

00:06
hello welcome to another virtual program
00:09
with maine historical society
00:12
it is july 20th 2021 i'm kathleen newman
00:17
and this is major episodes of colonial
00:20
racism in maine state indian history and
00:22
policy with dr darren renko this talk is
00:27
one of a series uh for begin again our
00:30
exhibit at main historical society this
00:33
series will examine the different
00:35
stories and different themes that are
00:37
explored in that exhibit if you'd like
00:40
to know more about how you can visit the
00:42
exhibit in person or virtually please
00:45
visit our website mainehistory.org
00:49
to learn more and to purchase tickets
00:53
darren renko is a citizen of the
00:55
penobscot nation and associate professor
00:58
of anthropology and chair of native
01:01
american programs at the university of
01:03
maine
01:04
he has a masters of studies in
01:07
environmental law from vermont law
01:09
school and a phd in social anthropology

01:12
from harvard university
01:14
his research focuses on the ways in
01:16
which indigenous communities in the
01:18
united states resist environmental
01:21
destruction by using indigenous science
01:24
diplomacies and critiques of liberalism
01:26
to protect natural and cultural
01:29
resources
01:30
he teaches classes on indigenous
01:32
intellectual property rights research
01:35
ethics environmental justice and tribal
01:38
governance he is particularly interested
01:41
in how better research relationships can
01:43
be made between universities museums
01:46
native and non-native researchers and
01:49
indigenous communities thank you so much
01:52
dr renko for being with us this evening
01:56
thank you so much and uh
01:59
um
01:59
really
02:00
really honored to be joining you all and
02:03
i see in the attendees of which there
02:06
are now almost 100 of you um

02:09
several of you know know me and have
02:11
heard me speak before and
02:13
um
02:14
part of what i want to
02:16
say is you know i'm i'm
02:17
zooming in from a place uh i called
02:20
nahem
02:21
which is turkey hill here in dedham
02:24
um in my own territory and
02:26
um as a pedophile nation citizen
02:29
and i just it's such an honor to kind of
02:32
be in my own territory
02:35
try to illuminate and tell um difficult
02:38
uh stories that that collectively unite
02:40
us but also
02:42
create um possibilities for a more just
02:45
relationships uh amongst us so sort of
02:48
my
02:49
thesis statement of being with you this
02:51
evening and i'll i'll also uh share my
02:54
screen
02:55
um let's see here
02:58
it's only been

02:59

a year and a half so maybe i can master

03:03

the

03:04

the

03:06

sharing of the screen

03:09

so here is title slide uh major episodes

03:12

of colonial racism

03:14

and um

03:16

i have given um versions of this talk in

03:20

parts especially the first half um

03:23

partly

03:24

as kathleen remembers in support of our

03:27

redact the redact exhibit at maine

03:29

historical um

03:31

because i'm going to touch a little bit

03:32

on that not very much

03:35

but then really trying to understand

03:36

that context because it definitely is

03:38

part of this overall history

03:41

um

03:42

and i've also given kind of a dry run of

03:45

this to in support of ld 291 for the the

03:49

i don't know 15 or 20 teachers and and

03:52

other folks who attended

03:54

um a couple saturdays ago a um

03:57

a training for teachers in support of

03:59

the main indian history and culture law

04:02

um which requires you know maine

04:04

teachers to teach maine indian culture

04:05

and history i presented a kind of dry

04:07

run of this so

04:09

if anyone has seen some of these slides

04:11

before or if you were one of those lucky

04:12

teachers you might have seen almost all

04:14

of them i'd have i have modified it even

04:17

since then

04:18

so

04:19

i am i feel quite actually quite

04:21

privileged to be able to tell the

04:23

stories again and i think

04:25

a number of us have really seized upon

04:27

including main historical society it

04:29

seized upon the opportunity of the sort

04:31

of

04:32

200 years of maine to kind of

04:35

illuminate and and create deeper uh uh

04:38

and more contextual histories of

04:41
of um
04:42
what is sort of collectively kind of
04:44
bound us in in together in the state of
04:47
maine and particularly
04:48
you know the state of maine as a thing
04:50
that has happened and continues to
04:52
happen
04:53
to us as wabanaki people
04:56
so
04:57
the goals of today um i will talk about
05:00
the sort of key dates and episodes and
05:02
then i have a slide so that people can
05:04
see sort of
05:05
how i leave you know major major
05:07
episodes in this
05:09
indian history and policy and also talk
05:11
a little bit about key concepts related
05:13
to state domain
05:14
indian history and policy and
05:18
concepts that might even help you
05:20
understand or not understand recent
05:22
court decisions by the first circuit
05:24
um

05:26

i also want to show how issues of racial

05:28

injustice have really shaped state of

05:29

maine indian history and policy

05:31

that these uh that racialization has

05:34

been a key part of our experience as

05:36

wabanaki people

05:38

by in our treatment by the state of

05:40

maine

05:41

um and i want to provide this broad

05:44

historical and sort of rights context of

05:46

these contemporary issues um

05:48

that we continue to face in terms of

05:51

our own tribal sovereignty

05:55

the here are some key dates the the

05:58

first few of them actually predate the

06:00

creation of the state of maine

06:03

but they play into it in in really

06:05

important ways and

06:07

are played out in a lot of the

06:09

contexts for

06:10

uh state of maine indian history and

06:12

policy

06:13

the first is in 1790 u.s federal

06:16
non-intercourse act making it illegal
06:18
for non-federal parties to treat you
06:20
with indians and then like of course i
06:22
detail a few treaties
06:24
some of the
06:26
really important ones
06:27
um from 1794 1796 uh 1818
06:33
um
06:34
calling 1818 a treaty i think there's
06:36
some debate about that and then um
06:39
obviously the mainstay constitution in
06:41
1820 and then
06:43
acts to regulate indians which start in
06:46
the very first year of the creation of
06:48
the state
06:49
and then a series of court cases having
06:51
to do with
06:53
how we are treated as wabanaki people in
06:56
lieu of our
06:58
treaties and our role uh
07:00
a description of us in the uh and the
07:03
main constitution and then i do um more
07:06
so than other talks i get i also want to

07:08
bring this into the 20th century talk
07:10
about
07:11
voting rights
07:12
and our move towards um
07:16
our settlement
07:18
act in 1980 and sort of some of the
07:20
context for that
07:25
for most of you i don't have to
07:27
necessarily go over this but uh the
07:29
location of
07:31
the tribal nations uh in what is now
07:34
called maine uh sort of the residential
07:36
sort of primary parts of this is not a
07:39
map of our lands of course which
07:42
um stretch uh beyond these particular um
07:46
points
07:47
um
07:48
so just in thinking about
07:51
you know our
07:52
our role and our rights uh as wabadaki
07:56
people
07:57
in the context of the state of maine
08:00
i do want to give you a couple of

