



AS LONG

AS

GRASS

GROWS

NO
DAPL

THE INDIGENOUS
FIGHT FOR
ENVIRONMENTAL
JUSTICE
FROM
COLONIZATION TO
STANDING ROCK

DINA GILIO-WHITAKER

Beacon Press
Boston, Massachusetts
www.beacon.org

Beacon Press books
are published under the auspices of
the Unitarian Universalist Association of Congregations.

© 2019 by Dina Gilio-Whitaker
All rights reserved
Printed in the United States of America

22 21 20 19 8 7 6 5 4 3 2 1

This book is printed on acid-free paper that meets
the uncoated paper ANSI/NISO specifications for
permanence as revised in 1992.

Text design by Wilsted & Taylor Publishing Services

The names of some individuals in this book
have been changed to protect their privacy.

For Water Protectors Everywhere
MNI WICONI

Fitness Policy Council as a first step toward encouraging more healthy food choices in the community. And the Lummi Nation adopted a "Stop the Pop" campaign to encourage healthier choices in school vending machines and at tribal events.

The history of American Indians in the twentieth century is the story of a comeback from the brink of almost total annihilation at the hands of a settler population that benefitted from the demise of the Indigenous. Indian "survance" has always been a matter of Native ingenuity aided by allies and accomplices working against the genocidal impulse of the State—sometimes within the State governmental structure itself but often outside it—in support of tribal self-determination.⁵² In the twenty-first century, the food sovereignty movement may be the epitome of these partnerships, with organizations borne from, or at least influenced by, the environmental movement. As this book attempts to show, environmental justice and injustice are threads woven throughout all aspects of Native life, and linkages between the health of Indigenous bodies, the agency of tribal nations, the altruism of allies, and the environmental movement have taken a long time to build, and are in fact still developing. But friends have always been hard to find in Indian country, and things have not always been smooth between Native peoples and the environmental movement, as we will see in the following pages.

CHAPTER FIVE

(Not So) Strange Bedfellows

Indian Country's Ambivalent Relationship with the Environmental Movement

In the old days there used to be lots more game—deer, quail, gray squirrels, rabbits. They burned to keep down the brush. The fires wouldn't get away from you. It wouldn't take all the timber like it would now. In those times the creeks ran all year round. You could fish all season. Now you can't because there's no water. Timber and brush now take all the water. . . . I remember Yosemite when I was a kid; You could see from one end of the Valley to the other. Now you can't even see off the road. There were big oaks and big pines and no brush. There were nice meadows in there.

—JAMES RUST, SOUTHERN SIERRA MIWOK¹

There is a longstanding debate within the environmental movement about its historical origins. Some point to the 1962 publication of Rachel Carson's seminal book *Silent Spring* and accounts of the first Earth Day in 1970. Depending on the author, either of these two events is hailed as the beginning of the modern environmental movement. With her groundbreaking book, Rachel Carson alerted postwar America about the unintended consequences of the chemical industry on the natural world—and inevitably humans—leading to the banning of DDT in the US. Then, in 1969 a massive oil spill off the coast of Santa Barbara—the worst spill in US history until the Exxon Valdez disaster in 1989—led to the creation of the National Environmental Protection Act later that year and the Environmental Protection Agency in 1970. Growing awareness of environmental pollution, driven in large part by a burgeoning counterculture

movement, inspired international Earth Day proclamations in 1970, signaling the awakening of a global environmental consciousness.

But a deeper history, one that depicts a continuum of environmental thought in the US, dates back more than a century before the teach-ins of tie-died liberal college students who are sometimes associated with birthing today's environmentalism. Many historians trace the genealogy of the modern environmental movement to the ideals of mid-nineteenth-century naturalists and the creation of the national park system, and the preservation movement that started it. Born from the Manifest Destiny ideologies of western expansion, the preservation movement was deeply influenced by a national fixation on the imagined pre-Columbian pristine American wilderness and the social Darwinist values of white superiority. As this chapter reveals, those legacies carried forth into twentieth-century environmental organizing. The result was a contentious—and sometimes openly antagonistic—relationship between modern environmentalists and American Indians, making the attainment of environmental justice for Native people more difficult. It outlines patterns of divergence—where the goals of environmentalists worked in opposition to Native peoples—and more recently where they meet in a convergence of shared objectives that characterize the changing nature of the relationship, resulting in more productive partnerships and greater justice for both the environment and Native peoples.

THE PRESERVATION MOVEMENT AND NATIONAL PARKS

Historians of the environmental movement often locate the movement's genesis in mid-nineteenth-century literature, most commonly invoking writers such as Ralph Waldo Emerson, Henry David Thoreau, and John Muir. After Emerson composed a book titled *Nature* in 1836, a new, mystical religious and philosophical movement called transcendentalism began to emerge in Boston, Emerson its founder, with the help of Thoreau and others. Believing that a direct experience with the divine could be attained through intimate interaction with nature, both became known as naturalists in what was a new, highly romanticized, and particularly American version of naturalism.² While Emerson and Thoreau were paving fresh intellectual ground in the East, the artist George Catlin (who was unconnected to the Transcendentalist movement) was traveling out

west documenting the last of the "wild" Indian tribes, becoming famous for the hundreds of paintings that are now his legacy and for beginning a national dialogue on the need for national parks. He published several books, among them the classic *Letters and Notes on the Manners, Customs, and Condition of the North American Indians* in 1841. In the book, Catlin lamented what he believed was the beginning of the extinction of the buffalo and the tribes who depended on them. He proposed that the US should create a "Nations' park containing man and beast, in all the wild and freshness of their nature's beauty!" Catlin's work was influential and widely acclaimed, and while the idea for a national park was not yet taken seriously, a growing national angst about modernity made conditions ripe for it by the early 1870s.

