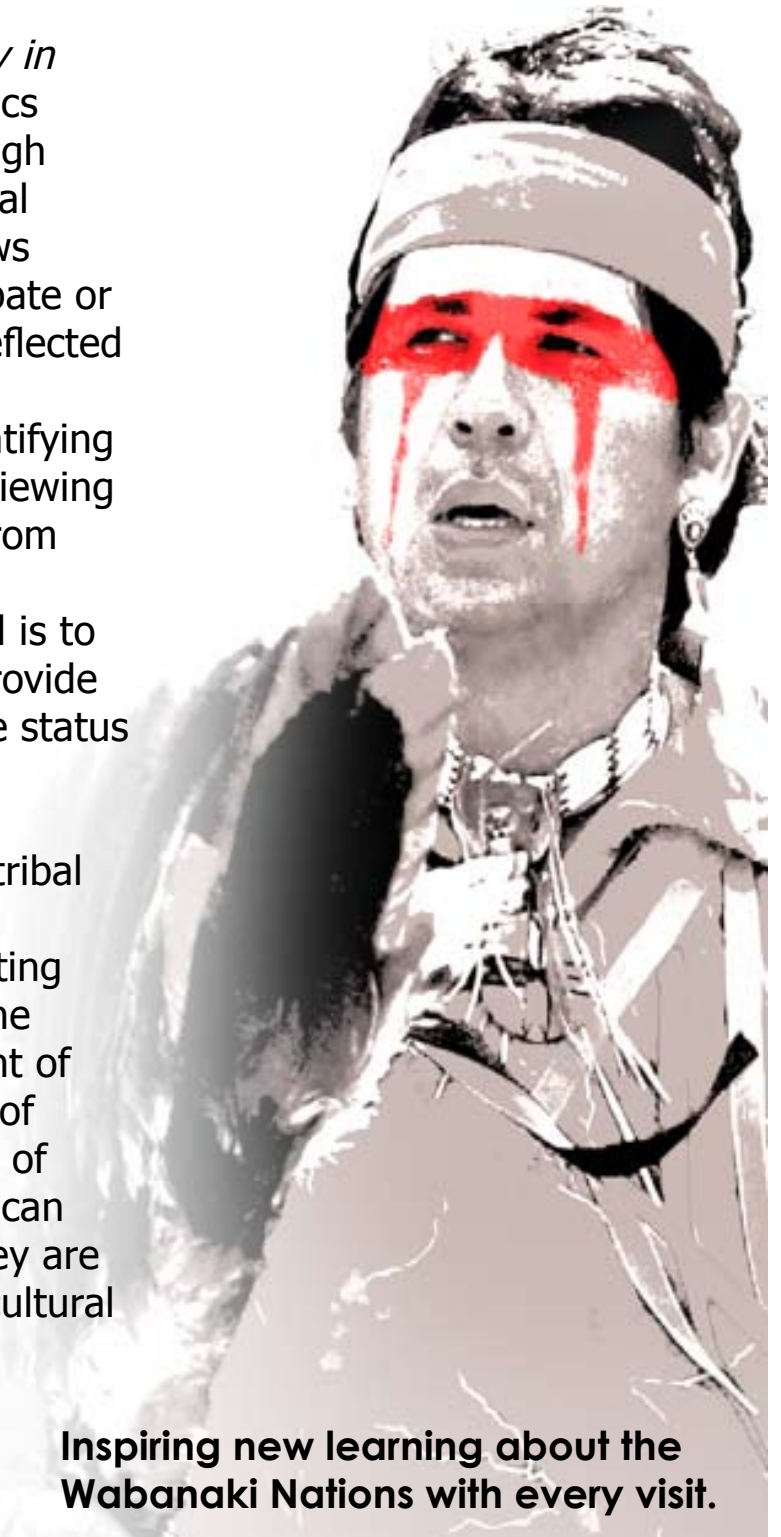


Headline News

Wabanaki Sovereignty in the 21st Century

Headline News: Wabanaki Sovereignty in the 21st Century introduces eight topics commonly covered in the media through first person voices of Wabanaki political and cultural leaders. Many of the news stories about these topics created debate or feedback by the general public that reflected uncertainty about the legal status of Wabanaki people in Maine. After identifying the topics, the Abbe spent time interviewing elected officials and cultural leaders from each tribal community to record their perspective on these issues. The goal is to present multiple points of view and provide new sources for information about the status of sovereignty in Maine.