08:03

just

08:04

thumbnail sketches of key concepts

08:08

the canons of treaty construction

08:11

the cannons of indian uh indian canada

08:13

construction for treaties

08:15

um states three basic ideas that

08:18

ambiguities are construed in favor of

08:21

indians um

08:23

number two is ambiguities are construed

08:24

as the indians would unders

08:26

have would have understood them and then

08:29

number three what is not expressly

08:31

granted is retained um

08:34

these uh are really critical uh

08:37

um concepts to understand

08:40

how um

08:42

what is supposed to happen in reviewing

08:44

courts um although not necessarily in

08:47

the first circuit uh recently

08:49

um another key topic and this does have

08:52

bearing uh can continue to have bearing

08:54

i think uh into today

08:56

is

08:57
treaty reserved rights so anything in uh
09:00
treaties with indians that is not um
09:04
explicitly taken away
09:06
um
09:07
uh is uh
09:09
what's not expressly relinquished is
09:10
retained and i think you know these th
09:13
this really is a really important part
09:15
of sometimes um
09:17
people not initiated into the language
09:19
of this work
09:21
we'll talk about things that are given
09:23
indians and i i'm always correcting
09:25
because i'm so fine at parties or
09:27
whatever um and always cracking no
09:29
actually that's what we've retained we
09:31
weren't given um these rights we
09:33
actually retained them
09:36
and some of these rights are retained
09:38
through treaties and then some of these
09:40
are retained of through the fact that as
09:43
tribal nations we existed before the
09:46
creation of the united states and our

09:48
inherent sovereignty dates to before the
09:51
united states and therefore also what's
09:54
not expressly relinquished is retained
09:59
the state of maine constitution
10:03
uh
10:04
indians appear
10:06
in the original uh constitution in a
10:08
couple of different places
10:10
the first and i think this is a very
10:12
important
10:13
important place where where we appear is
10:17
in article 2 section 1 relating to
10:20
electors who can vote of course at that
10:22
time it was every male citizen of the us
10:25
of the age of 21 years and upwards
10:27
accepting poppers persons under
10:29
guardianship and indians not taxed
10:32
so this notion of indians not tax has a
10:36
really
10:37
um important um
10:39
history and context to it and i'll and
10:41
i'll um
10:43
i'll talk about that in a little bit but

10:45

um

10:46

yeah i i just want to

10:49

they it doesn't say indians right um

10:52

but it it this indian's not tax language

10:55

only appears in um five states um across

10:59

the u.s they're mostly in in the east

11:02

um of course today this part of the

11:04

constitution states especially every

11:06

indian residing on tribal reservations

11:08

and other rights qualified shall be an

11:09

elector in all county state national

11:11

elections so i think that's a really

11:13

important

11:14

um

11:15

um piece of this

11:17

um

11:18

i'll get to some of the comments there's

11:20

some already so one good one good uh

11:22

inquiry there so

11:25

this this is one place where we appear

11:27

as indians in the in the state

11:29

constitution

11:31

um

11:32
we also appear and i'll and i'll talk
11:34
about this in a little bit and this is
11:36
the
11:37
forms the basis of the redact exhibit um
11:40
article 10 section 5 subsection 5 talks
11:44
about the state of maine
11:45
assuming and performing all the duties
11:47
and obligations of the commonwealth of
11:49
massachusetts massachusetts towards the
11:51
indians whether the same arise from
11:54
treaties or otherwise and for this
11:55
purpose she'll obtain the ascent of said
11:57
indians and their release of to this
12:00
commonwealth of claims and stipulations
12:02
etc etc so basically this is the state
12:05
of maine promising to continue all the
12:07
treaty and other obligations that the
12:09
commonwealth of massachusetts had made
12:12
with um
12:13
the the tribal nations here
12:17
so let me go a little bit deeper
12:19
indian's not taxed
12:22
this i mentioned it appears in a few

12:23
other states constitutions it also
12:26
appears in the u.s constitution in
12:28
article one
12:30
uh article one section two of the
12:32
constitution talks again about
12:34
uh representation
12:36
uh shall be apportioned among several
12:38
states according to their respective
12:39
numbers
12:40
counting
12:42
the whole number of persons in each
12:43
state there's also some three fistling
12:45
which i didn't include here excluding
12:47
indians not taxed so indians not tax
12:50
also appears in the us constitution from
12:53
31 years prior to the state constitution
12:56
indians also appear in the u.s
12:58
constitution in article 1 section 8
13:01
which talks about congress being the
13:03
only entity that regulates commerce with
13:05
foreign nations and with indian tribes
13:08
this is also known as the indian
13:10
commerce clause

13:12
so a little bit deeper on the context of
13:14
indians not taxed
13:17
it also appears in the 14th amendment i
13:20
i cut some of that part out um why is
13:23
this included in the state constitution
13:25
and and
13:26
the us constitution at first it
13:28
reflected first and these are
13:30
pretty direct quotes from
13:32
uh
13:34
what becomes sort of the the first uh
13:36
handbook of federal indian law
13:38
um
13:39
uh from the department of interior
13:40
opinion of the solicitor from 1940 um
13:44
this language reflects first the
13:45
prevalent notion that taxation and
13:47
representation should go hand in hand so
13:50
the the fact that it says indians not
13:52
tax right why is that coming up and who
13:54
votes it's because of this notion that
13:56
these are tied together it reflected uh
13:59
also the fact that government taxation

14:01
is the principal
14:02
uh criterion of governmental authority
14:05
and third and this is very important
14:07
it recognizes the condition of the
14:09
indian living in his or her own separate
14:13
and independent community right indians
14:15
not tax means that they there is another
14:17
governmental uh status
14:20
somewhere outside of this
14:22
taxation representation game that is in
14:24
the u.s and uh state of maine
14:26
constitutions that is separate from and
14:29
so to me this is a really explicit
14:32
recognition of
14:34
um our separateness our sovereignty and
14:38
um
14:39
um just this
14:41
formulation it's not indians not able to
14:44
vote right it's indians not taxed
14:46
um so again this because we did not
14:50
we're outside of this government we do
14:51
not
14:52
bear the financial burden we are

