

Theorizing Indigeneity, Gender, and Settler Colonialism

Forthcoming in 2017 in the Routledge Companion to the Philosophy of Race. Cite as forthcoming 2017, if cited before the article is published.

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Abstract

We seek in this essay to distill rather briefly for philosophers of race a few of the concepts and arguments advanced within complex literatures in Indigenous studies, including Indigenous feminisms and Indigenous gender studies. The entanglement of Indigeneity and patriarchy is part of Indigenous experiences negotiating settler oppression in our work and personal lives in the U.S. context. In this paper, we will try to give voice to the structures of erasure behind some of our experiences by bringing together a range of cases from academic literatures of how oppressive impositions of Indigenous identities are interwoven with patriarchy. An important pattern of oppression emerges when we reflect on these cases: patriarchy is a fundamental part of the structure of settler colonial erasure. U.S. settler patriarchy, as part of the structure of erasure, issues specific tactics that accomplish erasure by delegitimizing Indigenous political representation and diplomacy, breeding distrust and creating oppressive dilemmas within Indigenous communities, and justifying and obscuring violence against Indigenous women, girls, and Two-Spirit persons. We conclude by gesturing to the idea that the resurgence of Indigenous identities as part of decolonization movements must simultaneously be tied to the decolonization of Indigenous relationships to gender and land.

1. Introduction

In 1924, Virginia passed the Racial Integrity Act. The act enforced the one-drop rule, which made it so that someone was either white or colored, and one drop of non-white meant someone was colored. The only exception to the one drop rule occurred in cases where white people claimed to be descendants of any Indigenous women, which included Pocahontas. While white people who claimed an often-fictional Indigenous great grandmother were classified as white, actual Indigenous people were homogenized as "colored," their Indigenous ancestry omitted from public records (Tuck & Yang 2012:

10). In Canada until 1985, “section 12(l)(b) of the Indian Act discriminated against Indian women by stripping them and their descendants of their Indian status if they married a man without Indian status” (Lawrence 2003). In Aotearoa/New Zealand, though Māori women traditionally had the responsibility of serving as speakers for their *whanau*, *hapu*, and *iwi* (families and communities), British settlers negotiated the Treaty of Waitangi solely with Māori men. And later, The Native Land Act of 1909 was a deliberate attempt by settlers to destroy the *whanau* and *hapu* kinship structures and replace them with nuclear, patriarchal family and community structures (Mikaere 1994).

In these cases, a person’s racial, social, cultural, and political identities as a member of an Indigenous people or community, that is, their Indigenous identities, are mediated by heterosexual and patriarchal gender oppression. For Indigenous peoples all over the world, racial identities such as “Indian blood” are woven into colonial fabrics that seek to impose oppressive versions of “Indigeneity” on Indigenous peoples. While philosophers often focus on some aspects of racial identities, it is also true that Indigeneity, as an *often* imposed social, cultural and political category, has an important place in the philosophy of race. Though Indigeneity does not always correspond to what is referred to as “race” in the philosophy of race, as such discussions tend towards interrogations of “biological” and/or “visual” conceptions of race. Indigeneity includes a particularly fluid notion of identity that, at times, biological and/or visual theories of race can mask.

Indigenous identity, or Indigeneity, then, refers to *a person’s claims to be or a person’s acceptance by others* as a member or descendent of one or more Indigenous peoples or communities as among the racial, social, cultural, or political groups to which someone belongs; Indigenous identity also refers to a person’s status or responsibilities, self-perceived or delegated by others, as a member or descendent of one or more Indigenous peoples or communities. The cases above demonstrate situations in which a person’s gender, for example, significantly determines what Indigenous identities that person can claim, what identities that person is accepted as, or what that person’s status and responsibilities are within particular peoples and communities.

The fluidity one finds in Indigenous identity is composed, in part, by an always already present negotiation between Indigenous persons themselves and the imposed categories of Native, Sioux, Aboriginal, *Anishinaabe-kwe*, Indian, Indigenous, Māori, and many others. While some of the categories in this list are used by people to

express liberatory identities, these categories are nonetheless complicated by the fact that they also, at the same time, have legacies of being created and imposed through colonial processes.

The entanglement of Indigeneity, heterosexuality, and patriarchy, for example, are imposed or heavily regulated by settler colonialism and can never be avoided or erased when one speaks of Indigenous identity. This erasure may be common in many discussions of “biological” and/or visual investigations into race. However, such erasures would be uncommon and, quite frankly, distortive in an account of Indigeneity. Indigeneity is a negotiation influenced by a confluence of factors impacting who we believe we are and who we are considered to be at any given point in time. So in talking about Indigeneity one cannot extract race and examine it absent of other forms of social, cultural, and political identification and how those imposed categories order colonial societies. And we will not do so here. Instead, our goal is to analyze Indigeneity and gender oppression, referencing race where it is relevant.

We will use “patriarchy,” from now on, to refer to heterosexual patriarchy. Settler colonialism refers to a particular structure of colonial oppression in which the colonizing society seeks to dispossess Indigenous peoples of their territories through erasing the histories and presences of Indigenous peoples in these territories (Lefevre 2015). U.S. settler colonialism, our focus here, imposes many different racial, cultural, and political identities on Indigenous peoples as specific tactics of erasure aimed at replacing Indigenous peoples with settlers on Indigenous territories, justifying violence against Indigenous persons, romanticizing histories of settlement, and bolstering perceptions of the moral superiority of settler populations.

