

JOANNE BARKER, EDITOR

# CRITICALLY SOVEREIGN

INDIGENOUS GENDER, SEXUALITY,  
AND FEMINIST STUDIES



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**SOVEREIGN**

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*Indigenous Gender, Sexuality, and Feminist Studies*

JOANNE BARKER, EDITOR

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COVER ART: Merritt Johnson, *Waterfall Face Emergency Mantle for Diplomatic Security and  
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TO ALL THE  
murdered and missing  
Indigenous women  
and gender nonconforming  
individuals.

TO THE  
Grandmothers, Aunts, Sisters,  
Mothers, Daughters, Friends, Lovers.  
May all our relatives find  
peace and justice.

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## Contents

*Introduction*  
Critically Sovereign  
JOANNE BARKER

1

**I**  
Indigenous Hawaiian Sexuality and  
the Politics of Nationalist Decolonization  
J. KĒHAULANI KAUANUI

45

**2**  
Return to “The Uprising at Beautiful Mountain in 1913”  
*Marriage and Sexuality in the*  
*Making of the Modern Navajo Nation*  
JENNIFER NEZ DENETDALE

69

**3**  
Ongoing Storms and Struggles  
*Gendered Violence and Resource Exploitation*  
MISHUANA R. GOEMAN

99



**4**

Audiovisualizing Inupiaq Men and  
Masculinities *On the Ice*

JESSICA BISSETT PEREA

127

**5**

Around 1978

*Family, Culture, and Race in  
the Federal Production of Indianness*

MARK RIFKIN

169

**6**

Loving Unbecoming

*The Queer Politics of the Transitive Native*

JODI A. BYRD

207

**7**

Getting Dirty

*The Eco-Eroticism of Women in  
Indigenous Oral Literatures*

MELISSA K. NELSON

229

*Contributor Biographies*

261

*Index*

263

*Introduction*

## CRITICALLY SOVEREIGN

JOANNE BARKER

A woman returned from the field to find a curious hole in the ground outside her lodging. She looked inside the hole, deep into the earth, and someone spoke to her from there. The woman asked who it was. “If anyone wishes to hear stories, let them come and roll a little tobacco or a bead, and I will tell them a story.” So the people came, with tobacco and beads, and many stories were told. We do not know whether the stories are true, only that they tell us who we are. And they all begin with a giving of thanks.<sup>1</sup> *Wanishi* (Lenape). *Chin’an gheli* (Dena’ina). *Chokma’ski* (Chickasaw). *Nya:weh* (Seneca). *Niawen/Niawen kowa* (Onyota’aka). *Ahéhee’* (Diné). *Mahalo* (Hawaiian). *Miigwech* (Anishinaabe). *Nyá:wę!* (Skarure). *Thank you* (English).

### *Contexts*

It is a genuine challenge not to be cynical, given the relentlessness of racially hyper-gendered and sexualized appropriations of Indigenous cultures and identities in the United States and Canada: OutKast’s performance at the

2004 Grammy Awards; the headdressed portraits of the reality TV star Khloe Kardashian, the singer Pharrell Williams, and the singer Harry Styles of the band One Direction;<sup>2</sup> Urban Outfitters' Navajo Hipster Panty and Victoria Secret's headdress-and-fringe lingerie fashion show; the supermodel and TV host Heidi Klum's "Redface" photo shoot; the *always already* corrupt tribal gaming officials of *Big Love*, *The Killing*, and *House of Cards*; the redface, song and dance, and tomahawk chop among sports fandom in Washington, Illinois, and elsewhere.<sup>3</sup> Everywhere.

It is also a challenge to take seriously the apologies that follow. Too often they are dismissive and defensive. Indigenous peoples are slighted for failing to respect the deep connection people claim with Indigenous cultures, as with Christina Fallin, daughter of the governor of Oklahoma, who was criticized for posing in a headdress for a portrait and insisted that "growing up in Oklahoma, we have come into contact with Native American culture institutionally our whole [lives]. . . . With age, we feel a deeper and deeper connection to the Native American culture that has surrounded us. Though it may not have been our own, this aesthetic has affected us emotionally in a very real and very meaningful way."<sup>4</sup> Or Indigenous concerns are rejected as uninformed, as with Gwen Stefani, lead singer of the band No Doubt, who said in response to criticism that the headdress and buckskin she wore while engaging in sexual torture in the music video *Looking Hot* were sanctioned by "Native American experts in the University of California system." Or Indigenous people are written off as not understanding Indigenous identity at all, as when Johnny Depp responded to criticism of his blackbird-headed Tonto in the movie *The Lone Ranger* that he was "part Cherokee or maybe Creek." (He was adopted shortly thereafter by the Comanche Nation of Oklahoma.) Inherent in these various responses is the suggestion that Indigenous people are too sensitive, miss the point of the play, are easily duped by Hollywood glam, or are biased against those who are unenrolled or of mixed descent (not necessarily the same thing).

The insistent repetition of the racially gendered and sexualized image—of a particular kind of Indian woman/femininity and Indian man/masculinity—and its succession by contrite, defensive apologies laced with insult is neither a craze nor a gaffe. It is a racially gendered and sexed snapshot, a still image of a movingly malleable narrative of Indigenous womanhood/femininity and manhood/masculinity that reenacts Indigenous people's lack of knowledge and power over their own culture and identity in an inherently imperialist and colonialist world. There is something especially telling in how these instances occur most often in the public spaces of fashion, film, music, and

politics. We seem to expect little from supermodels, actors, musicians, and elected officials (and their families), even as we make them fulfill our desires for money and power and our ideals about living in a democratic, liberal, and multicultural society. They make the perfect butt of our jokes even as (or because) they serve to disguise how their costumed occupations of Indigeneity reenact the social terms and conditions of U.S. and Canadian dominance over Indigenous peoples.