14:54
therefore not um entitled to
14:56
representation
15:02
going deeper on the state uh uh
15:05
constitution in um
15:08
the the articles of separation um part
15:11
where the redact
15:13
part of of this talk um
15:16
so maine separated from massachusetts in
15:18
1820 during negotiations
15:21
massachusetts demanded that maine was
15:23
responsible for obligations and treaty
15:25
annuities in particular was one of the
15:28
important parts of this is sort of part
15:30
of the budget of running a state but
15:34
also these uh otherwise these treaty
15:36
obligations and recognitions
15:39
um of course beginning in january of
15:42
1876 the state of maine began excluding
15:44
article 10 sections one two and five
15:47
from which uh these obligations uh are
15:50
clearly stated from printed copies of
15:53
the main constitution
15:55
section 5 of course comprised of

15:58

these articles of separation

16:00

green on the condition to defend native

16:02

treaties with with massachusetts it

16:05

actually implies heavily that in order

16:07

to change not only do the indians need

16:10

to agree to any changes that the

16:11

commonwealth of massachusetts would also

16:13

have to agree to any changes in the

16:15

treaties

16:18

and uh thanks to

16:20

a bunch of people uh who worked on the

16:23

redact uh i strongly urge you all to

16:26

visit i believe there's some

16:28

form of the redact exhibit

16:30

um

16:32

of course section five remains in full

16:34

force with the same effect as if it can

16:36

contained in all printed copies since

16:39

um

16:40

but also and and we've explored this in

16:43

in a previous program i think in a

16:44

really uh interesting and

16:47

illuminating way

16:48
that the timing of this redaction
16:50
indicates that maine wished to obscure
16:52
its obligations
16:53
um at the time
16:55
uh of this granger versus avery cheese
16:58
uh which started you know sometime
17:01
before but
17:02
it became clear that in these cases they
17:04
did not want to
17:06
have these obligations so explicit in
17:09
the constitution
17:11
and that they would be you know the
17:12
state of maine would be obligated to pay
17:14
any illegal costs um in terms of lost
17:17
islands islands uh in this particular uh
17:21
uh pasamaquati islands reserved in
17:23
treaties
17:24
um those in in this particularly in the
17:26
1794 treaty with massachusetts
17:30
so it allowed for and there's some
17:32
technical elements of the of the legal
17:34
ramifications of when things were
17:36
executed and signed but basically

17:39

um

17:40

maine was uh ignored its liabilities at

17:42

the same time it prohibited the printing

17:45

of section 5.

17:49

so

17:50

what does this all mean in sort of

17:52

where where do we go

17:54

into the 19th century you know i

17:56

mentioned that

17:58

these

17:59

uh indians not taxed uh is good right in

18:02

terms of

18:03

recognizing our sovereignty or our

18:05

separateness as as indians in the

18:07

context of the state of maine

18:09

uh

18:10

the the article 10 you know recognizes

18:13

this ongoing obligation uh for

18:16

um

18:17

our treaty and other kinds of rights um

18:21

but this quickly turns and and you know

18:23

i'm not going into it this evening but

18:25

you know these

18:26
very first set of laws um
18:29
i put them in my
18:32
second slide there
18:33
starting in 1821 the state of maine
18:35
seeks to highly regulate uh the actions
18:38
and independence of indians in the state
18:41
and so there's this and and you know
18:43
eventually this you know um
18:46
you know the system
18:48
uh of of indian agents and control
18:50
through in manipulation through indian
18:52
agents people who talked about that um
18:56
but also this reflects this very
18:58
racialized hierarchy that starts to
19:02
firmly take hold in the 19th century
19:04
quite quickly so
19:06
indians not tax
19:08
i have my suspicions that actually that
19:09
was also in there for a variety of other
19:11
reasons to
19:13
um allow for certain kinds of land
19:15
seizures but
19:17
also we see this kind of language

19:19
repeatedly in the 19th century um in the
19:23
most famous one many of us have talked
19:24
about it is in merch versus tomr which
19:27
is actually a contract case with a
19:30
penobscot
19:31
tribal citizen but the court is saying
19:35
imbecility in this case it's kind of
19:36
dicta but it really sets a tone for what
19:39
the 19th century holds for us as
19:41
wabadaki people
19:43
imbecility on there the indians part in
19:46
the dictates of humanity on ours and
19:48
necessarily describe to them their
19:50
subjection to our paternal control in
19:54
disregard of some at least
19:56
of abstract principles of the rights of
19:58
man so
19:59
much like the tension that uh corey
20:01
hinton talks about
20:03
in
20:04
the the declaration of independence
20:06
um
20:08
and and elsewhere in our uh in the

20:11
beginning an exhibit we see this tension
20:14
of oh well this is probably a violation
20:16
of
20:17
rights of any of the rights we're
20:20
talking about in any of our other
20:21
founding documents but it's because
20:23
they're imbeciles and because we have
20:26
this paternal control over them
20:29
um sometimes they say because of god or
20:31
because of whatever um
20:33
but this is a clear expression of this
20:35
hierarchy and paternalism so you know
20:38
what would otherwise be our separateness
20:40
indians not tax treating us differently
20:42
in the context of the state constitution
20:44
quickly becomes a category of otherness
20:47
imbued with racial hierarchy and that
20:50
really sets the tone for a very
20:53
a series of court decisions in the 19th
20:56
century so again it because it quickly
20:58
becomes racialized as a critical part of
21:00
these interpretations
21:04
um

21:06
the next major case um that really um
21:11
twists this into a deeper and even more
21:14
interesting
21:15
angle is in
21:17
state versus new which is a past mcquady
21:20
hunting rights case
21:23
respecting particular treaty hunting
21:25
rights
21:26
here
21:28
the the main supreme court uh
21:30
basically says um
21:34
well there are these treaties we
21:35
recognize them and but they referred to
21:37
this entity called the pasamaquati tribe
21:39
and this is no longer
21:41
um
21:42
a tribe they they're not really a tribe
21:44
anymore because they can and the
21:46
standard they use this test that they
21:48
invented just on this spot was they can
21:50
no longer make war and peace and are
21:52
therefore not the same entity
21:54
that um signed these treaties some you

21:58

know

21:59

900 years earlier

22:01

um

22:03

so even though i mean of course this is

22:05

this is interesting they say they're not

22:07

a tribe but they keep calling them the

22:09

passenger tribe in the hood cross in the

22:11

case um

22:13

so interesting that they

22:15

and there's all this state law talking

22:16

about the passenger tribe at the time

22:19

and there's no sort of you know

22:21

there's no precedent saying a tribe is

22:24

an entity that must make war

22:26

or peace be able to make more peace and

22:28

i'm not convinced and i saw a couple of

22:30

my passing quality um

22:33

relations here on on this uh

22:37

uh on on this zoom and i'm not i think

22:41

they could have made one i'm not saying

22:42

it necessarily would have but making war

22:44

or peace in the context of the state of

22:47

maine at this time i'm not sure they i

22:49
mean it might not have been successful
22:51
but what would prevent them from
22:52
actually making war um i'm not so sure
22:56
so this case um which just makes up
23:00
rules on the spot uses the paternalism
23:02
leans into the paternalistic control and
23:05
saying we can decide one what however we
23:08
want and make up any kind of
23:10
uh dictate um
23:12
you know really drives home this sort of
23:15
removal
23:16
uh and and silencing of tribal um
23:20
rights uh and
23:22
uh
23:23
in the 19th century and this in this
23:25
case and others like it in the context
23:27
of maine um
23:29
maine law ignored all the federal indian
23:31
law cases and concepts the the the
23:34
concepts i laid out for you these uh
23:36
canons of construction retained rights
23:39
and really leaned into the indian as a
23:41
second-class system with no rights we