As a woman of Luiseño and Cupeño descent (first author) and a Potawatomi man and member of the Citizen Potawatomi Nation (second author), the entanglement of Indigeneity and patriarchy is part of our experiences negotiating settler oppression in our work and personal lives in the U.S. context. We will try to give voice to the structures of erasure behind some of our experiences by bringing together a range of cases from academic literatures of how oppressive impositions of Indigenous identities are interwoven with patriarchy. An important pattern of oppression emerges when we reflect on these cases: patriarchy is a fundamental part of the structure of settler colonial erasure.

U.S. settler patriarchy, as part of the structure of erasure, issues specific tactics that accomplish erasure by delegitimizing Indigenous political representation and diplomacy, breeding distrust and creating oppressive dilemmas within Indigenous communities,

and justifying and obscuring violence against Indigenous women, girls, and Two-Spirit persons. We conclude by gesturing to the idea that the resurgence of Indigenous identities as part of decolonization movements must simultaneously be tied to the decolonization of Indigenous relationships to gender and land. In making this argument, we are seeking to distill rather briefly a few of the concepts and arguments advanced within complex literatures in Indigenous studies, including Indigenous feminisms (e.g. Barker 2015; Goeman and Denetdale 2009) and Indigenous gender studies (e.g. Calhoun et al. 2007; Anderson et al. 2012), for philosophers of race.

2. Indigeneity, Patriarchy and U.S. Settler Colonialism

Native American and Indigenous Studies literatures have explored the histories of North American Indigenous peoples prior to and during European and U.S. colonization to understand Indigenous systems of identification and gender. There are two findings from these literatures that we wish to present in this section. First, historically, there was no such thing as “Indigeneity” that referred to some discrete racial, social, cultural, or political identity. Second, many Indigenous peoples never had dualistic gender systems that privileged men and the small nuclear family. We are highlighting these findings in order to set-up the next section that explores how European colonialism and—especially—U.S settler colonialism imposed patriarchy on Indigenous peoples and communities through the imposition of settler forms of Indigeneity.

We will begin by first establishing as a premise that Indigenous peoples in many parts of what is now called North America lived in societies organized according to complex cultural, social, political, diplomatic, and ecological systems that sought to strike upon, through learning from and reflecting on experiences, the best approaches to living well within certain ecoregions and among different neighboring societies (See Trosper 2002 for example). What we refer to today as “Indigenous identities” or “Indigeneity”—or Indian, Native American, First Nation, Métis, Tribal member, and so on—would not have made much sense to many of our ancestors based on how they were accustomed to identifying and gendering themselves.

For example, in many societies, such as *Anishinaabe/Neshnabé* society, persons often identified themselves according to a mixture of clan identities, geographic locations of inhabitation, roles within political alliances, among many other aspects of their ways of life. Hence, introducing oneself to someone else involved more than one’s name and some statement of membership in a racial, social, cultural, or political group. One could be crane clan, which communicated

ancestry from sandhill cranes and certain leadership responsibilities (Bohaker 2010); *Bodwewadmi* (i.e. Potawatomi), which implied one is a firekeeper, which refers to a political role in relation to other *Anishinaabe* polities (faith keepers, trade keepers, etc.) (Clifton 1986); or from an ecoregion, like a particular river valley (Secunda 2006). In terms of leadership, there were not universal leaders all year round because the political organization of *Anishinaabe/Neshnabé* society changed according to the seasons (Benton-Banai 2008).

The complexity and fluidity of identity within Indigenous societies explains why today, even among urban and rural Indigenous communities that have changed greatly in the wake of settler colonialism, taking time to introduce oneself is a non-negotiable aspect of beginning a new relationship. People are expected to describe things such as what their names mean, what geographies they live in, who their families and ancestors are, and what goals they have for their lives and for protecting the well-being of their communities. Often people choose to perform songs, dances, spoken-word, and prayers as part of their expressions of who they are, even when people have known each other for many years or are related as family or of a common community.

Gender systems for many Indigenous peoples are also fluid, differing greatly from gender norms pervasive in U.S. settler society. While “man/woman” distinctions do not necessarily accord with many Indigenous languages and cultures, we will invoke them for the sake of space in this essay since we are writing in academic English language discourse. In some societies, women were responsible for managing and harvesting plants and engaging in agricultural activities, whereas men were responsible for hunting and/or fishing activities. But even these distinctions were not as clear-cut. For example, in some Ojibwe societies, women responsible for rice harvesting would also, during their stewardship activities throughout the year, engage in hunting activities (Norrsgard 2014). This gender system positioned men and women differently as stewards of key environmental resources with gendered knowledge as well as gendered connections to the landscape—but also admitted of fluidities that are impermissible in some more rigid gender systems.

