

Mamoweenene:
Constituting Shinnecock Values to Perpetuate Togetherness

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MASTER OF ARTS

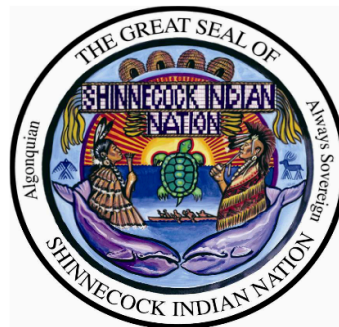
In the Faculty of Human and Social Development

*We accept this Community Governance Project as conforming to the standard required
by the Indigenous Governance Program of the University of Victoria.*

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-DEDICATION-

**For Our Grandmothers & Their Legacies of Love.
Tabutne For Your Hands & Hearts of Tradition.**

The night before
 Fighting tears the whole way home
 Sitting between strangers
 I clenched my fists trying to hold it together
 My palms white when I released
 I would wait for the blood to rush back
 Praying that she would still be there
 When I got off the plane

In the elevator up
 I cracked my knuckles
 Agitated because people were getting on &
 stepping off on every floor
 With every pop came a different memory
 With every stop came another regret that I
 wasn't there sooner
 Separating my tangled hands she took mine
 and lead me into the room
 Whispering "just pray baby girl"
 I am glad you are here.

The next morning
 She woke up, her speech sounding garbled
 She raised her voice to let us know not to
 worry
 Using the hands that used to braid my hair
 She wrote Erika Eva
 We both knew I would stay.

100 miles up island
 Home was just beyond her reach.
 Moving her fingers over mine, she would
 rub my hands.
 Tracing the creases that live on the bends of
 each joint
 Her fingertips etched by the stony shores of
 her people
 She remembered how her hands were once
 straight and her skin soft
 before they felt nine decades worth of
 beauty and burden like brail

The powwow before
 Her hands folded in her lap
 We sat together
 as I extended my fingers to point out each
 dancing grandchild, niece, and nephew

She reached for my hand and slipped a ten
 dollar bill into it
 I returned with a cup of samp and her smile
 said it all
 Knowing her dialysis diet wouldn't approve
 she was savoring each spoonful simply
 saying "but what kind of Shinnecock
 woman would I be" as her hand reached up,
 her napkin proudly wiping her face it
 became her blanket dance from the confines
 of a wheel chair.

10 minutes down the street
 Her hands would tingle as if she was having
 withdrawals
 The fingerprints she left on the water
 wanted her return
 She reached out
 She took my hand and placed it on her heart
 She said give me your pain
 Her shade of brown cupping my own
 always reminded me of those I never met
 but knew well.
 She said let me take the pain away.

The next trip I took.
 I didn't want to leave
 She made her come home & sent me away
 Because she knew it would have been too
 hard
 Holding her hands, I touched them to my
 heart.
 Unsure of what would happen next

We both knew it was her fingers I held
 when they walked me home from the
 hospital.
 We both knew it was her palms that would
 caress my back when they were away.
 We both knew it was her fists that taught
 me what love, loyalty, and survival meant.
 We both knew it was her hands that gifted
 me with what it is to be that type of
 Shinnecock woman, transferring it upon
 every touch.

**Her hands
 They taught us well.**

-ACKNOWLEDGEMENTS-**Tabutne, Tabutne, Tabutne**

*Tsehdiya' Yima:nTiwinyay Hayima:n Ahtine' Niwhongxw
Massa keat Mund sumana wequanank Soos nipi Tabutne*

First and foremost, I give thanks to the Creator for all things that are good and all things that keep us in balance as human beings. I thank the ancestors that have come before us for fighting so hard to keep that what we have today and for protecting the essences of our Nation, the basics of our being as Shinnecock and Na:Tini-Xwe' respectively. Tabutne and Tsehdiya' to the people and places that have raised me and for all of the love that lives in our lands. To the generations yet to be born, thank you for continuing to inspire us to think, do, and say in a good way as we continue the work of making "this beautiful place a better place."

I cannot fathom enough Tabutne to cover all of the lessons, love, support, nourishment, shelter, discipline, laughs, tears, and faith my Shinnecock family, past and present, have shared with me over my lifetime. To the Shinnecock women of my life, momma/aunties/cousins/sisters/nieces, thank you for keeping me grounded, inspiring me, feeding me, listening to me, working with me, venting to me (and letting me vent to you), housing me, and loving me - I truly feel blessed to have so many strong, giving, beautiful, intelligent and fierce Shinnecock women to lean on and learn from, Tabutne for always being there. Tabutne to the Shinnecock uncles, cousins, and nephews that have kept me humble, sane, and constantly laughing through it all.

Aiyana Smith-Williams, you are one of the most amazing Shinnecock superwomen I know. Tabutne for all that you do and all that you will go on to do for our women, our families, for our children, and for our people as a whole. Tabutne for the support, encouragement, focus, inspiration, laughs and motivation to get things moving, even in the midst of chaos and confusion, you have truly exceeded every expectation of what a CGP Community Supervisor is intended to be. Tabutne for continuing the legacy of getting things done sipping tea at the kitchen table, for leading by example, dedicating yourself to remain grounded in our spiritual ways, and remembering the teachings of the old ones in all of the work that you do. You make the Grandma's proud.

Tabutne to the Shinnecock Governance Committee for sharing your perspectives, insight, teachings, history lessons, cultural values and ideals of what Shinnecock Governance was, is, and should be. I am truly humbled by your openness, perseverance, hard work, trust/faith and dedication to the wellbeing of our Nation and the direction of our leadership. Tabutne for allowing me to listen, learn, share, and participate in the process.

Tabutne and Tsehdiya' to the IGOV faculty and staff for all of your help and support along the way. Special thank you's to Taiaiake Alfred for your guidance, insight, and understanding as my Faculty Supervisor and mentor since IGOV day one, and to Jeff Corntassel for your perspectives, support, and encouragement pre IGOV and during our coursework terms. I truly appreciate the opportunity to let the axes of scholarship and the work in our home communities intersect in a meaningful way.

And, last but not least, fam of the IGOV Cohort 2011-2012, I am happy to know you and so thankful we were able to grow together through the Indigenous Intelligencia. Tabutne and Tsehdiya' for sharing your words, thoughts, dreams, feelings and battles to restore some right/rite to this world. I wish you all nothing but the best, keep on keeping on!!

-PREFACE-
Mamoweenene

Although we have not had a fluent, native speaker of the Shinnecock language since the early 1800's, revitalization efforts of our Algonquian language have been made a priority by man people over the past decade. However, based on our intense historical trauma and long standing colonial legacies we have endured as a "first contact" people, the reintroduction of Shinnecock language, has also been an uncomfortable transition for some of our people simply because for many, it has remained so unfamiliar for so long. Regardless, much work and dedication has gone into the restoration of our language, networking with our sister Nations has continued as it always has, classes are regularly being held, games are being played, children are introducing themselves, singing, and praying, and the staples of everyday words and conversation are slowly but surely being internalized within our community once again.

One such term that has become commonly used and embraced within the realm of Shinnecock Governance is *Mamoweenene*, roughly translating into "we move together." Found on documents of our Nation's government, within our tribal newsletters, on our website and other correspondence, in conversations, songs, and prayers, *Mamoweenene* resonates strongly. For countless generations, *Mamoweenene* has existed as one of our strongest Shinnecock values, though commonly referred to by our Elders as *togetherness*. Transcending words and language itself, both *Mamoweenene* and *togetherness*, are Shinnecock concepts that have sustained our Nation through the actions, feelings, and compassion shared collectively, taking care of each other and promoting our unity. Whether verbally expressed in English or in

our Shinnecock language, moving together is something we have always attempted to maintain through forced assimilation and nearly 500 years of settler encroachment in our territory, *Mamoweenene* has been embodied as Shinnecock *togetherness*.

Kelly Dennis, an up and coming Shinnecock attorney and scholar has argued that, “it is important for tribes to have codified traditions and values as well as have institutions that are supported by cultural values.”¹ *Togetherness* has remained as an integral Shinnecock cultural value. Since time immemorial, from pre-contact to our present day political affairs, the Shinnecock Nation has been governing itself by traditions and cultural values held through oral tradition, never actually compiled and codified in an “official” form. Having a very unique history, living with the oldest English settlement of what is now known as New York state in our traditional territory of Long Island, existing as a non-federally recognized “first contact” peoples of the East Coast, with limited interactions and dealings with the actual institution of the United States of America, the Shinnecock Nation has functioned well, adapting as necessary to maintain its tribal culture, land, and loyalty of its people.

