

# **The Legislative Creation of Permissive Violence:**

Colonization, Pervasive Equity and the Role of Resiliency  
of Indigenous Communities





# Considerations

**Controversial subjects/emotional responses,**

**Language differences**

**Indigenous perspective**

**Story sharing**

**Questions/Dialogue**



# Pre-Contact Turtle Island

Our ancestors use to call the North American continent turtle island. Was it because it's shaped like a turtle??? And if it was how did they know?



60 million Indigenous peoples inhabiting North America prior to contact

Indigenous peoples of the Americas loosely defined by geography, language, cultural customs, cultural regions and family/ancestral history



# Cultural Differences

## European Culture Norms:

- Individualism
- Saving
- Competitive
- Conquest Over Nature
- Religion
- Time
- Conscious
- Patriarchal

## Indigenous Culture Norms:

- Community Oriented
- Present Oriented
- Giving
- Cooperative
- Connection with Nature
- Spirituality
- No Linear Time
- Matriarchal



# BRIEF HISTORICAL TIMELINE: Over 500 years

## 1492-1800's

Papal Bulls-1100's -1493 decree issued to assert the rights of Spain and Portugal allowing European Christians to lay claim to any lands for the Crown. This also became the foundation for colonization, slavery and occupancy under the 'discovery' of such lands.

Doctrine of Discovery-Created from the 1493 Papal decree that dehumanized people living on the lands that were 'discovered.' This forces assimilation, dispossession and white supremacy. Indigenous people are not considered a party to the Rule of Discovery.

Manifest Destiny-Belief that expansion West was justified and inevitable.

"Ordained" right to expand colonization and take possession of Indigenous land

Treaties-Legally binding and "Supreme law of the land found in Article Six of the U.S. Constitution. Over 300 written between tribes and U.S. entities.



# 1400-mid 1800's

## Treaty Making

- Land in exchange for goods
- Over 300 written; not one upheld
- Written in English; not a language spoken by Indigenous people

## Court Cases

- 1823 Johnson v McIntosh-Chief Justice John Marshall, "In essence, American Indians had only a right of occupancy, which could be abolished."

## The Indian Office

- led by John Calhoun in 1824 to oversee all interactions with tribes.
- Now the Bureau of Indian Affairs
- Originally created under the Department of War



