

From Survivance to Indigenuity: Native American Scholars on a Sustainable Human Future¹

Povzetek

Od preživitve do in(di)genioznosti: ameriški staroselski teoretiki o zdržni človeški prihodnosti

Prispevek naslavlja zgodovino razprav ameriških staroselskih akademikov o človeški družbeni organizaciji in zdržnem bivanju, kot so ga navdahnile staroselske zgodovine in tradicije. Ključna osebnost in pobudnik teh razprav, ki jih je tudi uokviril, je bil pokojni Vine Deloria ml., profesor prava in religiologije, družbeni kritik in aktivist, avtor prelomnega dela ameriške staroselske pokolonialne kritike z naslovom *Custer je umrl za vaše grehe: indijanski manifest*. Njegovim stališčem iz tega zgodnjega dela so nato pridana tista iz poznejših del, omejujejo se na zemljo kot formativno in korelativno s človeškimi skupnostmi in na korporativizem kot načelo človeške družbene organizacije. V sklepu so predstavljene implikacije, ki jih za aktualno progresivistično teoretiziranje prinašajo stališča Vina Delorie ml.

Ključne besede: Vine Deloria ml., ameriški staroselski akademiki, postkolonializem, korporativizem, zemljiško lastništvo

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Abstract

The article addresses the history of the debates by Native American scholars on human social organization and sustainability as inspired by indigenous histories and traditions. A key figure in instigating these debates and laying the framework for their topics since the 1960s was the late professor Vine Deloria, Jr., a legal and religious scholar, social critic and activist who penned the groundbreaking work of Native American post-colonial critique in 1969 titled *Custer Died for Your Sins. An Indian Manifesto*. Deloria's positions from his early work are then compared to his later views, especially on the subject of land as formative to, and correlational with, human societies, and the notion of corporatist human social organization. In the conclusion, the implications of Deloria's positions for current progressive theorizing are discussed.

Keywords: Vine Deloria, Jr., Native American scholarship, post-colonialism, corporatism, land ownership

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Introduction: The Colony and Its Postcolonial Reckoning

To be an Indian in modern American society is in a very real sense to be unreal and ahistorical. /.../ There is, in fact, something un-American about Indians for most whites.

Vine Deloria, Jr., 1969: 2, 4

Literature authored by Native Americans, both fiction and non-fiction, emerged as early as the very end of the 19th century, when Simon Pokagon published his novel titled *Queen of the Woods* (1899). In the first decades of the 20th century, the American public saw a proliferation of works of diverse genres penned by Native American writers: there were, among others, several literary works, and quite a few romanticizing, autobiographical reports on “the good old days”;² a breakthrough, and an ascent to the national and international arena, however, occurred in two successive years: 1968 and 1969. N. Scott Momaday (b. 1934), a Kiowa author, published his novel *Runner in the Sun* in 1968, and received the Pulitzer Prize for Literature the following year, the same year in which another seminal book was published titled *Custer Died for Your Sins: An Indian Manifesto*, by Vine Deloria, Jr. (1933–2005), a Yankton Dakota political activist, legal scholar, theologian, historian and university professor.

While Momaday’s novel addressed pressing problems in the Indian world of the time in an artful and poetic way and Deloria’s book was written in his trademark jarringly straightforward style peppered with wit and humor, in combination, these two works all at once presented and explained the *status quo* of Native Americans in the U.S., identified the problems and pointed to a course of action. In a very real sense, the two writings marked the end of the colonial era and introduced the post-colony and its agenda of clearing up, evaluating and make conscious the past. Both works accomplished that by taking stock of the present, diagnosing the past and imagining a future. With *Custer*, Deloria secured his place in history as one of the pioneers of postcolonial critique, alongside Frantz Fanon, Gayatri Spivak, Edward Said, Chinua Achebe and other classic authors of the post-colony.

² One prominent author of the early 20th century, for example, was Charles Alexander Eastman (1858–1939), a Santee Dakota and a medical doctor who was representative of the early generations of Western-educated Indians. Having completed their education and practicing as medical doctors, ethnographers or literati, they spoke and wrote in proliferation about the “plight” of the Natives, and engaged in national and local politics concerning the Natives, yet more often than not displayed pro-assimilationist stances, internalizing the mythology of the “noble savage” who, perforce of circumstances, needs to adopt “civilization” or perish. For more detail, see, e.g., Colonese and Owens, 1985; Hobson, 1979; Gunn Allen, 1992 (1986), etc. I have myself provided an overview in the Slovenian language in Šumi, 1999.

The turbulent 1960s, with their revolutionary energy, took the Indian world by storm. The forming of the American Indian Movement (AIM) in 1968 in Minneapolis in response to police brutality in urban Indian enclaves, and the occupation of Alcatraz Island by Indians of All Tribes between November 1969 and June 1971, culminated in two actions that put the new Native American political forces on the world map: the Trail of Broken Treaties, a massive march of Native peoples on Washington, D.C., coordinated by a host of Native organizations that took place in November 1972;³ and the occupation of Wounded Knee⁴ led by AIM in late February of 1973 that lasted for 71 days. The protagonists of the Trail formulated a historic document, *Twenty Points*, that effectively summarized the consequences of centuries of colonialism and sought to establish full tribal sovereignty in judicial, educational and self-governing matters⁵ based on bilateral treaties rather than unilateral policies, and a government-to-government relationship with the United States (pts. 1–8; cf. Deloria, Jr. and Lytle, 1984: 238ff).

These events, and the literature that preceded and accompanied them, gave rise to extensive public articulation of Native American views on humanity, society, the planet, the past and the future. Indeed, they gave birth to an entire new academic field, American Indian studies (cf. Warrior, 1995: 1). There was, however, more to come. Beginning in the 1980s, and notably during the 1990s, the rising awareness of ongoing, catastrophic climate change and issues of environmental preservation in general brought indigenous knowledge and practices of sustainable economic regimes and non-pollutive co-existence with nature to the fore of both scientific and political attention. The 1960s may have brought classic colonialism into the sharp light of recognition, but it was not until late 1980s that native peoples of the planet, victims of colonization, were recognized as active, and knowledgeable, agents in their traditional environments rather than primitive innocents lacking technology that could affect it. The then novel notion of Indigenous Knowledge (IK) or Traditional Knowledge (TK) had since

³ On November 3, the protesters, following the failure of the authorities to grant them due hearing, occupied the federal building of the Bureau of Indian Affairs and destroyed a significant portion of its archives. The *Twenty Points* never received due attention on the part of the government (cf. Josephy, Jr., 1984: 250ff).