However, our more contemporary history, of the past few decades has become quite interesting, shifting into a new era of leadership, priorities, and changes – different from anything we have experienced before, especially with increasing interactions and pressures of external entities and western value systems. Therefore, it has become imperative that we are protecting our Nation, our traditions, and our Shinnecock values, as we enter this new era. Although a

¹ Dennis, Kelly. Undergraduate Thesis: “Intra-Tribal Conflict in Northeastern Native American Tribal Governments and the Impacts of Federal Recognition.” 2007.

constitution is in fact a western construct and many of the reasons we are at this crossroads are because of foreign, non-Shinnecock obstacles, complications and controversies our current reality is suggesting that this method of codifying our ideals, values, and traditions has been identified as a vital next step for the growth of our current Shinnecock Governance structure.

“A tribal constitution is the primary and formal establishment of a tribe’s sovereignty and definition of who they are as a people,”² and it is with this understanding that the Shinnecock Nation has been engaging in the process of establishing a Constitution for the last decade, honing in on it’s ratification over the past year. A Constitution of the Shinnecock Nation would be one way to establish this notion of sovereignty with the flexibilities to challenge our own ideals, values, and traditions to remain at the core of our guiding principles, while so many other Indigenous Nations have not had the privilege to do so, based on impositions of the Indian Reorganization Act (1934) and other limiting, assimilative, western-dominated governing structures.

Further, the late Lakota scholar and activist, Vine Deloria Jr. has asserted that sovereignty allows Indigenous Nations “to determine their political status and freely pursue their economic, social, and cultural development... [allowing a Nation] to determine its own future by determining its own form of government, laws, and policies.”³ We are engaging in the establishment of a government structure that fits us in essence - our traditions, culture, values, and community realities. Unique in

² Ibid.

³ Deloria, Vine. *American Indian Policy in the Twentieth Century*. Norman: University of Oklahoma Press, 1985. 42.

our history and continued presence on our ancestral territory as a people of the East Coast, where European contact first began, there are many values we held onto greatly that have sustained our Nation thus far. These are the values we wish to remain essential in the process of determining our own form of government, laws, and policies.

Values such as *togetherness, faith, love, loyalty, reciprocity, and protection of our lands* are of the cultural and traditional aspects that have been embodied in the positives of what we know Shinnecock Governance to be today. This Community Governance Project is a discussion of the process of revising, drafting, establishing, presenting, with hopes of eventually ratifying a Constitution of the Shinnecock Nation that is reflective of who we are, with a vision of the Nation we wish to be.

Through personal reflection and my own Shinnecock self-location I set the stage for discussing The Process itself. Utilizing the words of our Shinnecock tribal members, leaders and community members⁴, as well as the discussions, experiences, challenges, and successes we, as a Nation, have achieved through this year, The Process is put forth to discuss the values, perspectives, and ideas of Shinnecock Governance as we know it to be and the positive aspects of what it once was. Finally, The Project, briefly details the contents of the working Draft Constitution #15, the newest version to date, discussing issues that have come up and identifying the Shinnecock values that are reflected within it, as we prepare for it's mass

⁴ Throughout the pages of this written component of this Community Governance Project anonymous quotes from a diverse group of Shinnecock people are highlighted as reflections, issues, ideas, and visions of Shinnecock Governance. These quotes were compiled through meeting minutes and Shinnecock Governance Project reports.

distribution to every household on the Shinnecock Indian Reservation in our near/immediate future.

Collectively engaging in interviews, reports, research, trainings, Governance Committee Meetings, and Community Constitution Meetings/Workshops, we have been working diligently to formulate a Constitution that can move us along together as a strong Nation dedicated to the regeneration of our “indigenous relationships through reconnections to language, homelands, sacred histories, and ceremonial life” for these are the “true powers of indigenous self-determination.”⁵ With recent developments of government expansion, engaging in the Federal Acknowledgement Process, dealing with matters of Gaming and economic development, it is imperative that we continue to move forward together in a good way. This is a discussion and examples of how we have been working to do so, hoping to reflect the teachings of our Ancestors and the values of our Elders.

⁵ Corntassel, Jeff. 2008. *Forced Federalism: Contemporary Challenges to Indigenous Nationhood*. University of Oklahoma Press, Norman, Oklahoma, USA (See page 148)

-PRELIMINARIES-
Shinnecock/Na:Tini-Xwe' Self-Location

On special occasions I rock a necklace made of dentalium and wampum. Paired interchangeably with either earrings of wampum or dentalium depending on the day, the territory I'm in, and the purpose of breaking out the "bling," – this is the ensemble I wear most often that represents my indigeneity in its wholeness. Living through nearly a decade of ceremonies, celebrations, services, lectures, songs, conferences, powwows, and journeys, it is one of the "Shinni-pa" pieces my own hands have strung together. It is a necklace that so far, has only been worn by the only two Na:Tini-Xwe' (Hupa)/Shinnecock hybrids known, myself and my younger sister, and our Shinnecock mother who has been happily married to our Hupa father and the people/place he comes from for a quarter of a century.

It is one of the pieces my mom will touch, admire, borrow and return only to say, "oh my confused children" with a smile. Always quick to respond, we remind her that "it's their fault" for raising us in the way that they did, with close ties to two homes, two communities, two ways of being Indigenous. On the west coast I am a Na:Tini-Xwe'/Shinnecock Woman from Hoopa, California and on the east coast I am a Shinnecock/Na:Tini-Xwe' Woman from Long Island, New York, and countless other variations of the two, everywhere in between and beyond – but there is always acknowledgement of the two.

Growing up primarily in my father's territory of Na:Tinixw, the Hoopa Valley Reservation of Northern California, I have been very blessed to be immersed in my Hupa/Na:Tini-Xwe' family, people, community, Nation, land, villages, ceremonies, songs, language, laughter, and love most of my life. However, I have

also been equally blessed to have a Shinnecock mother, a late Shinnecock grandmother, Shinnecock aunties, uncles, and countless cousins that have helped to raise me and continue to teach me many of our Shinnecock ways and values during our countless visits, powwow weekends, summer stays, and my months moved home in my young adult life. I come from two tribal communities that have always been and continue to be inextricably linked to their homelands, where we have been of the few and fortunate to remain in our traditional territories despite their respective histories of settler-colonialism as Indigenous peoples of what is now known as the United States of America. I come from two communities that exist as both the people and the place.⁶

It is from our Shinnecock lands and waters that I have situated myself again, with the support of my families and the guidance of the Creator, to continue working with our people, who are always in my heart no matter where I am. Humbly, I've come home, knowing that I have a perspective that is not pure Shinnecock and that I am constantly learning more and more of what it means to be Shinnecock from Shinnecock and to live Shinnecock. It is fact that I have not lived on Shinnecock for a period of more than six months at a time, knowing that for the majority of my childhood I've grown up amongst Na:Tini-Xwe' immersed in Na:Tinixw ways of being; that my mother went back and forth between Brooklyn and Shinnecock as a child; and that there are many Shinnecock people that do not know me beyond acquaintances, "that's Eva's daughter/Marguerite & Josephine's

⁶ Na:Tini-xwe' of Na:Tinixw - the Hupa people of the place called Hoopa; the Shinnecock people of the place called Shinnecock.

niece,” and polite hello’s to those who recognize the familiarity of my “Shinnecock face and features” inherited from my mother.

However, I also come home humbly knowing that since my birth, I have had a continuous connection to the people and place of Shinnecock. My Shinnecock mother has taught me the importance of our lands, our waters, and the power of prayer. My Shinnecock grandmother raised me to know and love our Shinnecock ancestors, of Shinnecock women’s roles, of togetherness, family, faith, and what it is to give our best to our people. The majority of Shinnecock people I am closest with are and were of my mother’s and grandmother’s generations. I have danced at our Shinnecock Powwow since I was able to walk; I have helped serve, set-up, cook, clean up, and worked for our people at gatherings in The Center, at The Church, at cultural classes and practices; I have prayed, swam, and clammed in our waters; walked, played, and prayed in our woods; I have sat in tribe meetings/council meetings/committee meetings since I was a child; and I have never introduced myself omitting my Shinnecock heritage. I am forever grateful to my family and people and lands for raising me in such a beautiful way – that which is Shinnecock and Na:Tini-Xwe’ as I know *both* ways to be.

Ngugi Wa Thiongo, world-renowned African scholar, has said that “how we see a thing – even with our eyes – is very much dependent on where we stand in relationship to it.”⁷ No matter if we are researching, writing, or speaking, our perspectives are most definitely relative to our environment and experiences. Particularly, as Indigenous peoples, there are numerous worldviews and value

⁷ Wa Thiongo, Ngugi. 1986. *Decolonising the Mind: The Politics of Language in African Literature*. East African Educational Publishers, Nairobi, Kenya, (See pg. 88)

systems that we may or may not inherit as Indigenous individuals from our respective collectives. These perspectives and positional understanding of our relationships to others, and our surroundings, influence our ideas and often dictate our ideals. It is with this understanding that I have come to realize that a researcher's paradigm⁸ can only exist on a personal level.