Indigenous societies often see men and women as moral equals and women feature in prominent leadership roles, from management to diplomacy (Paula G. Allen 1992). Many Indigenous societies featured more than two genders and gender-based violence was not a part of society (Deer 2004; Roscoe 1987). The gendered responsibilities of people in different categories varied by community. Indigenous languages often feature specific names for these genders and

responsibilities that go along with participation in that gender. Gender-variant individuals are often respected for excelling at particular traditional activities and responsibilities, though it is important to note that gender-variant individuals often participated in masculine or feminine roles and were not discriminated against for doing so (Roscoe 1987).

Returning to Anishinaabe peoples, “agokwa” and “okitciakwe,” respectively, are Anishinabemowin terms that refer to “the biological male that preformed the gender roles of a woman” and “a biological woman who performs the gender roles of a man” (McGeough 2008; kwetoday 2014). According to McGeough, the agokwa and okitciakwe had important communal and spiritual responsibilities and Anishinaabe people traditionally see gender “being fluid and not fixed or determined by one’s biological sex” (McGeough 2008; kwetoday 2014).

Richard White, in *Middle Ground*, describes Algonquian gender and kinship. “Depending on her tribal identity, an Algonquian woman often has a more durable and significant relationship with her mother, father, brothers, sisters, or grandparents, or with other, unrelated women than with her husband or husbands,” and notes the governance value of an Algonquian woman’s non-marital relationships had more influence than her relationships with her husband, including “her own membership in ritual organizations or, among some tribes such as the Shawnees, Huron-Petuns, and Miamis, her own political status in the offices confined to women ” (White 1991: 50).

As with the previous discussion of identity, Indigenous persons today engage in and reconstruct traditional gender roles and responsibilities as part of their resurgence as self-determining peoples. Indigenous peoples are taking leadership on addressing issues ranging from sexual violence to environmental justice using gender-based leadership structures and responsibilities (Deer 2004; Whyte 2014). We can imagine then that Indigenous forms of identification and gendering were based on assumptions about the nature of culture, society, politics, diplomacy, and human-ecological relationships that are not reflected in the same assumptions of U.S. or Canadian settler societies today.

3. The Entanglement of Settler Patriarchy and Indigeneity

European colonialism and U.S. settler colonialism directly seek to impose their own definitions of Indigeneity to replace the identity and gender systems described in the previous section with settler patriarchy. We will describe categories of tactics of how this occurred. We divide this section into four distinct though intertwined topical

areas, (A) Marriage and Ancestry; (B) Language; (C) Sexual Violence; and (D) Children.

A. *Marriage and Ancestry*

Richard White, in “Middle Ground,” discusses how 18th century colonial encounters with pre-U.S. colonialists (e.g. the French) involved the colonists’ attempted assimilation of Indigenous gendered identities. In Algonquian territories, White writes that French men sought Indigenous women for sex and marriage, often dispossessing Indigenous women of their land in the process (White 60). French Christian sexual mores discouraged Indigenous practices of polygamy, polyandry, and casual “adultery.” The French enforced policies of monogamous, heterosexual, nuclear marriages between Indian women and French men (White 50-52).

The French were curious and revolted by “the berdaches of the Illinois and the acceptance of homosexual relations among many Algonquian peoples” (White 60).¹ While many scholars reject today the concept of “berdache,” it is used to describe a number of nonbinary genders of different Indigenous peoples. White discusses how the French colonizers sought to dismantle Algonquian gender systems: “... In attempting to impose their own cultural categories on the actions of Algonquian women, the French tended to ... define a woman in terms of ... her actual or potential husband—who may not have been anywhere near being the most significant figure in the woman's life” (White 50).

Many Indigenous cosmologies feature conceptions of love and kinship that are non-monogamous and non-patriarchal. Kim Tallbear refers to the invention of monogamous heterosexual marriage as a “white nationalist veneer over our lives” and details the role of marriage in the national agenda in Canada and in the U.S. prior to the 19th century (Kim TallBear 2016). Tallbear notes: “Part of saving Indians from their savagery meant pursuing the righteous monogamous couple-centric nuclear family co-produced with private property including the partitioning of the tribal land base into individually owned allotments held under men's names” (13:43). Tallbear explains that prior to colonization, the “fundamental social unit” of Dakota people was the “extended kin group, including plural marriage” (14:42).

¹ “Berdache” is a term, used by largely American anthropologists in the 20th century, to characterize Indigenous research subjects who anthropologists believed were men, but presented wearing women’s clothes, working women’s traditional labor, and often serving important and unique ceremonial and governance roles. For more, see (Roscoe 1987).

Tallbear believes there is “a possibility for greater emotional, environmental, and economic sustainability in extended kin networks” (19:54). However, European missionaries, and their later American counterparts treated non-monogamy and mixed families as shameful, immoral concepts. Many mothers were encouraged by missionaries and later, Indian agents from the Department of the Interior, to abandon their non-heteropatriarchal conceptions of kinship and to document their children as descendants of men and, ideally, as descendants of white men if possible. Though great great grandmothers listed their children as descendants of white men to survive the Christianized colonial mores inflicted upon them, and possibly also to afford their children and descendants the safety of being “white on paper,” this well-intentioned white-washing resulted, in various cases, in the false ascription of non-Indigeneity to some persons.