The national park system has long been lauded as "America's greatest idea," but only relatively recently has it begun to be more deeply questioned. In his 1999 book *Dispossessing the Wilderness: Indian Removal and the Making of the National Parks*, Mark David Spence delivered a long-overdue critique that linked the creation of the first national parks with the federal policy of Indian removal. Spence points out that the first so-called wilderness areas that had been deemed in need of preserving were not only and in actuality Indigenous-occupied landscapes when the first national parks were established, but also that an uninhabited wilderness *had to first be created*. He examines the creation of Yellowstone, Glacier, and Yosemite National Parks in particular to illustrate the way the myth of uninhabited virgin wilderness has for more than a century obscured a history of Native land dispossession in the name of preservation and conservation and serves as the foundation of the environmental movement.³ The creation of Yellowstone as the first national park is instructive for understanding how the language of preservation evolved over time. What is today Yellowstone National Park (which lies predominantly within the northwest corner of Wyoming and slightly within Montana and Idaho) was originally the territory of numerous tribal nations, including Shoshone, Bannock, Crow, Nez Perce, and other smaller tribes and bands. The treaties of Fort Bridger and Fort Laramie in 1868 ceded large tracts of land to the US and created separate reservations for the tribes but retained the right of the continued use of the ceded lands for hunting and other subsistence activities. Although early settlers had claimed the Indians avoided the Yellowstone area due to superstitions about the geysers,

they in fact had long used the lands, a rich source of game and medicinal and edible plants, for spiritual ceremonies and other purposes.

After the park's establishment in 1872 the Indians continued to frequent the area, especially since limited reservation land and government food rations were insufficient to feed the people, and the threat of starvation constantly loomed. According to Spence, Yellowstone, with its mesmerizing geysers and otherworldly geologic formations, was set aside initially not in the interest of preserving wilderness but as a "wonderland" for its unique natural features—an ideal tourist attraction. But the threat of private development such as mining interests, timber exploitation, and railroads combined with fears about the depletion of game, fish, and timber, changed the government's rationale for the park. By 1886 the Department of Interior's stated purpose for the park's existence was the preservation of the wilderness (animals, fish, and trees), to be enforced by the military, which was already aggressively pursuing resistant Indians throughout the Plains. Anxiety about hunting in the park over the next few years led to the passage of the Lacey Act in 1894, a law prohibiting all hunting within park boundaries, including Indian hunting—in direct violation of treaty protections. A legal challenge to the law resulted in the US Supreme Court case *Ward v. Race Horse* in 1896 in which, as Spence contends, the court ruled that the creation of Yellowstone National Park and the Lacey Act effectively signaled Congress's plenary authority to nullify Indian hunting rights at will, at a time when both judicial and congressional decisions persistently eroded Indian rights. *Race Horse* was overruled by the Supreme Court in a 1999 case brought by Minnesota's Mille Lacs Band of Chippewa Indians, but in a separate 2016 case a Wyoming state court rejected the Crow's treaty right to hunt on federal lands within the state. That case is still pending in a state appellate court. These cases demonstrate the contradictions in law when state and federal law conflict relative to Indian treaty rights.

The lingering result of the Yellowstone story is that coded within the language of preservation, "wilderness" landscapes—always already in need of protection—are, or should be, free from human presence. But this logic completely evades the fact of ancient Indigenous habitation and cultural use of such places. In Spence's words, "the context and motives that led to the idealization of uninhabited wilderness not only helps to explain what national parks actually preserve but also reveals the degree to

which older cultural values continue to shape current environmentalist and preservationist thinking."⁴ In other words, the paradigm of human-free wilderness articulated by early preservationists laid a foundation for the twentieth-century environmental movement in extremely problematic ways. When environmentalists laud "America's best idea" and reiterate narratives about pristine national park environments, they are participating in the erasure of Indigenous peoples, thus replicating colonial patterns of white supremacy and settler privilege.

THE MYTH OF THE WILDERNESS AND THE REALITY OF INDIAN LAND MANAGEMENT

If anyone were to be called the patron saint of the environmental movement it would surely be Thoreau. Although he was not widely read in his time, the real impact of his work would manifest later, particularly as a result of his (and Emerson's) influence on John Muir. Both Thoreau's and Muir's views on nature and what humans' relationship to it ought to be were shaped by their experience with Indians, about whom both wrote in published and unpublished manuscripts.⁵ Biographers of Thoreau and Muir tend to admire Thoreau and Muir's views on American Indians, praising them as progressive "Indianists" at a time of intensifying violent colonization of the continent, but also tend to downplay the extent to which both men were influenced by popular anthropological narratives of Indian inferiority—what we today call the savage and noble savage tropes. In the process, these commentators often reinforce the patronizing, romanticized views that prevented Americans from seeing Native peoples as fully human in the first place. The overly romantic and fetishized view of Indian closeness with nature (conceived, for example, as "mystical," "primeval," and "primal") inevitably invokes Indians as child-like and intellectually unevolved. Worse, it evades US accountability for its genocidal expropriation of the continent—based on the very justification of Indian inferiority—and the violation of its own constitutional law about treaties being the supreme law of the land.⁶