⁴ Referred to also as Wounded Knee II. The Wounded Knee Massacre on 29 December 1890 was the last perpetrated by the United States military upon a Native American group. The massacre site is on the Pine Ridge Lakota Reservation, where there also remains the mass grave of the victims.

⁵ Tribal sovereignty as a novel legal principle was introduced with the 1934 legal package prepared by the then Commissioner of Indian Affairs, John Collier. A surprisingly enlightened measure, the so-called Indian New Deal (Indian Reorganization Act, also: Wheeler-Howard Act) countered the decades-long assimilationist policies introduced in 1887 (with the General Allotment Act, also: the Dawes Act). The commentary to the Act, the Margold Opinion, introduced the doctrine of inherent powers of an Indian tribe and its sovereignty as pre-dating that of the United States (cf. Deloria, Jr., and Lytle, 1984: 158). In the time of the rise of Nazism in Europe, Collier's policies affirmative of tribal sovereignty were both curiously out of sync and often criticized as a "communist experiment" (Deloria, Jr., and Lytle, 1984: 180; Dippie, 1982: 310).

become part of the curricula of environmental studies as well as in environmental justice movements and their advocate agencies (cf., e.g., Cole and Foster, 2001; Westra, 2008) and environmental and indigenous pedagogies (cf., e.g., Kulnieks, Longboat and Young, 2012).

The Postcolony Community: Tribes, Tribalism and Retribalization

There is unquestionable pathos in the material and social reality of most reserves. Yet above all the crisis we face is a crisis of mind: a lack of conscience and consciousness. Material poverty and social dysfunction are merely the visible surface of a deep pool of internal suffering.
Alfred Taiaiake, 1999: xv

Postcolonial social realities are universally marked by a string of symptoms that, historically speaking, draw their beginnings from the colonial disruption of continuity of Native economies and social systems. Any colonizer of any type has a first, urgent job: to behead the Native structures of power, and to equalize the survivors into a unified, classless, impoverished mass on the very bottom of the new, colonial society. In this regard, Native peoples, victims of European colonialism, are not the only ones in this predicament: many post-socialism societies in Central and Eastern Europe had a comparable historical trajectory, often going back to (Russian, Austro-Hungarian, Ottoman) imperial times: subsequent attempts at building sovereign nation-states from essentially unified class-turned-nations through nationalist ideologies, whereby 20th century socialism, with its specific disruption, did not help, often displaying similar patterns of dysfunction. Rather, episodes of socialism fortified the postcolonial symptoms (Šumi, Toplak, and Toplak, 2016: 127ff).⁶

The residues of such pseudo-colonial histories in post-socialisms include (pseudo)biological notions of belonging at the exclusion of all other identity

⁶ In *Custer*, Deloria had himself provided his insight into European mediaeval history from the point of view of Native tribalism: "More than a thousand years before Columbus, the barbaric tribes destroyed the Roman Empire. With utter lack of grace, they ignorantly obliterated classical civilization. Christianity swept across the conquerors like the white man later swept across North America, destroying native religions and leaving paralyzed groups of disoriented individuals in its wake. Then the combination of Christian theology, superstition, and forms of the old Roman civil government began to control the tamed barbaric tribes. /.../ Not only did the European tribes lose their religion, they were subjected to a new form of economics which totally destroyed them: feudalism. The freedom that had formerly been theirs became only the freedom to toil on the massive estates. Even their efforts to maintain their ancient ways fell to the requirements of the feudal state as power centered in a few royal houses." (Deloria, Jr., 1969: 175)

anchors, be these notions imposed by the colonizer, or self-imposed,⁷ and consequentially, the normalization of various types of racisms and xenophobia, and an ideologically fortified aversion to analytical public discourse that is interpreted as hostile, and routinely replaced with moralizing that is deemed appropriately elevated to convey the tragic history. Further, there will be narratives of a vanishing, dying, endangered nation, or the loss of culture and language, or both (Šumi, 2012: 161ff). On the plane of social dysfunctions, family violence, epidemic rates of substance abuse, mental health issues and soaring suicide rates are the most common and most readily visible phenomena, springing from a structural inability to face and combat the transgenerational trauma:⁸ the latter is usually highly politicized, or transposed, through ideological maneuvers that establish the essence of the nation as the victim of history rather than real, living people. Politically, such a community, whether or not of sufficiently large enough numbers to pass for imagined in Andersonian terms, will demonstrate a persistent 50-50 division between variously ideologically formed and (self-)identified "traditionalists" and "progressives," denoting a stronger vs. a weaker affiliation with the nationalist ideology short-lived, easily and regularly disgraced elites that fail to command respect to begin with; rampant nepotism and corruption; and an aversion toward any kind of meritocracy, an aversion that is elevated to the status of an endemic tradition, "our way", and interpreted as a defense against a hostile outer world⁹ as well as against dissident enemies within.

There is, however, an important difference between the social dysfunctions of European post-socialisms, with their long histories of feudal and post-feudal empires, what with the current rising neoliberal global poverty that is accom-

⁷ The problem of the so-called Blood Quantum in Native communities, initially imposed as a colonial policy at the time the reservations were established, tracks individuals who are descended from those first listed at the time the reservation was established. The "quantum" of tribal "blood" is thus calculated through generations; theoretically, it is quite possible that a person is a "full-blood" Indian, but lacks a sufficient "blood quantum" to belong to any tribe. With such a long string of consequences, it presents both a dire problem, as the communities cannot freely determine their own membership, and a safety mechanism that is preventing the reservation lands from falling apart (cf., e.g., Forbes, 1990). By comparison, the Central European imperial-times notion of *Blut und Boden* (blood and soil) translated into self-imposed pseudo-biological definitions of belonging to a nation; in the Slovenian case, it was elevated to a constitutional category of autochthony (vs. allochthony; cf. Šumi, Toplak, and Toplak, 2016).

⁸ The latest, masterful and moving testimony of the colonial trauma, combined with that of the parent generation of post WWII baby-boomers, and a personal tragedy of a childhood plagued with illness, is Sherman Alexie's autobiography *You Don't Have to Say You Love Me. A Memoir* (2017). Alexie, one of the most acclaimed living Native American authors, has so far realized an impressive opus with a rare artistic gift that concentrates on postcolonial realities. For a more detailed analysis of Slovenian post-socialist post-colony, see Šumi, 2012.