The U.S. Dawes Act (1887) intended to usurp more Indigenous territories by partitioning land into parcels owned by individual Indians who were pushed to become farmers with male-run nuclear families (Paula Gunn Allen 1990). Settlers took the leftover lands and preyed upon the Indian allotments. People identified as Indian for the purpose of allotment of private property were, then, expected to fit these gender expectations over time once they took responsibility over the individual property. The allotment process involved a way of transferring Indians from uncivilized matrilineal law to civilized patrilineal law (Dixon 2012).

Gender, marriage, and enrollment issues are very common in Indian country. In the *Santa Clara Pueblo v. Martinez*, gender was closely tied to qualifications of enrollment. In *Santa Clara Pueblo v. Martinez*, Julia Martinez, an enrolled member of Santa Clara Pueblo, brought a claim under the Indian Civil Rights Act (ICRA) that the Santa Clara Pueblo had violated her right to equal protection because under the Pueblo’s law, her children cannot be tribal members, cannot legally reside within the Pueblo, and cannot possess land within the Pueblo because Martinez married a non-member. Yet in 1978, the Supreme Court ruled that judicial review would undermine the Tribes’ right to rule themselves (Getches, Rosenfelt, & Wilkinson 2011: Chapter 6). As Valencia-Webber notes, *Santa Clara Pueblo v. Martinez* “has long attracted attention from feminists and human rights advocates, because they see a woman's claim of gender discrimination pitted against a Pueblo's claim of tribal sovereignty” (Valencia-Weber 2011: 451).

In at least eleven federally recognized Tribes, the history of acceptance of different genders and different kinship structures is

completely erased by laws that prohibit same-sex marriage. In 2005, the Navajo Nation enacted the Diné Marriage Act, which states that “Marriage between persons of the same sex is void and prohibited.” Jennifer Nez Denetdale attributes the passage of the Diné Marriage Act to a “reinscription of patriarchy” and argues that “for Navajos, the prevailing Navajo national mood is connected to the resurgence of American imperialism and, in particular, manifests a hatred and intolerance of difference within Navajo society” (Denetdale 2009: 134). The 2015 Supreme Court ruling on same-sex marriage has no bearing on tribal laws, and safe-spaces for Two-Spirit gatherings and powwows are created by excluding elders who are non-allies.²

So far, some of the examples we discussed involve the disappearance of Indigenous women as ancestors. Yet settlers have appropriated the idea of themselves having Indigenous women as ancestors as a tactic of erasure that contributes to settlers’ goal to indigenize themselves. Eve Tuck, following Vine Deloria Jr., describes this as the Indian-grandmother complex, which serves as a defense mechanism of white U.S. settlers to disassociate themselves from the moral and causal responsibilities of being descendants of violent colonizers. Tuck writes, “In this move to innocence [the Indian-grandmother complex], settlers locate or invent a long-lost ancestor who is rumored to have had ‘Indian blood,’ and they use this claim to mark themselves as blameless in the attempted eradications of Indigenous peoples” (Tuck & Yang 2012: 10).

Deloria, speculates that the Indian-grandmother complex allows for settlers to claim ownership, albeit usually through imaginary means, of the stolen land upon which they reside: “Do they need some blood tie with the frontier and its dangers in order to experience what it means to be an American? Or is it an attempt to avoid facing the guilt they bear for the treatment of the Indians?” (Deloria 1969: 2-4). Tuck points out that sometimes those afflicted with Indian-grandmother complex actually use their mythical Indian ancestor to further stake their claim to American-ness and their membership in the white racial category. “In the racialization of whiteness... white people can stay white, yet claim descentance from an Indian grandmother” (Tuck & Yang 2012: 10). Sufferers of the Indian-grandmother complex get to have their stolen cake and remain white.

² See, for example, http://www.outsaskatoon.ca/elders_supports (accessed September 10, 2016) and <http://www.baaitis.org/about> (accessed February 22, 2017), and on file with authors.

B. Language

Many Indigenous languages of Turtle Island contain within them a set of gendered roles and relationships that differ significantly from those present in Western languages (âpihtawikosisân 2012; Briner, Forthcoming). Gender is not binarized in some Indigenous languages. These grammars are either non-gendered, or make space for third, fourth, and fifth gender states (âpihtawikosisân 2012; Briner, Forthcoming). When Indigenous languages are forced into hibernation by violent assimilative forces like missionizing, boarding schools, legal kidnapping, and the like, speakers and would-be speakers are deprived not only of opportunities and abilities to communicate, they are robbed of grammars rooted in non-binarized conceptions of gender.

One's grammar can certainly be said to affect one's perspective on their world in various ways, including one's approach to knowledge (epistemology), cultures, and reciprocal moral relationships to other humans and nonhumans (âpihtawikosisân 2012; Briner, Forthcoming). While we do not seek to make a case here for linguistic determinism, it is nonetheless important to recognize that the significance of how linguistic colonization replaces the ancestral languages with languages that do not afford spaces for non-patriarchal gender roles, or for non-male/female gender states. When the language is forced into hibernation, the capacity to use language that expresses liberatory and egalitarian ancestral gender systems is also forced into hibernation. While Indigenous peoples find other ways to express themselves creatively through languages such as English, create empowering art, performance and media, and continue to develop and practice decolonizing and anti-colonial epistemologies, cultures, and interspecies relationships, the significance of linguistic colonization must certainly be noted.

