

Indigenous Nations and the Problems of Sovereignty
POLS 720 – Indigenous Theory
Submitted by Noelani Goodyear-Ka'ōpua

Course overview

“Sovereignty” has been mobilized variously to suppress, to contain, to transform and to represent the autonomy of nations who self-identify as indigenous. This course explores the complex engagements between sovereignty and indigeneity. As such, we begin from the foundational assumption that understandings and practices of sovereignty and indigeneity across time and place. They are historically contingent political categories.

Joanne Barker historicizes the indigenous sovereignty in this way:

“Following World War II, sovereignty emerged not as a new but as a particularly valued term within indigenous discourses to signify a multiplicity of legal and social rights to political, economic, and cultural self-determination. It was a term around which social movements formed and political agendas for decolonization and social justice were articulated. It has come to mark the complexities of global indigenous efforts to reverse ongoing experiences of colonialism as well as to signify local efforts at the reclamation of specific territories, resources, governments, and cultural knowledge practices.”¹

This course gives participants the opportunity to delve deeply into critical, indigenous examinations of sovereignty, particularly the concept’s ability to (re)initiate meaningful self-determination and healing from the legacies of colonial and imperial violences. The course materials draw upon the expanding field of indigenous political studies.

Student learning outcomes

By the end of this course, students will:

- Learn to historicize indigenous mobilizations of the concept and practice of sovereignty.
- Consider various critiques of state-centric modes of sovereignty.
- Develop mastery over existing literature in indigenous political studies that focus on the category of sovereignty.
- Push beyond sovereignty’s imaginary by exploring other ways of theorizing and practicing indigenous autonomy, nationhood and territoriality. visions, values and practices.
- Frame their own questions and lines of research in relation to the topic.
- Deepen the ability to produce quality scholarship by writing a substantial research paper that draws on a set of texts discussed during this seminar.
- Self-critically reflect on the ways their scholarship speaks to the communities and peoples about whom they write.

Required Texts: All books are available for purchase from the UH bookstore. There will be additional articles accessible through Laulima.

¹ Joanne Barker, ed., *Sovereignty Matters: Locations of Contestation and Possibility in Indigenous Struggles for Self-Determination* (University of Nebraska Press, 2005), 1.

- Alfred, Taiaiake. *Peace, Power, Righteousness: An Indigenous Manifesto*. Ontario: Oxford University Press, 1999.
- Allen, Chadwick. *Trans-Indigenous: Methodologies for Global Native Literary Studies*. Minneapolis: University of Minnesota Press, 2012.
- Barker, Joanne, ed. *Sovereignty Matters: Locations of Contestation and Possibility in Indigenous Struggles for Self-Determination*. University of Nebraska Press, 2005.
- Bruyneel, Kevin. *The Third Space of Sovereignty: The Postcolonial Politics of U.S.-Indigenous Relations*. Minneapolis: University of Minnesota Press, 2007.
- Cattellino, Jessica R. *High Stakes: Florida Seminole Gaming and Sovereignty*. Durham: Duke University Press, 2008.
- Corntassel, Jeff, and Richard C. Witmer II. *Forced Federalism: Contemporary Challenges to Indigenous Nationhood*. Norman: University of Oklahoma Press, 2008.
- Deloria, Vine Jr, and Clifford M. Lytle. *The Nations Within: The Past and Future of American Indian Sovereignty*. Austin: University of Texas Press, 1998.
- Foley, Gary, Andrew Schapp, and Howell, eds. *The Aboriginal Tent Embassy: Sovereignty, Black Power, Land Rights and the State*. Routledge, Forthcoming.
- Iverson, Duncan, Paul Patton, and Will Sanders. *Political Theory and the Rights of Indigenous Peoples*. Cambridge: Cambridge University Press, 2000.
- Moreton-Robinson, Aileen, ed. *Sovereign Subjects: Indigenous Sovereignty Matters*. Crows Nest, New South Wales: Allen & Unwin, 2008.
- Osorio, Jonathan Kamakawiwo'ole. *Dismembering Lāhui: A History of the Hawaiian Nation to 1887*. Honolulu: University of Hawai'i Press, 2002.
- Rifkin, Mark. *Erotics of Sovereignty: Queer Native Writing in the Era of Self-Determination*. Minneapolis: University of Minnesota Press, 2012.
- Rosen, Deborah A. *American Indians and State Law: Sovereignty, Race, and Citizenship, 1790-1880*. 2nd ed. University of Nebraska Press, 2007.
- Shapiro, Michael J. *Methods and Nations: Cultural Governance and the Indigenous Subject*. Routledge, 2003.
- Supplemental books:
- Ford, Lisa. *Settler Sovereignty: Jurisdiction and Indigenous People in America and Australia, 1788-1836*. Harvard University Press, 2010.
- Fujikane, Candace, and Jonathan Y. Okamura, eds. *Asian Settler Colonialism: From Local Governance to the Habits of Everyday Life in Hawai'i*. Honolulu: University of Hawai'i Press, 2008.
- Trask, Haunani-Kay. *From a Native Daughter: Colonialism and Sovereignty in Hawai'i*. Revised ed. Honolulu: University of Hawai'i Press, 1999.
- Warrior, Robert Allen. *Tribal Secrets: Recovering American Indian Intellectual Traditions*. Minneapolis: University of Minnesota Press, 1995.
- Wunder, John R. *Native American Sovereignty*. Taylor & Francis, 1999.