I believe my own paradigm exists as that of a Shinnecock/Na:Tini-Xwe' woman who attempts to situate herself closely to the community perspectives I come from, based upon the cultural understandings and teachings I have been blessed to be raised with and continue to grow into. It must also be noted that my own personal paradigm can look quite different from any other individual in either one of my communities on the Hoopa Valley Indian Reservation of Northern California or the Shinnecock Indian Reservation of Long Island, New York, for my bi-coastal tribal make-up has influenced my self-location and identity greatly.

Additionally, I am a daughter of a Shinnecock woman, partially raised by a Shinnecock grandmother, and fiercely protected by Shinnecock aunties and it is with this lens that I move forward to initiate a discussion of what Shinnecock Governance and the potential for governance reform and policy development may look like for us here on the Shinnecock Indian Reservation. By way of Shinnecock women, it should be stated that I also have a perspective that is possibly slanted in its worldview, simply because I am a Shinnecock woman operating mostly within circles of other Shinnecock women, and it is a fact that the majority of meetings, workshops, and gatherings I have attended pertaining to this project, the

⁸ See further discussion of Indigenous Research/ Indigenous Research Paradigms in works such as *Decolonising Methodologies* by Linda Tuhuwai Smith, *Remember This!: Dakota Decolonization and the Eli Taylor Narratives* by Waziyatawin,, *Research is Ceremony* by Shawn Wilson, and others.

demographics have usually been dominated by a female presence. This is not to disregard the love, appreciation, respect, or meaningful relationships that I have with my Shinnecock uncles, brothers, cousins, and male friends from this place, this is simply to acknowledge the fact that my personal paradigm as an Indigenous person is gendered, mostly by our own traditional, cultural, and social norms of Shinnecock.

We call ourselves people of the Stony Shores, and I as an individual human being, and as a woman who is not only Shinnecock, and who has not been raised primarily in Shinnecock territory, I only represent one small pebble amongst the thousands that are forever moving and changing with the tides and seasons of our homelands. Through this process, and the majority of my life and scholarship, my priority remains, as a human being, attempting to maintain a path like that of the spiritual giants that have come before me (inspired by my ancestors), accountable to those that have raised me (my peoples of the present), and acting with hopes of bettering the realities of those that have yet to come (our future).

Utilizing my own understandings of what it means for me to be a Shinnecock and Na:Tini-Xwe' woman, maneuvering within the settler-colonial context of a Western university to acquire a Master's degree, I present my following perspectives, narratives, and experiences. Specifically, aiding in the process of Constituting our Shinnecock values and engaging in matters of Shinnecock Governance, working at home, at Shinnecock on my Community Governance Project, I hope to reflect many of our worldviews, lessons, and aspects of love that have been shared with me over the duration of this project as well as my lifetime.

These are teachings we have been taught to fiercely hold on to as Shinnecock people, and therefore we have attempted to maintain their centrality in all aspects of reviewing and restructuring our Shinnecock Governance structure. This worldview influences “how we see a thing” on every circumstance, issue, or topic, including policy development and tribal governance.

A legacy has been left behind by our grandmother Eva H. Kellis Smith, based on her love for Shinnecock, constant compassionate action, generosity, fierce faith and fearlessness – *it is our turn*. “Give the world your best and the best will come back to you” was one of the many words of wisdom our Gram passed down to everyone who was from and came into our Shinnecock household. Named for a Shinnecock woman, I am Erika (K for Kellis) Eva (continuing the tradition of a Shinnecock woman named Eva for at least five generations back), attempting to give my best, to my family, to our people, to our community, and to the world hoping to perpetuate the togetherness our Elders speak of, to continue living by the Shinnecock values passed on to us throughout the generations, and to love our Shinnecock lands and waters that our ancestors taught us to fiercely protect. Having the opportunity to put forth my own personal observations, experiences, perspectives, ideas and truths of what I know Shinnecock to be and hoping to aid in the facilitation and creation of the foundational documents of our Nation, I submit this Community Governance Project in a good way as we enter into a new era of Shinnecock Governance.

Humbly, I write. I write with the reflections of my upbringing surrounded by my elders, teachings, land, laughter and love felt at our kitchen table, on the beach,

out in the woods, or in The Center⁹ during my countless visits, stays, and memories of being home on Shinnecock.

I write to remember.

I make rite (ceremony) to remember.

It is my right to remember.¹⁰

Mamoweenene – moving along together we embark on a journey of reflection, growth, and empowerment, “remembering the qualities of our ancestors and act[ing] on those remembrances”¹¹ to make right, so that we may continue to maintain a strong sense of Shinnecock Governance and the values, culture, and traditions that have comprised and evolved into this structure.

⁹ The Shinnecock Indian Nation’s Community Center where most events, gatherings, meetings, take place, which is physically located “in the center” of the Shinnecock Indian Reservation, NY.

¹⁰ Moraga, Cherie. 2011. *A Xicana Codex of Changing Consciousness: Writings, 2000-2010*. Durham & London Duke University Press, Durham, North Carolina, USA (See pg. 81)

¹¹ Alfred, Taiaiake. 2009. *Wasase: Indigenous Pathways of Action and Freedom*. University of Toronto Press, Toronto, Ontario, Canada Kuhn, Thomas S. (Assigned Excerpt) *The Structure of Scientific Revolutions*. (See pg 32)

“Shinnecock cultural values are the most important of all”

“ We have a strong love for each other”

“Very important for the people to understand what duties are delegated to who.”

“Mamoweenene”

“I love my nation and I love my people”

“To protect the land and the people, To act on behalf of the Nation”

**“We can fight the best fight with one another,
but when someone picks on us from outside we come together.”**

“We are all volunteers, we give and give and give”

“Sovereignty means the people have the capacity to govern themselves, sovereignty means that we handle our business, that we have the power to make a decision”

“They do the best with what they have”

“We have a growing population”

“Now we’re dealing with more decisions to be made”

“With women having a voice, things get done.”

-INTRODUCTION-***By Way of The Spiritual Giants That Have Come Before Us***

Growing up, my mother, a Shinnecock woman, would often speak of “Spiritual Giants” – those that have remained strongly rooted to who we are as Indigenous peoples based on our spirituality and traditional values. Usually, sparked by a conversation or a memory having to do with my late Shinnecock grandmother and/or great grandmother, she often thinks of those having hearts of compassion and great trust in the mysterious ways of the Creator. Her knowledge passed on as teachings meant to allow for us to recognize and attempt to move forward in a good way as Spiritual Giants in our own right/rite. Paying homage to the spiritual groundings that existed and continue to exist in our communities, exemplified by the long lines of fearless survivors who remained true to our essence of being through the numerous adversities our people have faced – we have an inherent strength passed down from our ancestors.

As Shinnecock, people of the Stony Shore, we are a “first contact people” of the East Coast, enduring interactions with European colonialism in its purest form since the 1500’s, predating settler-colonial-states. However, in the face of over four hundred years of constant encroachment we have resisted and remained on our ancestral lands where we were born as a people at the time of creation, despite the significant downsize of our territorial spans. We are a heavy praying people. As the settler villages and townships around us developed into the Hamptons, housing the holiday homes and summer estates of the wealthiest people (by Western monetary

standards) – amongst millionaires, miraculously “we are still here.”¹² We are of Spiritual Giants. Xicana (Chicana) artist, activist and scholar Cherrie Moraga has asked the critical question:

How do we become warriors of peace... when there is little spiritual discipline to our struggle; when we have forgotten to pray daily, as our foremothers knew, not out of some perverse martyrdom, but from a relentless commitment to compassionate action?¹³

Compassionate action, grounded in our spiritual beliefs and practices, is what our communities have always existed as at our cores. I believe that it is this commitment to the Creator and the teachings of the Creator that have continued to sustain our Nation despite the odds aligned against us, for without our spirituality and compassion as Shinnecock people, we are nothing.

As human beings, and particularly indigenous peoples, we become unbalanced when we forget to acknowledge, respect, and love our spiritual connections that exist in everything we do. These spiritual connections flow through our bodies as reflections of our ancestors and are reminders of the ways in which the Creator intended us to live. Traditionally, we existed in a way of responsibility and purpose, guided by a deeper consciousness of relational interconnectedness, understanding the larger picture of every action having a reaction. Our ancestors acted with distinct reason, understood holistic impacts of such actions, and relied heavily on prayer and a rooted connection to our cosmos to guide our lives and

¹² <http://www.shinnecocknation.org/history> accessed November 2012

¹³ Moraga, Cherie. 2011. *A Xicana Codex of Changing Consciousness: Writings, 2000-2010*. Durham & London Duke University Press, Durham, North Carolina, USA (See pg. 62)

lifestyles. Our knowledge of self and knowledge of our collective existence was sacredly valued, respected and protected as such.

