struggle against these attitudes, and the added burden of defending themselves against so-called “interested parties” who refuse to accept them as who they say they are further complicates and extends the recognition process.

The only defense against persistent misinformation is a careful process of research and evaluation, conducted by credentialed professionals, whose expertise guarantees the best possible analysis and interpretation. I see no need for an entirely separate Independent Review process, as that will inevitably slow down, and further politicize the outcome. However, I think there is room for some measure of cooperation with scholarly institutions, who can provide the resources that support a number of native initiatives, such as we have established at the College of William and Mary. With these provisos, I fully support the Federal Recognition Procedure, and believe that, with continued effort to address some of the difficulties mentioned above, it can be made even more sensitive, efficient and equitable.

References

- Attaquin, Helen A. 1987. There are Differences. In *Rooted Like the Ash Trees: New England Indians and the Land*. Ed. R.G. Carlson, 54-57. Naugatuck CT: Eagle Wing Press.
- Baron, Donna Keith et. al. They were here all along: The Native American Presence in lower Central New England in the Eighteenth and Nineteenth Centuries. *William and Mary Quarterly* 3s:53:no. 3.
- Blu, Karen. 1996. "Where Do You Stay At?" Homeplace and Community among the Lumbee. Pp. 197-228 in Feld, Stephen and Keith H. Basso eds. *Senses of Place*. Santa Fe. School of American Research.
- Brodeur, Paul. 1985. *Restitution: The Land Claims of the Mashpee, Passamaquoddy and Penobscot Indians of New England*. Boston: Northeastern University Press.
- Campisi, Jack. 1980. *The Mashpee Indians: Tribe on Trial*.
- Campisi, Jack. 1996. *The New England Tribes and Their Quest for Justice*. In Child, D.L. H. Stebins, and D. Fellows, Jr., 1827. *Report on the Condition of the Native Indians and Descendants of Indians, in this Commonwealth Mass. House Rept. No. 68*.
- Campisi, Jack, and James D. Wherry, Christine Grabowski, and Bettina Malonson, et. al. 1983. *Wampanoag Tribal Council of Gay Head. Summation of the Historical Narrative and Supportive Documentation in Support of a Petition requesting the acknowledgement of the existence of the Gay Head Wampanoag Tribe using Criteria as contained in 25 CFR 83 as Recodified April 1, 1983. Submitted to the Federal Acknowledgement Project, Department of the Interior, Bureau of Indian Affairs*.
- Davis, Sheldon. 1979. *The Social Responsibility of Anthropological Science in the Context of Contemporary Brazil*. In G. Huizer and B. Mannheim, eds. *The Politics of Anthropology*. The Hague: Mouton.
- Doughton, Thomas L. 1997. *Unseen Neighbors: Native Americans of Central Massachusetts, a People Who Had Vanished,* in *After King Philip's War: Presence and Persistence in Indian New England*, ed. Colin G. Calloway Hanover NH University Press of New England
- Dubuque, Hugo A. 1907. *Fall River Indian Reservation*. Fall River.
- Earle, John Milton. Indian Commissioner. 1861. *Report to the Governor*

and Council, Concerning the Indians of the Commonwealth, Under the Act of April 6, 1859." Senate Document No. 96. Boston: William White, Printer to the State.

Grabowski, Christine. 1994. Coiled Intentions: Federal Acknowledgement Policy and the Gay Head Wampanoags" (Ph.D. diss.) City University of New York.

Handsman, Russell G. and Trudie Lamb Richmond. 1995. The Mahican and Schaghticoke Peoples and Us," in Making Alternative Histories: The Practice of Archaeology and History in Non-Western Setting, Peter R. Schmidt and Thomas C. Patterson eds. Santa Fe: School of American Research Press.

Harris, Cheryl A. 1993. Whiteness as Property. Harvard Law Review. 106. 1707. 1-60.

Herndon, Ruth, and Ella Seketau. 2000 "The Right to a Name:the Narragansett people and Rhode Island officials in the Revolutionary Era. American Encounters: Natives and Newcomers from European Contact to Indian Removal, 1500-1850. edited by Peter C. Mancall and James H. Merrell, pp. 426-451. New York: Routledge

Hicks, George and David I. Kertzer. 1972. Making a Middle Way: Problems of Monhegan Identity. Southwest Journal of Anthropology 28(1)1-24.

Lamb Richmond, Trudie. 1994. A Native Perspective of History: The Schaghticoke Nation, Resistance and Survival. Pp. 103-112. in Weinstein, Laurie, ed. 1994. Enduring Traditions: The Native Peoples of Southern New England. Westpoint, Connecticut. Bergin and Garvey.

McCulloch, Anne Merline and David E. Wilkins. 1995 "Constructing" Nations Within States: The Quest for Federal Recognition By the Catwaba and Lumbee Tribes. American Indian Quarterly 19:3:361-388.

Starna, William a. 1996. 'We'll All be Together Again"; The Federal Acknowledgement of the Wampanoag Tribe of Gay Head, Northeast Anthropology 51. 3-12.

Weinstein, Laurie.1983. Survival Strategies: The Seventeenth-Century Wampanoag and the European Legal System Man in the Northeast 26:81-86.

Weinstein, Laurie. 1986. "We're Still Living on Our Traditional Homeland': The Wampanoag Legacy of New England in Frank W. Porter III, ed. Strategies for Survival: American Indians in the Eastern United States, Contributions to Ethnic Studies 15. Westport, Conn: Bergin and Garvey.