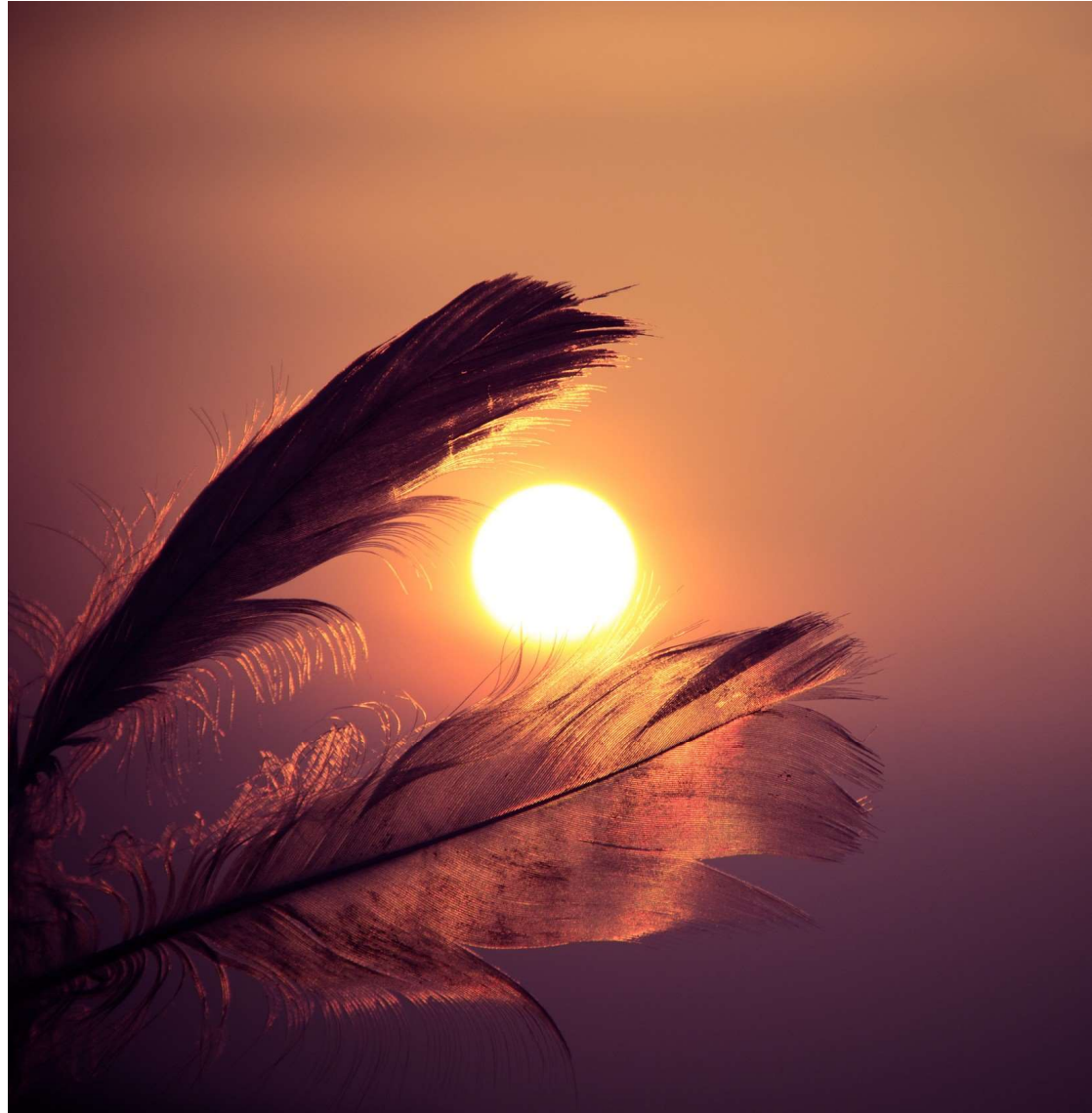


## Court Cases and Removal

- **1830** President Andrew Jackson forcibly removes all tribal communities East of the Mississippi to West of the river. Forced removal began in the Winter of 1831. Choctaw in Mississippi first tribe to be removed.
- State of Georgia makes it unlawful for Cherokee to meet in council, unless for the sole purpose of giving lands to whites.
- **1831** Supreme Court decides tribes are 'domestic dependent nations.' Natives are not considered U.S. Citizens, nor independent nations.
- **1832** Worcester v Georgia-Court decision outcome- State laws do not extend to Indian lands (This is important when looking at violence on Indigenous pops)
- **1823** Johnson V McIntosh-Used the Doctrine of Discovery and aboriginal title in the U.S. in a court ruling. Justice Marshall concluded that the U.S. govt. inherited the right over Indigenous lands.
- **1831** Cherokee Nation v Georgia- 'Ward to Guardian

# Late 1800's

- 1849 Gold Rush in California-  
Indentured Act creates legal slavery  
of Indian children
- 1850-75 Planned extermination of  
buffalo on the plains leaving no food  
or resources for Sioux tribes
- 1862 Homestead Act-Opens lands to  
non-Natives that was set aside for  
Natives after forced removal West of  
the Mississippi.
- 1864 Sand Creek Massacre-  
Cheyenne and Arapaho villages  
experience genocide





## **1900's-Era of Assimilation**

- **End of Treaties (1871). Policies now ratified by Congress or Presidential Executive Orders**
- **Allotment and Assimilation Acts-1887-1934 included the Dawes Act, U.S. v Clapox (1888)-creation of the Courts of Indian Offenses to assimilate or be incarcerated.**
- **Beginning of the Boarding School Era**

- **Indian Citizenship Act, June 2, 1924-Right to vote (white women granted voting privs in 1920).**
- **Self Determination 1975-Tribes required to create governments that mimic the U.S. Gov't, ironically modeled after the Haudenosaunee minus the gender balance. If tribes did not adhere to this requirement, termination would be in effect. This is still an assimilation approach to working with tribes.**
- **Congress enacts policies allowing Indian land to be leased to non-Natives and taking full control of finances from natural resources and distributed when desired. No financial accountability from the BIA.**
- **Indian Reorganization Act, 1935-Creates assimilationist approaches to the use of credit, purchase of land, frequently called the 'Indian New Deal' or 'Indian Raw Deal'**
- **Relocation Programs, 1956-Sent many tribal communities off reservation to municipalities where they were promised housing, job training and jobs.**
- **Public Law 280-Allowed for some states to have control over tribal lands, although they were sovereign tribal lands. Creates confusion on who has jurisdiction over whom and for what crimes. This is still a huge problem today as tribes are not allowed to charge or prosecute non-Natives in tribal courts.**