⁹ It should be noted that the trauma of the world financial crisis of 2007/2008 and the rapid impoverishment of entire classes of people, the progressive loss of jobs and the rise of the precariat as the new global social class in constant danger of poverty (Standing, 2011) demonstrates the emergence, or escalation, of much the same repertoire of social dysfunctions; however, they are not yet culturally entrenched or seen as a result of the trauma.

panied by the retreating welfare state whose political castes transformed into the mercenariat class¹⁰ that is increasingly, and ever more openly, hostile to its nominal constituencies and Native communities alike: the latter retain a living memory, and often a lived experience, of diverse functioning societies, different than anything European, with structures different than simple biological families and aggregate communities, either settled or migrant or both. The clan systems of social rather than biological ties, the loose confederacies of bands and tribes, and overarching philosophies of the nature of existence so different from Western ones all represent a unique source of imagining an alternative future for humanity as well as an alternative perspective on its present state. This exceptionally organized perspective and insight springing from lived experience prompted Deloria in his classic book *Custer Died for Your Sins* to state, commenting on the events of the Afro-American Civil Rights struggle:

Civil Rights is a function of man's desire for self-respect, not of his desire for equality. The dilemma is not one of tolerance or intolerance but one of respect or contempt. The tragedy of the early days of the Civil Rights movement is that many people, black, white, red, and yellow, were sold a bill of goods which said that *equality* was the eventual goal of the movement. But no one had considered the implications of so simple a slogan. Equality became sameness. Nobody noticed it, but everyone was trained to expect it. (Deloria, Jr., 1969: 179; "emphasis original")¹¹

Contrary to Afro-Americans, according to Deloria, Natives struggled to remain different and true to their historic social legacy and remained within their

¹⁰ Neoliberal elites everywhere are adopting the character, structure, behavior and reputation of postcolonial elites. The phenomenon of so-called clown politics (cf., e.g., Taibbi, 2017), the ascent to powerful positions by people who are demonstrably unfit for the job, can be seen as the outward sign of the rise of the political mercenariat to power, a term here proposed in completion of Standing's (2011) terminology that differentiates between the salariat (the stably employed), the precariat (the flexibly employed and the unemployed), and the rentiers. The "mercenariat" is herewith proposed as denoting the nominally appointed representatives of the people in democratic procedures, but that actually service the capital elites by accommodating their needs in the political and legislative spheres.

¹¹ A few paragraphs earlier in the text (p. 174), Deloria foresees, in view of the latest developments concerning the Afro-American situation in the U.S., a prophetic course of events: "The black must understand that whites are determined to keep him out of their society. No matter how many Civil Rights laws are passed or how many are on the drawing board, the basic thrust is to keep the black out of society and harmless. The problem, therefore, is not one of legal status, it is one of culture and social and economic mobility. It is foolish for a black to depend upon a law to make acceptance of him by the white possible." In view of the current situation of mass incarceration of Afro-Americans, especially young males, that morphed into a programmatic policy during the Clinton years (1993–2001), Deloria's assessment is anticipatory of the most authoritative analysis of this situation in Alexander (2012). Mass incarceration, as the new segregationist and politically and socially disenfranchising technique against Afro-Americans, amounts to, in Alexander's analysis, a "New Jim Crow".

cultural premises, whereas Afro-Americans "... seemed to be saying that white society was bad, but they wanted it anyway" (ibid.: 186). As the central feature of the indigenous view, indeed of any cohesive human culture (as opposed to a mainstream white America that is merely "a violent conglomerate of individuals" whose only culture is "continual exploitation", ibid.: 185), Deloria recognized the land. All human societies, their cultural repertoires and their social structures, are formed basically in response to the land that hosts and nurtures them, by its features, its resources, its natural cycles. Not so with European colonizers, whose presence on the North American continent has been "a three-hundred-year orgy of exploitation" and who brought with them specific, detrimental views of the relationship between humans and land springing from their devastating political heritage, feudalism and Christian ideology:

Where feudalism conceived man as a function of land, the early colonists reversed the situation in their efforts to create "new" versions of their motherlands. Early settlers made land a function of man /.../. It was relatively simple, once they made this juxtaposition, to define Indians, blacks, and other groups in relation to land. (Deloria, Jr., 1969: 176-177)

This fundamental perversion of the relationship of humans and land gave rise to the artificial, individualist, social-Darwinian-style survivalist hierarchy that is driven by the exploitation of both humans and land: the "economy" that dictated any and all social restructuring and reform while paying lip service to the proclaimed "lofty goals" of democracy and equality:

Land has been the basis on which racial relations have been defined ever since the first settlers got off the boat. Minority groups, denominated as such, have always been victims of economic forces rather than beneficiaries of the lofty ideals proclaimed in the Constitution and elsewhere. One hundred years of persecution after Emancipation, the Civil Rights laws of the 1950's and 1960's were all passed by use of the Interstate Commerce Clause of the Constitution. Humanity, at least on this continent, has been subject to the whims of the marketplace. (Deloria, Jr., 1969: 178)

Instead of developing a nurturing, harmonious relationship with the land and building social institutions on the basis of and around this relationship, the "white man" executes his existential relationship with the land through the building of a chain of "problems", the solutions to which give rise to more chains of problems in a surreptitious process of detached abstracting of the realities, exercising an inclination to arbitrarily conceptualize "... all things and understand none of them":

The white man is problem-solving. His conceptualizations merge into science and then emerge in his social life as problems, the solutions of which are the adjustments of his social machine. Slavery, prohibition, Civil Rights, and social services are all important adjustments of the white man's social machine. No solution he has reached has proven adequate. Indeed, it has often proven demonic. (Deloria, Jr., 1969: 189)

Towards the middle of the chapter titled *The Red and the Black*, Deloria spells out one of the early¹² environmentally minded, if poetically worded, projections framed in his juxtaposition of "white" as opposed to indigenous understandings of the land and its resources: having initially diagnosed the relationship between Indian tribes and the federal government as a strife between the "true owners of the land and the usurpers" (ibid.: 174), he goes on to say that the colonists

... violated the most basic principle of man's history: certain lands are given to certain peoples. It is these peoples only who can flourish, thrive, and survive on the land. Intruders may hold sway for centuries but they will eventually be pushed from the land, or the land itself will destroy them Culture, if any exists, is a function of the homeland, not a function of the economic system that appears to hold temporary sway over a region. (Deloria, Jr., 1969: 177-178)

