

NMSU's Land Acknowledgement Statement – Native Americans

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New Mexico State University accepts Native American knowledge and worldview of their intimate relationship to the natural world. The genesis of the Southwest indigenous peoples such as the Pueblo, Navajo, and Apache established their guardianship of the lands now occupied by New Mexico State University. As New Mexico's Land-Grant University, we acknowledge and respect the sovereign Indian Nations and Indigenous culture groups as our predecessors' and neighbors. We pledge to have a meaningful and respectful relationship with the sovereign Indian Nations and tribal communities.[Note: this version may be slightly different than the final]

Background Information & Rationale for NMSU Land

A Conceptual/Theoretical Framework – By Donald D. Pepion, EdD (2014) Excerpt

Indigenous Ways of Knowing

Native people have long espoused an epistemology regarding the connectedness of the universe. Many tribal elders speak of a way of being that involves the relationship of all inanimate and inanimate in an all-encompassing cosmology. This way of knowing has been illusive to the dominant culture's way of thinking based on the scientific method of logic and reasoning. Wildcat (Deloria and Wildcat, 2001) and others like Kincheloe (Kanu, 2006) indicate the reductionism evolving from the European age of reason confounds the possibility of other knowledge.

Native ways of knowing is currently an important issue in academics. Native philosophy is beginning to be articulated by Native authors such as Vine Deloria, Jr. Dan Wildcat, Gregory Cajete, and others. Deloria (2001) espouses "indigenous metaphysics" relative to a holistic tribal view of the relatedness and connectedness of all things and power in physical places. Wildcat (2001, 96) builds off Deloria's relativity and power by positing that Native philosophy entails respecting and sustaining an ecosystem wherein humankind is an equal part of the system. Gregory Cajete (1994) reinforces a tribal worldview of holistic ecology as reflected through tribal genesis and ceremony in his book "Look to The Mountain: Ecology of Indigenous Education".

Indigenous knowledge has been labeled primitive because it is outside the realms of dominant societies reasoning. A way of knowing that is based on holism rather than particularism is considered nonsensical. Thus, no authenticity is shared because the non-Native society and Native society cannot conceive of the others reality. One society has a concept of conceptualized quantification that is abstract while the other has a concept of cosmological spirituality that is beyond the others belief.

The historic literature of the dominant society abounds with the ongoing "Indian problem". Indigenous participation in education and social systems continues to be labeled problematic.

Deloria (2001, 151-161) speaks of the ongoing “Indian Report” that never is able to ameliorate the marginalization of indigenous people. Since study and quantification through the scientific method cannot validate the problem then nihilism is perpetuated (Giroux, 1997).

Noted Native scholar Vine Deloria, Jr. (1984) posits the indigenous social paradigm of peoplehood (12, 263) that reflects value of the tribal group as being more important than individualism. The study of anthropology now knows that indigenous consciousness values the congregate rather than the individualism of the contemporary society. Thus, a social or educational program that treats primacy over aggregate is a foreign orientation to some indigenous cultures. Kincheloe (2006) calls for multilogical orientation to understand the different interpretations of “selfhood” in cultures outside the western perspective. Western knowledge is so bound to “cultural supremacy and exclusionary practices” that it fails to recognize the “genius” of “subjugated and/or indigenous information”. He espouses using other processes such as “critical ontology” to examine differences to achieve “new concepts human being”.

Native scholars such as Marie Battiste (2008) question the discriminatory nature of Eurocentric knowledge against indigenous knowledge. Other non-Native scholars like Joe L. Kincheloe (2006) are beginning to “gain a new respect for the genius of indigenous epistemologies and ontologies” and espouses the “value of non-Western knowledge”. Henry A. Giroux (1997) speaks to the need to “rethink the politics of multiculturalism” and “challenging the narratives of national identity, culture, and ethnicity” to “examine, acknowledge and unlearn their [educators] own privilege”.

The genesis of the Southwest indigenous peoples

The peopling of the Southwest and the Americans has been controversial due to varying data and information in the literature. New Mexico has long been known as the place where first early evidence of humans was generally accepted with the Clovis and Folsom sites during what is termed the Paleoindian Period about 10,000 to 12,000 years before 1950. Presently the peopling of the Americas continues to evolve backwards in time with different archeological evidence in North and South Americas as far back as 24,000 to 25,000 years ago.