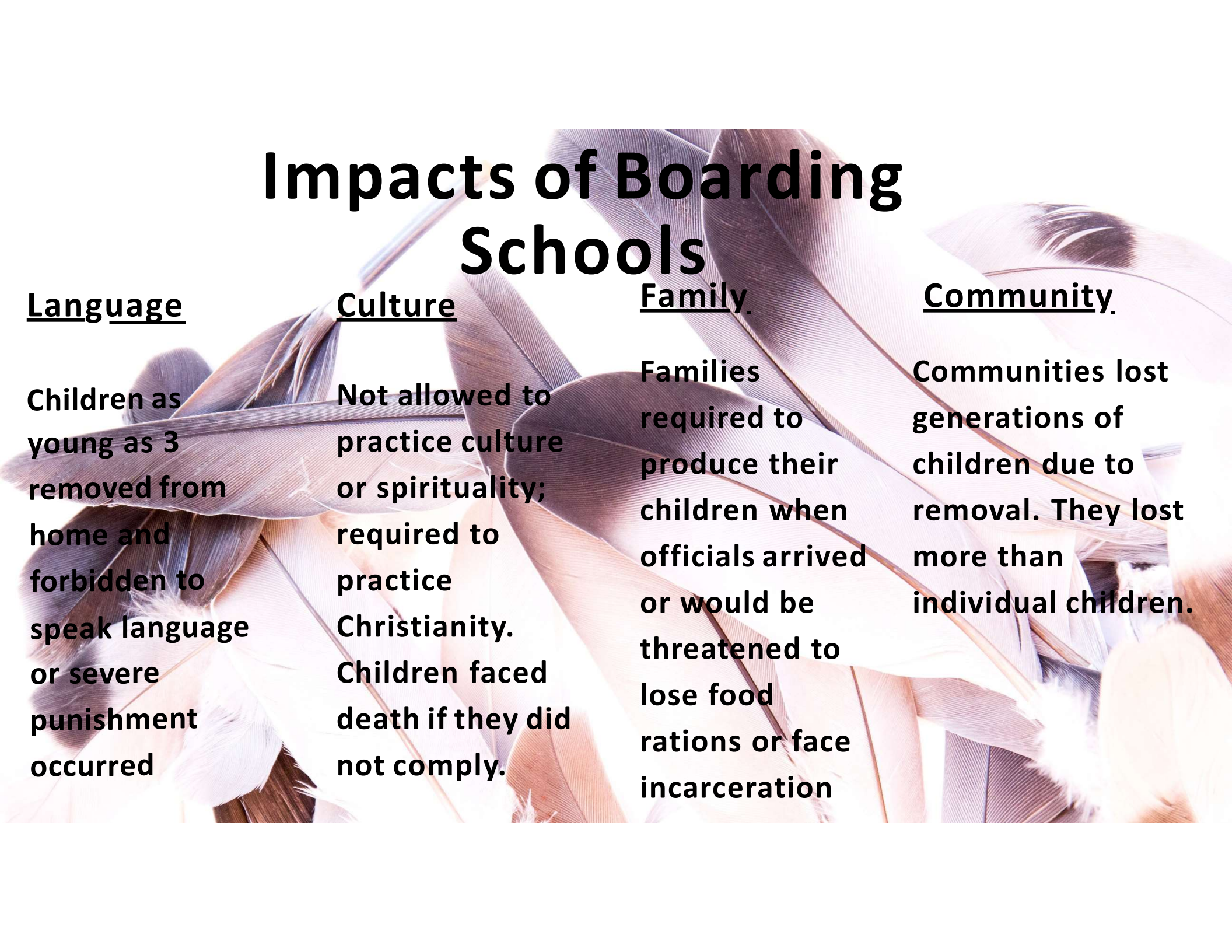




# Boarding School Era



**Save the Man; Kill the Indian**



# Impacts of Boarding Schools

## Language

Children as young as 3 removed from home and forbidden to speak language or severe punishment occurred

## Culture

Not allowed to practice culture or spirituality; required to practice Christianity. Children faced death if they did not comply.

## Family

Families required to produce their children when officials arrived or would be threatened to lose food rations or face incarceration

## Community

Communities lost generations of children due to removal. They lost more than individual children.



The background of the entire slide is a close-up photograph of several feathers. The feathers are dark brown or black with lighter, tan-colored shafts and some lighter brown barbs. They are arranged vertically, creating a textured, layered effect.

**1978**

**Indian Child Welfare Act**

Continues to be  
challenged by various  
think tanks and politicians  
claiming it is a 'racist' law.

**1978**

**Indian Freedom of  
Religion Act**

Illegal to practice our  
spiritual ways until 1978.  
Still challenges regarding  
certain protocols.