Thus, affirming the indigenous principle of building a human society based on, and in harmony with, the natural environment and a concept of land stewardship as being an inextricable part of the society that builds its perpetually successful survival in a given ecosystem, Deloria identifies a kind of process of indigenization of the "whites" later on in the book, in the chapter titled *Indians in Modern Society*, in the form of corporate, especially economic entities. Describing a joint legislative initiative of four Republican Congressmen of the time and the leadership of CORE,¹³ the Community Self-Determination Act (CDC) "designed to promote black

¹² While there is a history of environmentalist concerns that goes back to the early Middle Ages in Europe and the Middle East, a modern-time turning point was the Clean Air Act passed by the British parliament in 1956, in response to the catastrophic events in London in 1952, when thick smog paralyzed the city for weeks and caused several thousand deaths. The anti-DDT campaign in the early 1960s following the publication of Rachel Carson's book *Silent Spring* (1962) led to increasing public pressures on governments. The 1970s saw a proliferation of environmentalist groups, notably Greenpeace in 1971, the establishment of a number of governmental agencies and the first "green" political parties.

¹³ The Congress of Racial Equality was founded in 1942. Its U.S. leader, the Virgin Islands born Afro-American activist, chemist by profession, established a very enlightened agenda of bringing about "equality for all people regardless of race, creed, sex, age, disability, sexual orientation, religion or ethnic background." CORE was the key international think-tank of the Civil Rights era inspired by the teachings of Mahatma Gandhi, including the principles of nonviolent civil disobedience. It is still in existence (cf. <http://www.congressofracialequality.org/about.html>).

capitalism" by means of establishing corporations, Deloria observed that the idea of corporate organizing of Afro-American economic development initiatives "had a mighty familiar ring to the Indian people" as it echoed ideas contained in the Indian Organization Act and the structure of Native communities that this legislative package introduced, which featuring (limited) self-rule and economic self-sufficiency by organizing the tribes as corporations, but also: "As Indians viewed the 'new' CDC, the blacks were finally ready to tribalize":

In the corporate structure, formal and informal, Indian tribalism has its greatest parallels and it is through this means that Indians believe that modern society and Indian tribes will finally reach a cultural truce. The corporation forms the closest attempt of the white man to socialize his individualism and become a tribal man. And certainly when one thinks back to what has been written over the last decade about corporate existence, one can see the startling parallels. (Deloria, Jr., 1969: 227-228)

Deloria goes on to praise the then burgeoning corporate structures, from the purely economic to the socially oriented, making extensive comparisons with traditional Native social structures, from extended family to clans to intertribal alliances and historical confederacies, such as the Iroquois and the Creek confederacies.¹⁴ Indeed, he acknowledges the personal and economic security of the "corporate man" within this structure, and its outward strategies of both merging with other corporations, and engaging in "competitive wars" between them as essentially similar to the understanding of social rewards in Native tribal histories. Before noting that "some corporations ... have already mastered the technique of taxing the rest of society to support their ventures" (ibid.: 234), and following an elaborate comparison between traditional Native tribal structures and the modern, post-WWII corporation, Deloria places his hopes for the future in the further development of corporate structures to the point of their engulfing the entire society:

Self-determination became during the 1970s the name for the leading principle in U.S. policies towards Native communities.

¹⁴ The Iroquois confederacy, also called the Iroquois league, of The Five Nations, comprised originally five, and from 1722 on, six nations in present-day New York State. The member tribes were the Mohawk, Oneida, Onondaga, Cayuga and Seneca, joined later by the Tuscarora. The Creek confederacy, known also as The Five Civilized Tribes, was an alliance of linguistically very diverse peoples in the American Southeast, on the territories of present-day Georgia, Alabama and Florida. It began to form as a coordination of a number of Native towns and settlements during the 16th century. Following the forcible removal of native populations from territories east of the Mississippi River in 1830 on the Trail of Tears to the then Indian Territory (Oklahoma), very few people remained in their ancestral homelands. Their offspring in Oklahoma and in the East form several groups of federally recognized nations (e.g., the Muskogee Creek of Oklahoma, the Poach Band of the Creek in Alabama, the Seminole of Florida).

It would appear then that we are witnessing the gradual tribalization of the white man as his economic tribes become more and more oriented toward social services for their members. What is now needed is the frank admittance by the white man that he is tribalizing and the acknowledgment that his tribalism will gradually replace government as we now know it, submerging the differentiated society into a number of related economic social units. When executives can admit what they are doing, then it will be possible to form programs around those left out of corporate existence – the poor – and organize them as tribes also, completing the circuit from Pilgrimish individualism to corporate tribalism. Preliminary treaty-making – price fixing – has been declared wrong because it infringed upon non-corporate victims. The government decreed that until these victims became sufficiently strong to embark on corporate warfare, it would protect them. Government thus stands as arbitrator between corporate and non-corporate man, a role previously occupied by the Onondagas in the Iroquois League. (Deloria, Jr., 1969: 230)

Deloria's recognition of tribal structures within corporations pre-empts, as a lucid antecedent, the modern-day leftist-progressive critiques of corporate neoliberalism, reminiscent of, say, Naomi Klein's analyses in her much-popularized books:¹⁵

In short, corporate life since the last world war has structured itself along the lines taken a couple of centuries earlier by Indian tribes as they developed their customs and traditions of social existence. Totems have been replaced by trademarks, powwows by conventions, and beads by gray flannels. War songs have been replaced by advertising slogans. As in the tribe, so in the corporation the "chief" reigns supreme. (Deloria, Jr., 1969: 229)

Deloria then proceeds to analyze the then alternative youth social movements such as the "beatniks" and "the long-haired hippie and his cousins, yippies, zippies and others". His views of these young people, later to be recognized as the baby-boomer generation, with its all-encompassing revolt against the set social norms in search for a meaningful group existence, were humorous but not entirely unkind:

¹⁵ The Canadian-American journalist and activist Naomi Klein is best known for her widely successful book *The Shock Doctrine: The Rise of Disaster Capitalism* (2010). One of her earlier works, titled *No Logo. Taking Aim at the Brand Bullies* (1999), provides a detailed research of corporate culture in advertising and selling strategies, especially the then new phenomenon of selling through branding rather than producing goods.