Moraga has gone on to say that “the material world of oppressions cannot break us because spiritually there is an ‘us.’”¹⁴ Although forms of our spirituality may have changed or endured transition, thankfully, this constant state of spirituality existed as the norm of our Nation for generations. With recent growth, development, and expanding pressures and value systems of the outside infiltrating our community, we are in another critical state of transition and change. We remain as Spiritual Giants, but the challenge lies in the waking of those that have been sleeping. As I have heard it said, we are faced with the daunting task of ensuring a wave of spiritual and cultural renaissance; however, those same people have said we are fortunate because chances are those that have been sleeping have been dreaming of the old ways, of the teachings our ancestors have protected and saved for us. Our values and love of our people and place are present and powerful, especially in times of crisis or loss, we are Shinnecock Spiritual Giants.

Community concerns have been appearing for some years now, as we have been undergoing many changes in our community, governance, and Nation as a whole. Many have been contemplating ways in which we can attempt to sustain this togetherness, commitment to culture, and reciprocal accountability to each other in a way that transcends the times of hardship that we continue to pray are few and far between. Affirmed through interactions I have had the privilege of sharing formally and informally with Shinnecock family member, Elders, community members, and

¹⁴ Moraga, Cherie. 2011. *A Xicana Codex of Changing Consciousness: Writings, 2000-2010*. Durham & London Duke University Press, Durham, North Carolina, USA (See pg. 70)

leaders over my lifetime and during the course of this Community Governance Project, these realizations and ideals are pressing issues we are in the process of seeking sustainable solutions for.

From my Shinnecock home, the house built by my Shinnecock great-grandparents, lived in over the years by five generations of our Kellis family, I sent in my application to the Indigenous Governance Program of the University of Victoria nearly two years ago. The following winter, in our same living room, during a family dinner we brainstormed the endless possibilities and potential of our Nation, spoke of the work that needs to be done, where we could possibly start in matters of our Governance Structure, and what if-ed the idea of fulfilling the practicum requirement of my Master's degree here and how awesome it would be if things all fell into place for positive change to occur from multiple angles, levels, and approaches on a united front. We could sense transition and change approaching and we knew we would try our best to ensure these happenings would occur for the betterment of the Nation and our future generations.

We started planning, and though its been a year filled with ups and downs of trials, tribulation, and triumphs for our Shinnecock Nation we have been working diligently on the many complexities of our Shinnecock Governance Structure, always at the mercy of Natural Laws, the ways of the Universe, and doings of the Creator. It has undoubtedly been a trying year for our people. If there is a lesson that we all continue to learn, it is that in the larger scheme of things we, as human beings, really aren't in control of much, and that must be remembered and respected as we continue to move forward in our planning and political matters.

Though turmoil, unsettled disputes, and conflict can arise and the state of our Nation can appear bleak at times, I am optimistic in light of all of the blessings we have to count, but sometimes take for granted. We remain here and together because as Shinnecock, we haven't fully lost sight of those axes that allow our cosmologies and specific worldviews to guide our unified sense of purpose and place as protectors of our homelands, cultures, and traditional knowledge. And although fears and frustrations may lead us to believe that much has been lost or that our up and coming generations are not connected and cultured in the ways of our elders and ancestors, I remain hopeful in the fact that although human beings forget, our lands and spirits remember. There is hope for all of us to become acquainted and comfortable with our pre-colonial ways of being once again, as well as secure in our contemporary culture that our traditions have evolved into.

Upon returning home, these ways of being and aspects of our cultural values have become more and more apparent to me, for each time I leave home, I am reminded of the beauty that lives here, for the beauty that live in this place, is amplified every time I am away from it. Aiding in the process of transcribing the aspects of this beauty by way of promoting, preserving, protecting, and practicing our Shinnecock values and culture, the focal point of my Community Governance Project became ensuring the presence of our Shinnecock nature within the realm of establishing our foundational governing documents. It has become quite clear that our spiritual understandings are at the foundation of our collective cultural consciousness and therefore it has been our same spiritual understandings that have allowed us to begin conceptualizing our Shinnecock Governance structure and to

prioritize the importance of constituting our Shinnecock culture and values into the “formalization”¹⁵ of our governing policies and procedures.

Our cultures are what Ngugi Wa Thiongo says embody “those oral, ethical and aesthetic values, the set of spiritual eyeglasses” which we come to view our selves and our places in the world.¹⁶ Spiritual eyeglasses on a collective level are embodied in the community cultural consciousness that exists within its peoples and lived through the families, ceremonies, communal gatherings, and cosmologies of those people. Based on our shared history, our traditions and values as Shinnecock people, despite living through a long legacy of colonialism, we have continued to utilize our own spiritual eyeglasses, that which separates us from other peoples.

Although one’s spirituality is a very personal matter and experienced or practiced differently by every individual, I am confident that I am not alone in understanding its importance in all that we do as Indigenous people. Humbly, I can only speak for myself, but I also know that through the countless discussions, feelings, prayers, talking circles, gatherings, and visits occurring within our community aspects of our Shinnecock spirituality are always present, including in matters of Shinnecock Governance. Together, whether working in the setting of a Governance Committee Meeting, a cultural class, a Constitution Workshop, or sipping tea at someone’s kitchen table, we have continued to view ourselves, our histories, our communal ways of being, and our Constitution to be, with our Shinnecock spiritual eyeglasses. This is not to say that we were perfect in our

¹⁵ I am hesitant to utilize this word as formalization has been determined by which set of worldviews, that of our own Shinnecock, or that of external entities and forces.

¹⁶ Wa Thiongo, Ngugi. 1986. *Decolonising the Mind: The Politics of Language in African Literature*. East African Educational Publishers, Nairobi, Kenya, (See pg. 14)

process, for we were far from it, and have the countless drafts to prove it as well as a wide array of structure variations to demonstrate the distractions we've encountered. However, we have been trying our best, and will continue to do so, for we all move together – *Mamoweenene*.

Shinnecock Governance and its Constitution Context

Together, we are moving into a new era of Shinnecock Governance. In January of 2012, the Shinnecock Indian Nation began prioritizing and promoting an overhaul of our current governance structure, reflecting on its history, evolution, efficacy, and vision for the future. With a budget and staff in place, the Shinnecock Governance Project began to focus on achieving these tasks as well as facilitating the process of tribal policy development. Openly working within the construct of what has been normalized as Shinnecock Governance, the *Constitution of the Shinnecock Indian Nation* has become the prominent project by way of open Governance Committee participation, weekly Committee meetings, larger community meetings/review sessions/presentations, drafting workshops, and meticulous working revisions that have continued to build upon the nearly two decade process of its development initiative. Feeling confident in a draft that can be widely distributed to The Nation, by way of door-to-door delivery¹⁷, and presented in hopes of initiating a motion to be put on the floor of a Tribe Meeting for ratification by the people is the ultimate goal.

¹⁷ It is common practice to deliver information, correspondence, upcoming & pressing policy/procedures/issues of the Nation to each household on the Reservation. We plan on utilizing such normalized tactic, as was used in previous drafts of the Constitution and other matters.

Already deemed relevant as a pressing task, the need for a formalized governing document that we can hold each other and our leaders accountable to, was only further illuminated by the “political coup”¹⁸ that has made Shinnecock history earlier this year. Together, no matter the personal views of what was done right and what was done wrong within our own internal political turmoil, it is clear that together, as a Nation, we are in a time of transition. We are changing, facing many challenges, sparking community empowerment, citizen activism and an assertion of what it means to be Shinnecock, what is important to our Shinnecock people, and what rights, qualities, powers, and responsibilities individual Shinnecock people should embody as both citizenship and leadership.

A unifying document of powers, protections and privileges that we can see ourselves in is the vehicle that we are moving forward to utilize. In hopes of protecting the essence of who we are as Shinnecock people, dedicated to our faith and families, remaining closely tied to each other, our shared history, values, and culture are the ideals we attempt to formulate into governing documents that we can be proud of in both theory and in practice, something that Western ways of law have often been unable to achieve.

Building upon the same principles, intentions, and efforts that other Governance Committees have put forth in drafting a Constitution for The Nation, we are hoping to see it through ratification, once accepted and invested in by the people. Those that have gone before us, including those that have been a part of the Constitution process from the beginning (some of those having gone on to be with

¹⁸ This has been a record year of intra-tribal conflict revolving around intertwined issues of leadership, transparency, economic development, sovereignty, and external interactions.

the Creator since it's initiation) or those that have contributed to one, any, or all of the many previous drafts over the years, their work has not been done in vane and we will continue to push those efforts forward in a good way. To those that have sat in endless meetings, workshops, and presentations, together, we are getting closer to achieving our goal of creating a Constitution that we can see ourselves in, that is reflective of the Shinnecock culture and values our ancestors passed on to us through countless generations, one that can sustain our Nation for countless generations yet to come.