Course Requirements

1. Participation (Attendance and Weekly Blog): 30%

The success of our course depends on participation by all members of the class. Please read the assigned material and come to class prepared to discuss them. During the process of discussion differences in opinion may arise so it is extremely important to be

courteous and respectful of each other in all of our discussions. **If you miss four (4) or more class sessions, you will get a zero for your participation grade.**

I will create a course blog that will allow for some discussion prior to and/or parallel with our face-to-face conversations. Each week you will post your thoughts and questions on the readings, and you will comment on others' posts. You must do your initial post by the day before class meets, so that people have the opportunity to read and comment on each other's postings. The postings and comments should substantively engage with the texts assigned for the week. You may also want to comment on how the readings are useful to your own areas of research.

2. Book review: 30%

Due: The week after the book you are writing about has been assigned on the syllabus.

A book review is a very particular kind of academic writing that summarizes and provides a critical analysis of a text. The purpose of a book review is to provide someone interested in the book with enough information to determine whether or not it is applicable to their research and/or teaching needs. It is prepared for a targeted audience and situates the book within an existing field. Book reviews are a great way to begin to establish a publishing record as a graduate student. Here is the process I'd like you to follow:

- Choose one book from our list of assigned readings. *I have marked eligible books with an asterisk in the course schedule.*
- Identify an academic journal that would likely find this book applicable to their readers.
- Research *their* guidelines for book reviews and use these guidelines to structure your review. Please attach the book review guidelines you used to organize and structure your paper.
- You may helpful guides on writing book reviews at the following hyperlinks: [Purdue OWL](#), [ANU academic skills](#), [H-net review guidelines](#)

After you submit our review to me, I will provide you feedback so that you may revise your review, if you wish, for actual submission to a journal or for your final portfolio.

3. Term Paper: Abstract + Draft 20% + Final Paper 20% = 40%

You will write a 20 – 25 page paper on a topic of your choosing that relates to any of the themes we have covered in class. This paper can be a chapter for your thesis, a paper you would like to present at a conference, an article you would like published in an academic journal, or the theoretical portion of a research proposal. You will be expected to write a 250-word abstract of the proposed paper, which will be grades on a plus/check/minus basis. Please state how you would like to use this paper so that we can direct our comments towards that goal.

Policies

Late Work: If students have special circumstances that prevent them from turning an assignment in on time **PRIOR** arrangements must be made. Otherwise, late work will not be accepted.

Academic Dishonesty: It is the student's responsibility to be aware of and in compliance with the university's policies regarding academic dishonesty. (See the UH catalog, link: <http://www.catalog.hawaii.edu/about-uh/campus-policies1.htm>). Furthermore, cheating and stealing are not acceptable within a Hawaiian cultural value system. Any academic dishonesty—such as plagiarism—will result in failure of the course. You will be referred to the department chair and will be dealt with according to university policy.

Plagiarism is taking another person's words or ideas without crediting them. Anything cut and pasted from a website without quotation marks and proper citation is plagiarism. Copying anything from a book or journal without quotation marks and proper citation is plagiarism. Plagiarism is academic theft, and there is no excuse for it. Plagiarism usually occurs when students feel overwhelmed—by school, by finances, by illness, relationship problems, etc. If you are dealing with a situation like this, please let me know and we can work something out that will be much more positive than cheating. If you are unsure about how to properly use and credit sources, ask me for advice. You can also consult any of the numerous online sources that provide tips on academic writing. See me if you need suggestions.

Reasonable Accommodation Policy: If you feel you need reasonable accommodations because of the impact of a disability, please 1) contact the KOKUA Program (V/T) at 956-7511 or 956-7612 in room 013 of QLCSS; 2) speak with me privately to discuss your specific needs. I will be happy to work with you and the KOKUA Program to meet your access needs related to your documented disability.