But Indigenous peoples miss none of the implications. Because international and state recognition of Indigenous rights is predicated on the cultural authenticity of a certain kind of Indigeneity, the costumed affiliations undermine the legitimacy of Indigenous claims to sovereignty and self-determination by rendering Indigenous culture and identity obsolete but for the costume. That this representation is enacted through racialized, gendered, and sexualized images of Indigenous women/femininity and men/masculinity—presumably all heterosexual and of a generic tribe—is not a curiosity or happenstance. It is the point. Imperialism and colonialism require Indigenous people to fit within the heteronormative archetypes of an Indigeneity that was authentic in the past but is culturally and legally vacated in the present. It is a past that even Indigenous peoples in headdresses are perceived to honor as something dead and gone. The modernist temporality of the Indigenous dead perpetuates the United States and Canada as fulfilled promises of a democracy encapsulated by a multicultural liberalism that, ironically, is inclusive of Indigenous people only in costumed affiliation. This is not a logic of elimination. Real Indigeneity is *ever presently* made over as irrelevant as are Indigenous legal claims and rights to governance, territories, and cultures. But long live the regalia-as-artifact that anybody can wear.

The relentlessness of the racist, sexist appropriations of Indigenous culture and identity and their work in rearticulating imperial and colonial formations has been shown up by the radical dance of Indigenous peoples for treaty and territorial rights, environmental justice, and women's and men's health and well-being within the Idle No More movement.<sup>5</sup> Idle No More originated in a series of e-mails exchanged in October 2012 by four women in Saskatoon, Saskatchewan—Nina Wilson (Nakota and Cree), Sylvia McAdam (Cree), Jessica Gordon (Cree), and Sheelah McLean—who shared concerns not only about the direction of parliamentary laws and energy development projects in Canada, but also about the need for a broader “vision of uniting people to ensure the protection of Mother Earth, her lands, waters, and the people.”<sup>6</sup> In November of that year, the women organized a series of teach-ins to address the laws—at various stages of draft, vetting, and

passage—and to strategize for the long term.<sup>7</sup> The laws included the Jobs and Growth Act (Bill C-45), which removed protections on fish habitat and recognition of First Nation commercial fisheries and vacated federal oversight over navigation and environmental assessment on 99 percent of Canada's waterways.<sup>8</sup> It also allowed government ministers to call for a referendum to secure land cessions by vote, nullifying their responsibilities to consult with Indigenous governments on land-cession proposals.<sup>9</sup> These types of deregulations were interconnected with Canada's free trade agreements with China in relation to multiple tar sands pipeline projects.<sup>10</sup> The laws undergirded and propelled the infrastructure necessary for Canada's expansive, unregulated energy development and revenue generation.<sup>11</sup> By the time the Jobs and Growth Act passed on December 4, 2012, Idle No More's actions had spread across Canada and into the United States, with Indigenous people demanding that Indigenous treaty and constitutional rights, including the right of consultation, be respected.

When the Canadian prime minister and Parliament continued to refuse meeting with Indigenous leaders outside the Assembly of First Nations process, a national day of action was called for December 10. In solidarity with Idle No More's objectives, Chief Theresa Spence of the Attawapiskat Nation initiated a liquids-only fast.<sup>12</sup> In a public statement, Spence declared, "I am willing to die for my people because the pain is too much and it's time for the government to realize what it's doing to us."<sup>13</sup> With international support, Spence agreed to attend a meeting that had been scheduled between Harper and representatives of the Assembly of First Nations on January 11, 2013, on the provision that Governor-General David Johnston, representing the Crown, agree to attend. When neither Harper nor Johnston could agree on the terms of the meeting, Spence and several other Indigenous leaders boycotted. On January 25, Spence acceded to concerns about her health and concluded her fast. In support, representatives of the Treaty Chiefs, the Assembly of First Nations, the Native Women's Association of Canada, the New Democratic Party, and the Liberal Party of Canada signed a thirteen-point declaration of commitment pledging to renew their efforts to oppose Bill C-45 and the bills that had not yet passed. They also outlined their demands of Harper and Parliament, including the need for transparency and consultation; a commitment to address treaty issues; an affirmation of Indigenous rights provided for by Canadian law and the "Declaration on the Rights of Indigenous Peoples"; a commitment to resource revenue sharing and environmental sustainability; and the appointment of a National Pub-

lic Commission of Inquiry on Violence against Indigenous Women. These demands were echoed in solidarity actions in the United States, New Zealand, Australia, and throughout the world. In the United States, the actions also addressed the contamination of water by hydro-fracking, the multiply proposed tar sands pipelines from Canada to the Gulf of Mexico, and the gendered and sexualized violence against Indigenous communities within the energy industry's "man camps."<sup>14</sup>

This volume is engaged with ongoing political debates such as those instanced by cultural appropriation and Idle No More, about Indigeneity and Indigenous rights from the contexts of critical Indigenous gender, sexuality, and feminist studies. Three particular issues define the volume, with each essay operating as a kind of kaleidoscope whose unique turns emphasize different patterns, shadows, and hue and, thus, relationships between and within.

First, the volume is concerned with the terms and debates that constitute critical Indigenous gender, sexuality, and feminist studies. Contributors mark their own stakes within these debates by foregrounding the intellectual genealogies that inform her or his work. In doing so, many contributors engage feminist theories of heterosexism, sexism, and colonization, while others interrogate the terms of feminist theory in relation to gender and sexuality.

Second, the volume offers nation-based and often territorially specific engagements with Indigenous sovereignty and self-determination (what I term the "polity of the Indigenous"<sup>15</sup>). This is reflected by attention to the unique yet related ethics and responsibilities of gendered and sexed land-based epistemologies, cultural protocols and practices, governance histories and laws, and sociocultural relationships.

