

Indigenous Sovereignty in the 21st Century: Knowledge for the Indigenous Spring. Edited by Michael Lerma. Gainesville, FL: Florida Academic Press, 2014. 166 pp., \$34.95.

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Understanding Indigenous sovereignty in a way that is useful today, asserts Michael Lerma, like other Indigenous scholars inspired by Linda Tuhiwai Smith, requires starting with an Indigenous *view* of sovereignty—a decolonized, Indigenous understanding of sovereignty. We do not begin by accepting the definition of sovereignty created by colonial actors and then ask how does that definition apply to Indigenous peoples. Instead, we need to know what sovereignty means to Indigenous peoples. And on the first page of the Introduction, he tells us: “Today, Indigenous nations can confidently state that colonial actors cannot eliminate something they never recognized: the inherent responsibility many Indigenous peoples have to serve their traditional homelands.” It is a construction of Indigenous sovereignty Lerma calls “Peoplehood.”

Does this mean that Indigenous peoples who no longer regard themselves as having an “inherent responsibility... to serve their traditional homelands” are no longer sovereign in an Indigenous sense? Possibly. Lerma does, in a carefully nuanced but also, in my view, fair way, criticize Indigenous leaders who have been co-opted, or as he puts it, “institutionally captured” as a result of “having their taste of the spoils in continuing embed themselves and Indigenous citizens within the U.S. political economy” (124). But this gets ahead of the story.

The story Lerma tells is the history of relations between Indigenous nations and colonial actors where the steadily, often overtly violent enlargement of the colonial actors’ sphere of power over the communal lives of Indigenous peoples erodes their capacity to control their own destinies culturally, politically, and economically. That loss of control, coupled with Indigenous leaders “embedding” themselves in the neo-liberal national economies of the colonial actors, has diminished the ability of many Indigenous people to fulfill their inherent responsibility to serve their homelands; that, and, well, genocide. Lerma’s decolonized

language underscores his argument. “Decolonized actors” refers to the European settler states throughout the Western Hemisphere. The destruction by direct and indirect violence as well as forced assimilation (what some call ethnocide) was an act of genocide, albeit one taking place over several centuries and with different starting points for different nations or peoples and geographic spaces. Noting how difficult it is to capture the reality of this genocide by recounting its policies and impacts in purely linear or chronological terms, he outlines periods in Indigenous-colonial relations culminating in the diminishment of Indigenous sovereignty: treaty-making, removal, reservations, allotment, reorganization, termination, self-determination, and forced federalism.

These periods help make sense of how colonial actors used executive powers (orders, agreements, and the monopolization on extinguishing aboriginal title), congressional plenary power (license to use congressional authority arbitrarily), and court decisions (notably, the courts of colonial actors rather than international tribunals) to erode Indigenous sovereignty; that is, to erode the ability of Indigenous peoples to fulfill their inherent responsibility to their traditional lands. Treaty making, for example, corresponds to a period in which the U.S. government really had to consider Indigenous peoples a potential military threat. The executive branch implemented removal and reservation policies, while allotment, reorganization, and self-determination were primarily congressional policies. The judicial branch, Lerma argues persuasively, has always been guided by four normative assumptions evident in the Marshall Trilogy decisions (1819–31) until the Rehnquist Court began ignoring them in the late 1980s. And, he adds, these norms are evident “probably throughout the world where colonization has taken place” (69). Judicial decisions must uphold these four norms: (1) the colonial actor must dominate Indigenous nations; (2) the colonial actor has the exclusive right to acquire Indigenous resources by creating and then extinguishing aboriginal title; (3) the Indigenous nations enjoy occupancy of their lands only with the permission of the colonial actor; and (4) the colonial actor must “help” the Indigenous nations be more like Europeans.

More recently, the Rehnquist court (1972–2005) carried out what Lerma calls “judicial termination.” Aboriginal title, for example, is a legal fiction created by colonial actors based on the doctrine of discovery, which endowed the first European colonial actor that came into contact with an Indigenous nation the exclusive right to bargain with them for access to their lands and resources. “When colonial actors discovered

Indigenous nations, they extinguished Indian rights to occupy homelands, and appropriated the resources stored in our homelands to enrich themselves" (146). All wealth now in the hands of colonial actors was created by this expropriation. "Had it not been for the Indigenous-based relations with the land," he says, "there would have been no resources for colonial actors to monopolize and exploit today" (68–69).

With the IRA's goal of displacing Indigenous governance with federally sanctioned collaborator governments well under way, the 1970s ushered in a period of what Lerma calls "self-colonization" by indigenous leaders. His criticism is less recriminating than sympathetic to leaders who had been, often literally, starved into submission. Indigenous nations were beginning post-genocide rebuilding at a point when their cultural, social, political, and economic systems had become almost entirely encased by those of the colonial actors. Finally, Lerma claims that the condition of tribal governments today are best understood by utilizing Bueno de Mesquita's concept of a "selectorate"—a winning coalition of elites who enable governments to come to and stay in power. In the case of Indigenous nations, the public good of land or homeland was privatized through allotments. Using a case study to illustrate his point, he argues that post-removal policies had two strategies for destroying sovereignty: first, shrink the selectorate, and second, privatize public goods that could then be used to reward the selectorate. "So long as Indigenous leaders have a small winning coalition," he says, "they may buy the loyalty of winning coalition members with private goods. This is, potentially, how best to explain the Indigenous economic interactions with the US today" (141).

Lerma's call is to Indigenous youth today, a call to bring on an "Indigenous Spring" by taking steps to end domination of Indigenous nations by colonial actors. "Indigenous peoples didn't survive this long by accident," he says (154). Time to move beyond survival to liberation. Anyone interested in Indigenous emancipation should read this book.