Perhaps the only segment of American society to face tribalism head on has been the long-haired hippie and his cousins, yippies, zippies, and others. In 1966, strange beings began to appear on Indian land, proclaiming their kinship with the redskins in no uncertain terms. /.../ I used to sit in my office and suddenly find it invaded by a number of strange beings in gaudy costumes who would inform me of their blood-intellectual relationship with Indians. When one is used to the strange smells of legislation written by the Interior Department and is suddenly confronted by an even more exotic perfume, it is unsettling indeed. Yet many hippies whom I met had some basic humanistic beliefs not unlike those of Indian people. Concern for the person and abhorrence for confining rules, regulations, and traditions seemed to characterize the early hippie movement. When the hippies began to call for a gathering of the tribes, to create free stores, to share goods, and to gather all of the lost into communities, it appeared as if they were on the threshold of tribal existence. (Deloria, Jr., 1969: 231–232)

However, Deloria also thought that these movements proved a fleeting phenomenon and were ultimately unsuccessful because they “refused to consider customs as anything more than regulations in disguise. Yet it was by rejecting customs that the hippies failed to tribalize” (ibid.: 232). Deloria goes on to explain the structure of a traditional Native community in some detail, no doubt a quite scathingly rational description for the then customary, romantically racist anthropological thinking¹⁶ on the subject:

Indian tribes have always had two basic internal strengths, which can also be seen in corporations: customs and clans. Tribes are not simply composed of Indians. They are highly organized as clans, within which variations of tribal traditions and customs govern. While the tribe makes decisions on general affairs, clans handle specific problems. Trivia is thus kept out of tribal affairs by referring it to clan solutions. Customs rise as clans meet specific problems and solve them. They overflow from the clan into general tribal usage as their capability and validity are recognized. Thus a custom can spread from a minor clan to the tribe as a whole and prove to be a significant basis for tribal

¹⁶ Studying and mapping Native kinship and clan systems has been a favorite scientific preoccupation of the pioneer and classical anthropology since the publication of Lewis Henry Morgan's *Systems of Consanguinity and Affinity of the Human Family* (1871) whereby a tribe was viewed as a kinship structure rather than a political community. Deloria's famed 1969 volume also includes Chapter 4, titled “Anthropologists and Other Friends”, where the author, with his inimitable humor and wit, penned a deadly critique of both the anthropologists' practices of invading Native communities for purposes of “fieldwork”, and their sterile, futile and empty theorizing that paid no heed whatsoever to the wellbeing of the observed, but harmed the Native communities in palpable ways. The chapter was published ahead of the book in the August 1969 issue of *Playboy* magazine (which Deloria comments upon, saying: “If ever there was a tribal cult oozing with contemporary mythology and tribal rites it is the Playboy club. Identity is the last concern of the Playboy, yet it is what his tribe offers him—and with a key.” (ibid.: 231)). It provoked a torrent of responses from the anthropological community, ranging from flabbergasted to insulted to pensive.

behavior. In the same manner, methods and techniques found useful in one phase of corporate existence can become standard operating procedure for an entire corporation. (Deloria, Jr., 1969: 232–233)

From Tribalization to Indigenization: Human Society and the Land

The indigenous ingenuity — or, as Haskell Indian Nations University graduate Curtis Kekahbah of the Kaw Nation called it, the indigenuity: the ability to solve pressing life issues facing humankind now by situating our solutions in Earth-based local indigenous deep spatial knowledges — of tribal peoples constitutes a practical merger of knowing with doing.
Daniel R. Wildcat, 2009

The idea of the land, or homeland, as the key concept of indigenous existence was the central anchor in the explosion of Native literature that came in tow of Momaday's novel and Deloria's groundbreaking assessment of Native perspectives on America in the mid-20th century, and indigenous life in it, in *Custer Died for Your Sins*. Native literature of every kind, combined with the coming to the foreground of the national political struggles during the 1960s and 1970s, is commonly referred to as the Native Renaissance. The late Paula Gunn Allen, herself a poet and professor of literary studies, was one of the Native critics that followed the "literature of the revolution" most closely. Her assessment (Gunn Allen in Hobson, 1979: 191; cf. Šumi, 1999: 103) was that Native Americans "... are land." Being one with the land as opposed to just living on it and thinking of it as a *mis-en-scène* of our lives, mourning its loss in the colonial process yet remembering the oneness with the land, she identified as the very core of Native self-understanding. Gunn Allen and a number of other Native and non-Native critics (e.g., Hobson, 1979; Lincoln, 1983) of the new literature also recognized it as a continuation, or rather a resurgence in written form, of Native oral traditions, all of which amounted to the phenomenon of "endurance".¹⁷ The knowing of what it means to endure centuries of colonization Gunn Allen diagnosed as the essential contribution of Native American writers to world literature (Gunn Allen in Hobson, 1979: 193).

In his later work, Deloria reaffirmed his views on (home)land and upgraded it

¹⁷ Using the word of Gerald Vizenor, the Anishinaabe writer and scholar, it is "survivance": not merely survival, but survival that has transposed through colonial times an entire cultural wealth, allowing for a continuation of pre-Columbian knowledges and traditions (Vizenor, 1999). Derrida's usage of the term carries very different meanings and connotations.

to a political, spiritual and legal statement. The book titled *Power and Place. Indian Education in America* (2001), co-authored with Daniel R. Wildcat, is organized as a dialogue between the authors in 15 chapters. In his "Preface", Deloria states:

Power and Place examines the issues facing Native American students as they progress from grade school through college and on into the professions. Subject matter as diverse as the school systems of the Five Civilized Tribes in the early 1800s to what Albert Einstein's theory of relativity *really* means is found on these pages. Native people navigating American systems of higher education must absorb a great deal of factual content, and they must also place that knowledge into the context of their own tribal and community traditions. For American Indian students, the scientific method and the Western worldview coexist with Native spirituality and a deep connection with the earth. (Deloria, Jr., and Wildcat, 2001: v; emphasis original)

In his first chapter, "American Indian Metaphysics", Deloria confronts Western scientific thinking with Native understanding of existence, indeed Native metaphysics, noting that "Metaphysics has had a difficult time regaining its intellectual respectability in Western circles" (2001: 2), and goes on to explain:

The best description of Indian metaphysics was the realization that the world, and all its possible experiences, constituted a social reality, a fabric of life in which everything had the possibility of intimate knowing relationships because, ultimately, everything was related. This world was a unified world, a far cry from the disjointed sterile and emotionless world painted by Western science. Even though we can translate the realities of the Indian social world into concepts familiar to us from the Western scientific context, such as space, time, and energy, we must surrender most of the meaning in the Indian world when we do so. The Indian world can be said to consist of two basic experiential dimensions that, taken together, provided a sufficient means of making sense of the world. These two concepts were place and power, the latter perhaps better defined as spiritual power or life force. (ibid.)