To be clear, locating Indigenous gender, sexuality, and feminist studies within and by Indigenous territories is not an essentialism of Indigeneity or a romanticization of Indigenous rights. No contributor claims that all Lenape, Dena'ina, Chickasaw, Seneca, Onyota'aka, Diné, Hawaiian, Anishinaabe, Skarure, or other Indigenous people are alike or that their perspectives and concerns can be reduced to "their nation" or "the land" as the only grounds on which they live and work. Further, it does not exclude Indigenous peoples whose territorial rights have been stripped from them; national and land-based knowledge and relationships are not predicated on recognition by the state. Rather, nations and territories provide the contexts necessary for understanding the social responsibilities and relationships that inform

Indigenous perspectives, political organizing, and intellectual theorizing around the politics of gender, sexuality, and feminism. Locating Indigenous gender, sexuality, and feminist studies within and by Indigenous territories holds the contributors—Indigenous and non-Indigenous—accountable to the specific communities to and from which they write as citizens or collaborators. This accountability is key to the theoretical reflection and methodological application of the protocols that (in)form Indigenous knowledge and politics.<sup>16</sup>

Third, the volume is concerned with the structure and operation of U.S. and Canadian imperialism and colonialism as related but unique state formations. The essays assume that gender and sexuality are core constitutive elements of imperialist-colonialist state formations and are concerned with the gendered, sexist, and homophobic discrimination and violence on which those formations are predicated.

I would not characterize these three particular issues as a necessarily distinct feature of this volume. Rather, the volume is an instance—a moment—within *ongoing* debates about Indigeneity and Indigenous rights within critical Indigenous gender, sexuality, and feminist studies. This instantiation has stakes in contributing to those debates in a way that emphasizes national, territorially based knowledge and ethical relationships and responsibilities to one another as scholars and to the communities from which and to which we write at the same time that it thinks through concrete strategies for political action and solidarity among and between Indigenous and non-Indigenous people against imperialist and colonialist state formations in the United States and Canada.<sup>17</sup>

In the remainder of the introduction, I orient the volume by considering some of the theoretical and methodological debates that have defined critical Indigenous gender, sexuality, and feminist studies. I begin with the institutionalization of the studies in the 1968–70 historical moment and then follow some of its routes through current scholarship. This is not meant to be definitive or comprehensive, but, with the three issues outlined above in mind, it is intended to provide a point of entry into the chapters that follow—to show something of the rich, diverse intellectual genealogies that define the studies and this volume's place within them.

The contributors examine a varied set of historical and current issues from multiple theoretical and methodological perspectives. These issues include the co-production of Native Hawaiian sexuality, belonging, and nationalism; the heteronormative marriage laws of the Navajo Nation; a U.S.-Canadian border town's experiences of violence against Indigenous women

and environmental destruction by Hydro-Québec; the role of music and performance in Inuit processes of globalization and cosmopolitics; the heteronormativity of U.S. federal laws of 1978; the antimiscegenist erasure of Indigeneity within the U.S. Supreme Court's decision in *Loving v. Virginia* (1967); and, the eroticism of ecologically based relationalities. In their analyses, the contributors represent not only how critical sovereignty and self-determination are to Indigenous peoples, but the importance of a critical address to the politics of gender, sexuality, and feminism within how that sovereignty and self-determination is imagined, represented, and exercised.

### *The Studies*

Critical Indigenous gender, sexuality, and feminist studies confront the imperial-colonial work of those modes of Indigeneity that operationalize genocide and dispossession by ideologically and discursively vacating the Indigenous from the Indigenous. Simultaneously, they confront the liberal work of those theoretical modes of analysis and the political movements from which they emerge that seek to translate Indigenous peoples into normative gendered and sexed bodies as citizens of the state. In these confrontations, the studies must grapple with the demands of asserting a sovereign, self-determining Indigenous subject without reifying racialized essentialisms and authenticities. They must also grapple with the demands of de-normalizing gender and sexuality against the exceptionalist grains of a fetishized woman-centered or queer difference. In their stead, the studies are predicated on *the polity of the Indigenous*—the unique governance, territory, and culture of Indigenous peoples in unique and related systems of (non)-human relationships and responsibilities to one another.<sup>18</sup>

Historically, though in very different ways in the United States and Canada, critical Indigenous studies (CIS); ethnic, critical race, and diaspora studies; and gender, sexuality, and feminist studies and fields of inquiry were established in the context of civil rights movements into higher education (first institutionalized as departments and programs in the 1968–70 moment). The movements challenged—not always in concert—the racism, sexism, homophobia, and capitalist ideologies of power and knowledge within university curricula; pedagogy; scholarship; and faculty, student, and staff representation. This is not to suggest that the intellectual work these movements represented did not exist before 1968; that they were always united in what they cared about or in how they were institutionalized; or that they did not confront racism, sexism, homophobia, and classism. Rather, because of



how they were historically situated, they perceived themselves foremost in relation to civil rights matters. For instance, within CIS, fighting for the collective rights of Indigenous nations to sovereignty and self-determination in relation *to the state* was not considered the same fight as ethnic and critical race studies for citizenship, voting, and labor rights *within the state*.<sup>19</sup> Concurrently, within gender, sexuality, and feminist studies, perceptions about the relevance of race and class in understanding social justice and equity accounted for important differences in intellectual and pedagogical commitments. Notions of diversity and rights were not effortlessly reckoned across departments, programs, associations, or publishing forums. The differences resulted in part in compartmentalized histories of the formations and developments of CIS; ethnic, critical race, and diaspora studies; and gender, sexuality, and feminist studies and fields of inquiry. How they have informed one another frequently has been left out, limiting our understandings of how categories of analysis—or analytics—organize all manner of intellectual work (theoretically and methodologically), institutional formations (from curriculum to professional association), and community relationships and responsibilities.