Each topic is intimately connected to tribal sovereignty and continually evolving, allowing the exhibit to serve as a starting point for dialog and discussion in Maine communities and beyond. The content of the show reflects the complex nature of these topics, and the diverse opinions of Wabanaki people. Each content area can be read as its own story; however, they are also linked through history, law, and cultural values.



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Speaking a different language: Tribes and the state are deadlocked on the meaning of sovereignty

Maine Times - May 10, 2001 What, then, does the state think "sovereignty" means? "It's difficult to talk in terms of tribal sovereignty from our point of view," says Maine Assistant Attorney General William Stokes. "We don't necessarily disagree with the fact that [the tribes] are sovereign, but we might not be talking about the same thing as they are."

Sovereignty: An Introduction

Sovereignty is the right of a nation to exercise its own government and authority over the people living within its borders. Despite the recognition of their sovereignty through treaties, the Maliseet, Micmac, Passamaquoddy, and Penobscot living in Maine had much of their land and many of their rights taken away from them over time.

In the 1970s the tribes successfully petitioned the United States for federal recognition. In 1980 the Maine Indian Claims Settlement Act was signed, and the Maliseet, Passamaquoddy, and Penobscot tribes received a cash settlement in exchange for giving up their claim to 2/3 of the state of Maine. The Micmac settled their land claim in 1991. The Settlement Act created a unique relationship between the state of Maine and the tribes that is still contentious today.

To learn more about Sovereignty:

Maine Indian Tribal State Commission web site:
www.mitsc.org, click on "Library"

Unsettled Past, Unsettled Future, by Neil Rolde, 2004.



Signing the Maine Indian Claims Settlement Act, 1980.
Image courtesy of Reuben "Butch" Phillips.

It's important to distinguish sovereignty- there is the federal definition, but superseding that is our sovereignty, and that is original or inherent sovereignty. You can't separate that, just like you can't separate our DNA from who we are. So long as we have our DNA this will be so. My grandma said, 'We aren't them, and we don't want to be them and that's ok.' The state and federal government can't define our sovereignty. All tribal people need to hold this dear to our hearts and not relinquish that.
-Barry Dana, Penobscot

Penobscot leader links conservation, sovereignty

By Misty Edgecomb - *Bangor Daily News* - April 24, 2001 "Ancestral Penobscots saw environmentalism as a natural outgrowth of their daily life," said Butch Philips, Penobscot. Today, an environmentally aware American Indian like Phillips must venture into the Legislature and the courts to reserve the tribal traditions.

Environmental Management

The ability of a nation to manage the resources within its borders is a sovereign right. The Wabanaki tribes are exploring opportunities to work with state and federal agencies, private industry, and other partners to protect their environmental resources. Through these partnerships, the tribes serve as leaders in their communities in environmental health and protection. All of the tribes monitor and report findings on water quality to the EPA, helping to fill a gap in state staffing to cover Maine's vast territory.

To learn more about Environmental Management:

Houlton Band of Maliseet Indians,
Natural Resources Department:
www.maliseets.com/natural_resources.htm

The Penobscot River Restoration Project:
www.penobscotriver.org



Shortnose Sturgeon (*Acipenser brevirostrum*)
Kraft, C.E., D.M. Carlson, and M. Carlson, 2006. Inland Fisheries of New York (Online), Version 4.0. Department of Natural Resources, Cornell University, and the New York State Department of Environmental Conservation.