Schedule

Date	Topic	Reading
Week 1	UNIT 1: Frames Sovereignties and self-determinations	Barker, J. <i>Sovereignty Matters: Locations of Contestation and Possibility in Indigenous Struggles for Self-Determination</i> . Deloria, V. "Self-Determination and the Concept of Sovereignty."
Week 2	Indigenous autonomies and territorialities	Alfred, Taiaiake. <i>Peace, Power, Righteousness: An Indigenous Manifesto</i> . Holm, et al. "Peoplehood: A Model for the Extension of Sovereignty in American Indian Studies." Cheyfitz, Eric. "What Is a Just Society? Native American Philosophies and the

		Limits of Capitalism's Imagination: A Brief Manifesto." Reyes, Alvaro, and Mara Kaufman. "Sovereignty, Indigeneity, Territory: Zapatista Autonomy and the New Practices of Decolonization."
Week 3	State-centric international relations and beyond	Selections from: Iverson, Duncan, Paul Patton, and Will Sanders. <i>Political Theory and the Rights of Indigenous Peoples</i> . Selections from: Shapiro, Michael J. <i>Methods and Nations: Cultural Governance and the Indigenous Subject</i> .
Week 4	Trans-indigenous theory and method	<i>Trans-Indigenous: Methodologies for Global Native Literary Studies</i>
Week 5	UNIT 2: Specific (re)articulations Aboriginal Australia	Foley, et al. <i>The Aboriginal Tent Embassy: Sovereignty, Black Power, Land Rights and the State</i> .
Week 6	<i>Nullifying "terra nullis"</i>	The Mabo decision (<i>Mabo v. Queensland</i> , 1992) Black, Christine. "Maturing Australia Through Australian Aboriginal Narrative Law." Nicoll, Fiona. "Indigenous Sovereignty and the Violence of Perspective: A White Woman's Coming Out Story."
Week 7	<i>Social, cultural and legal dimensions of invasion and resistance</i>	Moreton-Robinson, Aileen, ed. <i>Sovereign Subjects: Indigenous Sovereignty Matters</i> .
Week 8	First Nations North America <i>Law, policy and American Indian Sovereignities</i>	Selections from: Rosen, Deborah A. <i>American Indians and State Law: Sovereignty, Race, and Citizenship, 1790-1880</i> . Selections from: Deloria, Vine Jr, and Clifford M. Lytle. <i>The Nations Within: The Past and Future of American Indian Sovereignty</i> .
Week 9	<i>Theorizing the third space</i>	Bruyneel, Kevin. <i>The Third Space of Sovereignty: The Postcolonial Politics of U.S.-Indigenous Relations</i> .

Week 10	<i>Economic and ethnographic dimensions</i>	Cattelino, Jessica R. <i>High Stakes: Florida Seminole Gaming and Sovereignty</i> .
Week 11	<i>Sexuality and sovereignty</i>	Rifkin, Mark. <i>Erotics of Sovereignty: Queer Native Writing in the Era of Self-Determination</i> .
Week 12	Hawai‘i <i>Historic engagements with state-based sovereignty</i>	Osorio, Jonathan Kamakawiwo‘ole. <i>Dismembering Lāhui: A History of the Hawaiian Nation to 1887</i> .
Week 13	<i>Continuity and statist forms of Hawaiian sovereignty</i>	Sai. “The American Occupation of the Hawaiian Kingdom: Beginning the Transition from Occupied to Restored State”
Week 14	<i>Complicating statist-forms of sovereignty</i>	Goldberg-Hiller, J. “Reconciliation and Plasticity in a Postcolonial Hawai‘i.” Goldberg-Hiller, Jonathan, and Noenoe K. Silva. “Sharks and Pigs: Animating Hawaiian Sovereignty Against the Anthropological Machine.” Kauanui, J. Kehaulani. “Colonialism in Equality: Hawaiian Sovereignty and the Question of U.S. Civil Rights.” Kauanui. “Native Hawaiian Decolonization and the Politics of Gender.” Goodyear-Ka‘ōpua, Noelani. “Kuleana Lāhui: Collective Responsibility for Hawaiian Nationhood in Activists’ Praxis.”
Week 15	Writing workshops	Read and give feedback on peers’ papers
Week 16	Writing workshops	Read and give feedback on peers’ papers
	Final paper due	

Bibliography

- Alfred, Taiaiake. *Peace, Power, Righteousness: An Indigenous Manifesto*. Ontario: Oxford University Press, 1999.
- Barker, Joanne, ed. *Sovereignty Matters: Locations of Contestation and Possibility in Indigenous Struggles for Self-Determination*. University of Nebraska Press, 2005.