#### INDIGENOUS

Critical Indigenous studies and its relationship to ethnic and critical race studies has distinct institutional histories in Canada and the United States. In Canada, the institutionalization of departments, programs, and the First Nations University resulted from constitutional and treaty mandates and federation agreements for Indigenous education. There was no institutionalization in Canada of ethnic, critical race, or diaspora studies, where fields of inquiry were located as emphases or specialties within disciplines such as history, sociology, anthropology, and literature. In the United States, however, CIS and ethnic, critical race, and diaspora studies were institutionalized concurrently out of the political struggles defining the 1968–70 historical moment. For CIS, the establishment of departments, programs, associations, and publishing forums originated with Indigenous activists' moving back and forth between their campuses (and their efforts to create CIS departments and programs) and the struggles of their nations for sovereignty and self-determination (such as the visible presence of Indigenous students at "fish-ins" in the Pacific Northwest in support of treaty-protected fishing rights). With ethnic, critical race, and diaspora studies, departments *et cetera* originated primarily with activists engaged in civil rights movements. These different

origins are crucial for understanding how CIS distinguished itself from ethnic, critical race, and diaspora studies.

CIS distinguished itself through questions about Indigenous sovereignty, self-determination, and citizenship. Indigenous *peoples'* efforts to secure collective rights to sovereignty and self-determination as provided for within international and constitutional law was differentiated from the efforts of “minority” *people*—including immigrant and diaspora communities and their descendants—to claim citizenship and civil rights within their nation-states. This difference is germane to understanding the intellectual and political work of CIS, which directly builds on the unique histories and cultures of nations and often territorial-based communities to address current forms of oppression and think strategically through the efficacy of their unique but related anti-imperial and anticolonial objectives and strategies.<sup>20</sup>

In addition, CIS negotiated its scholarly and institutional relationship to various critical race, ethnic, and diaspora studies in the context of perceptions about and claims on who and what counts as Indigenous. For instance, claims of African origins and migrations in human and world history have been perceived to conflict with Indigenous knowledge and epistemologies about Indigenous origins in the lands of North America. Intellectual claims on the Pacific within Asian American studies similarly have been perceived to erase colonization by Asian states within the Pacific as well as the relevance of Indigenous sovereignty and self-determination in Hawai'i and the U.S.-occupied territories in the Pacific.

One of the consequences of these perceptions has been that CIS *curriculum* tends to focus on American Indian and Alaska Native peoples in the United States and on First Nation, Métis, and Inuit peoples in Canada, while CIS *scholarship* and political engagement is more engaged with Indigenous groups of North, South, and Central America; the Pacific; and the Caribbean.<sup>21</sup> The “balancing act” of perceived curricular and intellectual “territoriality”—and its implications for community relationships and engagements—was and remains a permanent feature of issues confronting CIS as a field of inquiry and in relation to program development, student recruitment, and faculty representation. It also serves as an example of the identificatory politics of Indigenous peoples both within scholarship, curriculum, and political work and in the context of processes of state formation.<sup>22</sup>

To put this in a slightly different way, how *Indigenous* includes or excludes Native Americans, American Indians, Alaska Natives, Native Hawaiians (Kanaka Maoli), South Americans, Central Americans, First Nation/Indians,

Métis, Inuits, Aborigines, or Maoris is not merely an academic question. It is a question about how these categories of identity and identification work to *include in* and *exclude from* rights to governance, territories, and cultural practice within international and constitutional law or contain or open possibilities of political solidarity against U.S. and Canadian imperialism and colonialism.

Consequently, whether or not a group or an individual identifies or is identified as legally and socially Indigenous implies all kinds of jurisdictions, citizenships, property rights, and cultural self-determinations that are *always already* entrenched within the legal terms and conditions of Indigenous relations to the United States and Canada as imperial-colonial powers. Identifying or being identified as Indigenous inextricably ties a person to the jurisdictional and territorial struggles of Indigenous peoples against the social forces of imperialism and colonialism. It is an act that simultaneously (un)names the polity of Indigenous governance, jurisdictions, territories, and cultures. As a consequence, the legal and political stakes of Indigenous identity and identification have been a core aspect of CIS scholarship, curriculum, and community engagement. These stakes entail all kinds of social politics concerning the ethics and integrity of CIS scholars' identifications and the scholarship that results. Nowhere have these politics been more raw than in gender, sexuality, and feminist studies, once predominately characterized by the cultural appropriation, misrepresentation, and exploitation of Indigenous cultures and identities.<sup>23</sup>

But CIS criticisms of gender, sexuality, and feminist studies for cultural appropriation and exploitation have represented a knotted set of disconnects within CIS for a number of reasons. For instance, many CIS scholars have written, and enjoyed a receptive audience, within the studies even as (or because) they have sharply criticized feminism and feminists for collusion with imperialist, colonialist, and racist ideologies and practices. This is more curious as many of the same scholars have made these criticisms while located institutionally within women's studies departments (such as M. A. Jaimes Guerrero [Juaneño/Yaqui] of the Women's Studies Department at San Francisco State University) or published and circulated within gender, sexuality, and feminist professional forums (such as Haunani-Kay Trask [Kanaka Maoli], who is a frequent keynote speaker at women of color conferences).<sup>24</sup>