Thoreau, especially, wrote extensively about American Indians. Fascinated by the Indians' closeness to nature, he studied their history and cultures and later in his life befriended Penobscots Joe Aitteon and Joe Polis, whom he had hired as guides, documenting his adventures with

them in his classic work *The Maine Woods*. He clearly had a great admiration for the way Indians lived, and he perceived in their spirituality a mysticism that appealed to his own Transcendentalist orientation. Yet inescapably woven throughout Thoreau's writings about Indians is also a romantic draw to the "wildness" of Indian life—the noble savagery of the Indian, who by virtue of his primitiveness is worthy of respect, because, at least in part, he resists the corruption of the white man's civilization. Thoreau may have appreciated Indians more than most European Americans, but he was still a man of his times and reflected popular social Darwinist views when he wrote in 1858,

Who can doubt this essential and innate difference between man and man, when he considers a whole race, like the Indian, inevitably and resignedly passing away in spite of our efforts to Christianize and educate them? Individuals accept their fate and live according to it, as the Indian does. Everybody notices that the Indian retains his habits wonderfully, is still the same man that the discoverers found. The fact is, the history of the white man is a history of improvement, that of the red man a history of fixed habits of stagnation.⁷

Thoreau read Samuel George Morton's *Crania Americana* (1839), and embraced Morton's theories of Indian cultural and intellectual lowliness.⁸ Even as he occupied himself with absorbing all he could about Indian life, fixating on everything from the Indian physique to funeral customs, Thoreau seemed never to have grasped that the New England wilderness, already so altered by European settlement in his time, had in the precolonial period been a cultural landscape shaped by centuries of Indian intervention on the land, not the untouched pristine environment he and many of his contemporaries imagined.⁹

The history of national parks, shaped by ideologies of preservation and conservation that Thoreau and similar naturalists inspired, has a long track record of severing Indians from living on, or traditional uses of, their ancestral lands. Similar versions of the Yellowstone story played out in the early days of numerous national parks, including Glacier, Mount Rainier, Mount McKinley (now Denali), Death Valley, Grand Canyon, Mesa Verde, and many others. National park historians Robert

Keller and Michael Turek identify four phases the national park system exhibited as it gradually improved its relationship with tribes, particularly in the latter half of the twentieth century, but by then the stubborn narratives about Indian savagery and inferiority that justified their removal from parklands had cemented themselves into the national imagination and infiltrated the consciousness of early environmentalists.¹⁰ The racist tropes are found throughout the historical literature of the late nineteenth and early twentieth centuries and are all too familiar: Indians were lazy, stupid, and childlike, conniving beggars and treacherous liars. But ironically, they were also sometimes characterized as ignorant of their own environments, wasteful users of the land. In 1923, for instance, one ranger in Glacier National Park, enforcing no-hunting laws (which violated the treaty rights of the Blackfeet) inside the park, commented that "unless the Indians are curbed in their desire to kill everything in sight Glacier Park will soon have no game."¹¹

The view that Native peoples were incapable of managing their own lands in intelligent and innovative ways was evident in the early years of government management of Yosemite, but it also reflects the very different cultural values that shaped their own use of the land. When the first white settlers observed the magnificent "cathedral" of Yosemite Valley, they described vast open meadows covered in "luxuriant native grasses and flowering plants,"¹² a place that "presented the appearance of a well-kept park,"¹³ "an appearance of a prairie planted with fruit trees."¹⁴ These observers were there early enough to witness how the valley had been managed for centuries by Native peoples. With techniques like controlled burns and even hand removal of young willows and cottonwoods, the growth of a thick and highly combustible understory was averted, helping to prevent uncontrollable fires. Ethnobotanist M. Kat Anderson, whose voluminous analysis of California Indian land management broke intellectual ground in Native studies, noted that "much of the landscape in California that so impressed early writers, photographers, and landscape painters was in fact a cultural landscape, not the wilderness they imagined. While they extolled the 'natural' qualities of the California landscape, they were really responding to its human influence."¹⁵ But, as the epigraph to this chapter indicates, within a few short decades of bureaucratic management Yosemite Valley would become almost unrecognizable to its Indigenous inhabitants.

Before it became a national park in 1890, Yosemite was a state park under a grant from President Abraham Lincoln in 1864, but its history with Indians differs from that of Yellowstone and Glacier. The Yosemite Indians were violently expelled from the valley with the Mariposa Indian War of 1850–51, but unlike the Rocky Mountain Indians, the Yosemite Indians were gradually allowed to return within a few years and resume much of their previous customary land-based practices, including hunting, fishing, and food gathering.¹⁶ Limited numbers of them lived in the park for another century, contributing to the Yosemite tourist economy through the exploitation of their labor and culture. Yosemite was established as a tourist destination from its earliest days, and the presence of Indians still living largely in their traditional manner lent an aura of authenticity and mystique to park visitors' "wilderness experience," rationalizing their continued existence in the park to the bureaucrats who maintained it. But with the tight controls of government bureaucracies came the loss of traditional environmental management Yosemite's Indigenous peoples had maintained for centuries.