Language, in terms of designations or names for particular identities, can also be problematic within the English language in the U.S. or Canadian settler contexts. Terms such as "Two-Spirit" or "LGBTQ" have to be used, for practical purposes, as identifiers for persons. However, these terms do not come close to connoting the multiple Two-Spirit identities that are diverse both according to Tribe but also to what features are important as part of that identity, such as sexual orientation, self-presentation, and so on. On the latter point, we mean that "Two-Spirit" itself does not map onto "gay" or "lesbian" directly. Though many Two-Spirit persons may also seek to identify as LGBTQ, there is a complexity of Indigenous persons' identities that may be threatened, intentionally or otherwise, by more dominant gender discourses in the U.S. settler state.

C. Sexual Violence

Sexual violence occurs closely with impositions of settler definitions of Indigeneity. Before describing some examples, some introductory points are necessary. Indigenous women are leaders, integral components of extended kin networks, life-givers, and cultural keepers. As part of the settler project to successfully indigenize settlers and their descendents as rightful owners and occupants of stolen land, settlers destroy and redefine the identities of Indigenous women. As a deeply troubling example of this, Indigenous women's identities become marked by features that render their rape as excusable and acceptable. Colonial logic codes Indigenous lands and bodies as objects for the taking. The sovereignty and self-governing abilities of a Tribe are affected by the lack of avenues for justice for Indigenous women survivors of sexual violence.

Sexual violence against Indigenous women, girls and Two-Spirit persons is a pervasive dimension of Indigenous experiences of settler colonialism. On the issue of rape, Sarah Deer argues that "... rape is a fundamental result of colonialism, a history of violence reaching back centuries" (Deer 2015: x). Deer explains that rape within tribal communities is "inextricably linked to the way in which the United States developed and sustained a legal system that has usurped the sovereign authority of tribal nations" (Deer 2015: xiv). Andrea Smith also argues that colonialism itself is "structured by the logic of sexual violence." She argues that because Indian bodies are "dirty," they are considered sexually violable and "rapable," making Indian people not respected in their "bodily integrity" (Smith 73).

Indigenous women, girls and Two-Spirit persons are raped more often than members of other groups. According to Amnesty International, Indigenous women are "2.5 times more likely to be raped or assaulted than other women in the U.S" and "at least 86 per cent of the reported cases of rape or sexual assault against American Indian and Alaska Native women, survivors report that the perpetrators are non-Native men" (Amnesty International). Yet rapists, especially white ones who are not partnered into a tribal community, rarely run the risk of being caught. In 2013, the Violence Against Women Act (VAWA) authorized criminal jurisdiction of Tribes over non-Indian perpetrators of rape that are nonetheless severely limited, only relevant in cases of sexual violence committed by white husbands, boyfriends, and domestic partners. Deer writes, "consequently, women who are raped by persons within other relationships (e.g., acquaintances, relatives, or strangers) are not covered by the recent legislative change, and authority over such

crimes will require Congress to enact additional reforms to federal law" (Deer 2015: xviii).

Deer writes that because the American legal system is imposed upon Indigenous lands and Indigenous bodies, and because there are limited avenues for recourse legal or otherwise in Indian Country against sexual predators, the abilities for self-determination of Tribes are compromised. She writes, "It is impossible to have a truly self-determining nation when its members have been denied self-determination over their own bodies" (Deer 2015: xvi). Here, Deer depicts sexual violence as a serious threat to tribal sovereignty, highlighting the inextricably intertwined nature of gender oppression and Indigenous identity.

A further identity aspect involves the solutions to sexual violence. In cases where Indian men are the perpetrators, both punitive solutions and some reconciliatory solutions are not effective. In "Decolonizing Rape Law," Sarah Deer argues that Anglo-American courts, in virtue of their roots in colonial violence, are inadequate spaces for justice-seeking on behalf of Indigenous women survivors of sexual violence (Deer 2009). She also argues that the Peacekeeping model of justice, in virtue of the tendency for Indigenous men to internalize settler heteropatriarchal values, are inadequate as well. She explains that the individualism of settler patriarchy allows Indigenous men the distance they need from the community in order to enact sexual violence against members of their community.

Sexual violence against Indigenous women has endured because it is part and parcel of the desire to seize Indigenous lands. Historically and contemporarily, the trafficking of Indigenous women, girls, and Two-Spirit persons is one of the means by which sexual violence against them is perpetrated. Deer explains that "contemporary efforts to stop sex trafficking in the United States are disingenuous because they fail to account for the widespread sexual slavery of Native women throughout the past five hundred years" (Deer 2015: xxi). Reports of "man camps" in which Indigenous women are trafficked and prostituted at contemporary fracking sites cannot be separated from "earlier histories of the rape of Native women during the Gold Rush and other moments in American economic booms" (Deer 2015: xxi). Without interrogation of the fact that the sexual violence against Indigenous people today is enacted in the same colonial spirit as it was in the past, solutions to widespread sexual violence against Indigenous people are destined for failure.