- Barker, Adam. "The Contemporary Reality of Canadian Imperialism: Settler Colonialism and the Hybrid Colonial State." *American Indian Quarterly* 33, no. 3 (2009): 325–351.
- Black, Christine. "Maturing Australia Through Australian Aboriginal Narrative Law." *South Atlantic Quarterly* 110, no. 2 (March 20, 2011): 347–362.
- Bruyneel, Kevin. *The Third Space of Sovereignty: The Postcolonial Politics of U.S.-Indigenous Relations*. Minneapolis: University of Minnesota Press, 2007.
- Cattellino, Jessica R. *High Stakes: Florida Seminole Gaming and Sovereignty*. Durham: Duke University Press, 2008.
- Cheyfitz, Eric. "What Is a Just Society? Native American Philosophies and the Limits of Capitalism's Imagination: A Brief Manifesto." *South Atlantic Quarterly* 110, no. 2 (March 20, 2011): 291–307.
- Corntassel, Jeff, and Richard C. II Witmer. *Forced Federalism: Contemporary Challenges to Indigenous Nationhood*. Norman: University of Oklahoma Press, 2008.
- Cunneen, Chris. "Indigeneity, Sovereignty, and the Law: Challenging the Processes of Criminalization." *South Atlantic Quarterly* 110, no. 2 (March 20, 2011): 309–327.
- Deloria, Vine Jr. "Self-Determination and the Concept of Sovereignty." In *Economic Development in American Indian Reservations*, 22–28. Albuquerque: University of New Mexico, 1979.
- Deloria, Vine Jr, and Clifford M. Lytle. *The Nations Within: The Past and Future of American Indian Sovereignty*. Austin: University of Texas Press, 1998.
- Dennis, Matthew. *Cultivating a Landscape of Peace: Iroquois-European Encounters in Seventeenth-Century America*. Ithaca, NY: Cornell University Press, 1993.
- Ford, Lisa. *Settler Sovereignty: Jurisdiction and Indigenous People in America and Australia, 1788–1836*. Harvard University Press, 2010.
- Foley, Gary, Andrew Schapp, and Howell, eds. *The Aboriginal Tent Embassy: Sovereignty, Black Power, Land Rights and the State*. Routledge, Forthcoming.
(<http://www.routledge.com/books/details/9780415538701/>.)
- Fujikane, Candace, and Jonathan Y. Okamura, eds. *Asian Settler Colonialism: From Local Governance to the Habits of Everyday Life in Hawai'i*. Honolulu: University of Hawai'i Press, 2008.
- Goldberg-Hiller, J. "Reconciliation and Plasticity in a Postcolonial Hawai'i." *Law, Culture and the Humanities* (June 30, 2011). <http://lch.sagepub.com/cgi/doi/10.1177/1743872111404809>.
- Goldberg-Hiller, Jonathan, and Noenoe K. Silva. "Sharks and Pigs: Animating Hawaiian Sovereignty Against the Anthropological Machine." *South Atlantic Quarterly* 110, no. 2 (March 20, 2011): 429–446.
- Goodyear-Ka'ōpua, Noelani. "Kuleana Lāhui: Collective Responsibility for Hawaiian Nationhood in Activists' Praxis." *Affinities: A Journal of Radical Theory, Culture, and Action* 5, no. 1 (2011): 130–163.
- Holm, Tom, J. Diane Pearson, and Ben Chavis. "Peoplehood: A Model for the Extension of Sovereignty in American Indian Studies." *Wicazo Sa Review* 18, no. 1 (2003): 7–24.
- Huhndorf, Roy M., and Shari M. Huhndorf. "Alaska Native Politics Since the Alaska Native Claims Settlement Act." *South Atlantic Quarterly* 110, no. 2 (March 20, 2011): 385–401.
- Iverson, Duncan, Paul Patton, and Will Sanders. *Political Theory and the Rights of Indigenous Peoples*. Cambridge: Cambridge University Press, 2000.
- Kauanui, J. Kehaulani. "Colonialism in Equality: Hawaiian Sovereignty and the Question of U.S. Civil Rights." *South Atlantic Quarterly* 107, no. 4 (2008): 635–650.
- . "Native Hawaiian Decolonization and the Politics of Gender." *American Quarterly* 60, no. 2 (2008): 281–287.
- . "Precarious Positions: Native Hawaiians and U.S. Federal Recognition." *The Contemporary Pacific* 17, no. 1 (2005): 1–27.
- Mabo and Others v Queensland (No. 2)*. High Court of Australia, decided 3 June 1992. 175 CLR 1.