Another disconnect is in the way many CIS scholars have criticized the marginalization of gender, sexuality, and feminism within CIS. This includes critiques of how CIS scholarship has frequently compartmentalized gender,

sexuality, and feminism, bracketing them off from analysis of “more serious political” issues such as governance, treaty and territorial rights, or the law. Even the very well-respected Lakota legal scholar and philosopher Vine Deloria Jr., who wrote extensively about U.S. federal Indian law and politics only anecdotally addressed the politics of gender, usually by including a discussion of female creation figures or lone sketches of female leaders.<sup>25</sup> He never once wrote about sexuality or feminism.<sup>26</sup>

Another disconnect goes to the importance of gender, sexuality, and feminist studies in addressing the prevalence of sexism and homophobia within Indigenous communities.<sup>27</sup> Central to this have been claims that gender and sexuality are already respected forms of identity and experience within Indigenous cultures; thus, those issues do not need to be addressed within scholarship or political struggle. For instance, the Lakota activist, actor, and writer Russell Means claimed that the inherently matriarchal values that historically characterized tribal cultures made patriarchy and feminism unnecessary evils of “the West.”<sup>28</sup>

One of the consequences of these disconnects has been that the core place of gender and sexuality in Indigenous sovereignty and self-determination has been minimized and deflected, contributing to and reflecting the disaggregation of race and racialization from the politics of gender and sexuality within CIS scholarship and within Indigenous sovereignty and self-determination struggles. As the essays in this volume show, gender and sexuality are permanent features of multiple, ongoing processes of social and identity formation within the United States and Canada. Their disarticulation from race and ethnicity or law and politics is a regulatory tool of power and knowledge. Such discursive practices suppress the historical and cultural differences that produce what gender and sexuality mean and how they work to organize history and experience. Similarly, feminism is shown to have multiple intellectual and political genealogies within Indigenous communities that need to be remembered, not for the sake of feminism, but for the sake of Indigenous knowledge and the relationships and responsibilities it defines.

#### GENDER, SEXUALITY, FEMINISM

In similar ways in the United States and Canada, the familiar history of gender, sexuality, and feminist studies is that the women’s rights, gay rights, and feminist movements (not necessarily different or necessarily aligned) out of which the studies were established called for a women’s and gay’s liberation and civil rights equality that rested on essentialized notions of women and gay identity and experience. This essentialism has been narrated as *racializing* and

*classing* gender and sexuality in such a way as to further a liberal humanist normalization of “compulsory heterosexuality,” male dominance, and white privilege.<sup>29</sup> The studies it produced have been narrated as an unfortunate but ultimately necessary result of “strategic essentialism,” with women’s studies and LGBTQ studies serving to locate gender, sexuality, and feminism within an otherwise heterosexist patriarchal academy as a “fundamental category” of “analysis and understanding.”<sup>30</sup> Gender studies and sexuality studies have been seen not only to make competing claims on radical feminist theory but also to offer critical insight on processes of subject formation in relation to the regulatory operations of discourse.<sup>31</sup>

These kinds of “wave” histories, of course, obfuscate the work of gender, sexuality, and feminism as categories of analysis and political coalition. They seem to do so primarily in two ways. First, they lend themselves to an ideology of socio-intellectual evolution. Gender, sexuality, and feminist studies *today* have moved past their troubled origins and evolved into a radical analytics, as is evident in their embrace of such methodologies as intersectionality and transnationality.<sup>32</sup> The presumptions of progress obscure those intellectual histories of gender, sexuality, and feminism that do not conform, such as erasing the role of nonwhite women in the suffrage movement.<sup>33</sup> Second, they serve to render equal and transparent—fully legible—all identificatory and regulatory aspects of the essentialisms of gender, sexuality, and feminism. If we understand *legibility* as that which has been accepted to be true—the essentialist origins of gender, sexuality, and feminism—numerous categories of analysis and understanding must be made *illegible*, such as Indigenous and Black women’s feminisms.<sup>34</sup> As Judith Butler asks, “How can one read a text for what does not appear within its own terms, but which nevertheless constitutes the illegible conditions of its own legibility?”<sup>35</sup> This becomes important in understanding how debates over gender, sexuality, and feminism work. Specific points within the debates—the problematics of substituting “women” for “gender,” the limits of the sex-gender and sex-sexuality paradigms, the operations of white middle-class heteronormativity, the politics of binaries such as male-female—actually serve not to make the issues clearer but to make illegible all kinds of other histories and analyses.<sup>36</sup> As Butler suggests, making these other histories and analyses illegible is, in fact, the condition on which the debates flourish.

One consequence of this is a reinscription of Eurocentric, patriarchal ideologies of gender, sexuality, kinship, and society that render historical and cultural difference unintelligible and irrelevant. A result of this reinscription is in how Indigenous genders, sexualities, and feminisms are used illustra-

tively and interchangeably, not analytically, in debates about feminist theory and praxis.

For instance, as Biddy Martin argues, much work has been done in women's studies on separating anatomical sex (determinism) and social gender (constructionism). This separation has had consequences. First, it contributes to the notion of the stability and fixity of anatomical sex (what one is) and the malleability and performance of gender (what one does); the body and psyche are rendered virtually irrelevant to one's identity and experience.<sup>37</sup> Second, by reducing gender to one of two possibilities (man and woman), gender as a category of analysis stabilizes and universalizes binary oppositions at other levels, including sexuality, race, ethnicity, class, and nationalism.<sup>38</sup> "As a number of different feminists have argued," Martin writes, "the assumption of a core gender identity, now conceived as an effect of social construction, may also serve to ground and predict what biology, for constructionists, no longer can, namely, the putative unity or self-sameness of any given person's actual sex or gender."<sup>39</sup> In other words, we are at our core male or female and then made man or woman by society, and the equivalences are neatly proscriptive. Queerness, against the normativities that result, ends up standing in for the promise of a radical alterity of gender identity (performed) and a body-psyche utopia of sexual desire and pleasure.