D. Children

Indigenous communities have been subject to the systematic kidnapping and relocation of their children. Boarding schools and adoption have been ideal tools for settler society to infiltrate and dismantle Indigenous communities and racialized gender discrimination against Indigenous women has been integral to these processes. Settler colonial practices of forced adoption and compulsory education not only systematically stripped Indigenous communities of future generations, they also work in tandem with practices of compulsory heterosexuality, which have a vast impact on Indigenous identities in the U.S.

Many boarding schools, in an attempt to assimilate Indigenous children into white American culture, banned the speaking of Indigenous languages and participation in Indigenous life stage ceremonies, and instead, enforced strict gendered protocols for students. Boys and young men were required to cut their long “feminine” hair, and devote themselves to learning industrial farming, mechanics, wartime assembly-line production, and Bible verses (Bahr, 2014). Girls and young women were required to dress as “good ladies” and learn sewing, housekeeping, and cosmetology (Bahr 2014: 22-26; Jacobs 203).

The Sherman Institute in Riverside, California distributed Indigenous students to the surrounding community as a (largely unpaid) labor force. Young Indigenous women, highly coveted by whites, were groomed to serve “their ladies” and to attract a husband (Bahr 22-26). Testimonies from young Indigenous women in the “outing” program at Sherman insinuate that some of the men they worked for harassed them, assaulted them, and in some cases, married them (Bahr 2014: 22-26).

In “The Great White Mother,” Margaret Jacob argues that “white women were integrally involved in the removal of American Indian children to boarding schools and that their involvement implicated them in one of the most cruel, yet largely unexamined, policies of colonialism within the American West” (Jacobs 192). White women reformers deemed Indigenous women unfit as mothers, their children hence having “to be removed from their homes and communities to be raised properly by white women within institutions” (Jacobs 192). White women’s “[construction of] indigenous mothers as degraded and sexually immoral, misguided and negligent, and even cruel and unloving” as a “key practice of colonialism” because “such representations contributed to justifying state policies of indigenous child removal” (Jacobs 202).

Indigenous children are removed from their homes today more than any other demographic (Woolman & Deer 944). Joanna

Woolman and Deer argue that the perspectives of Indigenous women must be taken into account in the methodologies of child protection because of the dominance of colonial logics. Woolman and Deer chronicle the more contemporary abuses of the child protection system. After compulsory boarding-school era had come to a close, “social workers became the new saviors of Native children and interfered with families for the ‘crimes’ of poverty and isolation... child welfare workers often explicitly argued that Native babies and children would be better off if they were living with non-Native, affluent families” (Woolman & Deer 955).

By the end of the 1960s, “between twenty-five and thirty-five percent of Native children had been separated from their families” (Woolman and Deer 957). The epidemic of what amounts to legal kidnapping justified by racism and colonial logic became so overwhelming that Congress was forced to enact the Indian Child Welfare Act (ICWA) in 1978. ICWA “signaled an acknowledgment that the American legal system had been used as a tool to destroy Native families” and was designed to prioritize that Indigenous children remain within their communities (Woolman and Deer 957). Though ICWA has made significant strides, Indigenous children still remain the most likely to be taken from their homes.

As boarding schools and adoption practices were used to define Indigenous identities on settler terms, we see in these examples how settler tactics entangled imposed identity formation and imposed hetero-patriarchal gendering. The cases illustrated above – the attempted destruction of traditional Indigenous kinship networks, the assimilative practices of the compulsory education era, and the continued forced removal of Indigenous children from their communities – function to deprive Indigenous communities of future generations. The deprivation of a continuing generation is a genocidal attempt to destroy the possibility of the community having a future. Because Indigenous women were and are systematically deemed ‘unfit mothers’ by settler society, racialized gender discrimination within the adoption system plays a key role in the erasing of Indigenous identities.

3. Implications of Gender/Identity and Oppression

Settler colonial erasure involves the imposition of oppressive Indigenous identities as an approach for establishing the hegemony of settler patriarchy within Indigenous communities and nations. We see the above examples as establishing a pattern of oppression. To us, settler patriarchy is a fundamental part of the structure of erasure. Again, we subscribe to the philosophical view that settler colonialism is

a particular form, or structure, of oppression that is characterized by one society's goal to erase another society. The settler colonial structure of oppression advances through "on the ground" tactics that enable and enact erasure. The examples above are the "on the ground" tactics.

The entanglement of imposed Indigeneity and patriarchy are integral components of settler erasure for at least three reasons: (1) the delegitimization of Indigenous political representation and diplomacy, (2) the breeding of distrust and creation of oppressive dilemmas within Indigenous peoples and communities, and (3) the justification and obscuring of violence against Indigenous women, girls and Two-Spirit persons. We begin with some further descriptions of (1), (2), and (3), and continue on to review how the tactics discussed in the previous section express (1), (2), and (3), including as many examples as is feasible given the space we have to write.

The first reason, delegitimization of Indigenous political representation and diplomacy, refers to the deliberate attempt to erase two ideas in particular: Indigenous peoples' sovereignty pre-exists the formation of the U.S. and European invasion; Indigenous forms of governance operate very differently than that of the U.S. settler state and settler society—organizationally, culturally, and linguistically.