23:43
couldn't manage our own resources we
23:45
couldn't vote um in really these sort of
23:48
racialized terms
23:50
but of course it was this approach
23:52
ignoring all sense of federal law the
23:54
u.s constitution uh and even
23:58
the the dictates in the state
24:00
constitution that led to
24:02
um the passing equation v morton
24:04
case in 1972
24:06
which leads to the main indian claims
24:08
settlement act in 1980
24:11
um
24:12
so let before i get on the continuation
24:15
of that i kind of want to take a little
24:16
bit of
24:17
uh a break a reformulation
24:20
one of the things that's really
24:21
frustrating and calling out
24:24
the legacy and ongoing impact of these
24:26
words and deeds
24:27
uh on us as wabanaki people is that
24:30
sometimes our agency gets gets lost in

24:32
this equation and so i wanted to share a
24:35
little bit of a story it relates to
24:37
um eventually voting and and things like
24:40
that but i want to just tell
24:42
one of these sort of
24:44
you know is it true i think it's you
24:45
know mostly true a story about one of um
24:49
um
24:50
uh one of these amazing wabanaki women
24:53
uh from our past named lucy nicole
24:55
arkula so i just want to tell you a
24:57
little bit about her and it connects
24:59
with some very interesting history
25:03
and it is also it shows you the kinds of
25:06
agency that we as wavanaki people um
25:09
continue to have had all along and
25:12
continue to have in january of 1900 uh
25:16
lucy nicola
25:17
also known as princess watawaso
25:20
visited
25:21
or so the story goes
25:22
the women's debating society in new york
25:24
city

25:26
at the end of a lively discussion about
25:28
immigration
25:29
the debaters resolved that it was
25:31
dangerous and threatening to all true
25:33
americans right this could have happened
25:35
a couple in the last couple of years
25:37
immigration
25:38
you know illegal immigration these are
25:40
the dangers that we face as true
25:42
americans um right so that was the the
25:45
dictates of that particular debating
25:47
society
25:48
and according to this journalist who
25:50
wrote about the event lucy took their
25:52
conclusion as her cue
25:54
she rose to speak in her stately form as
25:57
noted by the reporter commanding instant
26:00
recognition
26:02
she says
26:03
i believe i'm the only true american
26:05
here i think you have decided rightly
26:08
of all my forefathers country from the
26:10
saint john river to the connecticut

26:12
we have got a little island one half
26:14
mile square
26:17
there are only about 500 of us now we
26:19
are very happy on our island but we are
26:21
poor the railroad
26:23
which did their share of robbing us of
26:25
our land are now begrudging
26:28
uh begrudging us half rate fair but we
26:31
forgive you all
26:34
well that there was a long silence and
26:36
the subject was laid on the table
26:39
the president of the society said that
26:41
the musical feature would have to be
26:42
omitted as the pianist was sick and
26:45
asked would someone please volunteer
26:47
again according to the reporter no one
26:49
had the courage to try and impromptu
26:51
before that large audience at last you
26:54
should beg to be allowed to try but what
26:56
a wasso who played some selections from
26:58
chopin with the greatest ease and saying
27:01
a plaintiff air which touched the hearts
27:03
of all those present and made them feel

27:05
like doing anything in the world
27:08
i find this story to be both compelling
27:10
and fanciful and
27:12
you know
27:13
this this trope of indian women being
27:16
the sort of
27:17
um
27:18
giving to anyone and with this wry sense
27:21
of humor there's a there's a there's
27:22
some tropes in here that make me
27:24
question the quote uh the the total
27:26
accuracy of this but it does show you
27:30
um
27:31
the spaces that we
27:32
have engaged all along
27:35
to put forward our perspective as
27:37
wabanaki people
27:39
and i think these are really really
27:41
powerful
27:44
um
27:46
this notion of indians not taxed
27:49
ultimately gets resolved
27:51
legally and

27:53
this has to do with some other other
27:55
tribes and other
27:56
other locations in the united states
28:00
um
28:01
but in 1924 there's the native american
28:03
citizenship act which was originally
28:05
proposed started being proposed in the
28:08
years 1917 1918
28:10
um
28:12
but even with the citizenship um
28:15
in maine and many other states
28:18
we were not granted the right to vote in
28:20
either state or federal elections
28:23
but also native people in recognition
28:26
and preservation of our sovereignty
28:28
refused to give up um
28:30
really reject this notion of kind of a
28:33
forced citizenship um the abbey museum
28:36
has this great um
28:38
rendering
28:39
of the and i'll and i'll show you what
28:41
it is um but this past mcquady uh tribal
28:45
petition to

28:46
in 1920 to maine governor carl milliken
28:49
to support the tribe's exemption from
28:51
this forced u.s citizenship um and sort
28:54
of
28:55
why why would that be
28:57
um
28:59
and so this is the language uh that
29:01
appears at the abbey and elsewhere we
29:04
the undersigned members of the passenger
29:06
tribe of indians humbly begged the state
29:07
of maine to use her influence against
29:10
making indian citizens of the us
29:13
for the following reasons we are
29:14
satisfied with our lot as indians
29:17
and we've been loyal there's colonel
29:20
allen there colonel allen comes up in a
29:22
couple of different places as well and
29:25
redact exhibit and begin again
29:27
um
29:30
it talks about their loyalty and service
29:34
of past majority men in fighting in
29:36
these
29:37
uh wars uh to help americans but

29:41
we want to
29:43
maintain our separateness our our lot as
29:46
indians and we should be exempt from
29:48
this from this law i i find that really
29:50
interesting and i think it's a very
29:52
important
29:54
element to this
29:58
in the 1940s they're the first attempts
30:00
to overcome this
30:02
issue of voting by
30:05
tribal
30:06
folks living on reservations um
30:09
in 1941 a bill titled and i'm taking
30:12
this directly from
30:14
from uh donna loring who i think i saw
30:17
on this so thank you donna for finding
30:20
some of this evidence um
30:22
in 1941
30:24
this an act permitting indians to vote
30:26
in state elections presented before the
30:28
legislature
30:29
um which also proposed a poll tax for
30:31
indians to vote and