In Chapter 3, titled "Power and Place Equal Personality", Deloria further elaborates on the shortcomings of Western science as being a toolkit for merely understanding the world rather than making sense of it or discerning the purpose and meaning of life. Contrary to such an impoverished knowledge system, indigenous metaphysics is permeated with boundaries of respect rather than knowledge (ibid.: 21). Consequently,

[t]he personal nature of the universe demands that each and every entity in it seek and sustain personal relationships. Here, the Indian theory of relativity

is much more comprehensive than the corresponding theory articulated by Einstein and his fellow scientists. The broader Indian idea of relationship, in a universe that is very personal and particular, suggests that all relationships have a moral content. For that reason, Indian knowledge of the universe was never separated from other sacred knowledge about ultimate spiritual realities. (ibid.: 23)

Native knowledge, and Native ways of gathering knowledge, is correspondent, or correlational through observing sequences of events, in contrast to the Western principle of cause and effect (ibid.: 26):

Western science seeks to harness nature to perform certain tasks. But there are limited resources in the natural world, and artificial and wasteful use depletes the resources more rapidly than would otherwise occur naturally. The acknowledgment that power and place produce personality means not only that the natural world is personal but that its perceived relationships are always ethical. For that reason, Indian accumulation of information is directly opposed to the Western scientific method of investigation, because it is primarily observation. Indians look for messages in nature, but they do not force nature to perform actions that it does not naturally do. (ibid.: 27)

In his ensuing chapter, Wildcat rephrases this basic difference between knowledge accumulation in Western as opposed to Native universes as follows:

The Western metaphysics of science makes identification of things and some basic interactions relatively easy to identify; however, it provides almost no “enlightenment” regarding living relationships, processes between subjects, and the formation of what Deloria calls personalities—be they plants, animals, or geologic and geographic features of the world where we reside. (Wildcat in Deloria, Jr., and Wildcat, 2001: 31)

Thus, states Wildcat, what is called for is the process of indigenization of human thinking about place, or else, land, the planet itself, something that Western world dominance never grasped:

Not only wisdom sits in places /.../, but so does power and personality. This realization offers a powerful way of talking about the manner in which biological diversity and cultural diversity are intimately connected. It requires recognition that culture is an emergent property—that is, a reality resulting from a complex process containing a multitude of interactions. In short, cultures have causes, but not the kind most biologists or social scientists can easily test in a laboratory or replicate in linear causal models. Because the

world we inhabit is a very diverse place, we ought to understand what nearly all American Indian worldviews readily acknowledge: cultural diversity is not an issue of political correctness but is a geographic, historical, and biological reality. /.../ If one understands /.../ Western self-conscious faith in (1) abstract universal truths and (2) the European moral duty to remake the world (in accordance with these truths) in their own image, then the incredible force of these ideas explains much of human history over the last 500 years. The worldview shaped by this twofold faith precluded recognition of knowledge, understanding, and power residing in places. It informs the practices of colonialism yesterday and today, and it suggests just how important cultural diversity is to the life of the planet and its people. (ibid.: 39)

The Legal and the Ethical: Rethinking Tribalism and Land

Humankind may indeed have a gift for thinking things up, creativity, imagination, and inventiveness, but human societies and the earth's ecosystems seem threatened by human creativity and imagination that has literally and figuratively lost touch with the earth.

Daniel R. Wildcat, 2009: 55

In the intervening time between publishing *Custer* and the series of eight chapters in *Power and Place* where the argumentation was based on the equation Power + Place = Personality was the book Deloria published in 1979 titled *The Metaphysics of Modern Existence*. It was republished posthumously in 2012, with a foreword by Daniel R. Wildcat, and an afterword by David E. Wilkins. In his "Foreword", Wildcat acknowledges that it was Deloria's "least read and most misunderstood book" and goes on to say:

What Deloria intended with the publication of *Metaphysics* can be easily adduced from the text. He was not seeking "the answer" to the vexing problems facing modern humankind; rather, as Deloria stated in his introduction, his inquiry constituted "a search for the structure and meaning of reality." Deloria was making "an effort to break new trails in thinking, perceptually and conceptually". (Wildcat in Deloria, Jr., 2012 (1979): ix)

Although Deloria published the book in an effort to pick up threads spun in his 1973 book *God is Red* (Wilkins in Deloria, Jr., 2012 (1979): 286), his systematic comparison between Christianity and Native religious ideas and traditions and his lifelong preoccupation with religion, spirituality and metaphysics, he still

addressed the key notions of social organization and the land in terms of civilizational and mentality differences between Western and indigenous worlds. The book is organized as a discussion on, and confrontation among, the views of a few select thinkers that Deloria found relevant or challenging, among them: Carl Gustav Jung,¹⁸ Erich Neumann, Marshall McLuhan, Pierre Teilhard de Chardin, Paul Tillich, Ian Barbour, Robert Ardrey, Charles Reich, Paul Radin¹⁹ and a few others. His erstwhile optimistic position regarding corporations as a form of tribalization of American, ruggedly individualistic mainstream society changed substantially, as he employed both an historic and a legal perspective.²⁰ In chapter 12, titled “Our Transforming Institutions”, Deloria contemplates the opposing trends of private property and its social and legal status, on the one hand, and on the other, the expanding “government largess” in the form of the then expanding welfare policies, and likewise, the government largess reflected in the empowerment of certain professions: lawyers, medical doctors, pharmacists, etc. Conversely, private enterprises and corporations, indeed, entire industrial complexes such as defense-related industries, rely entirely on contracts with the government since the latter is the exclusive buyer. The government, acting increasingly as a mass employer, in turn poses criteria and mandatory qualifications that “reflect a view of the world that is less flexible than the criteria for becoming a member of a church”:

Surveillance over the personal beliefs and behaviors of an individual, and attempts to discern the person’s probable understanding of reality and its social components, are efforts to ensure that a particular view of the world be perpetuated as a government function. (Deloria, Jr., 2012 (1979): 171).