As the federal government evolved its wilderness management practices, so did its philosophical slant toward it. From the national parks' inception in 1916 until well into the 1930s, the "wonderland"¹⁷ approach to land management prevailed, and as early as 1872 the national parks were conceived of as national "pleasuring grounds."¹⁸ Ironically, the Park Service's guiding philosophy was more about catering to tourists than it was about actually preserving wilderness—however problematic the concept of wilderness was. Even the national parks' Organic Act (its founding document) directed park managers to manipulate the landscape as necessary to improve views, which could be achieved by "dispos[ing] of timber" or killing predatory animals that reduced populations of popular game animals like deer and mountain sheep, which tourists expected to see.¹⁹ In Yosemite, Indians were prohibited in the late 1800s from hunting and their controlled burning practices. So, by the turn of the century the valley had become transformed from an Indigenous cared-for cultural landscape to a cultural landscape based on the projection of an imagined, commodified, European American wilderness.²⁰

Unpacking the philosophical foundations of the early conservation and preservation movements is crucial to understanding how the formal, organized environmental movement would unfold throughout the

twentieth century, informed as it was by its not-so-hidden prejudices and stereotypes about American Indian people and the overarching master narrative of white supremacy, and also by wilderness as a historically contingent, socially constructed idea. John Muir and the founding of the Sierra Club was at the temporal intersection of these eras, bridging the nineteenth-century era's savagist narratives and the twentieth-century federal move toward (re)recognizing Native sovereignty and self-determination. But they were far from the only ones.

WHITE SUPREMACY AND THE SEEDS OF THE ENVIRONMENTAL MOVEMENT

Few terms in American vernacular English can elicit the kind of emotionally charged response that "white supremacy" can. Americans like to think that since the civil rights era, we have achieved the postracial, meritocratic, multicultural state where color blindness and equal opportunity prevails. Both liberals and conservatives like to think that racism is defined only by hostile behavior from which individuals can excuse themselves because they have friends, employees, perhaps an old lover or two who are people of color. In this way of thinking, white supremacy is an ideology restricted only to rogue alt-right neo-Nazis or white-nationalist fringe groups, and certainly not well-meaning everyday people, whether conservative or liberal. While white supremacy is most definitely at the root of those regressive social movements, as a foundational worldview constructed by centuries of white European settlement of the United States, it is far broader than that. It is the thread from which the American social fabric is woven. A few decades of laws promoting racial justice have failed to unravel the systemic forms that white supremacy has taken, reflected by a range of social indicators from chronic wealth inequality to negative educational outcomes to disproportionate rates of violence (police, sexual, and domestic) and incarceration in communities of color. Centuries of dehumanization of American Indians, African Americans, and ethnic minority "others" has left its mark on the American mind and in its institutions, refusing to die.

In Indian country, white supremacy was never limited to just racial inferiority, since ideologies of religious and cultural inadequacy predated it, as the previous discussion on the foundations of federal Indian law, particularly the doctrine of Christian discovery, revealed. That Native

people were inferior to white Europeans was a given and widely accepted by the general public well before and after the nineteenth century. It was as true for John Muir as it was for his predecessor Henry Thoreau. Some writers claim that Muir's racist views on Indians stemmed from his postimmigration childhood in Wisconsin's Winnebago territory and became intensified after coming to California. When Muir arrived in San Francisco in 1868, California was engaged in an open campaign of extermination of California Indians, which he didn't seem to ever have actively opposed. Instrumental in the creation of Yosemite National Park, he supported the expulsion of the Yosemite Indians from their ancient home in the valley and journaled his experiences with and thoughts about California "digger" Indians (a derogatory term even then), whom he found dirty, lazy, ugly, and altogether disappointing. Muir's apologists like to point out that his views about Indians evolved over time, especially after his travels to Alaska where he time spent among Tlingits and other Alaska and Pacific Northwest Natives, gradually growing more favorable ideas about Indigenous peoples. It's true that his opinions improved over time, but Muir never fully shed his views of Indigenous inferiority that were shaped by his religious upbringing. In Alaska Natives he may have been more able to see a noble culture that lived in harmony with its environment, but even in this case he never transcended a deeply ingrained pattern of Christian paternalism that presupposed Natives as culturally deficient and in need of Christian improvement.²¹ At a time of profound oppression of Native people, Muir's "evolution" can be said to have risen to no more than old-fashioned European American benevolent supremacy.

The idea of wilderness as conceived by preservationists and conservationists was a white-settler social construct. It imagined an unpeopled, wild landscape as pristine, pure, and unspoiled, and as the environmental historian Carolyn Merchant asserts, reflected values that equated wilderness with whiteness and, after postbellum black urban migration, cities with darkness and depravity. These tropes, rooted in policies of removal and segregation, she argues, led to the ideal of an American "colonized Eden," a "controlled, managed garden" from which colonized Indigenous peoples, immigrants, and people of color were systematically excluded and which led to patterns of toxic waste dumping in communities of color.²²