30:34
um even though we had made citizens
30:37
um
30:38
uh the the supreme judicial court
30:41
refused to even consider it said it was
30:43
inherently illegal and insufficient it
30:45
was withdrawn from consideration so i
30:47
find it also interesting that
30:49
this notion that we certainly have poll
30:52
taxes which exist in other states with
30:54
other
30:55
racialized populations in 1941 um the
30:59
idea that they would reject it
31:01
even as a way is a pathway for voting by
31:04
indians is also interesting
31:06
um
31:07
and this is there's a dynamic in in
31:08
terms of our agency again that after
31:11
world war ii native veterans uh and
31:14
others made delegations to the u.s house
31:16
of representatives and to the united
31:18
nations calling attention to our
31:20
condition
31:21
uh as

31:22

as um

31:23

as as tribal peoples and um you know

31:27

this starts to add the flow you know i

31:30

think this this uh form of activism of

31:33

which lucy um and others are critical

31:36

um

31:38

um purveyors of you know this really

31:40

drives home sort of our actions for our

31:43

rights you know especially in this time

31:46

in the mid 20th century

31:49

finally in 1954

31:52

uh we were finally allowed to vote in

31:54

federal elections at the time uh then um

31:58

in the state of maine and look it's lucy

32:00

again

32:01

casting the first vote um

32:04

and

32:05

she was involved in so many things both

32:07

for community well-being and and

32:09

activism and entertainment she's really

32:13

amazing i strongly urge you all to read

32:15

up about her really amazing amazing

32:18

person

32:19
um
32:20
and then full enfranchisement finally
32:22
happens in 1967 when
32:24
uh the
32:26
indians
32:27
living on reservations could vote in
32:29
state elections and have state
32:31
representation
32:35
one of the sort of major episodes of
32:37
this policy history has to do with in in
32:40
1942 with the with this thing called the
32:43
proctor report
32:44
um
32:45
and again this is you know
32:47
donna and i strong you um
32:49
uh strong you all to read donna's book
32:52
uh from 2004 in the shadow of the eagle
32:55
i hope i got that name right um
32:58
that
32:59
you know here in the in this proctor
33:01
report which was you know commissioned
33:02
by and large by the state to understand
33:04
the status of indians um

33:07
it it very clearly demonstrates that we
33:10
as tribal uh folks grew up believing
33:13
that we were poppers and totally
33:15
dependent on the state like that was the
33:18
the the role of the indian agent was to
33:20
communicate that and that even when we
33:22
were asking for our own
33:24
money our own resources that were due to
33:27
us we were made to literally beg for our
33:30
own stuff
33:31
um
33:32
that as indians we were not aware we're
33:35
not aware that the goods and services
33:37
um were actually our money um and that
33:40
the state of maine and this is in in the
33:42
report stole tribal lands and resources
33:44
and impounded the trust
33:46
and
33:47
the trust fund monies during world war
33:49
ii to pay for state expenses incurred by
33:51
world war ii totally draining the trust
33:54
fund
33:54
uh of its money at the time

33:59
there are so many
34:00
the language in this report um
34:03
and sort of that sort of fill in for
34:05
what's supposed to be i think
34:08
you know social scientific language is
34:10
completely racist of course um talking
34:13
about the indian
34:14
not yet quitting after the first
34:16
paycheck um unwilling to exert ourselves
34:20
mentally in school that we're shiftless
34:22
that we don't take care of our houses or
34:25
ourselves or our land even though we
34:27
were the ones that taught you all how to
34:29
bathe and all that other stuff so
34:31
there's a very
34:32
very deep kind of um
34:34
racist kind of legacy and paternalism
34:37
even in this proctor report
34:39
despite where you can read some very
34:41
horrific kind of confessions in it as
34:44
well in terms of the state of maine's
34:45
treatment
34:48
um things start to really shift and i

34:50
think in a more objective and nuanced
34:52
way with this
34:55
1974 civil rights report
35:00
and sort of the it's from the made in
35:03
maine advisory committee to the us
35:05
commission on civil rights um and there
35:08
was a number of uh other folks um of
35:11
color in the state of maine that were
35:12
collaboratively with with tribal people
35:15
to
35:16
establish this
35:17
report make it happen and publicize it
35:20
and this is a really important
35:22
uh sort of
35:24
you know
35:26
expression of the status of indians at
35:29
the time and i'll just go into a couple
35:31
of small
35:32
things one of them has to do with
35:34
unemployment um
35:36
so unemployment rates
35:38
among maine indians
35:41
in the report we see is so high in 1973

35:44
that they formed sort of a class
35:46
unequaled and any of the department of
35:48
labor statistics
35:50
estimated that on reservation
35:52
unemployment was anywhere between 60 and
35:54
80 percent 60 percent
35:56
at penobscot 70 that the two passenger
35:59
quality reservations for off reservation
36:02
indians approximately 50
36:04
unemployed and this unemployment rate
36:07
among all indians still kind of being uh
36:10
at best estimates at that time 65
36:16
the um
36:18
this is uh some 2012 statistics uh
36:22
around employment and believe me i have
36:25
i have a point in comparing these two
36:27
things you know of course this is after
36:29
the the past mcquady v morton case the
36:32
after the settlement act after
36:34
uh federal recognition
36:36
um there's still this ongoing legacy of
36:39
higher unemployment rates amongst
36:42
here you can see in 2012 past mcquady

36:45
and wabanaki people in general 20 16
36:49
washington county um
36:52
i'm sorry twenty eight percent passive
36:54
body um
36:56
twenty one percent of abunaki and then
36:59
uh in washington county ten percent and
37:01
then at state of maine and at the time
37:03
eight percent unemployment so still
37:05
large disparities but nothing like the
37:08
early 70s
37:11
and then also from the main uh wabanaki
37:15
state child welfare statistics that are
37:17
that are in the truth and reconciliation
37:21
uh final report
37:23
um
37:24
indian children maine you know
37:26
were placed in foster care at
37:29
hugely high rates you know in the in the
37:32
early 70s uh in particular
37:34
25
37:36
20 times higher than non-indian children
37:38
19 times higher um
37:40
for rooster county in 1972 the rate of