In the second reason, breeding distrust refers to deliberate attempts to divide members of Indigenous people and communities against one another by making each member feel as if the others do not have their best interests at heart. Settler patriarchy breeds distrust in that arbitrary male privilege creates circumstances in which men are more likely to assume their privilege is natural or traditional and have stakes in protecting their privilege ahead of any imperatives to dismantle patriarchy. Oppressive dilemmas refer to the imposition of choice-situations on Indigenous persons in which each choice option carries a bad consequence and no choice option can be seen as somehow better than the others (Frye 1983). In settler contexts, dilemmatic choice-situations produce erasure over time. For example, Tribes who adopt U.S. forms of government as a choice over time come to believe that that form of government is their original and *only* legitimate form of governing authority.

Finally, the third reason, obscuring of violence, refers to deliberate settler tactics that seek to disappear systems and cases of violence as ways to assuage settler guilt, alleviate individual or collective senses of responsibility, and justify settlers' beliefs in the morality of their aspirations to legitimately occupy Indigenous territories.

In terms of the first reason, settler patriarchy is informed fundamentally by a man/woman gender binary and racialized notions of identity, such as blood quantum. It functions to delegitimize Indigenous political representation and diplomacy. In the settler systems, men are superior to women and men are seen as better fit for significant, visible leadership and diplomatic positions in society. The settler gender system is a catch-all system in which it is not possible for individuals to fall outside of the categories “man” and “woman” without having to somehow define themselves as pathological or “in between.” Settler patriarchy destabilizes Indigenous political systems by subverting the traditional leadership of Indigenous women and non-binary people. Treaties between Indigenous peoples and settlers were largely negotiated by men. Over time, some Indigenous men embrace these roles in morally troubling ways—in some cases arguing problematically that they are indeed traditional.

Recall from the first section that Indigenous political systems are often based on extended kinship networks and seasonally adaptive forms of political authority and responsibilities that work to adjust to the dynamics of ecosystems .. Marriage in tandem with allotment has been used as a tool for infiltrating and disassembling Indigenous communities for assimilation, the destruction of extended kinship systems, and settler acquisition of Indigenous land. By promoting the subservient white woman as an ideal mother, settler heteropatriarchal policies systematically stole Indigenous children from their families, classifying Indigenous mothers as unfit and stripping Tribes of future generations. Stripping Indigenous communities of their children systematically compromises sovereignty and Tribes’ abilities to self-govern.

Through linguistic colonization, settler society actively dispossesses Indigenous peoples of their languages, subverting non-binarized conceptions of gender, and disconnecting Indigenous people from integral components of traditional governance. By disrupting language and alternative conceptions of gender, colonizers attempted to take control of Indigenous lands and people, delegitimizing traditional systems of governance and diplomacy. For example, diplomatic relationships between Indigenous peoples and the U.S. all take place in English. Given there is no respect for Indigenous languages, there is no need on the part of the U.S. to consider how it would communicate through Indigenous languages or what protocols would be required with particular Indigenous peoples that would feature engagement with women and Two-Spirit persons more prominently.

All of these cases divest Indigenous political sovereignty of its linguistic, gender, and cultural difference. Without these differences, Indigenous political sovereignty over time comes to mirror both U.S. forms of government and U.S.'s desired status for Indigenous peoples as dependent on the U.S. and subject to plenary power. Destruction of women's leadership, for example, erases women's voices and leverage from political engagement. Destruction of Indigenous languages requires Indigenous persons to engage diplomatically only in the English language.

The second reason, breeding distrust and dilemmas for Indigenous persons, is also a key part of the entanglement of imposed identities and genders. The integration of patriarchy within Indigenous peoples and communities and the federal punitive system create and maintain distrust between men and women, girls, and Two-Spirit persons, those most vulnerable to sexual violence from Indigenous men. Indigenous men often fall prey to the internalization of heterocolonial patriarchal values. Men's adoption of patriarchy also comes out in statements such that re-seizing land takes priority over the protection of women and girls—which assumes that prioritization is even needed in the first place.

The predominance of men in Indigenous governments, such as those of federally-recognized Tribes, divides men and women because the former share in settler structures of power privileging men. When men are associated with leadership in practices such as cultural and linguistic revitalization, women who have similar aspirations— aspirations that often more accurately correspond to historic leadership in certain cases—cannot trust men to unsettle their own privileges.

One oppressive dilemma Indigenous women, girls, and Two-Spirit folks are forced into concerns the intersection of sovereignty and voicing concerns about violence. There are two approaches to addressing violence within an Indigenous community. As Deer argues, Anglo-American courts, in virtue of their roots in colonial violence, are inadequate spaces for justice-seeking on behalf of Indigenous women survivors of sexual violence. She also argues that the Peacekeeping model of justice, in virtue of the tendency for Indigenous men to internalize settler heteropatriarchal values, is inadequate as well. Though both of these avenues for justice-seeking are inadequate, Indigenous women survivors of violence are forced to choose one bad option over the other.