It is against this backdrop that the Sierra Club, the United States' first nongovernmental, environmentally focused organization, was founded in 1892, with John Muir at the helm as one of its founding members and first elected president. Established initially as a mountaineering enthusiast club, its mission was "'to explore, enjoy, and render accessible the mountain regions of the Pacific Coast; to publish authentic information concerning them,' and 'to enlist the support and cooperation of the people and government in preserving the forests and other natural features of the Sierra Nevada.'"²³ From its inception the Sierra Club's agenda was to protect Northern California's wilderness areas, which by then had been largely cleared of California's Indigenous population, with the survivors of the state's genocidal policies confined to small rancherias and reservations. It also dovetailed with the federal policy of forced assimilation legislated by the 1887 Dawes Act in the immediate post-Indian-war period. Nationwide, with the Indian population at record low numbers, safely contained within reservation boundaries and guarded by strictly enforced laws against hunting outside those bounds, the stage was set for a burgeoning new phase aimed at protecting what remained of the United States' "wild" places and animals. On the heels of the industrial revolution and western expansion, and with a still-growing national infrastructure, protecting the environment—framed as preservation and conservation—would be a matter of balancing the needs of development with wise use of land and natural resources.

The first few decades of the twentieth century saw the establishment of numerous nongovernmental organizations and governmental agencies and laws oriented toward preservation and conservation. Among them are the National Audubon Society (1905), Antiquities Act (1906), National Park Service (1916), National Parks Conservation Association (1919), Izaak Walton League (1922), Wilderness Society (1922), National Wildlife Federation (1936), Civilian Conservation Corps (1933), Defenders of Wildlife (1947), and Nature Conservancy (1951). While naturalists worked to protect lands acquired through centuries of aggressively imposed treaties and a variety of other legally sanctioned land grabs, tribes struggled to hold on to what remained of their land bases and cultures. By 1934, with the passage of the Wheeler Howard Act, a new policy direction was ushered in, influenced by a new generation of Western-educated

Indians. Also called the Indian Reorganization Act, or the "Indian New Deal," the law allowed tribes to organize their own tribal governments patterned after the US Constitution. It reversed the assimilation policy and empowered newly reconstituted tribal governments to have greater management of their own land and mineral rights (still, however, under the close supervision of the Bureau of Indian Affairs), building capacity for economic development as the answer to the intractable poverty that choked tribal communities.

By 1949, under the Truman administration, assimilation was back on the table, and in 1953 Congress passed House Concurrent Resolution 108, also known as the termination bill. Conceived as a final solution to the "Indian problem," termination was framed as the liberation of tribes from the yoke of federal supervision. In reality, it was no less than another push for the federal government to abrogate its treaty obligations and end its administrative responsibilities to Indians, and another land grab. Under termination, tribal governments were dissolved, their lands transferred into white settler ownership, and more than twelve thousand individual Indians absorbed into the American mainstream, no longer legally recognized as Indians. The termination policy's relocation program transferred thousands of Indians from their reservation homes to large cities, causing a population shift away from the reservations. More than one hundred tribes were terminated throughout the 1950s and '60s—at least forty-six in California alone—with particularly disastrous effects on the Menominee in Wisconsin and Klamath in southern Oregon. But the winds of change were blowing in the US with a growing civil rights movement and once again Indians were organizing, this time on college campuses and in urban areas like Minneapolis, San Francisco, Los Angeles, Seattle, and beyond. The new Red Power movement activated Indian people on and off reservations who argued for resistance to termination and for honoring the treaty relationship. A policy shift to self-determination solidified a government to government relationship, which by the 1980s would come to be articulated in the legal language of tribal sovereignty. New laws enabled tribal governments to pursue economic development projects, from resource development to gaming, by requiring federal recognition and traditional homelands and revitalizing cultural practices—sending them at times on a collision course with the new environmental movement.

THE MODERN ENVIRONMENTAL MOVEMENT AND CLASHES WITH INDIAN COUNTRY

The Red Power movement was just one aspect of the social revolution that swept across the American social landscape in the 1960s and '70s, paralleling other ethnic nationalisms, women's liberation, the antiwar movement, and the emergence of a new, rebellious, and predominantly white middle-class counterculture. Disenchanted with the conservative values of their parents' generation and witnessing the increasing degradation of the environment, countercultural youth looked to other cultures for answers to existential questions they perceived as unavailable in mainstream American society. In American Indians they, like Thoreau and Muir before them, saw a relationship to nature that should be emulated, inspiring a back-to-the-land movement and an aesthetic that unequivocally evoked the Indian—long hair, headbands, moccasins, beads and feathers, leather and fringe, turquoise and silver.

In 1971, just a few months after the first Earth Day signaled the beginning of a modern environmental movement, Indians unwittingly became the symbol of the new movement with the famous "Crying Indian" antilittering commercial released by Keep America Beautiful, Inc. The image of a buckskin-clad Indian, with a single tear rolling down his face as a factory spews toxic smoke in the background and trash thrown from a car lands on his beaded moccasins, seared itself into America's collective consciousness. Never mind that the Indian, Iron Eyes Cody, was no Indian at all, but a 100 percent Sicilian American actor named Espera Oscar de Corti who had built an entire career—and personal life—on Indian impersonation. The Crying Indian represented what anthropologist Shepard Krech III called the "ecological Indian," a revamped version of the noble savage who became the stand-in for an environmental ethic the US should aspire to.²⁴ In a strangely visceral way, the deception of Iron Eyes Cody mirrored the falseness of the ecological Indian stereotype, because like de Corti's fake, hyper-Indian image,²⁵ the new stereotype set an impossibly high standard to which white environmentalists would hold Native people for the next several decades. It came at a time when tribal governments had finally regained enough power to exercise self-determination in nation-building projects that often involved exploiting the only things they had—natural resources—setting the stage for future conflict and discord.