However, Native authors such as Vine Deloria, Jr. and others support the oral narrative and tradition of American Indians genesis account of always being present in the Southwest. Both the Pueblo and Dine’ (Navajo) people have genesis accounts of emergence into what became New Mexico. Both of these cultures demarcate certain land places and landscapes such as mountains as the boundaries of their traditional territory. They also can pinpoint the location of the center place of their emergence. Almost all Indigenous groups in North American have creation and origin narratives, as with most cultures of the world.

Since Indigenous knowledge conceptualizes time and space different than Euro-Western knowledge, the reconciling of linear time is problematic. Nevertheless, place is a significant factor in Indigenous worldview. Here is another excerpt from my theoretical/conceptual framework regarding the significance of “Place”:

Power in Places and Respecting All Things

In discussing Indigenous way of knowing, I believe it is important to impart the connection of power existing in the landscape. Indigenous people learned from their environment through observation and experience. Since, everything has a spirit and knowledge stemming from other beings through a spiritual process of communication, physical location is significant. Esteemed scholar Vine Deloria, Jr. conveys the importance of “power in places” (Deloria & Wildcat, 2001, p. 21). Thus, there are certain places in the landscape considered sacred. Many of the places are locations affiliated with origin narratives where ancestors experienced meaningful events. Cajete (2000) states, “Thus, the various origin stories known throughout the world can be traced to a particular people living in a particular place” (p. 37). The old stories remind us that knowledge also emanates from a place of power. ... The idea of respect for power in places is associated with the Indigenous philosophy of valuing all of existence. The manifestation of respect is inclusive in physical, mental, emotional and spiritual ways.

Who are the Indigenous Southwest People?

One of the major issues in writing the NMSU Land Acknowledgement Statement – Native Americans is identifying the culture groups present in the place the University now occupies. For the State of New Mexico, it is clear which present culture groups it acknowledges. The websites below for the State identify the following tribes:

Pueblo of Acoma, Pueblo of Cochiti, Pueblo of Isleta, Pueblo of Jemez, Pueblo of Laguna, Pueblo of Nambe, Ohkay Owingeh, Pueblo of Picuris, Pueblo of Pojoaque, Pueblo of San Felipe, Pueblo of San Ildefonso, Pueblo of Sandia, Pueblo of Santa Ana, Pueblo of Santa Clara, Pueblo of Santo Domingo, Pueblo of Taos, Pueblo of Tesuque, Pueblo of Zia, and Pueblo of Zuni

The three Indian reservations include: Mescalero, Jicarilla and Navajo

The Bureau of Indian Affairs website identifies the tribal groups they serve in the Southwest Region:

Jicarilla Agency: Jicarilla Apache Nation; Mescalero Agency: Mescalero Apache Tribe

Northern Pueblos Agency: Pueblo of Nambe, Pueblo of Picuris, Pueblo of Pojoaque, Pueblo of

San Ildefonso, Pueblo of San Juan, Pueblo of Santa Clara, Pueblo of Taos, Pueblo of Tesuque,

Ramah Navajo Agency: Ramah Navajo Chapter; *Southern Pueblos Agency:* Pueblo of Acoma,

Pueblo of Cochiti, Pueblo of Isleta, Pueblo of Jemez, Pueblo of Laguna, Pueblo of San Felipe,

Pueblo of Sandia, Pueblo of Santa Ana, Pueblo of Santo Domingo, Pueblo of Zia, Ysleta del Sur

Pueblo; *Southern Ute Agency:* Southern Ute Tribe; *Ute Mountain Ute Agency:* Ute Mountain

Ute Tribe; *Zuni Agency:* Pueblo of Zuni

Ysleta Del Sur (APCG Member)

Trimble’s (1993) text on Southwest People include the following categorized by landscape:

Canyons & Mesa Plateau Peoples: Pueblos: Hopi, Zuni, Acoma, Laguna, Tigua & Rio Grande

Pueblos; *Dry Mountains: Upland Peoples:* Yavapi, Apache: Chiricahua, Mescalero, Jicarilla, &