- Morgensen, Scott Lauria. "Settler Homonationalism: Theorizing Settler Colonialism Within Queer Modernities." *GLQ: A Journal of Lesbian and Gay Studies* 16, no. 1–2 (2010): 105–131.
- . "The Biopolitics of Settler Colonialism: Right Here, Right Now." *Settler Colonial Studies* 1 (2011): 52.
- Moreton-Robinson, Aileen, ed. *Sovereign Subjects: Indigenous Sovereignty Matters*. Crows Nest, New South Wales: Allen & Unwin, 2008.
- Nicoll, Fiona. "Indigenous Sovereignty and the Violence of Perspective: A White Woman's Coming Out Story." *Australian Feminist Studies* 15, no. 33 (2000): 369–386.
- Osorio, Jonathan Kamakawiwo'ole. *Dismembering Lāhui: A History of the Hawaiian Nation to 1887*. Honolulu: University of Hawai'i Press, 2002.
- Povinelli, Elizabeth A. *The Cunning of Recognition: Indigenous Alterities and the Making of Australian Multiculturalism*. Durham: Duke University Press, 2002.
- Povinelli, Elizabeth A. *Economies of Abandonment: Social Belonging and Endurance in Late Liberalism*. Durham: Duke University Press, 2011.
- Povinelli, Elizabeth A. *The Empire of Love: Toward a Theory of Intimacy, Genealogy, and Carnality*. Durham: Duke University Press, 2006.
- Reyes, Alvaro, and Mara Kaufman. "Sovereignty, Indigeneity, Territory: Zapatista Autonomy and the New Practices of Decolonization." *South Atlantic Quarterly* 110, no. 2 (March 20, 2011): 505–525.
- Rifkin, Mark. *Erotics of Sovereignty: Queer Native Writing in the Era of Self-Determination*. Minneapolis: University of Minnesota Press, 2012.
- Rifkin, Mark. "Indigenizing Agamben: Rethinking Sovereignty in Light of the 'Peculiar' Status of Native Peoples." *Cultural Critique* 73 (2009): 88–124.
- Rosen, Deborah A. *American Indians and State Law: Sovereignty, Race, and Citizenship, 1790-1880*. 2nd ed. University of Nebraska Press, 2007.
- Sai, David Keanu. "The American Occupation of the Hawaiian Kingdom: Beginning the Transition from Occupied to Restored State". PhD Dissertation in Political Science, University of Hawai'i at Manoa, 2008.
- Sai, David Keanu. "A Slippery Path Towards Hawaiian Indigeneity: An Analysis and Comparison Between Hawaiian State Sovereignty and Hawaiian Indigeneity and Its Use and Practice in Hawai'i Today." *Journal of Law and Social Challenges* 10 (2008): 101–166.
- Shapiro, Michael J. *Methods and Nations: Cultural Governance and the Indigenous Subject*. Routledge, 2003.
- Scheckel, Susan. *The Insistence of the Indian: Race and Nationalism in Nineteenth-Century American Culture*. Princeton: Princeton University Press, 1998.
- Simpson, Audra. "Subjects of Sovereignty: Indigeneity, The Revenue Rule, and Juridics of Failed Consent." *Law and Contemporary Problems* 71, no. 3 (2008): 191–216.
- Surrallés, Alexandre, and Pedro Garcia Hierro, eds. *The Land Within: Indigenous Territory and Perception of the Environment*. IWGIA, 2005.
- Trask, Haunani-Kay. *From a Native Daughter: Colonialism and Sovereignty in Hawai'i*. Revised ed. Honolulu: University of Hawai'i Press, 1999.
- Walker, Cheryl. *Indian Nation: Native American Literature and Nineteenth-Century Nationalisms*. Durham: Duke University Press, 1997.
- Warrior, Robert Allen. *Tribal Secrets: Recovering American Indian Intellectual Traditions*. Minneapolis: University of Minnesota Press, 1995.
- Watson, Irene, Fiona Allon, Fiona Nicoll & Brett Neilson, eds. *On What Grounds? Sovereignties, Territorialities and Indigenous Rights*. Special issue of *Borderlands* journal 1(2), 2002.
- Wunder, John R. *Native American Sovereignty*. Taylor & Francis, 1999.