37:43
removal for indian children was 62 times
37:45
higher than the statewide rate for
37:47
non-indian children
37:49
um
37:50
in the trc's report
37:53
of between 2000 and 2013 this rate is
37:56
five times the rate of non-native
37:58
children
38:00
still a crazy amount higher
38:03
than non-native children but so much
38:05
less than previous
38:07
uh previous um
38:10
uh statistics
38:13
um i could go on and and honestly i uh i
38:17
kind of want to get to q a i've been
38:19
kind of ignoring the chat in the q a
38:21
just to so i could uh sort of finish up
38:23
the story what i will say is that
38:26
these legacies of paternalism racism and
38:28
state control have been horrible for us
38:31
as wabanaki people um
38:34
i think you know and and statistics bear
38:36
this out of course federal recognition

38:38
the settlement act have made things
38:40
better there are still these huge
38:42
disparities
38:44
and honestly if you look i'm a
38:46
researcher if you look anywhere around
38:48
the country to try to understand these
38:50
things
38:51
our sovereignty
38:53
not only benefits us right as a form of
38:56
recognition but also benefits the the
38:59
state more broadly
39:00
um the kinds of partnerships that can
39:03
truly happen
39:04
when our sovereignty is recognized
39:08
by
39:09
our
39:10
state partners i'll just in a positive
39:13
way say that
39:14
is there is is a win for everyone and i
39:17
really you know if we want to talk about
39:20
some of the proposed legislation we can
39:22
do some of that but i really do think
39:24
our role as wabanaki people

39:27
in the state of maine
39:30
must be more central
39:33
and it will benefit all of us so
39:37
i guess that's where i will stop i'll
39:40
try to stop my share here
39:44
and
39:46
yeah
39:48
people can see me
39:54
now thank you so much darren um we are
39:58
getting a lot of questions from the
39:59
audience if you're ready for those now
40:03
i am and thank you all for coming
40:05
tonight there's a lot of people i mean
40:07
i'm seeing even just some conversations
40:09
and um
40:10
my uh
40:12
my friend lakota already answering some
40:14
of them for
40:16
for uh for folks and um
40:18
yeah there's there's a lot of expertise
40:20
and
40:21
and um
40:27
my friend dwayne thomas said he was

40:28
coming tonight and i see her here so
40:30
any of these questions whatever you
40:32
whatever you think kathleen
40:34
where should i go
40:35
we'll start with uh this question in the
40:38
q a
40:39
do you know how uh the first circuit
40:41
court justified their decision
40:44
against the penobscot nation in the
40:45
penobscot river case
40:48
in light of the canons of construction
40:50
the
40:51
never agreed to give jurisdiction
40:53
over to the river to the state of maine
40:58
um yeah
40:59
do i know
41:01
how they justified it i do know how they
41:03
testified it um
41:06
a couple of things um
41:08
so
41:09
the the recent um
41:12
uh unbonk um decision that reinforced
41:16
the previous first circuit decision and

41:18
and used mostly the same
41:20
same logic
41:23
expanded on it a little bit of the
41:25
previous decision
41:27
uh
41:28
the first circuit basically says there
41:30
are no i mean they basically say there
41:31
are no ambiguities
41:33
so remember one of the the
41:36
canons of construction had to do with
41:37
ambiguities you know interpreted in
41:39
these ways so
41:40
they you know they go and look at a
41:43
um a dictionary definition of island for
41:46
example and they're like oh island says
41:48
this it doesn't include water um and
41:50
then they ignore of course that they're
41:52
already in the settlement act um kind of
41:55
different definitions going on but
41:56
they're like oh peshaw
41:59
you know even with that
42:01
we're gonna just say it's the text is
42:03
the text it says island doesn't say

42:05
water um
42:07
i i think um
42:09
you know the in
42:11
the dissent agrees with me which is to
42:14
say that um
42:16
again there's no explicit they they
42:18
can't point to
42:20
and this is very interesting they can't
42:21
point to an explicit
42:23
moment in time
42:25
where we as the penalty gun nation gave
42:27
up any water rights um either i mean
42:30
they're basically saying it's not
42:32
explicitly a part of
42:33
the retained and definition of a
42:35
reservation in
42:37
uh an act that was meant to settle a
42:39
land dispute um
42:42
but nor can they point to an explicit
42:44
giving up of this um
42:46
and they ignore a bunch of different
42:48
parts of history they say they use this
42:50
lay this basic logic that is

42:54
the weight of history
42:55
you know no one really would have
42:57
thought um
42:59
that
43:00
you know
43:00
you know the state of maine has always
43:02
acted like it was their river even
43:03
though that's not true uh you know up
43:06
until you know basically from the mid
43:08
1980s until 2012 and schneider issued
43:11
this opinion
43:12
they were seeing it as kind of a
43:13
concurrent jurisdiction in-game so
43:16
they're like they kind of you know leave
43:17
that history out they leave out this
43:19
history of you know after pastor
43:21
mccloudy v morton as we win these court
43:23
cases also the his that history from 72
43:27
to 80 where
43:28
the recognition of our inherent tribal
43:30
sovereignty and our rights over our
43:32
lands and resources is being recognized
43:34
again and again not only in federal

43:36

court but in state court because of this

43:39

we haven't we hadn't explicitly given it

43:41

up

43:42

so they really use this sort of whole

43:44

cloth and chief francis is really good

43:46

at articulating this that

43:48

we um

43:50

we uh

43:51

you know somehow we after winning all

43:54

these court cases in the 70s that we

43:56

turn around in 1980 and decide

43:59

you know

44:00

with this plain language apparently we

44:02

decide

44:03

oh we'll just give up so much of this

44:05

including our own uh water and river and

44:07

office it makes

44:09

no sense um

44:11

but you know i also think it's

44:13

interesting to use the sort of weight of

44:15

history argument you saw the

44:16

paternalistic control right in these in

44:18

these histories like

44:20
the official documentation of things
44:23
right it's been all along
44:25
you know
44:26
you know some court just saying you're
44:28
no longer a tribe you know just we're
44:30
calling you the personal quality but
44:32
you're like so this sort of
44:33
justification that sort of the might
44:35
makes right you know control over the
44:37
discourse is therefore
44:39
an argument for
44:41
somehow we lost something in that in
44:43
that racist um game so
44:47
obviously i have very strong
44:48
opinions about about this um but i'll
44:52
stop there for now
44:53
um
44:54
and uh
44:55
i'm sure there could be other more
44:57
questions questions yeah
44:59
another question it would appear that
45:01
massachusetts was more sympathetic with
45:03
the rights of indians prior to main