**1970's-  
Present**



## Health Disparities

AI/AN pops have a life expectancy 5.5 years less than all other ethnicities in U.S. Diabetes, Heart Disease and cancers highest

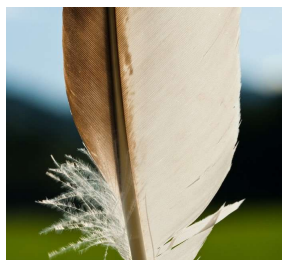


## Disproportionality

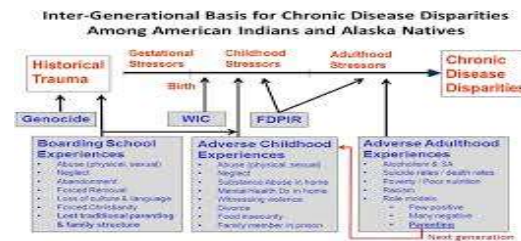
More AI/AN children in foster care and remain in care longer than any other ethnicity in U.S.

## Violence

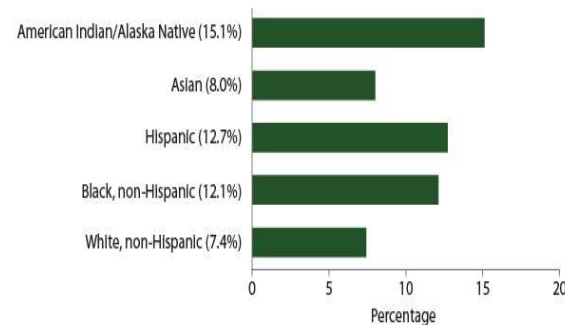
AI/AN women experience violence in some places over 10x than any other ethnicity.



# Health Disparities and Disproportionality

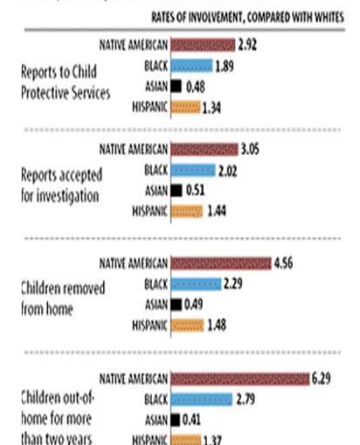


Percentage of US Adults Aged 18 or Older with Diagnosed Diabetes, by Racial and Ethnic Group, 2013-2015  
2017 Diabetes Report Card



## Racial imbalance in child welfare

The chart below shows the rates at which children of certain racial and ethnic groups are involved with various steps in the child welfare system, compared with whites. Native American children, for example, are almost three times more likely than whites to be the subjects of reports to Child Protective Services.



NOTE: Numbers have been adjusted to reflect the fact that whites make up a larger percentage of the population.

Source: Racial disproportionality in Washington state report to Department of Social and Health Services

THE SEATTLE TIMES



# **Epidemic: AI/AN Women and Violence**

- **More than 4 in 5 Native women have experienced violence**
- **More than 1 in 2 have experienced sexual violence**
- **Indigenous women are murdered at more than 10x the national average**
- **Native children exposed to violence suffer rates of PTSD 3x higher than the general population**
- **Human Sex Trafficking-Started in 1492 when Columbus trafficked women and children.**
- **Lack of empirical data-many women do not identify themselves as victims**
- **Distrust of law enforcement**
- **Many involved in child welfare system**
- **POVERTY IS A CAUSE of VIOLENCE!!**
- **Intergenerational Trauma**

## Hyper sexualization of Indigenous Women

General Google Search produces these images rapidly

This is the opposite of what Indigenous women wear for regalia

Further contributes to the 'fantasy' of Native women

These images as well as mascots are damaging, hurtful and inappropriate





## Healing through Culture, Spirituality and Community

Traditional/Cultural/Spiritual practices that have always worked for Indigenous communities are frequently not funded as they are not 'evidence-based' practices.

We have always known what works for us, but because it was illegal or punishable through assimilation processes, other methods have been either forced or used in our communities, but don't address the roots of colonization, are linear, non-Indigenous practitioners, don't address intergenerational and personal traumas or Complex Post Traumatic Stress Disorder; they do not always work for individuals or communities.

Examples of things that programs such as Pathways to Healing are developing or using are Healing Circle Days. These include utilizing the Medicine Wheel and engaging survivors in activities such as beadwork, making medicine bags, plant medicine gathering and harvesting, ribbon skirt and shirt making, hiking, providing plant medicines for prayer, sweat lodge, vision board creation, talking circles and others.