The relationship between the counterculture and Indian country was complicated from the beginning. Desiring a deeper connection with the Earth and a more meaningful form of spirituality, hippies made pilgrimages to reservations searching for the mystical Indian wisdom they had read about in books like John Neihardt's *Black Elk Speaks* and Carlos Castaneda's wildly successful but fraudulent series about the Yaqui shaman Don Juan Matus.²⁶ Other ethnic frauds infested the literary counterculture over the next few decades, exploiting the gullibility of the spiritually starved and building a lucrative New Age industry in the process.²⁷ The problem was not so much that hippies looked to Indian country for answers. It was that as settlers they unconsciously brought with them worldviews and behavior patterns that were inconsistent with Indigenous paradigms and tried to fit Indigenous worldviews and practices into their own cognitive frameworks. Predominant among their settler culture frameworks are the pursuit of universal truth and personal edification, both particularly Christian ideas in the context of the US. If truth is universal, the logic goes, then the truths perceived in Native cultures must be applicable to all people everywhere, and in the United States everyone has the right to practice whatever religion they choose. Non-Natives couldn't comprehend that Native spiritual principles evolved over eons based on ancient relationships to place and was reflected in language and specific histories, and that the function of Indigenous ceremonies was primarily for the perpetuation of particular communities, not personal enlightenment. An orientation based on rugged individualism combined with a deeply ingrained sense of entitlement (Manifest Destiny in its modern form) translated into the toxic mimicry that today we call cultural appropriation, which takes a multitude of forms. At its core, cultural appropriation is always an invocation of "authentic" Indians and Indian culture as constructed by settlers, however falsely. The fetishized authentic Indian is the representational production of the culturally and biologically "pure" Indian, and the ecological Indian trope was just the counterculture and environmental movement's version of it.

The Indian-inspired back-to-the-land sensibility cultivated by the counterculture emerged as another iteration of the environmental movement, but it was expressed in distinctly spiritual terms drawn from Native peoples, as the literary examples of Carlos Castaneda and many others demonstrate, however problematically. Sometimes referred to as

"second-wave environmentalism," countercultural hippies, despite their blatant appropriations, did at times work constructively with Indian country. As historian Sherry L. Smith documents, the Pacific Northwest Fish Wars, the cultural revolution in California, the Wounded Knee occupation, and other places and events saw productive partnerships between hippies and Native people who were working for Indian rights alongside calls for other social justice reforms. Indians sometimes even exploited non-Natives' misplaced beliefs about Native cultural authenticity, but overall "most leftists did not understand that their adulation and reverence carried this darker undercurrent [of colonialism and racism]".²⁸ Historian Paul Rosier contends that the mainstream environmental movement developed in tandem with an American Indian environmentalism during the 1960s and '70s, sometimes intersecting in interesting ways (the Fish Wars is a good example, and literary examples include Ken Kesey's blockbuster *One Flew Over the Cuckoo's Nest* and Edward Abbey's 1975 cult classic *The Monkey Wrench Gang*). "An important element of this story," Rosier writes, "is thus the conversation and collaboration among Indians and non-Indians on environmental problems in their efforts to find common ground; the process was an exchange of ideas and political support rather than a one-way act of appropriation or cultural imperialism."²⁹ But as the years progressed, the cultural appropriation and imperialism intensified with the rise of the New Age movement, and the conversations and collaborations weren't always smooth, or even present at all, when they should have been.

With the 1975 shift in federal policy to tribal self-determination and as tribal governments sought economic development, land use projects, land return, and cultural revitalization, clashes between tribes and white environmental groups were on the rise by the early 1980s, exposing the groups' historic roots in (white) settler privilege and racism. In 1983, for instance, the Nature Conservancy purchased four hundred acres of land on the White Earth Reservation and donated it back to the state of Minnesota, not the tribe.³⁰ In 1985 the Sierra Club sued to prevent Tlingit and Haida in Alaska from logging on Admiralty Island, after the US had returned twenty-three thousand acres as part of a land claims settlement. In 1992 the Sierra Club refused to support the White Earth Land Recovery Project's effort to have returned the northern half of the Tamarac Wildlife Refuge to the White Earth Band on the grounds that the club

would not have a say in refuge management.³¹ In 1999, after years of legal, cultural, and spiritual groundwork, the Makah tribe in Washington State successfully hunted and killed their first gray whale in more than seventy years from a traditional cedar canoe. The reprisals were swift and furious, coming from a variety of antiwhaling and animal rights groups, the most vocal from the Sea Shepherd Conservation Society's Paul Watson, a founding member of Greenpeace.³² The Makah received death threats, hate mail, public harassment, and the inevitable challenges to the authenticity of the tribe's culture.