45:05
statehood than maine was after 1820 if
45:09
true
45:09
how would you account for that
45:11
difference
45:14
you know i don't know if that's
45:16
i i think um it's it's it's complicated
45:21
you could make the argument that
45:24
you know in that moment you know maybe
45:27
they were maybe they weren't um
45:30
massachusetts does some pretty dubious
45:32
things in the 19th century as well to
45:34
their indian to the their indians
45:36
whatever you know they're the the tribal
45:39
nations that are
45:41
you know in massachusetts um they also
45:44
ignore federal uh indian law in dramatic
45:46
ways they also
45:48
um
45:49
start to seize property at different
45:51
times you know there's a whole history
45:53
of in mashpee of of these land deals
45:55
where you know it it gets you know
45:58
gradually kind of taken over time

46:00

um

46:01

so i think it's you know i think that's

46:05

i'd be reluctant to say yay

46:06

massachusetts they get a gold star for

46:08

their treatment of indians because

46:10

there's a lot of dubious things that

46:11

happened also in their 19th century um

46:15

but i think um you know part of this

46:18

there's two dynamics i think going on

46:21

massachusetts basically wants to kind of

46:23

rid themselves of the indian problem

46:26

in maine

46:28

when massachusetts says to maine when

46:30

when there is is happening it's not so

46:33

much like a for a place of benevolence

46:36

like now you have to promise to honor

46:37

treaties because that's the right thing

46:40

it could be more of a this isn't

46:43

our problem anymore that's correct

46:45

that's maine's problem now that is

46:47

correct and you know comparatively

46:50

and and this is something that

46:52

massachusetts had struggled with right

46:54
in terms of perhaps distance perhaps
46:55
other things you know even in 1820 the
46:59
vast majority of maine as land
47:02
um was still kind of wabanaki space you
47:06
know if you look at
47:07
you know so they really did not want to
47:09
have to sort of deal with some
47:11
complicated protracted sort of you know
47:14
they of course they had you know made up
47:16
all these treaties and there's a really
47:18
dubi this sort of 1818 an obscure treaty
47:21
which
47:22
you know
47:23
where we lose
47:24
so much land on either side of the
47:26
penobscot river
47:27
um it's just really
47:30
really um
47:32
fraudulently kind of put through this
47:34
um
47:36
eventually into the state legislature
47:38
um
47:39
um as sort of captured in 1821 as at the

47:43
beginning of the state of maine
47:44
that these these episodes are just um
47:48
you know uh i love the musical hamilton
47:51
um but what's revealed probably in that
47:53
in in subtle ways is that
47:56
these founders were all basically land
47:58
speculators right um whose land indian
48:01
land right so there's all speculating um
48:04
and this is sort of the founders and i
48:07
strongly urge uh people to
48:09
um
48:10
um
48:12
to find the series i've been
48:13
participating with uh on donna loring's
48:15
radio show um about the sort of you know
48:19
uh
48:20
18th and 19th century kind of context to
48:23
the state of maine state of
48:24
massachusetts state of maine uh wabanaki
48:26
um relations
48:28
um that there's just this really
48:31
um
48:33
extraordinary

48:34
kind of and dubious fraudulent set of
48:37
characters
48:38
just looking for
48:40
um
48:41
um
48:43
um land to seize and develop you know
48:47
people the founders of bowdoin college
48:49
are in there um seizing tracks of land
48:52
you know even this legacy of
48:54
tracks of land handed over to people
48:56
because of the scout bounties you know
48:58
these are all interwoven histories of
49:01
this land speculation
49:03
set of deals so
49:05
it is
49:06
it you know i always find with indian
49:08
history
49:10
native american history you know the
49:11
official policies are horrible but then
49:13
even what we retain as indians in the
49:17
attempts at which
49:18
um
49:20
um

49:21
that the the settlers
49:24
go to to get even the land that we're
49:26
like left with and extract from us and
49:29
and through these paternalistic kind of
49:31
means of control are just also equally
49:34
if not more so horrific
49:37
another guest says i was wondering what
49:40
you thought about how racism is
49:43
perpetrated against native peoples
49:46
by those who identify with in quotes
49:48
progressive liberal politics
49:51
um a group of folks who claim to stand
49:53
for
49:55
racialized peoples in their talking
49:57
points
50:01
oh
50:02
lakota my friend um
50:06
i think there are a couple of things um
50:09
i think this is a really
50:11
really interesting question um
50:16
you know let's say
50:18
let's say
50:19
someone

50:21
who might be governor of our state
50:22
previously was a uh an attorney general
50:25
right
50:26
um
50:28
sometimes these liberal
50:30
uh progressive politics
50:33
um
50:34
you know
50:35
take on the notion especially with
50:37
tribal uh nations take on a kind of um
50:42
real abstract notion of equality in in
50:45
and that leaves out um a notion of
50:48
justice
50:49
so for example
50:51
you know there was this back and forth
50:53
in the legislature a few years ago
50:54
trying to kind of sort out the
50:57
the alvar licensing issues
51:00
and at the time the legislature tried to
51:02
agree to compromise with the tribes
51:05
and
51:06
that was almost a done deal and then the
51:08
attorney general who's now our governor

51:09
basically said like any of these laws
51:12
that treat you know tribes
51:15
as different
51:16
than other tribal people as different
51:18
than other people in the state violates
51:21
the 14th amendment right so basically
51:24
the equal protection clause of the 14th
51:26
amendment like all everyone should be
51:28
treated equally under the law
51:30
um so these are these are quote-unquote
51:33
progressive tactics to disabuse these
51:36
legacies of our treaty rights these
51:38
legacy so really using this kind of um
51:43
notion of equal protection under the law
51:46
to remove
51:47
any of the retained rights that we have
51:50
because because because of who we are as
51:52
tribal nations
51:54
um
51:55
i think that's just one part of it i
51:57
have a feeling lakota has
51:59
uh other
52:00
other

52:01
forms of this but i think that in the
52:04
the overall homogenization
52:07
um that can happen
52:08
um
52:09
too and when different racialized um
52:12
groups of people get kind of
52:14
blended together and we get kind of put
52:17
into this what i consider a very
52:19
capitalistic
52:20
uh scheme around uh you know diversity
52:23
equity and inclusion work um i think it
52:26
can lose a lot of
52:28
what is a transformational and needed in
52:31
terms of justice when we start to just
52:33
start to merely play you know identity
52:37
language games so for me i'm about
52:39
justice i almost wore my land back
52:42
t-shirt uh underneath my more formal
52:45
shirt but i figured that i couldn't
52:47
quite get the right angle on that but so
52:49
i think
52:50
it can all sometimes obviously what
52:52
justice is