Cultures, peoples, communities and Nations are not stagnant. We are a testament to that, especially in terms of our governance structure and its growth (See Appendix B). From the time of European contact in our territory of the Southern Shores of Eastern Long Island, to the English settlement of Southampton (the oldest of New York State) in 1640 to the 1792 New York State Legislature¹⁹ imposition of the Trusteeship Governance Structure which has remained intact since that time, we have a undeniable history and consequential impacts of enduring colonization (See Appendix A). From a time when Shinnecock women were unable to speak or vote in tribe meetings to the formation of community committees, programs and projects spearheaded by the activism, planning, and hiring of women to work directly for The Nation. Or with the establishment of a Tribal Council, Youth Council, and Council of Elders, all fairly new additions to our governance structure²⁰, coming into

¹⁹ Known as the 1792 New York State Law, "An Act for the Benefit of the Shinnecock Indians"

²⁰ The Shinnecock Tribal Council was established in 1993; The Shinnecock Youth Council was established in 1992; and the Shinnecock Council of Elders was established 2009. See full Shinnecock Political Timeline in Appendix A for further detail.

existence starting in the very end of the 20th century, we have undergone significant political changes.

Together as Shinnecock people, we have navigated through colonial constructs and maneuvered to resist the constant encroachment and expectations of extinction for what is quickly approaching five centuries. In his work *Wasase: Indigenous Pathways of Action and Freedom*, Kanien'kehaka (Mohawk) scholar Taiaiake Alfred has stated that "survival is bending and swaying but not breaking, adapting and accommodating without compromising what is core to one's being."²¹ We have been surviving through over two hundred years of a government structure that was not traditionally ours.

"They do the best with what they have..."²²

Traditionally, it is held that decisions concerning the welfare of the Shinnecock people were made by consensus of adult male members²³, which encompassed leadership of headmen, who were closely advised by elders and clan mother figures.²⁴ Since April 3, 1792, the first Tuesday after the first Monday of April (which was around planting season and prime land lease negotiating time) the Town of Southampton devised a three-member trustee system that was imposed by the New York State legislature upon the Shinnecock Nation to elect leadership settlers would be able to deal with in land matters.²⁵ Seeking to "shortcut the consensus

²¹ Alfred, Taiaiake. 2009. *Wasase: Indigenous Pathways of Action and Freedom*. University of Toronto Press, Toronto, Ontario, Canada. (See pg. 29)

²² Tribal Member Quote (July 2012) - Bluestone Strategy Group, Shinnecock Indian Nation Phase I

²³ "Culture & History" <http://www.shinnecocknation.org/history> accessed Nov. 2012

²⁴ Reflected in our current Council of Elders system & matriarchal enrollment provisions. For further discussion see Dennis, Kelly Undergraduate Thesis (2007)

²⁵ "Culture & History" <http://www.shinnecocknation.org/history> accessed Nov. 2012

process” the Shinnecock Board of Trustees has remained as the elected representatives of the Nation to this day.²⁶

Although an imposed form of governance, and nearing the status of “traditional” in the minds of many Shinnecock people, we have collectively internalized aspects of the Board of Trustees governance structure as our own and utilized it to protect our lands we have never lost, maintain our privacy, and to promote togetherness to sustain our continued survival as Shinnecock. As a Governance Committee member had stated, “just because it doesn’t work now, doesn’t mean it hasn’t ever worked”²⁷ and this is illuminated through our continued survival and land base we still maintain today. As an act of survivance²⁸ and standing our ground to actively hold presence, we adapted to make this form of governance work for us, becoming an avenue to engage in acts of resistance over the centuries.

From a more traditional Shinnecock Trusteeship that existed as protectors of our homeland to a new form of Trusteeship that is based on providing the American dream great changes and shifts have occurred within the spectrum of Shinnecock Governance. Regardless, the lingering notion of it’s restrictive colonial constructs have remained and can easily be argued as accountable for the current political turmoil we are experiencing today. It wasn’t until the 1990’s that the electorate was challenged to allow for women’s enfranchisement and it wasn’t until 2007 that the

²⁶ Ibid.

²⁷ Governance Committee Meeting, September 2012

²⁸ for more on survivance, see the works of Gerald Vizenor. “stories of survivance are an active presence” as sited in *Fugitive Poses*

first Trustee election was reclaimed and conducted “at home” on the Shinnecock Reservation “where they will forever remain.”²⁹

“The structure that we have, has kept us in place since 1792, kept our land...”³⁰

Regardless, it was only up until the past three or four decades that this system has worked for us. Before the activism of the seventies, the controversies of the eighties, and the program and governance expansions of the nineties, roles of leadership and laws of the land were clear, and we were operating on a basic level of taking care of each other and our natural world. “Back to the basics”³¹ is where many people of Shinnecock, that have remained continuously connected to our homelands have wished to revert our governance structure and political focus. Therefore, the Trusteeship’s ability to allow our leaders to focus on the basics – the things that are most essential to our cores of being like land and loyalty guided by the teachings of the Creator – there are aspects of this governance system that we wish to preserve and continue to incorporate into our evolving forms of Shinnecock Governance and growing Nation.

Similarly, there have also been positives that have come from newer, tribally initiated introductions of advisory governing bodies like the Tribal Council, Council of Elders, and Youth Council. The task at hand then, is to negotiate the positives of these respective governing bodies and formulate a governance structure that primarily maintains what is essential to our Shinnecock identity and values so that our Nation’s growth may be guided in a good way, as opposed to driven by external pressures, expectations and ideas of what or who we should be. There is much room

²⁹ “Culture & History” <http://www.shinnecocknation.org/history> accessed Nov. 2012

³⁰ Tribal Member Quote (July 2012) - Bluestone Strategy Group, Shinnecock Indian Nation Phase I

³¹ Common Shinnecock phrase used by the “homegrown” men of the older generation.

for the improvement of our past and current Government Structure, and there are many shadows of colonialism within our various advisory councils and authority. We are at an exciting time in our Tribal history as a call for governance reform has been prevalent amongst the community.

“The current form of government does not meet the needs of today”³²

Based on recent reports compiled³³ in collaboration with the Shinnecock Governance Project and based on community surveys and interviews, it seems that there is consensus amongst the Nation regarding the state of our current governance structure, priorities, and progress. Based on the community meetings, presentations, personal interviews, and surveys, patterns of governance issues and priorities have been revealed. The first is two fold, as issues of communication, lack of cohesion, and unclear/undefined roles and responsibilities arose in regards to the respective governing bodies, especially between the Board of Trustees and the Tribal Council. Power struggles, lack of communication, and non-existent cohesion between the different governing bodies have brought our attention to evaluate and hopefully establish a governance structure that can promote a clear, cohesive, and communicative form of Shinnecock Governance. The second is the desire to allow our culture and values to remain as the utmost of importance to our Nation, including engaging in sustainable self-determination so that we may provide for our future generations as well as respect, honor, and appreciate the knowledge of our Elders and the oral traditions passed on from our ancestors. These concerns and

³² Tribal Member Quote (July 2012) - Bluestone Strategy Group, Shinnecock Indian Nation Phase I Report Summary of Findings

³³ See “Shinnecock Indian Nation: Government Reform on Long Island” (University of Arizona, American Indian Studies/Native Nations Institute) Spring 2012 & “Shinnecock Indian Nation Phase 1” (Bluestone Strategy Group) Summer 2012 for further analysis and detailed findings.

constructive criticisms of the current occurrences within our government have been internalized by the Governance Committee and therefore have also attempted to address some of these issues and guiding principles in the Constitution process.

“We are looking for the identification of common goals...”³⁴

Due to the recent rapid changes that have come about with the increase of programming, services, and interactions with external entities, including the Federal Government and investors/developers/business corporations, it is truly of utmost importance to clearly define the direction we wish to grow and govern ourselves. With the arrival of Federal Recognition³⁵ and more opportunities of monetary gain/loss/risk at stake³⁶ the pace of change, challenges, and crossroads are only going to increase as we are adapting to survive once again.

From the times of Turtle Island’s colonization, we have endured changes at rapid rates. Externally seeing the developments of our ancestral territories and the arrival of settlers and their descendants. Internally, we were forced to adapt, assimilate, and accommodate to these changes as a matter of survival – and we have. Thankfully, through this change we have also sustained a certain way of being, living, and taking care of each other by way of maintaining our faith in the Creator and the teachings of our ancestors. Our traditional knowledge that has been transmitted through our families and family networks for generations will tell us

³⁴ Tribal Member Quote (July 2012) - Bluestone Strategy Group, Shinnecock Indian Nation Phase I

³⁵ Officially recognized as the 565th Federally Recognized Tribe of the United States by the Bureau of Indian Affairs as of October 1, 2010. The Shinnecock Nation filed for recognition in 1978, was placed on the Ready for Active list in 2003, and faced many challenges along the way regardless of their NY State recognition predating the United States of America.