Pollution is our worst environmental problem. Traditional foods like fish are now not recommended to eat because contamination made them dangerous. Eating fish is part of who we are; it's part of us and our culture. We are known as 'the people who spear Pollock', but all of a sudden we can't eat this or we'll get cancer and birth defects.

-Donald Soctomah, Passamaquoddy, Historic Preservation Officer, Tribal Representative to the State Legislature

Tribe member seeks separate Veterans Day

By Meg Haskell - *Bangor Daily News* - February 17, 2009 American Indians from Maine have served in every war since the American Revolution, according to decorated World War II veteran Charles Shay of Indian Island, and it is time they were honored for their heroism and patriotism.

Veterans

Wabanaki people have served in every armed conflict since the Revolutionary War, and in larger numbers, per capita, than the non-Native population. In April 2009 the Maine legislature designated June 21 Native American Veterans Day, recognizing Wabanaki veterans for their courage and service each year.

To learn more about Veterans:

From Indian Island to Omaha Beach: The Story of Charles Shay, Penobscot Indian War Hero, by Harald E. L. Prins and Bunny McBride.

Penobscot Culture web page: www.penobscotculture.org



Brenda Commander, the chief of the Houlton Band of Maliseet Indians, reads the names of tribal members who have served in the armed forces. The tribe held a ceremony Monday to mark Native American Veterans Day in the state.

Bangor Daily News, photo by Jen Lynds.



Passamaquoddy Civil War veteran Peter W. Mitchell and his wife Alice.

Photo courtesy of Joseph Nicholas, Waponahki Museum.

For me there isn't an "us against them" mentality. We live in America, we go to their schools, we live in their society. We are a part of the landscape. For me, serving in the military was more of an assertion of my place in this landscape rather than asserting my otherness from this society.

-James Eric Francis, Sr., Penobscot, Tribal Historian, Penobscot Indian Nation

Ordeal at the border: Micmac blueberry rakers complain about aggressive stops by U.S. Customs

By Sharon Kiley Mack - *Bangor Daily News* - August 15, 2009 Hundreds of blueberry rakers traveling from Canada into Maine at the Calais border crossing during the past week were stopped, searched and questioned by U.S. Customs officials, something many said hasn't happened to them in more than forty years.

The Border

When the United States-Canada border was established, it did not take into account the traditional territories of the Wabanaki. Communities and even families were arbitrarily separated. The Jay Treaty of 1794 between the United States and England recognized Wabanaki people's right to travel freely across the border transporting "their own proper goods and effects of whatever nature." This has become an increasingly difficult process for Native people, and since September 11, 2001, border crossings have fallen under even tighter regulations.

Families are more reluctant to cross the border than they used to be because they feel they are profiled. Spiritual people have supplies with them, which may look like contraband and officials rifle through them and this is hard to watch - it's a sacrilege.

-Richard Dyer, Micmac, Housing Director, Aroostook Band of Micmacs

To learn more about the Border:

Read the Jay Treaty: Go to www.earlyamerica.com, search "Jay's treaty"

Border Crossing Rights Between the United States and Canada for Aboriginal People, a publication of the American Indian Law Alliance:

www.ptla.org/wabanaki/jaytreaty.htm



Anne Levi of Elsipogtog, New Brunswick rakes blueberries in Township 19. Levi said that when she crossed the border from Canada to the U.S. her vehicle was searched by border guards and dogs and even her suitcases were opened and searched.

Bangor Daily News, photo by Gabor Degre.

A project with real meaning: Tribal dictionary captures language, culture

By Diana Graettinger - *Bangor Daily News* - December 9, 2008 Thousands of years of oral tradition was unveiled in written form Monday with the release of the Passamaquoddy-Maliseet Dictionary.