Western Apache, Ute: Ute Mountain & Southern Ute, and Southern Paiute; *House of the Sun: Desert Peoples*: O'odam: Sand Papago, Tohono O'odam, Ak-Chin and Pima; Maricopa, Colorado River Tribes: Mojave, Chemehuevi, Quechan & Cocoph; and Yaqui

Newcomb (1999) in *The Indians of Texas* identifies several pre-historic groups with the following historic groups: Coahuiltecans, Karankawas, Lipan Apaches, Tonkawas, Comanche, Kiowa, Kiowa Apache, Jumanos, Wichitas, Caddo Confederacies, and Provincial Atakapans

In Chihuahua the Raramuri or Tarahumara are the most recognizable. The website:

<http://www.houstonculture.org/mexico/chihuahua.html> states: “ *In the Chihuahua of the present-day Mexico, the Tarahumara and Tepehuanes continue to represent the largest surviving groups of Amerindians. According to the 2000 census, the population of persons five years and more who spoke indigenous languages amounted to 84,086 individuals. The largest indigenous groups represented in Chihuahua were: Tarahumara (70,842), Tepehuán (6,178), Náhuatl (1,011), Guarijio (917), Mazahua (740), Mixteco (603), Zapoteco (477), Pima (346), Chinanteco (301), and Otomí (220). Of these groups, only the Tarahumara, Tepehuán, Guarijio and Pima-speakers are indigenous to Chihuahua and adjacent states. The other groups are representative of migrants from southern Mexican states, such as Guerrero, Puebla and Oaxaca*”.

In Las Cruces people are familiar with the Indigenous peoples located in the village of Tortugas.

The State of New Mexico, Secretary of State on Native Americans provides a background description Native Americans:

<https://www.sos.state.nm.us/about-new-mexico/new-mexico-history/native-americans/>

The city of Albuquerque gives a good overview of Native Americans along the Rio Grande area with some important information such as cultural etiquette, Pueblo feast days, and short descriptions on each of the 19 Pueblos and the Mescalero, Jicarilla, and Navajo reservations.

<https://www.visitalbuquerque.org/about-abq/culture-heritage/native-american/pueblos-reservations/>

The Department of Indian Affairs in the State of New Mexico website provides information on Pueblos, Tribes, and Nations in the State:

<https://www.iad.state.nm.us/>

The U.S. Department of Interior, Bureau of Indian Affairs, Southwest Region lists the “Tribes Served” and other information such as “Agencies” on and near the reservations.

<https://www.bia.gov/regional-offices/southwest-region/agencies>

Tribal Profiles

New Mexico has 219,237 Indian citizens, which make up nearly 10.5% of the state's entire population (2015 population estimates). There are 23 Indian tribes in New Mexico – 19 Pueblos,

3 Apache tribes and the Navajo Nation – each with its own government, lifeways, traditions, and culture.

<https://gonm.biz/site-selection/tribal-profiles/>

The Issue of Sovereignty

When the European Nations arrived in the Americas, they encountered the sovereign Nations who possessed the lands for eons. Thus, the Native Americans of United States have what is called *inherent sovereignty*. The sovereignty of Indian Nations is acknowledged in United States federal Indian policy and law. When the foreign nations arrived in America, they initiated international treaties with the Indian Nations they contacted. [Indian Nations is used because of the treaty terminology and the acknowledgement in the Constitution of the United States]. The colonial emerging U.S. government made treaties with the Indians just as the French and English had done with the culture groups. In these treaties, the United States made legal commitments to provide things like health, education, and social services in return for massive parcels of land. Thus, federally recognized tribes prepaid for the limited services and benefits provided through time (the literature reveals Indian tribes have never received the full benefits of the treaty promises made by the U.S. Government. In fact, most of the land base has been reduced due to legal maneuverings).

Because of the legal and political relationship, federally recognized tribes have with the United States Government, a whole body of law has evolved wherein many colleges and universities had developed Federal Indian Law degree programs. However, many of the citizens of the U.S. do not realize federal recognized tribes are legally treated as States as reflected in the Commerce Clause of the Constitution of the United States. Many are unaware that most Indian reservations are legal jurisdictions much like a municipality, county or even a state. This is one of the reasons higher education research efforts involving human subjects need Institutional Research Board type of approval on a near Indian reservations.