52:56
what do you think is the most important
52:58
thing for maine children to learn to
53:01
support
53:02
a better more respected future for the
53:04
wabanaki
53:08
yeah and you know i thought a lot about
53:10
this um
53:11
my involvement in the main indian
53:14
history and cultural law referred to as
53:16
ld 291
53:18
um over many years i think
53:20
i think children
53:22
maine's children can know the truth of
53:24
our history uh first and foremost and
53:28
you know how
53:29
you know basic
53:30
answering basic questions of hey where
53:32
did your land come from and how these
53:34
are very dubious episodes uh
53:37
to create you know the state of maine in
53:39
terms of the land
53:41
um
53:42
but also

53:44

you know

53:46

i believe so truth-telling is very

53:48

important i think we underestimate what

53:50

children can actually comprehend

53:52

i i think the the

53:55

the notion that um

53:58

there is

54:00

you know

54:01

what we've retained as wabanaki tribal

54:04

nations and what we seek in terms of our

54:07

rights

54:08

is actually not only for the betterment

54:11

of ourselves as wabadaki people but is

54:15

in my opinion and i think in a lot of

54:17

our opinions is better for everyone in

54:19

the state

54:21

um

54:22

that i think a lot of fear and

54:24

uncertainty

54:26

um comes from uh the other side the

54:29

folks who do not support our sovereignty

54:32

um

54:33

i think the uh

54:35
i think in the back and i think this is
54:38
you know why
54:39
it's so difficult to teach some of this
54:41
because
54:42
i don't think the people who are against
54:44
our rights and sovereignty
54:46
you know they often say oh we have
54:48
questions or we're concerned it will
54:50
create ambiguities we're actually in one
54:52
of the most ambiguous kind of
54:55
tribal indian law contexts in the whole
54:58
country that's why there are all these
54:59
lawsuits all the time
55:01
normalizing our sovereignty along the
55:03
other
55:03
um
55:04
several hundred tribes uh would actually
55:07
create more certainty and would actually
55:10
you know benefit a whole host again
55:11
every all of us
55:13
um
55:14
but i you know i think people aren't
55:16
sure why they're against it um i think

55:19
some of this is
55:20
you know if they have more rights maybe
55:22
they'll do to us what we did to them i
55:25
still think there's this sort of fear
55:27
around that
55:28
um
55:29
and um
55:31
or and or there's this notion that um
55:34
they just don't trust us
55:36
you know that we don't
55:38
um
55:40
we don't earn their trust um that we
55:43
would act in such a way that would
55:44
benefit
55:46
despite our thousands of years of
55:48
presence
55:49
in uh on along this
55:52
continent on this land um
55:55
stewarding it
55:56
taking care of it being living in
55:58
relationship to
56:01
each other and non-humans and and the
56:03
newcomers now all of this

56:05
i i don't know where the the mistrust
56:08
comes from um
56:10
but i think that's that's that's for
56:13
them to answer but i do think those are
56:15
the those are the responses um
56:18
i i think
56:20
you know anyway i could go on but i
56:22
think it's just it's it's it's still
56:24
shocking and it
56:27
to me when i hear people not supporting
56:29
it it doesn't make sense to me
56:33
another question uh from a guest in the
56:36
audience
56:37
um they're talking they're referencing
56:40
uh i believe this must be a case johnson
56:42
v mcintosh eight
56:45
are you from familiar
56:47
i i am duane
56:49
asking the
56:51
johnsonview macintosh question thank you
56:53
so much dwayne
56:54
so good i could see you yeah first
56:57
nations people do first nations people

56:59
actually own land or right to occupy i
57:02
believe he's asking in in reference to
57:04
that case
57:07
yeah so johnson v macintosh is basically
57:10
a um a case that brings in the doctrine
57:14
of christian discovery and domination
57:16
into
57:17
uh federal indian law it had been kind
57:20
of hinted at in a number of other
57:22
places
57:23
and the doctrine of christian discovery
57:25
and domination does not recognize
57:28
the possibility of
57:30
uh
57:31
indigenous people owning our land
57:34
completely
57:36
as a part of our
57:37
retained rights to land
57:40
unless we have a treaty or a recognized
57:43
form of title with a european christian
57:46
nation there's a whole other set of
57:48
things and then one minute i'm not going
57:49
to be able to get at it but

57:52
the the the elements of what i describe
57:54
as racialized hierarchy in the 19th
57:56
century
57:57
were formulated and established in
58:00
a religious hierarchy which divided
58:02
nations across the world um
58:05
as christian and non-christian basically
58:07
saying the non-christians have don't
58:09
have the same they're not even they're
58:11
if they are human they're barely human
58:13
they don't have the same
58:15
elements of
58:16
of um right
58:18
that we do as christian and christian
58:20
nation
58:21
so using christianity as a form of
58:23
domination uh and
58:25
and
58:26
right to control
58:28
but
58:29
dwayne is the what he's hinting at is is
58:32
is correct you know in terms of
58:35
indigenous title in that system

58:37
of american and and other commonwealth
58:40
countries as well
58:42
that our rights retained rights to land
58:45
tend to be
58:46
uh
58:48
rights of occupancy rights of use and
58:51
interpreting courts that way
58:55
that doesn't disabuse that you know what
58:57
that means is then this sort of
58:59
uncomfortable you know
59:02
do we have full territorial control well
59:05
as sovereign entities we do
59:08
why does the federal government own
59:10
our lands in trust for us that's still
59:12
an ongoing legacy of that occupancy
59:16
needing a sovereign to fully
59:18
protect or own the lands that we as
59:20
sovereigns control
59:22
again
59:23
i'm over time there's a lot more to it
59:26
there are lawyers out here hopefully not
59:27
on the call because then they could
59:29
really nail me but i appreciate the the

59:31
question dwayne great great great that
59:34
you could be here
59:35
well thank you so much uh darren and
59:37
thank you to the audience being here for
59:39
your participation
59:41
and for your questions
59:43
i hope uh for those of you that haven't
59:45
had a chance to visit uh begin again uh
59:48
the exhibit at maine historical society
59:51
uh you can visit in person or online
59:53
please visit
59:55
mainehistory.org to learn more um to see
59:58
2d and 3d versions of the exhibit to buy
60:01
your tickets to visit in person
60:04
dr renko was one of the co-curators of
60:06
that exhibit
60:08
and we would we would love for you if
60:10
you're interested in learning more on
60:11
this topic
60:12
to please visit however you can and dr
60:16
renko is going to join us again in
60:18
august for our next uh historians forum
60:22
on august 7th um so if you would like to

60:25

hear more from him and from some other

60:28

historians again you can visit

60:31

mainehistory.org to register for that

60:33

program and for other upcoming programs

60:36

and to see the reporting of this and

60:38

other past programs dr renko was there

60:41

anything else that you wanted to uh say

60:43

before we close this evening

60:46

no everyone be well

60:48

uh