In this way, the government generates and institutes a special ideology and orthodoxy that Charles Reich²¹ viewed as “a restoration, albeit unconsciously, of

¹⁸ Deloria was long preoccupied with analyzing the parallels between Jungian psychoanalytical propositions and Native understanding of human collectivities. His son, historian Philip Deloria, edited a posthumous book based on his father’s manuscript titled *C. G. Jung and the Sioux Traditions: Dreams, Visions, Nature and the Primitive*, which was published in 2009.

¹⁹ Deloria was famous for his opposition to anthropologists and anthropological theorizing, even though his aunt, Ella Deloria, was one of the first Native American anthropologists, as was his cousin, Beatrice Medicine. Paul Radin (1883–1959) authored a famed study of the Winnebago tribe.

²⁰ Deloria had completed his graduated studies in law in 1970, which may have influenced his revised thinking on the subjects of human community organization and land. Importantly, the breakout of the Watergate scandal in 1972 revealed corporate bribing of the executive and legislative branches of the government, which Deloria specifically quotes (2012 (1979): 174). During the 1980s and 1990s, he published many volumes, as author, co-author or editor, on the bulk of the colonial legal legacy summarily called Indian Law.

²¹ Charles A. Reich (b. 1928) is a legal scholar famous for his 1970 monograph *The Greening of America*, which quickly became a bestseller. The book systematizes the history of predomi-

the old forms of feudal society.” Such developments, Deloria goes on to explain, present a danger, or a violation, of the “initial political philosophy of our society” that sought to free itself, with the very design of the Constitution, from the “late eighteenth-century form of feudalism,” with its “arbitrary exercise of power by the king.” In addition to the guarantees of individual freedom as spelled out in the Bill of Rights, it was the “vesting of private property in the individual through the requirement that government could not extinguish the individual’s claim to property without just compensation” (ibid.). However, corporations themselves, starting with the legal fiction of holders of certain rights of an individual,²² became a place of non-democratic “corporate morality”:

As long as corporate competition flourished in the private sector, property expressed a degree of independence from outside control. The business world was in effect individual competition written large. But when, through mergers, agreements, consortiums, and other ventures, corporations choked or eliminated competition, the private area became a cooperative organism exploiting society. The freedom to act economically became transformed into a power that could be exercised over the lives of people who were not a part of the cooperative venture. The individual citizen was trapped between the opposing forces of government and corporations, neither of which was particularly friendly. When these giant institutions, the corporate structure and the government, made peace with each other, embracing a mutually beneficial stance, both society at large and the workers employed by corporations suffered exploitation. Ultimately reforms were demanded, and the era of trustbusting, initiated by Theodore Roosevelt, made some superficial changes in the regulation of corporations. (Deloria, Jr., 2012 (1979): 173)

Quoting Reich’s notion of “status deriving primarily from source of livelihood,” whereby “status is so closely linked to personality that destruction of one may destroy the other,” Deloria proposes the legal transformation of “privileges into rights”:

nant class mentalities in the U.S. during the 19th and 20th centuries and is laudatory of the youth counterculture of the 1960s.

²² The 2016 U.S. presidential campaign popularized the problem of the so-called “Citizens United” decision of the Supreme Court in 2010 that effectively declared corporations equal in rights to individuals with the right to freedom of speech, thereby opening the floodgate for corporate financing of political campaigns. The problem, however, is not as recent as that; the debate, and legal precedents, go back to the 19th century. Most legal scholars and progressive politicians hold that under the provisions of the 14th constitutional amendment, corporate personhood is non-existent, and as such, a legal fiction.

The new society would have respect for the individual, irrespective of age or sex, because all citizens would be entitled to full economic participation. The new society would have an amazing degree of social and political integration because ownership of physical private property would no longer distinguish one class from another in the basic areas of human concern. The new society would advocate and support a concept of personal security that transcends all governmental forms and all group interests and conflicts because neither the status nor the personal expression of the individual's beliefs would be subject to loyalty tests. Such a society sounds Utopian indeed. By a curious coincidence, these three major characteristics are not the outstanding positive features of modern civilizations, but Paul Radin's estimation of the major strengths of aboriginal civilizations. /.../ Reich's proposals to make the privileges of economic security vested legal rights of citizens produce a type of society best exemplified in tribal or aboriginal societies. Our metaphysical search for an understanding of reality is beginning to focus on the tribal way of life. Our technology and our social institutions are themselves guiding us in this direction. (Deloria, Jr., 2012 (1979): 175–176)

But what of land ownership? In the ensuing chapter titled “Expanding the Legal Universe”, Deloria again juxtaposes the indigenous and Western views, the latter having historically found their codification in the institution of the law that “incorporated in rules and regulations the worldview of societies” (ibid.: 177). Universally, whenever a “natural object” was found to have any value for humans, it was protected by law. However, most laws pertained to human society itself, the “*oikumene*, not the *kosmos*”, as Deloria puts it throughout the book to denote the human propensity to artificially distinguish between the human world and the natural world of which human societies are a part, a division that may very well be at the core of all human problems:

The most prominent feature of the natural world that finds a place in human systems of law is property, and the most common form of property is land. Our relationship to land has been the subject of a variety of legal concepts, generally revolving around the rights of the owner to exploit the resources thereof. Since land forms the natural context within which communities exist, our attitude toward land forms an integral part of the *oikumene*, and we should consider how we have viewed land legally. (Deloria, Jr., 2012 (1979): 177; emphasis original)

Deloria goes on to describe the devastation of European settlement and “land development” in the history of the United States, noting that, invariably, “the motivating force in Western development was human greed” (ibid.: 178). He goes on to describe how rivalry among settlers translated into law, and law into

doctrines. He describes in detail the problems of the so-called Colorado Doctrine as pertaining to water rights, an issue that had come to the fore for Native people, environmentalist concerns and progressive politics on a global scale in 2016 in the protests against the DAPL crude oil pipeline that would potentially affect the drinking water supply of the Missouri River system of upwards of 16 million people.²³ The months-long protests of Water Protectors took place at the initiative of people of the Standing Rock Indian reservation, which, incidentally, is Deloria's own home community.

The key assertion, however, is that “[w]e have as yet no consistent theory of law as to the proper stance toward the natural world” (ibid.: 178):

Theoretically at least, our present view of the natural world has no place for natural features and entities themselves. Physical entities that support life, such as air, water, and land, are conceived in a legal sense as if they had no existence apart from the human legal rights that have been attached to them. We could easily and legally destroy all vestiges of natural life without ever violating the constitutional provisions regarding the protection of property. Our present conception of property revolves around our use of it, not around existence as an element of the universe in its own right. Nature has no rights of its own in our legal system. If our legal system reflects our view of reality, then we believe that we exist over and apart from the physical world (Deloria, Jr., 2012 (1979): 180–181).