Language



Joseph Nicholas and David Francis working on a Passamaquoddy language preservation project.
Photo by Ira Wyman

Language is one of the most fundamental ways in which members of a culture or community relate to each other. It is how people understand the world in which they live and the values that they share. Of the hundreds of languages originally spoken in North America, more than 60% were extinct by the mid-20th century. Each Wabanaki tribe has identified language retention as a major concern and is taking steps to record fluent speakers, connect elders with tribal youth to promote conversation, and develop language classes and immersion programs. Tribal dictionaries, CDs, and publications in native languages help expose people to that language.

Language is one of the biggest pieces of our culture to ensure we remain sovereign. You can have political sovereignty, but you can't have cultural sovereignty without the language.

-Wayne Newell, Passamaquoddy, Native Language and Culture Coordinator, Passamaquoddy Tribe

To learn more about Language:

[A Passamaquoddy-Maliseet Dictionary](#), by David A. Francis and Robert M. Leavitt

Mi'kmaq Online Talking Dictionary:
www.mikmaqonline.org

The Penobscot Primer project:
penobscotprimer.org

Penobscot Culture web site:
www.penobscotculture.org

Tribe's racino bid narrowly defeated

By Kevin Miller - *Bangor Daily News* - November 7, 2007 Tuesday's defeat would be the second time in four years that Maine residents have denied Indian tribes the right to build a gaming facility – this despite voter approval in 2003 of a privately owned racino in Bangor. The casino would offer 1,500 slot machines, the same number permitted at the new Hollywood Slots facility now under construction in Bangor.

Gaming

The federal Indian Gaming Regulatory Act (IGRA), passed in 1988, regulates Indian gaming operations. Since it was passed after the Maine Indian Claims Settlement Act, and does not specifically mention the Wabanaki, it does not apply in Maine. The Passamaquoddy and Penobscot have tried repeatedly to win the right to operate gaming facilities to support self-sufficiency and economic independence, but each attempt has been voted down or vetoed, despite the fact that Maine has a lottery and slot machines.

Casino gambling is an economic tool, but it's not the whole issue. We have a government-to-government relationship with the federal government as a federally recognized tribe. The federal government has a system in place to manage tribal gaming operations with all federally recognized tribes, but Maine says that the Settlement Act supercedes federal regulations that contradict state law, despite the fact that the state has expanded gaming in many ways over the past thirty years.

-Kirk Francis, Penobscot, Chief,
Penobscot Indian Nation



Super Bingo on the Penobscot Reservation, Indian Island, in 1983.
Bangor Daily News, photo by Jack Loftus.

To learn more about Gaming:

National Indian Gaming Commission:
www.nigc.gov

[Games of the North American Indians](#), by Stewart Culin, 1907 (reprinted 1975)

Native Tech Toys & Games web page:
www.nativetech.org/games

Fishing rights claim rejected: Opinion: Large water bodies beyond tribal jurisdiction

By Diana Graettinger - *Bangor Daily News* - April 14, 2000 The Passamaquoddy Tribe does not have jurisdiction over large lakes and rivers in eastern Washington County, a state Attorney General's Office opinion concluded Thursday. The Indian Land Claims Settlement Act is quite clear on this point. [The law] limits the tribe's exclusive authority regarding fishing to 'any pond in which all the shoreline and all submerged lands are wholly within Indian territory, and which is less than 10 acres in surface area.'

Hunting and Fishing Rights

Hunting and fishing rights of a sovereign nation are retained unless specifically ceded in a treaty; any right not specifically abolished by treaty is retained by the sovereign. The Passamaquoddy and Penobscot have their own game regulations on tribal land, and issue permits to non-tribal members for access to those lands. In part because of their smaller land holdings, the Micmac and Maliseet do not currently have control over hunting and fishing on their lands.

I'm often asked "What makes you any different from me?" when I try to explain my Tribe's inherent rights to hunt and fish our lands. The Treaty of Watertown is what makes me different. The agreement that was reached then, in 1776, was supposed to allow me and all my fellow Wabanaki to be able to provide for ourselves in our aboriginal homelands...including hunting and fishing. Besides, we just do things differently. Hunting is a very spiritual activity, one that I pass down to my sons.