Indigenous children who are being abused, and their advocates, are also forced into a dilemma. Alerting authorities to an abusive situation is met with shame and a sense of communal betrayal

because the racist, colonial project of child protective services has aided the removal of children from communities (Woolman and Deer 957-958). Because this option is not adequate, survivors of abuse can remain silent, which may result in the pain of suffering alone without resources can even runs the risk of possible escalation of violence.

Settler patriarchy also forces Two-Spirit, LGBTQ, and non-binary persons who are subject to violence or discrimination into environments of distrust as well as dilemmas. The internalization of settler heteropatriarchal values has caused many Indigenous nations to adopt laws banning same sex marriages and tribal community members to voice hatred for non-heterosexual and/or non-binary identities. Because of this, Two-Spirit, LGBTQ, and non-binary persons are not always afforded safe spaces within their own communities. Two-Spirit, LGBTQ, and non-binary persons who are subject to violence and discrimination are also presented with dilemmas because alerting authorities or raising public awareness of their own oppression can be seen as an invitation to the colonizer to intervene and trample tribal sovereignty.

Finally, settler patriarchy justifies and obscures violence against Indigenous women, girls, and Two-Spirit persons. Many of the examples referenced earlier in this section can also be categorized accordingly. The Indian grandmother complex, as mentioned above, is a common invocation that both normalizes and disappears sexual violence. Sexual relations with Indigenous women, regardless of whether the details of a particular claimant's ancestry actually occurred, are transformed into "interesting tidbits" about a settler's ancestry. Gender violence is bound up in this rhetoric in that the Indigeneity of the woman ancestor in question can be conquered, vanquished, and disappeared by white male ancestors.

Even in cases where someone casually references the fact that their alleged ancestor was raped or denied the right to choose not to identify as Indigenous, the tone of the referencing often renders these actions as profoundly historic and unrelated to the issues that Indigenous women face today with being unable to pass on their Indigeneity to their children, their widespread disappearances and murders, and the heightened risks of sexual violence. The Indian grandmother or princess complex trivializes and decontextualizes settler violence. Imposed settler identities deny Indigenous women the capacity to pass on Indigeneity to their descendants. Indigenous identity is defined by settler society as dwindling and inevitably destined for assimilation and disappearance.

Settler patriarchy also obscures the violence against Indigenous women in rape law. While the 2013 Violence Against

Women Act provides some legal recourse for Indigenous women who are raped by white husbands and white boyfriends, the Act does not protect Indigenous women who are raped by white acquaintances or strangers (Deer 2015: xviii).. The American legal system is imposed onto Indigenous lands and bodies via colonial violence, but provides little to no protection for Indigenous women against the sexual violence that continues to fortify and justify colonialism.

Heterocolonial patriarchy fundamentally consists in dualisms like man/woman, humanity/land, the civilized/the uncivilized, with the former of each dualism being normatively empowered. As many of the Indigenous feminists cited above have noted, colonial logic requires that the world be shaped along these dualisms, that nothing fall outside of these categories, and that the former of each dualism (man, humanity, the civilized) are able to conquer, control, and tame the latter of each dualism (woman, land, the uncivilized). Because settler society is organized from such logic, violence is obscured and justified.

5. Conclusion

Given the previous analysis, we seek to gesture to an argument we cannot fully make here about the resurgence of Indigeneity as a liberatory identity. Tallbear, among others, have shown how more people are embracing Indigenous identities as powerful ways of reconnecting with social, cultural, and familial relations and resisting colonialism (TallBear 2013). Resurgent and liberatory approaches to Indigenous identity often focus on concepts that, in the English language, do not immediately carry with them any gendered meaning. These concepts include spirituality, political sovereignty, Red Power, stewardship/guardianship (of plants/animals/ecosystems), Wellbriety, kinship, militant decolonization, language and culture revitalization, among others. Since, as we have attempted to show, oppressive impositions of Indigenous identities are forms of erasure that are closely connected to patriarchy, it is no small issue that these concepts do not treat gender liberation as fundamental to resurgence and liberatory projects.

Many of the authors we have cited look at how the disruption of settler colonialism entails the dismantling of settler patriarchy. Deer, for example, argues that because sexual violence is integral to colonization, tribal nations ought to “develop and strengthen their response as part of broader political work toward achieving sovereignty” (Deer 2015: xvi). Woolman and Deer argue that because gender oppression is central to the genocidal project of removing Indigenous children from their communities, the perspectives of Indigenous women must be central in attempts to reform child

protective services. Deer maintains that settler colonialism demands “a response that centers a contemporary Native woman in her unique place and time, empowering her to access the collective strength and insight that have helped her people survive” (Deer 2015: xiv).

Settler colonialism seeks to dispossess Indigenous peoples of land and supplant them as rightful occupiers. To achieve these ends, settler colonial logic has decentered and disempowered women, girls, and Two-Spirit persons through sexual violence and the systematic attempted destruction of extended kin networks, matrilineal governance, non-binary gender systems, and languages. Resurgence and liberatory projects that fail to take seriously the connections between oppressive identity impositions and gender oppression will fall prey to the underlying imposed patriarchy that exists within Indigenous peoples and communities. The resurgence of Indigenous identities as part of the decolonization movements must simultaneously be tied to the decolonization of Indigenous relationships to gender and land.

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