Conservationist mythologies of Native people living in untouched pristine nature have dogged them even into recent years. The Timbisha Shoshone in California's Death Valley were dispossessed of their lands with the creation of Death Valley National Monument in 1933, ending the tribe's ancient land management when their homeland came under the management of the National Park Service. In 1983 the tribe gained federal recognition, but because federal recognition did not come with the return of land, it would take many more years of legal battles to finally reacquire 7,754 acres within the park, under the Timbisha Homeland Act. Decades of landscape neglect resulted in the deterioration of the honey mesquite and single-leaf piñon groves—both important food sources—and in 2000 the Timbisha requested comanagement with the Park Service to resume their traditional management practices, but they faced bitter opposition from numerous environmental groups and individuals, including the local Sierra Club chapter. In the public commenting process of a legislative environmental impact assessment, a dominant theme running through the comments was objection to tribal management. Public opposition was based on the tired, old belief of a pristine wilderness, as though the valley had been uninhabited and unmanaged for millennia. Eventually the conflict was resolved, and today the Timbisha Shoshone are engaged with the Park Service in experimental projects to rehabilitate the natural habitat with traditional techniques.³³

Opposition to gaming has also been a platform upon which environmentalists have battled with tribes. I began my career as a journalist with one particularly ugly episode in 2003 in the Northern California community of Sonoma County. I chronicled an explosive controversy over plans of the Federated Indians of the Graton Rancheria (FIGR) to build a casino and hotel resort within its traditional territory of Rohnert Park, a town that was part of the county's growing urban sprawl and where I

happened to live. Sonoma County and neighboring Napa Valley are better known as California's wine country, and tribal gaming had long been perceived as a corrupting influence in an otherwise politically liberal and expanding economic climate. Prior tribal gaming ventures had faced bitter opposition and vitriolic fights. Initial promises not to pursue a gaming operation were made by tribal leaders under pressure from congressional members as a condition of the tribe's federal recognition bill, which had passed only three years earlier. But when the recognition bill passed without an antigaming clause, the tribal council changed its mind; well-funded gaming industry backers had courted them with what was sure to be a lucrative location. Terminated in the 1950s and with widespread poverty in its community, the tribe had regained its recognition but had no land base. The project would first require the acquisition of land that would then be taken into federal trust, making it a reservation. Once the site was chosen and the purchase initiated, the organized casino opposition kicked into high gear, becoming a spectacle of modern bipartisan anti-Indianism and invoking the ghosts of California's not-so-distant genocidal past. Like the Makah, the tribe faced death threats and public hate speech, inaccurate and unfair media representation, and vicious racist attacks. And it went on for years.

Lawsuits failed to stop the project. The conflict raised issues of the tribe's sovereignty, its right to economic development, and the historical injustices it had faced on one hand, and on the other, an ideologically driven disapproval of gaming by a surprisingly large and diverse segment of the local population. The result was a toxic brew of highly public and far-reaching anti-Indian rhetoric. After a 360-acre parcel of farmland had been purchased and the land taken into trust in 2010, the opposition group Stop the Casino 101 Coalition tried numerous tactics to block construction, including appeals to environmental harm. The Center for Biological Diversity was brought in and determined that the habitat of the endangered tiger salamander would be affected. Adding fuel to an already raging political conflagration, public debates then centered on the need to balance economic development (not tribal sovereignty) with environmental protection. Efforts to stop the project based on the endangered salamander ultimately failed, however, and the casino opened in 2013. The highly divisive public battle led all the way to the US Supreme Court, with the court declining to hear the case in 2015. In the end, challenges based on salamander habitat resulted in the US Fish and Wildlife Service's

designation of a 47,383-acre salamander protection zone, an exemption of 252 acres of FIGR's property from the zone,³⁴ and the tribe setting aside 180 acres and \$24 million for environmental mitigation projects.

Legal strategies aimed at protecting the salamander may have failed to stop the project, but it raised troubling and provocative questions about what it means for non-Indians to use environmental issues as a political wedge against tribes' right to exercise sovereignty, especially if seen through a lens that recognizes settler colonialism as an ongoing process of environmental injustice. If settler colonialism is a structure that disrupts Indigenous peoples' relationships to their environments (as clearly happened to FIGR) and the exercise of sovereignty is at least a partial effort to reverse that structure, then opposition to it would be read as favoring a system that continues to commit environmental injustice against Indigenous peoples. It also highlights why environmental injustice is an issue that for Indigenous peoples goes beyond environmental racism. To what degree is environmentalism deployed as just another weapon of colonial domination in unpopular tribal economic development projects? Connecting the issue more broadly to ethical land use in energy projects, how can environmental awareness and protection be balanced with histories of injustice and respect for tribal sovereignty? If environmentalists (and the broader public) were more knowledgeable about tribal histories, sovereignty, and colonialism, could they transcend narratives that reduce debates about tribal economic development projects to environment versus development or in the case of gaming, communities versus tribal gaming? Finally, how can education about settler privilege, white supremacy, and systemic racism improve relations between Indian and non-Indian activist communities and the broader American population overall?