At this point, it is important to acknowledge that there are over 500 federally recognized tribes as well as over 500 non-federally recognized tribes in the United States. Here at New Mexico State University, we are well aware of what some call the descendant tribal groups such the Piro, Manso and Tewa as well as the culture groups in the village of Tortugas next to NMSU. In fact, it is important to mention that some of the land now occupied by the University was in the possession of Tortugas people.

Tribal sovereignty is clearly identified in federal Indian case law, federal legislation and executive orders. There are three early case laws commonly referred to as the Marshal trilogy establishing legal precedent for legal relations with federally recognized Indian tribes. The *Worcester v Georgia* (1832) articulated what is now called the Doctrine of Tribal Sovereignty (Wilkinson, 2004).

Finally, it is important to note the unique status of most Indian Pueblos in the Southwest. Although they did not have treaties with the USA, the federal government acknowledged their federally recognized status as arising from the Treaty of Guadalupe (1848) because of existing land grants with Pueblos. Their federal status was also affirmed in later case law and federal legislation (Pevar, 2012,p 259). In addition, some tribes obtained federal recognition, especially in recent times through federal legislation.

Bibliography & References

Conceptual/Theoretical Framework

- Arizona State University (Libraries - Video). (2011). *Native science and western Science: possibilities for a powerful collaboration*. Retrieved from <https://archive.org/details/NativeScienceAndWesternSciencePossibilitiesForAPowerfulCollaboration>.
- Archambault, A. (1996). Understanding and healing of historical trauma: A Native American perspective. In *Healing historical trauma: Developing culturally appropriate victim services for Native American victims of crime* (pp. 1-12). U.S. Department of Justice, Office of Justice Programs, Office for Victims of Crime. Retrieved from <https://www.ncjrs.gov/pdffiles1/Digitization/165909NCJRS.pdf>
- Bastien, B. (2004). *Blackfoot was of knowing* (p. 118). Calgary, Canada: University of Calgary.
- Bopp, J., Bopp M., Brown, L., & Lane, P. Jr. (1984). *The sacred tree*. Lethbridge, Alberta, Canada: Four Worlds International Institute.
- Cajete, G. (2000). *Native science: Natural laws of interdependence* (pp. 64-66, 16-19). Santa Fe: Clear Light Publishers.
- Campbell, J. (2001). *Thou art that: transforming religious metaphor* (pp. xii). Novato, CA: New World Library.
- Deloria, V. Jr, (2001). American Indian metaphysics. In V. Deloria & D. Wildcat, *Power and place: Indian education in America* (pp. 1-6). Golden, Colorado: Fulcrum Resources.
- Deloria, V. Jr, (2001). Power and place equal personality. In V. Deloria & D. Wildcat, *Power and place: Indian education in America* (pp. 21-28). Golden, Colorado: Fulcrum Resources.
- Deloria, V. Jr. (2012). *The metaphysics of modern existence* (pp. 1-8). Golden, Colorado: Fulcrum Press. (Original work published in 1979 by Harper & Row, Publishers, Inc.)
- Deloria, V. Jr., Wildcat, D. (2001). *Power and place: Indian education in America*. Golden, Colorado: Fulcrum Resources. 1-6, 21-39, 41-46.
- Green, B. (2015, October). Gravity's muse. *Smithsonian*, 21-24, 92.
- Grinnell, G. B. (1962). *Blackfoot lodge tales: The story of a prairie people* (pp. 113-116). Lincoln: University of Nebraska Press.
- Henderson, S. (2000). Ayukpachi: empowering aboriginal thought. In M. Battiste (Ed.), *Reclaiming Indigenous voice and vision* (pp. 248-278). Toronto: UBC Press.