³⁶ Especially in terms of Tribal Gaming. We have been engaged in Gaming negotiations with numerous developers and investors for over two decades. And with modern successes of “newly recognized tribes” gaming is now commonly considered intrinsically connected to federal recognition, significantly politicizing the process. For further discussion of gaming and contemporary threats to Indigenous nationhood see *Forced Federalism*, by Jeff Corntassel.

that these transitions were not easy, and much of the change was unjust, but with our commitment to each other and to the essence of what it means to be Shinnecock, we have prevailed.

In our contemporary history and current political situation, we have been experiencing another instance of rapid change – and again we will adapt and endure. In a sense, with our increased interactions with outside governments, entities, and pressures, it is somewhat a second coming, we are facing a new era of colonization that is much easier to be infiltrated within our once isolated homeland. We are in a state of transition, and again it will not be the most comfortable or easy thing we will face, but we must continue together in a good way to ensure the courage and struggles of our ancestors were not endured for nothing. Our struggles and challenges of today are nothing of comparison to the fights of survival that our grandmothers and grandfathers fought for us and this we must remember in our testing times and overwhelming frustration or anger. It is because of them that we are still a people of one of the most beautiful places in the world and it is up to us to maintain this place and the ways of our people for those of our Nation that have yet to be born. In the words of my Gram, in the ways of many of our Shinnecock people, we pray for our Nation often:

I pray that we will find the togetherness and that we will have the strength, and the wisdom and the courage to work together to make this beautiful place a better place.³⁷

³⁷ Excerpt of a Tribe Meeting Convocation, Prayer written & delivered by Eva H. Kellis Smith on July 1st, 2001

Togetheress is what has sustained us and is one of the only things that will continue to. This is what we wish to focus on, perpetuate, and promote as we continue to move forward into a new era. There is great hope for our Nation for there are glimmers of this togetheress that occur in our community every day, especially in times of crisis and need, and in those hardest times we are strong. Just think of the greatness, strength, and wellness that can be achieved if we can affirm our essences of being. Why not further solidify and ensure that these essences will remain a part of Shinnecock by allowing our values and culture to live as the guiding principles within our tribal governing structures, policies, and procedures with the blessings of our elders, based on the guidance of our ancestors.

“we collectively own the land, we should remain collectively involved.”

“the purpose of law is to point to the errors of our ways”

“it is more of a concern of keeping people abreast of what’s going on in our government... you really have to be here, have to participate to know what’s going on”

“how we operate currently does not work”

“we as a board, we need to get very clear in our own heads and be able to discuss this constitution in our own language”

“We get together and vote on it, that’s how we operate”

“We are looking for the identification of common goals”

“The structure that we have, has kept us in place since 1792, kept our land, but has kept us dormant in terms of overall growth.”

“If we are not able to restore some of the civility that was once a large part of this place, a lot of things can disengage very quickly”

“We need to be cautious and careful.”

“There are no clearly defined roles and responsibilities

“If you don’t know your culture, you are lost,
our whole basis is our culture”

-THE PROCESS-
Constituting Shinnecock Values

Based on our own respective familial Shinnecock knowledge and histories, visits with Elders, discussions with community members, and the formulation of our experiences and observations it is clear that there are specific values and ways of being and thinking that we have inherited as Shinnecock people. Wa Thiongo has furthered this sentiment of community culture and values as detailed in his work *Decolonising the Mind*:

There is a gradual accumulation of values which in time become almost self-evident truths governing their conception of what is right and wrong, good and bad, beautiful and ugly, courageous and cowardly, generous and mean in their internal and external relations. Over a time this becomes a way of life distinguishable from other ways of life. They develop a distinctive culture and history.³⁸

Through the oral traditions of our families and community, the intergenerational interactions within committees and at various types of community gatherings it seems clear that in terms of Shinnecock Governance, there are patterns within the stories, memories, and teachings that have been passed on to us, and together these common values contribute to our collective consciousness as Shinnecock people. I am sure there are many more that I may be forgetting or others that I humbly am unaware of all together, but for the purpose of this Community Governance Project and with my involvement in the Constitution process, the following discussion of Shinnecock values are those that I can confidently say are reflected in our working

³⁸ Wa Thiongo, Ngugi. 1986. *Decolonising the Mind: The Politics of Language in African Literature*. East African Educational Publishers, Nairobi, Kenya, (See pg. 14)

drafts, and are aspects of Shinnecock that I have heard from multiple people on multiple occasions in both committee and community contexts.

According to many of the conversations, discussions, time spent listening and learning about what it means to be Shinnecock, the following are cultural values that have contributed to our ideas of Shinnecock traditionalism, governances and sustainable self-determination that have contributed to my own personal conceptualization of what our Constitution should incorporate as matters of importance that protect our essence as Shinnecock people from Shinnecock. These are fluid and based on my own personal truths and opinions but by no means are meant to disregard other Shinnecock values that I may have overlooked or other opinions of Shinnecock people that are much more entitled and qualified to initiate this discussion. This is my humble attempt to contribute to the discussion of the cohesion and clarity we wish our Shinnecock Constitution to provide and perpetuate through the *togetherness, faith, loyalty, reciprocity, love and protection of our lands*, our Elders have remembrances of.³⁹

*"We can fight the best fight with one another,
but when someone picks on us from outside we come together."*⁴⁰

Over time, *togetherness*, is a term that has remained constant in our collective consciousness, especially asserted by our Elders who are still with us today in their eighties and nineties, or those that have crossed over. Though we may tend to focus on the times we go to bat with each other on internal affairs and issues, when times

³⁹ It should be noted that these terms are presented in the ways in which we have heard them. Although we have been in a process of language revitalization for the past five years or so it should be noted that we have not had a fluent Shinnecock speaker of our Algonquian language since the mid 1800's. There are instances of language reclamation as prior discussed.

⁴⁰ Tribal Member Quote (July 2012) - Bluestone Strategy Group, Shinnecock Indian Nation Phase I

get tough and it is necessary, as Shinnecock people, we also know how to stand together, stand our ground, and take care of each other. We are a small community and fostering our familial and extended familial relationships were crucial to our survival and well-being. We have always known that we must take care of each other for our ancestors did not expect others to do so and we do not want to get stuck in a state of dependency now that we have come so far in our history without such expectations of outside forces. Shinnecock sustainable self-determination was based on our own relationships of togetherness.

"I love my Nation and I love my people..."⁴¹

Stories and traditions of *reciprocity* are still presently acted upon and collectively remembered, whether it was the communal building of a house, never returning a dish/pot/plate empty, cooking to feed the community during celebrations or times of mourning, helping those in our community that are in need, delivering fish/clams/scallops/oysters/meat to elders, working in the Powwow food house, defending our lands and our women, trading and making regalia, dropping by, checking on each other and providing for our Shinnecock people. Together we took care of each other. Together we still take care of each other. A small tight-knit community, we hold a strong sense of belonging as people of this place. Alfred, furthers the importance of community and culture that we have maintained:

Participating in a community and culture gives people psychological wholeness, the satisfaction of basic human needs, and emotional

⁴¹ Tribal Member Quote (July 2012) - Bluestone Strategy Group, Shinnecock Indian Nation Phase I

release. It creates and strengthens the connections between people, fostering relationships of mutual support and caring.⁴²

Remaining whole is what we aspire to do, as people, and as a Nation. Maintaining committed to each other and accountable to the good of our families and the betterment of our Nation at large, these are values of togetherness we wish to continue to promote.

Further, part of the relationships fostered by our people, have been not only with each other, but with the land we come from as Taiaiake Alfred also states:

Reflecting a spiritual connection with the land established by the Creator, gives human beings special responsibilities within the areas they occupy as Indigenous people, linking them in a 'natural' way to their territories.⁴³

As Shinnecock people, we have also remained committed to fighting to protect our ancestral lands, acknowledging and opposing the "outright theft"⁴⁴ of our Shinnecock Hills, the dedication and success of the Cove Realty Case of the 1950's, the fierce protection of Westwoods, and the protests of other encroaching threats of developments and degradation over the years.