WORKING TOWARD PRODUCTIVE PARTNERSHIPS

A milestone in the environmental movement occurred in 1992 with the convening of the United Nations Conference on Environment and Development, also known as the Rio de Janeiro Earth Summit. The Rio Summit was, among other things, the world's governments formal acknowledgment of climate change and resulted in several binding agreements, including the Framework Convention on Climate Change. By then, Indigenous peoples had been organizing around environmental issues at the international level since at least 1972, when a delegation of

Hopi and Navajo activists attended the United Nations Conference on the Human Environment in Stockholm, the United Nation's first major international conference on the environment.³⁵ Climate change agreements like the Kyoto Protocol and the Paris Accords eventually followed, and by 2000 a robust climate justice movement was mobilized. On a large scale, climate change activism married the environmental movement—which had morphed into one wing of an international nonprofit industrial complex—with grassroots activism. It signaled that environmental justice was a global but distinct aspect of the environmental movement, since the detrimental effects of climate change were unevenly distributed between the so-called developed and undeveloped worlds. Whereas the environmental movement writ large was concerned with the myriad ways humans were causing environmental degradation, climate change, caused by greenhouse gases produced primarily by burning fossil fuels, pinpointed the blame on Big Oil and its far too cozy relationship with governments. But Indigenous and fourth world people were on the frontlines of climate change, as people living in closer relationships to the Earth felt its impacts first: loss of land due to sea level rise, desertification, drought, disruptions to subsistence-based food systems, intensifying storms, loss of sea ice, and a host of related ecosystem changes. Yet they had been largely excluded from United Nations climate change talks, and worse, the Kyoto Protocol's creation of a market-based system of carbon trading exposed Indigenous peoples to new abuses by States. It was thus natural that Indigenous peoples would rise as global leaders of the climate justice movement.

During the 1990s new kinds of stories began to appear in American environmental literature and media, conceding the ways the environmental movement had marginalized and alienated Native peoples. New alliances between tribal nations and people with whom they had historical enmities (not just environmental groups) increasingly formed to oppose environmentally destructive development. Indigenous environmental groups sprang up, like the Indigenous Environmental Network (1990), Honor the Earth (1993), and other locally based tribal and non-Native coalitions, such as the Shundahai Network (a Shoshone effort to resist the Nevada Nuclear Test Site), the Environmentally Concerned Citizens of Lakeland Areas (Lac du Flambeau Ojibwe citizens' opposition to a sulfide mine in Wisconsin), Sweetgrass Hills Protective Association (multiple tribes aligned with non-Natives to fight a gold mining operation

in northern Montana), to name just a few. In the second decade of the twenty-first century, with the oil industry posting record profits, proliferating fracking operations,³⁶ and massive new pipelines planned—exacerbating tensions created by the 2008 recession and skyrocketing wealth inequality—public fury grew. By 2015, high-profile demonstrations succeeded in convincing the Obama administration to reject the Keystone XL Pipeline, uniting Native and non-Native people in mounting demands to transition away from a fossil fuel economy. By April 2016, when a handful of Lakota women and youth were quietly setting up the Sacred Stone Camp to protest the Dakota Access Pipeline, a critical mass had been reached and the ground laid for what would become the biggest tribally led act of civil disobedience in US history.

The #NoDAPL protest at Standing Rock was precedent setting on numerous fronts, not the least of which for the degree of collaboration between Native and non-Native people it inspired. For the better part of a year, non-Native Americans poured out their support in social and news media, with financial and other donations of everything from food and clothing to building materials, and side by side risked their lives with Indian people, braving brutal police attacks, harassment, and jail. Thousands of non-Native veterans put their bodies on the line in life-threatening weather conditions, and led by Wesley Clark Jr., son of the retired army general and Democratic presidential candidate Wesley Clark Sr., they publicly asked forgiveness for centuries of military aggression against Indian people. More than a few stars showed up, lending their celebrity to draw attention to the Standing Rock tribe's cause. After hundreds of years of hostility between Native and non-Native people, the cooperation between them at Oceti Sakowin seemed to suggest a new level of conciliation for at least some segment of the population. Yet even in light of this heightened spirit of cooperation and goodwill, underlying tensions bubbled to the surface in old, familiar ways, as we explore in the following chapter. It found a particular expression among the women, which might not be surprising, given it was women who established the camps and were largely in charge to begin with. This gendered cultural clash opens a space to examine in detail how things can so easily go wrong between Native and non-Native activists when entrenched patterns of white supremacy and racism are unconsciously repeated, maintaining obstacles to true partnership and respect.

CHAPTER SIX

Hearts Not on the Ground

Indigenous Women's Leadership and More Cultural Clashes

*A nation is not defeated until the
hearts of its women are on the ground.*

—OLD INDIAN PROVERB

Ladonna Brave Bull Allard, a Standing Rock Sioux tribal historian and founder of the Sacred Stone Camp, stands on a grassy green knoll looking out over Lake Oahe, wistfully reflecting on the past. The North Dakota prairie wind blows her thick salt-and-pepper hair away from her face, accentuating her elegant Indian grandma features. She tells the story of how her great-great grandmother Nape Hote Win (Mary Big Moccasin) survived the Whitestone Massacre in 1863, and about a time before the dam when the Missouri River was called Wakangapi Wakpa, River that Makes the Sacred Stones, for a large whirlpool that created large, spherical sandstone formations. The lake claimed those sacred stones, and it was for them that Allard named her place the Camp of the Sacred Stones. "I was a girl when the floods came and desecrated our burial sites and Sun Dance grounds. Our people are in that water. This river holds the story of my life," hinting at the bittersweetness of the lake, at once a giver and taker of life.¹ This is the way it has always been done throughout Indian country, elders telling stories that keep the memories of their people alive—the ancestors and their enemies, life and death, good and bad. Women have always been valued storytellers in their communities, keepers of culture and defenders of their lands, alongside and equal to but different from men, often sharing political power and leadership roles. It is the same today, but not without alteration, loss, and reclamation.

Examining the history of Native women's political activism provides