These discursive formulations render little possibility for other understandings of gender and sexuality. For instance, Indigenous perspectives include those that insist on not equating biology and identity in understanding how the significance of gender and sexuality is reckoned in social relationships and responsibilities. Critical Indigenous studies scholars have uncovered multiple (not merely *third* genders or *two-spirits*) identificatory categories of gender and sexuality within Indigenous languages that defy binary logics and analyses. Within these categories, male, man, and masculine and female, woman, and feminine are not necessarily equated or predetermined by anatomical sex; thus, neither are social identity, desire, or pleasure.

But it is also true that some Indigenous perspectives see biology as core in relation to understandings of status, labor, and responsibilities, including matters of lineality (heredity), reproduction, and how relationships to non-human beings, the land and water, and other realities are figured. Further, matrilineality and patrilineality—not necessarily indicative of matriarchy or patriarchy—define social identities, relationships, and responsibilities in contexts of governance, territories, and cultures. Lineality would seem to indicate, then, an insistence on a biological relationship, but not one that can

be used to stabilize gender and sexuality in the reckoning of social identity, desire, and pleasure.

These complicated matters have been translated within women's studies scholarship to make very different kinds of analyses, such as forcing "third genders" and "two-spirits" to fit within preexisting categories of sexual difference such as bisexuality, transsexuality, or queerness. Further, they have been mobilized in arguments that Western patriarchy and sexism are not natural or inevitable truths of human existence but particular social ills from which women ought to be liberated (as seen in Marxist feminist anthropology).<sup>40</sup> Consequently, Indigenous cultures and identities are used to illustrate the need and potential for women's and gay's liberation and equality, with Indigenous women and LGBTQ people serving as teachers of the metaphysical truths of universal womanhood or queerhood that transcend the harsh realities of capitalist, heteronormative, patriarchal sexism.

These representational practices suppress Indigenous epistemologies, histories, and cultural practices regarding gender and sexuality while also concealing the historical and social reality of patriarchy, sexism, and homophobia within Indigenous communities. Not only have gender, sexuality, and feminist studies not accounted for the great diversity of Indigenous gender and sexuality, but, ironically, they have either suppressed histories of gender- and sexuality-based violence and discrimination within Indigenous communities or championed the liberation of Indigenous women and LGBTQ people from "their men."

In the chapters that follow, contributors *defamiliarize* gender, sexuality, and feminist studies to unpack the constructedness of gender and sexuality and problematize feminist theory and method within Indigenous contexts. They do so by locating their analyses in the historical and cultural specificity of gender and sexuality as constructs of identity and subject formation. Each chapter situates itself within a specific intellectual genealogy—of cis and of unique Indigenous nations and citizenships—and anticipates a decolonized future of gender and sexual relations, variously inviting and deflecting feminism as a means of getting there.

#### CRITICAL INDIGENOUS, GENDER, SEXUALITY, FEMINIST STUDIES INSTITUTIONAL FOUNDATIONS, INTELLECTUAL ROOTS

Critical Indigenous gender, sexuality, and feminist studies emerge from histories of Indigenous writings that are much older than their institutionalization in the curriculum of departments and programs formed in the 1968–70 moment. These early writings provide nation-based and often territorially



specific engagements with Indigenous sovereignty and self-determination that reflect their authors' commitments to the ethics and responsibilities of gendered and sexed land-based epistemologies, cultural protocols and practices, and national governance and laws. They also provide analyses of the structure and operation of U.S. and Canadian imperialism and colonialism as related but unique state formations predicated on gendered, sexist, and homophobic discrimination and violence.<sup>41</sup> But these early writings also exhibit "yawning gulfs in the archives," particularly of Indigenous female and nongender conforming authors.<sup>42</sup> That absence is especially stark in the context of the plethora of literature by English and French heterosexual women who were taken captive by Indigenous nations and the colonial families they either left behind or later rejoined.

In her crucial article on the politics of captivity narratives, "Captivating Eunice," Audra Simpson (Kahnawake Mohawk) addresses the raced and gendered politics of Indigenous kinship, recognition, and belonging in relation to Canada's regulation of Indigenous legal status and rights.<sup>43</sup> Through the story of Eunice Williams, the daughter of a Protestant minister, and her descendants, Simpson considers the politics of the kinship of a captive of the Kahnawake Mohawk and of her descendants as they are made the subjects of recent amendments to Mohawk membership criteria. Over time, Eunice and her descendants would be invested with the legal status and rights of "Indians" under the patrilineal provisions of Canada's Indian Act, but only as her sisters and their descendants would lose theirs:

These forms of political recognition and mis-recognition are forms of "citizenship" that have become social, and citizenships that incurred losses, in addition to gains, and thus are citizenships I wish to argue, of grief. . . . The Canadian state made all Indians in its jurisdiction citizens in 1956; however, the marriage of Indian women to non-status men would alienate them from their reserves, their families, and their rights as Indians until the passage of Bill C-31 in 1985. Thus, one can argue that these status losses, and citizenship gains, would always be accompanied by some form of grief.<sup>44</sup>

Simpson argues that the grievability of Indigenous life under Canadian law is linked profoundly to "governability"—to the state's ability to regulate matrilineality out as a form of Indigenous governance, property, and inheritance.<sup>45</sup> Part of this regulation is reflected in the absence of Indigenous women from the early archives of colonial-Indigenous relations—literally *writing/righting* them out of history—as well as in the "mis-recognition" of



their experiences and concerns in contemporary debates over Indigenous legal status and rights within Indigenous communities by the suppression of their grief and losses.