- Little Bear, L. (2000). Jagged worldviews colliding. In M. Battiste (Ed.), *Reclaiming Indigenous voice and vision* (pp. 77-85). Toronto: UBC Press.
- Lokenesgard, K. H. (1996). Medicine bundle persons: Blackfoot ontology and the study of Native American religion (Unpublished master thesis, pp. 120-121, 149). Arizona State University, Phoenix, Arizona.
- Morrison, K.M. (1994). Native American religions: Creating through cosmic give-and-take. In D. Champagne (Ed.), *Native America: Portrait of the peoples* (pp. 441-474). Detroit: Visible Ink Press.
- Pepion, D. D. (1999). Learning from visions and dreams. In *Blackfoot ceremony: A qualitative study of learning* (Doctoral dissertation, pp. 73-81). Ann Arbor: Bell & Howell Information and Learning Company.
- Pepion, D. D. (2008). Rite of transfer in Pikuni ceremony: A dynamic learning process. Proceedings from: *Intersecting Interests: Tribal Knowledge and Research Communities*, (Conference Articles, pp. 9-17). Missoula: University of Montana. Retrieved from <http://iers.umt.edu/docs/intersectinginterestsdocs/Intersecting%20Interests%20Compendium%20Final.pdf>
- Rohmann, C. (1999). *A world of ideas: A dictionary of important theories, concepts, beliefs and thinkers* (pp. 326-328). New York: Ballantine Books.
- Smith, L.T. (2012). *Decolonizing methodologies: Research and Indigenous peoples* (pp. 61-88). (Second Edition). London: Zed Books Ltd. (Original work published in 1999)

Indigenous people of the Southwest

- Bonvillain, Nancy. (2001). *Native Nations: cultures and histories of Native North America*. Upper Saddle River, New Jersey: Prentice-Hall, Inc.
- Champagne, Duane. (1994). *Native America: Portrait of the peoples*. Canton, MI: Visible Ink Press
- The Harvard Project on American Indian Economic Development. (2008). *the state of Native nations: conditions under U.S. policies of self-determination*. New York: Oxford University Press.
- Kehoe, A. (2006). *North American Indians: a comprehensive account*, (Third Edition). Upper Saddle River: Pearson Education, Inc.
- Muckle, Robert J. (2012). *Indigenous peoples of North America: A concise anthropological overview*. Toronto: University of Toronto Press Incorporated.
- Sutton, Mark Q. (2012). *An introduction to Native North America*. (Fourth Edition). Boston: Pearson Education, Inc.
- Talbot, S. (2015). *Native Nations of North America*. Boston: Pearson Education,

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- Canby, William C. (2004). *American Indian law in a nutshell* (4th Edition). St. Paul, MN: Thomson/West.
- Cohen, Felix. (1942). *Handbook of federal Indian law*. Albuquerque: University of New Mexico Press.

- Deloria, Vine, Jr. and Clifford M. Lytle. (2005). *The Nations Within: past and future of American Indian sovereignty*. (Reprint of 1984, 1998 editions). Austin: University of Texas Press.
- Deloria, Vine, Jr. and Clifford M. Lytle. (1983). *American Indians, American justice*. Austin: University of Texas Press.
- Deloria, Vine, Jr. and David E. Wilkins. (2001). *Tribes, treaties & constitutional tribulations*. (Second paperback edition of 1999). Austin: University of Texas Press.
- Deloria, Vine, Jr. and David E. Wilkins. (2012). *The legal universe: observations on the foundations of American Law*
- *Echo-Hawk, Walter. (2010). *In the courts of the conqueror*. Golden, Colorado: Fulcrum Publishing.
- Kappler, Charles J. (Editor). (1904-1979). *Indian affairs: laws and treaties*. Washington: Government Printing Office.
- Prucha, Frances Paul. (1986). *The great father: the United States government and the American Indians*. (Abridged Edition). Lincoln: University of Nebraska Press
- Utter, J. (2001, 1991). *American Indians: answers to today's questions*. Norman: University of Oklahoma Press.
- *Wilkins, David E. (1997). *American Indian sovereignty and the U.S. Supreme Court: the masking of justice*. Austin: University of Texas Press.
- *Wilkinson, C. & The American Indian resources Institute. (2004). *Indian tribes as sovereign governments*. (Second Edition). Oakland: American Indian Lawyer Training Program, Inc.
- *Williams, Robert A. (2012). *Savage anxieties: the invention of western civilization*. New York: Palgrave Macmillan