"To protect the land and the people..."⁴⁵

Without our lands and waters much of our Shinnecock identity would be compromised for we have continuously maintained our relationships with our natural world since time immemorial and that goes unquestionable with our

⁴² Alfred, Taiaiake. 2009. *Wasase: Indigenous Pathways of Action and Freedom*. University of Toronto Press, Toronto, Ontario, Canada. (See pg. 249)

⁴³ Alfred, Taiaiake. 2009. *Peace, Power, Righteousness: An Indigenous Manifest*. 2nd Edition. Oxford University Press, Don Mills, Ontario, Canada. (See pg. 84-85)

⁴⁴ <http://www.shinnecocknation.org/history> accessed November 2012

⁴⁵ Tribal Member Quote (July 2012) - Bluestone Strategy Group, Shinnecock Indian Nation Phase I

whaling traditions, seamen skills, and thankfulness to the land and water for providing nourishment and comfort for our families. Many of our people speak of being “poor” and not realizing it because we were fed and able to provide for ourselves with our plentiful harvests and seafood right off of our shores. This was something we have always protected and deemed as a priority, taking care of our lands and waters for they have taken care of us.

In fact, one elder defined the roles of our Trustee leaders as, “*God fairing men who loved and protected the land.*”⁴⁶ Many people have stories of family members physically protecting the people and our place, whether that was scaring off trespassers and encroachers attempting to fish and hunt on our lands or blocking bulldozers, we come from a tradition of strong resistance to prevent the loss of our lands and our land rights/responsibilities. This leads to a true demonstration of *loyalty, love, and protection* of this place we call Shinnecock.

One of the responsibilities held by the Trustees, in a traditional sense, was to ensure that we were able to keep Shinnecock for Shinnecock people, holding to strict regulations, passed on through oral traditions and community accountability, revolving around who belongs on our lands and who does not. We have all heard of the ways we would look out for each other and our territory, seeing an unfamiliar face or vehicle and notifying the men and leadership of trespassers. Much of our culture has remained because of this commitment to privacy and focus on our own internal affairs and regulation of what/who we should allow in our communities,

⁴⁶ Personal correspondence with Aiyana Smith-Williams following her invitation to an Elder’s Council meeting.

fiercely holding onto the notion of “keeping Shinnecock for Shinnecoctors”⁴⁷ as I’ve heard it said by elder aunties and uncles over time. Shinnecock people live all over the world, but it was left as the responsibility of those that physically live on Shinnecock land to govern and protect the Nation.⁴⁸

“We collectively own the land, we should remain collectively involved...”⁴⁹

Whether as a Trustee, a Council Member, or simply a concerned citizen, our Nation as a whole, those that live on the reservation and those that do not, many generations of Shinnecock people have maintained an active role in our Governance regardless of gender, colonial imposition, or residence, though capacities and forms have varied over time. Traditionally making decisions by consensus, we have evolved into a very participatory government with active tribal members and concerned citizens even within the constructs of the Trusteeship system. Perpetuated by the idea of togetherness and giving our best to our Nation, we have become very involved in tribal politics and concerned with tribal matters and there are both positive and negatives that have arrived with this style of governance.

“We are all volunteers, we give and give and give...”⁵⁰

The *love and loyalty* that the majority of our citizens share is unwavering, demonstrated through the countless hours, time, and efforts worked or volunteered for the sake of the Nation. Although, we may sometimes meet ourselves to death, over think things to the point of inevitable frustration, our willingness and drive to be active in our own tribal affairs, wellbeing, is an admirable quality many other

⁴⁷ As I was reminded in a personal visit with an Elder, October 2012

⁴⁸ As it was told to me in personal correspondence with a 60 year old aunt September 2012

⁴⁹ Tribal Member Quote, Governance Committee Meeting Minutes, October 2012

⁵⁰ Tribal Member Quote (July 2012) - Bluestone Strategy Group, Shinnecock Indian Nation Phase I

communities are envious of. Only a negative when we are creating unhealthy patterns due to over obsessing or stressing, the fact that we are a community that cares is something we should continue to foster and promote for there are endless benefits with a people that continue to maintain relationships with our land, community, culture, and issues of the nation.⁵¹ For generations we have remained closely tied to our community and in many ways giving back and being active has grown into a component of our contemporary culture.

"The tribe considers itself as a big 'family' living together in a modest community"⁵²

Culture is something that a nation is sustained by, and of particular importance to an Indigenous nation, based on the simple fact that their unique culture is what distinguishes them as Indigenous. Cornassel highlights what is essential to the "long-term sustainability of indigenous livelihoods" as transmitting cultural practices to future generations for,

In this broader conceptualization of self-determination is a set of interlocking and reciprocal responsibilities to one's community, family, clans/societies, homelands, and the natural world.⁵³

Further, what is also transmitted as part of the cultural heritage are forms of social organization and relationship dynamics of love and loyalty based on "what rights and responsibilities individuals have as members of families, communities, and

⁵¹ Yellow Bird, Michael. "Decolonizing Tribal Enrollment." In *For Indigenous Eyes Only: A Decolonization Handbook (School of American Research Native America)*. Santa Fe: School Of American Research Press, 2005 (See pg. 180)

⁵² Dennis, Kelly. Undergraduate Thesis: "Intra-Tribal Conflict in Northeastern Native American Tribal Governments and the Impacts of Federal Recognition." 2007. (See pg. 102)

⁵³ Cornassel, Jeff. "Toward Sustainable Self-Determination: Rethinking the Contemporary Indigenous-Rights Discourse." *Alternatives* 33 (2008): (See pg. 118)

cultural groups as a whole.”⁵⁴ We are after all a big family of Shinnecock people, and it has become more and more prevalent that “you have to have strong families before you can have strong communities, before you can have a strong nation” as Atsehaienton was quoted in Alfred’s work *Peace, Power, Righteousness*.⁵⁵

Strong and healthy families are ultimately what we hope to promote with the ratification of a Shinnecock, solid, concise and cohesive Constitution. It is through the family that grassroots movements have been historically started here on Shinnecock. It is through the family that our values, traditions, and culture went underground when we needed to survive yet still transmit aspects of who we are as Shinnecock. It is through the family systems that we hope to allow for the understanding, acceptance, and investment in a Constitution of the Shinnecock Indian Nation that our people can be proud of on a household-by-household basis. When we unite together, we are strong and our voices loud as we have asserted this summer. It is through a constitution we wish to further perpetuate leaders, citizens, and future generations that will maintain the *togetherness, faith, loyalty, reciprocity, love and protection of our lands* that have endured as our Shinnecock culture and values.

Relevant Reflections of Ourselves

In his work, *Decolonising the Mind*, Ngugi Wa Thionog’o explicates the art of Drama as something “closer to the dialectics of life,” a means for expressing and

⁵⁴ Batalla, Guillermo Bonfil. *Mexico Profundo: Reclaiming A Civilization*. Austin: University of Texas Press, 1996 (See pg. 20)

⁵⁵ Alfred, Taiaiake. 2009. *Peace, Power, Righteousness: An Indigenous Manifest*. 2nd Edition. Oxford University Press, Don Mills, Ontario, Canada. (See page 132)

relating to the realities of the people participating.⁵⁶ Similarly this realness and relevancy seem to be the missing link in the numerous forms of governance, law, and policies that exist in many Indigenous communities today. Much of the legal jargon and imposed ideals of the settler society political culture do not align with the realities of Indigenous life ways, values, or worldviews. There are most definitely vital policies and processes that must be deconstructed or reconstructed to reflect the most essential aspects of Indigenous realities.

A blessing that must not be taken for granted is the fact that due to our unique history and recent recognized relationship with the federal government, we have the ability to bypass many of the oppressive, imposed aspects and processes so many Nations have undergone with the likes of the Indian Reorganization Act (IRA) of 1934 and other pressures of adopting and structuring governance solely on the terms of the colonial settler government. IRA model constitutions often became the final product for many nations and “homogeneity rather than usefulness consequently became the virtue.”⁵⁷ We are fortunate to have the opportunity to have much more flexibility to operate within this process than say another Nation who was “organizing” their contemporary governance structure in the 1940’s.

Driven from within, as a Nation we are confronted with the critical questions and priorities of aligning our documents and government structures with the dialects of Shinnecock life as we know it to be, rooted in relationships of togetherness, spirituality, and other cultural values previously discussed. Often,

⁵⁶ Wa Thiongo, Ngugi. 1986. *Decolonising the Mind*. East African Educational Publishers, Nairobi, Kenya. (See page 54)

⁵⁷ Wilkins, David. 2002. *American Indian Politics and the American Political System*. Rowman & Littlefield Publishers, Inc., Lanham (See page 135)

western laws alone are inadequate in their ability to serve as relevant and culturally appropriate constructs our communities should operate within. The constant clashes that exist between laws that look a great deal like those of settler-nation-states and the values, culture, and taboo of our own traditional indigenous knowledge systems, exist when aspects of identity and culture are being questioned or placed at risk of compromise. Although, we are engaging with a western construct of a formalized Constitution, we have the opportunity to initiate, engage, and be critical of that we wish to incorporate and that we wish to reject.