Somewhat counter-intuitively, Deloria goes on to argue that what interfered with reaching “that abstract but very logical conclusion” (ibid.) was the conservationist movement that sought to reserve parts of landscapes deemed exceptionally beautiful and thus of recreational value for humans. The concept of national/nature parks, with its ideology of preserving the virgin, untouched state of nature that primarily serves recreational tourism, affirmed the logic that, on the other hand, all other natural environments were open to exploitation and the ensuing degradation, while natural reserves were still legally framed as property, albeit

²³ The protesters, Lakota people of the Standing Rock reservation, launched their protests against the building of the Dakota Access Pipeline, a part of the Bakken pipeline project nearly 2000 kilometers in length. Part of the pipeline was to be built in the immediate vicinity of the reservation, on the grounds that the Lakota nation views as its treaty lands according to two separate treaties signed during the 19th century. The Lakota protesters established the Sacred Stone Camp that served as the cultural and political headquarters of the protests that were conducted in strict observance of non-violence. The corporate private security and the state police, however, did not observe such restrictions; disproportionate and very likely illegal force was used against the protesters. The protests were eventually supported by various other tribes, activists from around the country and the world, U.S. Army veterans, and were covered extensively, especially by the alternative, citizen journalism online outlets. Aside from the drinking water supply of the Missouri River basin, Lakota sacred burial grounds are also in danger, as the routing traverses them. The camp was forcibly dismantled on 27 October 2016, and finally cleared on 22 February 2017. Presently (August 2017), the lawsuits that were filed are being processed.

under a special regime. This notion automatically and systematically threatens such reserves as it is always opened to privatizing appetites in various forms. As a consequence, the natural features of the planet, the very parts of it that give sustenance to all life, enjoys no legal subjectivity, let alone rights:

The /legal/ personification of nature, then, would give to the legal universe a tangent point with the world in which we live, providing, in the metaphysical sense, an organic unity that other theories of ecological concern lacked. (Deloria, Jr., 2012 (1979): 185).

Explaining in detail the legal reasoning of Christopher Stone, then a law professor in California, Deloria weighs several conceptual and procedural problems that would be involved should nature obtain legal standing. Noting the social constructedness of all human definitions of separation between humans and the rest of nature, Deloria concludes:

That we can construct a legal system that views nature apart from its physical reality as elements of property testifies to the degree of alienation we have achieved. /.../ Stone's thesis—broadening our legal concept of the world by giving rights to nature itself—issues in the conclusion that this new vision of the world would make us better people. In almost every aspect of the *oikumene* we have investigated, we have reached the conclusion that the changes in motion today are pressing toward a new understanding and way of life for individuals. Our understanding of societies, of technology, of institutions, and of the place of nature in our legal system points to a radically new conception of individual life and seems to indicate that all transformation of larger social organizations and concepts will eventually focus on ourselves as individuals. (Deloria, Jr., 2012 (1979): 187)

Conclusion: Towards an Intelligent View of the World

It remains for us to learn once again that we are a part of nature, not a transcendent species with no responsibilities to the natural world.

Vine Deloria, Jr., 1992: 3

Vine Deloria's impressive written opus, despite its topic diversity and specializations, nevertheless features three overarching themes as a constant in all his thinking: the human individual and the human community; the place of humans in the natural system; and the paths towards an integrated knowledge that renders

more than mere understanding, indeed a sense of meaning that transcends both the perimeters of scientific episteme, and the philosophical and theological ontologies, into a new synthesis. Even his detailed comparisons between Native way of life, thinking and traditions, and what he terms their “Western” counterparts, both of which he is more than familiar with, serve as a venue to approach the answers to the three big questions. In his own words,

[o]ur examination of the *oikumene* indicates that the most fruitful avenues of development today are directing us toward a new type of social existence that parallels primitive peoples', perhaps incorporates some of their insights or unconsciously adopts some of their techniques, but that will be fully modern and capable of providing a meaningful existence. The importance of these movements for primitive peoples is that as modern industrial society becomes aware of new ways of structuring its understanding of the world, economic and political decisions will begin to reflect a more comprehensive and intelligent view of the world and of our species, thereby taking the pressure, in a political and economic sense, away from the surviving primitive and tribal peoples. (Deloria, Jr., 2012 (1979): 213)

While he was spared the aggravations of the neoliberal “free market” rule following the global financial crisis of 2008 by his untimely death in 2005, Deloria certainly was aware, and very critical of, the makings of this world since the 1980s. Indeed, in view of how “corporation” nowadays resonates as the scarecrow word of the mounting global resistance to the globalized free market ideology rule, the young, political activist Deloria’s stance of hopefulness that it is the corporate model that represents the process of tribalization of non-Native peoples in the United States may sound suspect. The idea itself, of course, did not originate with Deloria; corporatism, in fact, denotes an old recognition of the fact that people will organize according to interests, needs or inevitabilities: people of all human times and spaces have structured themselves along these lines. Fashioning corporate structures after the example of tribal societies is also hardly in the least a novel idea because it is still a lived experience.

In his 1979 book, on the eve of the triumphant march of neoliberal globalization, but also at the dawn of organized and politicized ecological movements, Deloria’s legalistically informed treatise on the legal and practical status of the land brings into the current many debates on how to dismantle our global social game, rigged to benefit, in fairy-tale proportions, a tiny fraction of the human population, an entirely new logic, and a new, solid base of thinking. If “nature”, in the broadest sense of being everything that is not concrete, living humans (who are nevertheless still a part of it), is recognized as possessing legal standing, this is tantamount to saying that nothing and no one can own it in any way. By logical

extension, this is to say further that land never was rightfully or *de facto* owned, and that ownership over the planet's surface, its geographical and geological features, in any amount or to any extent, are a mere legal fiction that belongs to the human past, and is unsustainable on top of being unlawful by virtue of incongruence with the basic law of rights. Just as it is presently very nearly universally unlawful to own a human person, just as it is increasingly recognized that it should be unlawful for a human to own an animal person, so it should be recognized that ownership over any part of nature is likewise unlawful. In other words, Deloria's treatise offers an entire new understanding of the concept of ownership that has the potential of providing a legal(istic) line of thinking in the efforts of imagining and building a new world.

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