

Settler Governance in An Age of Sorrow Topical Background

The Carlisle Indian Industrial School (CIIS) was founded by Richard Henry Pratt under the infamous “Kill the Indian and save the man” philosophy.¹ The CIIS was a deconstructive institution focused on the cultural eradication and assimilation of Indigenous Peoples through the reprogramming of Native children from nearly 50 tribal nations.² The last federally run residential school in the United States closed in the late 20th century, and the last residential school in Canada was closed in 1996.³ The legacy of residential schools and the intrapersonal and generational trauma they cause runs deep, spanning centuries. The fight for reparations for the hundreds of children who died at CIIS remains ongoing to this day.⁴

The United States recognizes 573 tribal sovereign nations,⁵ acknowledged by the Constitution, particularly in facilitating trade and commerce⁶. However, this recognition does not prevent settler governance and colonialism from infringing upon tribal nations’ sovereignty, or right to govern. For instance, in 2010, the Haudenosaunee Nationals Lacrosse team, representing the Iroquois Confederacy, was forced to forfeit the lacrosse world championship when the United Kingdom refused them entry into England. British officials claimed that the team members Haudenosaunee passports lacked proper security features to permit international flying, highlighting the tenuous nature of their recognized sovereignty⁷. Audra Simpson introduces the concept of “refusal” as a powerful response to settler colonial structures⁸. This political stance, exemplified by the lacrosse team’s rejection of U.S. and Canadian citizenship, reaffirms Indigenous sovereignty and challenges the pervasive settler governance.⁹ However, the U.S.

¹ Jennifer Bess’s ““Kill the Indian and Save the Man!” Charles Eastman Surveys His Past” in *Wicazo Sa Review*, vol. 15, no. 1, Spring, 2000

² Jacqueline Fear-Segal and Susan D. Rose’s, *Carlisle Indian Industrial School: Indigenous Histories, Memories, and Reclamations*, (University of Nebraska Press, 2016)

³ “A timeline of residential schools, the Truth and Reconciliation Commission,” Canadian Broadcasting Corporation (<https://www.cbc.ca/news/canada/a-timeline-of-residential-schools-the-truth-and-reconciliation-commission-1.724434>); “Residential schools were a key tool in America’s long history of Native genocide,” The Washington Post (<https://www.washingtonpost.com/outlook/2021/08/10/residential-schools-were-key-tool-americas-long-history-native-genocide/>)

⁴ Jacqueline Fear-Segal’s “Institutional Death and Ceremonial Healing Far from Home: The Carlisle Indian School Cemetery” in *Museum Anthropology*, vol. 33, no. 2, September 2010

⁵ “Tribal Governance,” National Congress of American Indians (<https://www.ncai.org/policy-issues/tribal-governance#:~:text=Tribal%20governments%20are%20an%20important,the%20authority%20to%20self-govern.>)

⁶ David E. Wilkin’s “Indigenizing the U.S. Constitution” in *Starting Points* (<https://startingpointsjournal.com/indigenizing-the-us-constitution-wilkins/#:~:text=Section%208%2C%20paragraph%203%20contains,the%20perspectives%20of%20the%20framers.>)

⁷ Thomas Kaplan’s “Iroquois Defeated by Passport Dispute” in *The New York Times*, July 16, 2010

⁸ Audra Simpson’s *Mohawk Interruptus: Political Life Across the Borders of Settler States* (Duke University Press, 2014)

⁹ Audra Simpson’s “The ruse of consent and the anatomy of ‘refusal’: cases from indigenous North America and Australia” in *Postcolonial Studies*, vol. 20, no. 1, 2017

continues to operate under a colonial framework that often disregards and undermines Indigenous communities, as defined by the Cornell School of Law.¹⁰ The act of refusal challenges and opposes these structures by rejecting the overarching governance in favor of Indigenous political systems.

For the United States to respect tribal nation sovereignty, it would need to confront its role both historically and ongoing in Indigenous dispossession, the effects of the Indian Act of 1876, and specific violence against Indigenous women.¹¹ This recognition is complex and political, and while Indigenous governments assert self-determination, settler perspectives deeply entrenched in society make a return to a precolonial governance structure unlikely.¹² Simpson's work critically examines these issues, advocating for recognition, reparations, and a genuine acknowledgement of Indigenous sovereignty.

¹⁰ "Settler Colonialism," LII Legal Information Institute (https://www.law.cornell.edu/wex/settler_colonialism#:~:text=Settler%20colonialism%20can%20be%20defined,with%20a%20new%20settler%20population.)

¹¹ WheelerCentre. (2016, March 20). *Audra Simpson*. 40:45-41:21. YouTube.

¹² Jyotirmaya Tripathy's "Postcolonialism and the Native American Experience: A Theoretical Perspective" in *Asiatic*, vol. 3, no.1, June 2009