The emergence of suffragist writings and political organizing in the early 1800s addressed central questions of women's citizenship status and rights within the statehood posed by the formations of the United States and Canada. But the feminism of suffrage and the questions of equality and inclusion that it articulated were not an invited politic or organizing principle of Indigenous people. In particular, Indigenous women's dis-identifications with the feminism of suffrage, and thus of the state citizenship and electoral participation that it envisioned, contrasted their address to the specific struggles of their nations for sovereignty and self-determination, often co-produced by attention to their unique cultures.

In *Life among the Piutes* (1883), Sarah Winnemucca Hopkins (Northern Paiute) offered a personal account of Paiute history and culture as an impassioned plea for the U.S. government and its citizens to respect the humanity of Indigenous peoples and put an end to invasion and genocide.<sup>46</sup> In *Hawaii's Story by Hawaii's Queen* (1898), Liliuokalani (Kanaka Maoli) appealed to the moral principles of a Christian, democratic society to reconsider the justice of the annexation and respect the humanity of Hawaiians.<sup>47</sup> She asserted the immoral and illegal aspects of the actions of U.S. missionaries, in collusion with plantation owners and military officers, as an assault on true democracy and defended Hawaiian independence as a nation's right.<sup>48</sup> Zitkala-Ša (Yankton-Nakota Sioux) co-founded and worked with several Indigenous rights organizations, and wrote several articles and autobiographical accounts against allotment, boarding schools, and missionization as she recorded Lakota stories and songs.<sup>49</sup> E. Pauline Johnson (Six Nations Mohawk) was a performer and writer who published several poems and stories addressed to the lives of Indigenous people in tension with Canadian society.<sup>50</sup> In *Cogewea: The Half-Blood* (1927), Mourning Dove (Salish) told the story of a woman's difficult experiences living between Montana's white ranching community and the Salish and Kootenai tribes of the Flathead Indian Reservation.<sup>51</sup>

These writers and their contemporaries confronted the difficult place of feminism within modernist ideologies and discourses of social evolution and difference, as those ideologies and discourses were institutionalized not only within the academy and presses but in U.S. and Canadian federal, military, and economic policy. Laurajane Smith argues that modernist theories of Indigenous inferiority served to authorize the role and knowl-

edge claims of empirical, evolutionary scientists in federal policy making to rationalize imperial-colonial objectives and even help direct programs.<sup>52</sup> Concurrently, imperial-colonial interests easily appropriated the allegedly empirical claims about Indigenous inferiority as a rationalization of genocide, dispossession, and forced assimilation efforts that served their capitalist ends.

Writing against these ideological and discursive workings, Indigenous writers narrated the relevance of their unique and related experiences as Indigenous peoples back onto their territories, their bodies, and with one another. As Mishuana Goeman (Tonawanda Seneca) argues, Indigenous writers “mediate and refute colonial organizing of land, bodies, and social and political landscapes.”<sup>53</sup> Given the systemic sexual violence, criminal fraud, and forced removal that they confronted, the act of narration was a radical one, remapping Indigenous peoples back into their governance systems and territorial rights as culturally knowledgeable subjects refuting U.S. and Canadian narrations.

And yet, in complicated ways, they were acts often paired with an appeal to the liberal and evolutionary ideologies and discourses of modernity’s civilization and Christianity.<sup>54</sup> As Mark Rifkin argues, the reinscription of the values of civilization and Christianity in Indigenous writings was often articulated through personal stories of romance, family loyalty, hard work, and social harmony.<sup>55</sup> These stories reinscribed white heteronormativity while remaining silent on Indigenous gender and sexual diversity. They were contrasted with stories of the rape, alcoholism, and fraud that characterized U.S. and Canadian relations with Indigenous peoples. In that contrast, Indigenous writers represented themselves and their communities as embodying and emulating the values of Civilization (humanism) and Christianity (morality) against the Savagery of U.S. and Canadian officials, military officers and troops, and local citizens. But by linking the righteousness of Indigenous sovereignty and self-determination to the measure of Indigenous Civilization and Christianity, do the writers legitimate the gendered, sexualized, and racialized normativities on which ideologies of Civilization and Christianity are based? Do they make Indigenous rights contingent on Indigenous societies’ emulation of those ideological norms and social values that define an imperial-colonial, Civil-Christian society and advance racism, sexism, and homophobia?

Assuming that both Goeman and Rifkin are right, perhaps the questions are less about Indigenous writings being made to fit neatly together in some evolutionary metanarrative of oppositionality *or* assimilationism than they

are about understanding the profound contestations and difficulties Indigenous peoples confront in having to constantly negotiate and contest the social terms and conditions of imperial and colonial imaginaries, policies, and actions. Since narrating Indigenous peoples back into their governance, territories, and cultures challenges the narrations and policies of U.S. and Canadian imperialism and colonialism, but claims to Civilization and Christianity potentially reaffirm imperial and colonial imaginaries and programs, the conflictedness within these significations indicates the (im)possibilities of effecting opposition, strategy, *or* conformity while honoring—as Simpson argues—the grievability of Indigenous lives and experiences.

By 1968–70, then, the issues confronting critical Indigenous gender, sexuality, and feminist studies were neither modest nor transparent. The diversity of gender and sexual identities had been addressed in the interim of suffrage and civil rights, especially by Indigenous scholars attempting to “correct” the gross ignorance and misrepresentation of empirical scholarship and its role in rationalizing imperial and colonial projects. For example, Beatrice Medicine (Standing Rock Lakota) and Ella Cara Deloria (Yankton Dakota) wrote extensively on Lakota women and paid attention, albeit sporadically, to non-heterosexual identities with a view to humanizing Indigenous people.<sup>56</sup> Similarly, Alfonso Ortiz (Tewa Pueblo) wrote to correct many of the errors within anthropological and historical writings about Pueblo culture and gender norms.<sup>57</sup> By 1968–70, critical Indigenous gender, sexuality, and feminist studies coalesced in curriculum and scholarship to affirm the polity of the Indigenous against U.S. and Canadian state formations configured through imperial and colonial practices of gendered-sexed based violence and discrimination.