-Brian Reynolds, Maliseet, Tribal Administrator,
Houlton Band of Maliseet Indians



Spearing a porpoise.
From Scribner's Monthly, Vol. XX, No. 6, October, 1880.

To learn more about Hunting & Fishing Rights:

Penobscot Indian Nation Department of Natural Resources, www.penobscotnation.org

Our Stories: Healing Woods, video, 60 minutes, produced by MPBN (1998)

Beetle's threat to ash trees also puts tribal art at risk

By Deirdre Fleming - *Maine Outdoor Journal* - November 30, 2009 Maine Forest Service entomologist Charlene Donahue says it's only a matter of time before the emerald ash borer beetle arrives in Maine and decimates the ash trees here. Native American basket makers in Maine worry that will spell the end of their long tradition. The state's tribes make their traditional baskets from the wood of ash trees.

Emerald Ash Borer Beetle



Photo by David Cappaert

The black or brown ash (*Fraxinus nigra*) is an important species for Wabanaki people, used for a variety of purposes including splint baskets, canoe paddles, and snowshoes. This resource is at risk from the introduction the invasive emerald ash borer beetle. Wabanaki tribal governments and the Maine Indian Basketmakers Alliance are taking a lead on this issue. Tribal environmental management agencies and tribal foresters and ash beetle specialists are partnering with state and local agencies to create prevention and response plans.

The tribe is shooting for a policy outcome that will support research on the beetle and create a management plan with the tribes as major players, to protect access and resources. It has to be a collection of sovereigns working together that will come up with a management plan, communicating across different sovereigns.

-Darren Ranco, Penobscot,
Associate Professor of Anthropology and Coordinator of Native American Research, University of Maine, and Trustee, Abbe Museum

To learn more about the Emerald Ash Borer:

Maine Forest Service web site:
www.maine.gov/doc/mfs

North American EAB information web site:
www.emeraldashborer.info

Sacred fire renews Wabanaki tradition: More than 40 tribes attend conference

By Aimee Dolloff - *Bangor Daily News* - June 23, 2008 Runners escorting embers from a 'Sacred Fire' that has been burning for fourteen years arrived Saturday on Indian Island for the annual Wabanaki Confederacy Conference. 'The conference is a traditional meeting of the Wabanaki tribes that goes way back,' Penobscot Nation Chief Kirk Francis said.

Identity



Photo by J. S. Rogers, collections of the Bureau of American Ethnology Collection, National Archives, Washington D.C.

The ability of a nation to determine who its citizens are is one of its sovereign rights. The United States requires American Indian governments to create a system of tribal membership based on criteria established individually by each tribe. But Native identity goes beyond blood quantum and tribal enrollment. In Maine, Wabanaki people and tribal governments have created economic and social opportunity by adapting traditions to meet the market demand of tourists, simultaneously maintaining traditions while adapting enough to stay viable.

"Identity is learned. It's a seeing thing, it's a knowing thing. Everything that is passed down is identity because that's all we've got!"

-Roldena Sanipass, Micmac

In the past, Native people were made to feel bad about being Indian, but now we're teaching kids to be proud of who they are.

-Donald Soctomah, Passamaquoddy, Historic Preservation Officer, Tribal Representative to the State Legislature

To learn more about Identity:

Penobscot Culture web page: www.penobscotculture.org

Aroostook Band of Micmac Membership web page: www.micmac-nsn.gov/html/membership

Invisible, video, 60 minutes

Wabanaki: A New Dawn, video, 28 minutes

Our Lives in Our Hands: Micmac Indian Basketmakers, by Bunny McBride, 1989 (book and film)

Uncommon Threads: Wabanaki Textiles, Clothing, and Costume by Bruce J. Bourque and Lauren A. LaBar, 2009

The complete text of *Headline News: Wabanaki Sovereignty in the 21st Century* is available at abbemuseum.org



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