Other examples of healing in Indigenous communities include Canoe Journey, Standing Rock, Idle No More. There are also many grassroots organizations that are addressing the MMIP epidemic and helping families and communities heal and providing supports when loved ones go missing or have been murdered.





# Why Equity Matters



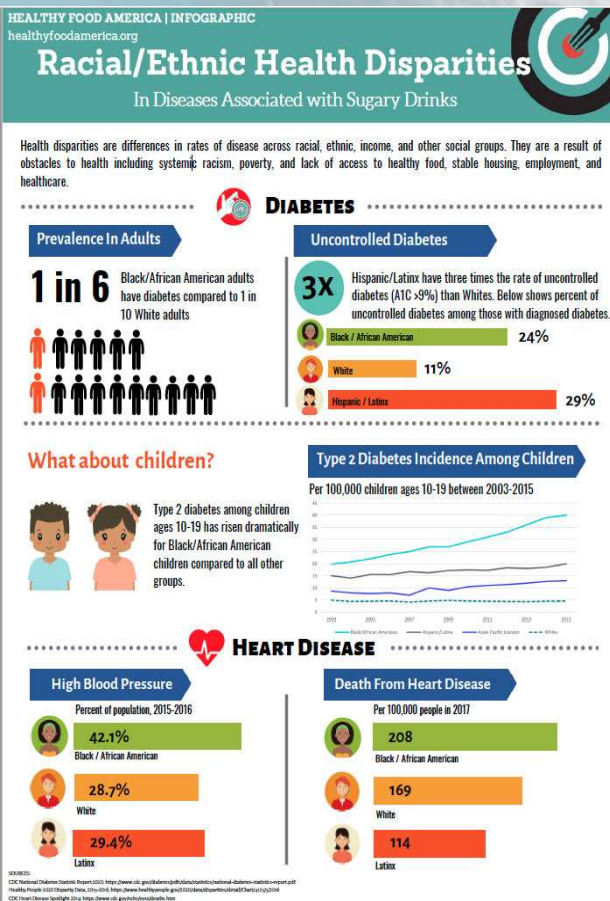
# Missing Data

Oftentimes when studies are conducted; AI/AN populations are frequently missing.

What that means is that when problems are identified; the funding goes where?

Who benefits from those studies and data? Who doesn't

Representation matters-Indigenous people are frequently missing from the table, tribes are infrequently consulted on policies that impact them. Indigenous people are often ignored, invisible and still treated as less than, face racism in institutions, systems and governance. It is important to consult with tribes when developing policy at the statewide level...and required, but frequently doesn't happen.





# Pathways to Healing Program Services:

## It is our mission:

To honor traditional values and beliefs that promote safety and well-being for Native American/Alaska Native families and individuals by providing a holistic approach to inform, educate and heal our communities affected by violence.

## We Value:

*Integrity:* Through honesty and integrity we respect the rights and choices of individuals and families affected by violence.

*Community:* We demonstrate our commitment to social change and an end to violence within our community through our leadership, words and actions.

*Safety:* We help provide a safe non-threatening environment free from abuse, violence and judgment.

*Empowerment:* Through advocacy we empower individuals and communities to heal from abuse and speak out against all forms of violence.

## Services Offered:

All services provided by Pathways to Healing are offered at no cost to eligible participants, they include:

Cultural Advocacy	General Advocacy
Legal Advocacy	Safety Planning
Information	Support to Secondary
Referrals	Victims/Survivors
Emergency Services	Community Education

## Who is Eligible:

Any person regardless of gender, identity or age, who is an enrolled member of a tribe or descendant of a tribal member, or any staff member of the Cowlitz Indian Tribe AND has been a victim of: domestic violence, sexual assault, sex trafficking, dating violence, stalking, and/or elder abuse. Parental consent is required for children under the age of 13. Non-Native parents of Native children are eligible for services in certain situations, please call for more information.

*Services are confidential and available to all genders.*

## Contact Information:

**Clark County Office**  
(360) 397-8228  
7700 NE 26<sup>th</sup> Ave.  
Vancouver, WA 98665

**Cowlitz County Office**  
(360) 575-6239  
928 Fir Street  
Longview, WA 98632

**King County Office**  
(206) 721-5170  
15455 65<sup>th</sup> Ave. South  
Tukwila, WA 98188





**Yakoke**

**Thank you for attending this presentation.**

**If you would like more information, have questions on how to be inclusive of Indigenous and Survivor voices, receive a formal presentation for your agency or organization, or learn more about Cowlitz Tribe's resources, please contact me :**

**Karyn Kameroff, MA, MSW, SWAICL  
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