In particular, *A Gathering of Spirit: Writing and Art by North American Indian Women*, edited by Beth Brant (Tyendinaga Mohawk); *Living the Spirit: A Gay American Indian Anthology*, edited by Will Roscoe; and *The Sacred Hoop: Recovering the Feminine in American Indian Traditions*, written by Paula Gunn Allen (Lebanese, Scottish, Laguna Pueblo), mark a foundational shift in the interdisciplinary circulation of Indigenous scholarship on the politics of gender, sexuality, and feminism.<sup>58</sup> Brant’s *A Gathering of Spirit* was the first anthology of Indigenous women’s writings and art.<sup>59</sup> It was published in 1983 as a special issue of *Sinister Wisdom*, a lesbian literary and art magazine. Re-issued as an anthology by Firebrand Books in 1988 and by Women’s Press in 1989, it included critical, creative, historical, and original writings, as well as art by women of many different gender and sexual identities from more than forty Indigenous nations in the United States and Canada.<sup>60</sup> It was offered as

an affirmation of Indigenous cultural self-determination, as well as resistance against the misrepresentation and misappropriation of Indigenous genders and sexualities in the women's, LGBTQ, and feminist movements.

Roscoe, a gay rights activist and writer from San Francisco, offered *Living the Spirit* as the first collection addressed to sexual diversity and homophobia in Indigenous communities.<sup>61</sup> The book was organized mainly around the *berdache*, an anatomically male person who assumes the respected social status and responsibilities of a woman. The term and concept would be quickly problematized not only for its male-centric, pan-tribal generalizations but also for the way non-Indigenous gays romanticized its significance within their own movements for civil rights equality. But *Living the Spirit* did provide an important forum on the conflicted relationship between respect and prejudice in Indigenous LGBTQ people's historical experiences and lived realities.

*The Sacred Hoop* is often considered the first American Indian feminist study. In it, Allen analyzes Indigenous notions of gender and sexuality and the prominent role of women such as Spider Woman and Sky Woman in Indigenous peoples' creation stories. She situates this analysis within a critique of U.S. patriarchal colonialism's attempts to destroy Indigenous societies for being women-centered, "gynocratic" societies. These attempts, she argues, included genocide, land dispossession, and forced assimilation programs aimed at undermining women's roles and responsibilities within their nations and territories, as well as at eroding the cultural histories that figured those roles and responsibilities.

While Allen's "gynocratism" has been criticized for its "pan" generalizations of Indigenous cultures and identities, her work offers an important theoretical and methodological approach to Indigenous teachings that emphasizes historical, social, and cultural specificity. For instance, she maintains that when reading *Ceremony*, by Leslie Marmon Silko (Laguna Pueblo), one must have a solid understanding of Spider Woman teachings within Laguna Pueblo oral histories and social relations. Only then, she contends, can a reader appreciate Silko's work for its serious critique of U.S. imperialism and the long-term consequences of patriarchy, masculinity, and citizenship on Indigenous communities.

Further, *The Sacred Hoop* argues that there was a co-production of gender and sexuality in imperial and colonial projects. Allen maintains that imperialists tried to convert Indigenous peoples not only to their religious-capitalist worldviews but also to their sexist and homophobic ideologies and practices as a strategy of military conquest and capitalist expansion. She maintains that

sustained sexual violence, particularly against Indigenous women, children, and non-heterosexually identified people, enabled colonial conquest and constituted the resulting state. In doing so, her work anticipates those focused on the legal and social articulations of violence against women, children, and LGBTQ people.<sup>62</sup>

But even as Brant's, Roscoe's, and Allen's books were issued, many Indigenous scholars (and) activists pushed back, particularly against the universalism and civil rights of feminist politics. For instance, Patricia Monture-Angus (Six Nations Mohawk) and Mary Ellen Turpel (Muskeg Lake Cree) rejected feminism's universalism of women's experiences and identities, as well as its generalizations of patriarchy as a social formation.<sup>63</sup> Similarly, M. A. Jaimes Guerrero, Theresa Halsey, Haunani-Kay Trask, and Laura Tohe (Diné) insisted that there is a fundamental divide between Indigenous sovereignty and self-determination and the mainstream women's or feminist movement's concerns for civil rights.<sup>64</sup> Giving primacy to the collective rights of Indigenous nations to sovereignty, they claim, negates the relevance of feminism, because feminism advances individualistic and civil rights principles. Therefore, feminism does not merely counter Indigenous women's concerns and is not only ignorant of Indigenous teachings about gender and sexuality, but it undermines Indigenous claims to the collective rights of their nations.

These arguments were linked in profound ways to Indigenous women's and LGBTQ efforts to redress sexism and homophobia within their communities and establish gender and sexual equality within federal and their own nations' laws. Many of these efforts strategically mobilized discourses of rights, equality, and feminism. In doing so, they experienced the retort of being *non-* or *anti-*Indigenous sovereignty within their communities. For instance, Indigenous women in Canada were criticized for inviting alliances with feminists to reverse the patrilineal provisions of an amendment to the Indian Act of 1876 for women who married non-band members and their children.<sup>65</sup> In the mid-1980s, several constituencies of Indigenous women and their allies—many of whom identified as Christian and feminist—secured constitutional and legislative amendments that partially reversed the 1876 criterion. But the amendments were not passed easily. Status Indian men dominated band governments and organizations and with their allies protested vehemently against the women and their efforts. They accused the women of being complicit with a long history of colonization and racism that imposed, often violently, non-Indian principles and institutions on Indigenous people. This history was represented for the men by the women's appeals to civil and human rights laws, and more particularly to feminism,