Through this process, and engaging with it at this present time, we have the opportunity of focus on the preservation, promotion, and practice of our Shinnecock culture and values as the guiding principles of our governing documents and structure, as opposed to the external forces that have historically denied those factors in many instances of other Tribal Constitutions.⁵⁸ Laws that are nearly indistinguishable from those of settler-colonial governments, are unable to fully protect our people and promote our cultural values within Indigenous community contexts when the formalized laws, policies, and procedures are placed as more relevant and powerful than our own customs and traditions.⁵⁹ For effective tribal laws, governing documents, procedures, and policies to exist within our communities we must start from our own ideas of our selves, our strengths, and our

⁵⁸ Even in the research of finding inspiration or models used by other Indigenous Nations, the amount of truly decolonized/indigenous threads throughout their policies and constitutions were very sparse. Even those incorporated after IRA era were still very IRA-esque in their own right, lacking flexibility and cultural specificity.

⁵⁹ For further discussion see Osorio, Jonathan K. "Ku'e and Ku'oko'a: History, Law, and Other Faiths" *Hawaiian Journal of Law and Politics*, Vol 1 (Inaugural Issue, Summer 2004), pp 92-113. See pg 112.

core values of maintaining our relationships to each other, to our teachings and to our territories, remaining loyal to the voice of our community perspectives.

Attempting to aid in promoting these voices, the Governance Committee and Shinnecock Governance Project have remained committed to establishing forums in which leaders and community members alike have had the ability to participate in the process of drafting, revising, and reviewing the many drafts of the Constitution. By way of open invitations and public postings of meetings, presentations, and workshops we have had an array of participation that has continued to build upon the years worth of other participants and perspectives the Nation has put forth on the matter of establishing The Constitution of the Shinnecock Nation. Also engaging in formal and informal meetings, discussions and visits, in varying places around our reservation, from The Community Center, to the tables of the Cultural Enrichment Center, within meetings of the Council of Elders,⁶⁰ in living rooms and around kitchen tables this has been an intergenerational, community endeavor of Shinnecock people, acquiring perspectives of different genders, age groups, religious/cultural affiliations, community connectedness, levels of traditional knowledge, experiences, and even residence.⁶¹ We have continued to adjust and readjust based upon the voices of the Nation as the goal has been to formulate a document that we can stand together for, united by what we collectively believe to be our cultural values, priorities, and governing processes as Shinnecock people.

⁶⁰ Council of Elders meetings are closed meetings and if you are not a member, a Shinnecock person over the age of 55, you must be invited to attend/present.

⁶¹ As Shinnecock Governance maintains, voting members of the Nation are only those that reside on the reservation. It is worth noting that the activism of off reservation citizens is an up and coming issue of contention that will need to be addressed by way or incorporation if the Nation sees fit.

Our Shinnecock voices are the voices that matter most and can be found within the pages of this project⁶² as well as in translated forms included in the working draft of *The Constitution of the Shinnecock Nation*.⁶³

Similarly, Wa Thiongo, in efforts of empowerment, has asserted, “all things are to be considered in their relevance to our situation and their contribution towards understanding ourselves.”⁶⁴ Testing our discipline and ability to remain committed to this notion of Shinnecock-centricity during this process of the past year (and previous years) we have been seeing an increase of interactions with outside consultants. Varying in their respective areas of “expertise” and experiences within different arenas, from non-native non-profit organizations to “nation building” academics and students, or Indigenous “strategist groups” to former chairpersons and tribal administrators from many regions around the country, every group had their own investment and ideas of what was right for Shinnecock. Rudely awakened, in a necessary way, The Governance Committee was faced with outright disapproval and even rejection at times, for there were moments we forgot ourselves that “what may have worked somewhere else will not work for us.”⁶⁵

It was interesting and humbling to see the pressures, worldviews, and IRA Constitution norms, or surface level nation building tendencies to appear not only in their respective presentations to us, but more so alarming when we would find their

⁶² The voices of the Nation can be found on throughout, including the quote pages on pages 17, 34, and 53.

⁶³ The DRAFT Constitution of the Shinnecock Indian Nation is omitted from the published draft of this CGP as it has not been ratified by the Nation nor is it complete in its edits thus far.

⁶⁴ Wa Thiongo, Ngugi. 1986. *Decolonising the Mind*. East African Educational Publishers, Nairobi, Kenya. (See page 94)

⁶⁵ A general consensus of Shinnecock Tribal Members in attendance at the Constitution Community Meeting held at the Center on September 17, 2012

foreign infiltrations into our own Drafts and structures. Thankfully our openness and community participation allowed us to keep grounded and refocus back on using only what is useful and relevant to us above all else. Within the few months alone, I can account for the evolution, drafts, revisions, changed terminology, structure, protections, and councils of at least five full drafts with various smaller edits in between. From August to November, from Draft #10 to Draft #15, we came full circle, remembering to get back to the basics of who we are and grounding our Articles and Sections back to the Shinnecock values and culture we want to maintain as our core guiding principles, those that have transcended generations and make up what we know as the essence of Shinnecock Governance.

We must have faith in our own Shinnecock ways of being, understanding what it means to be Shinnecock and act accordingly, even when it comes to drafting codes and policies. The law, no matter how “tribal” it is on paper, cannot replace our own faith in our customs and traditions and we must do our best to allow for those to hold precedence within these formalized documents. As one active Governance Committee member stated, “when it pertains to sovereignty, you said you’re a tribe so deal with yourself.”⁶⁶ Turns out it is much easier said than done.

There are many instances I can think of, especially in the realm of our tribal political issues and matters, that we find ourselves in similar situations, questioning the relevancy or the righteousness of our own worldviews, practices, and abilities. Based on our historical traumas and interactions with colonization it is sometimes easy to forget that, “as Indigenous Peoples, we have the power, strength, and

⁶⁶ Tribal Member Quote, Governance Committee Meeting Minutes, September 2012

intelligence to develop culturally specific decolonization strategies relevant to our own communities."⁶⁷ Together, we must remember that although we have made mistakes along the way, and individuals have sometimes made poor choices as human beings, we in fact have the ability to remember what is right for us, remaining resilient in the face of those wanting us to break, those waiting for us to disappear.

We are not going anywhere and we do in fact have the rights, abilities, and capacity to incorporate our traditional worldviews and values into our governing documents, structures, programs and services and as Corntassel and Alfred have said, "we do not need to wait for the colonizer to provide us with money or to validate our vision of a free future,"⁶⁸ we simply need to find a starting point and do it. This is not a new notion as we have participated and achieved in many grassroots endeavors. As the official website of The Nation celebrates:

Despite setbacks, we have managed to build a community to help us better meet the demands of an ever-expanding and intrusive world. In addition to the Shinnecock Presbyterian church building and its Manse, a tribal cemetery, and our Powwow Grounds, our infrastructure includes a tribal community center, a health and dental center, a family preservation and Indian education center, Senior Nutrition and social space, a museum and cultural center, and playgrounds for our children.⁶⁹

⁶⁷ Waziyatawin, and Michael Yellow Bird. 2005. "Beginning Decolonization." In *For Indigenous Eyes Only: A Decolonization Handbook* (School of American Research Native America). Sante fe: School Of American Research Press, (See pg. 3)

⁶⁸ Alfred, T. and Corntassel, J. (2005), "Being Indigenous: Resurgences against Contemporary Colonialism" *Government and Opposition*, 40: (See pg. 614)

⁶⁹ <http://www.shinnecocknation.org/history> accessed November 2012

Most, but not all programs listed⁷⁰, namely established during the wave of community empowerment, government restructuring, women enfranchisement, and tribal activism we have achieved great successes for our Nation. Before casino pipedreams and federal recognition we were busy, self-motivated, and successful in identifying goals and working towards them.

Regardless of the recognition by the Federal Government or any other foreign entity, that is another value we strongly embody, as many of our elders felt secure in knowing and understanding that “we are who we are”⁷¹ regardless of what other institutions or people may believe or conclude. We must embody this security in our selves and our ways once again in everything we do. We have many things to be proud of with the teachings of our ancestors, the love of our homelands, and the ways of our culture to fall back on. Many of the hardships, obstacles, and struggles our people are faced with today in our community are in fact products of our long line of colonial legacies as well as direct results of contemporary settler-colonial legacies of encroachment and increased interaction with different entities and values systems. Though we are very fortunate on many levels surrounded by many beautiful and positive aspects of our community, it is also a reality that there is much healing to be had in our homelands.

In his work *The Colonizer and the Colonized*, Albert Memmi has said that “what is clear is that colonization weakens the colonized and that all of those weaknesses

⁷⁰ There are other departments, entities, and endeavors not listed that are noteworthy such as: the Oyster Hatchery, Environmental/Natural Resources Department, Cultural Enrichment Programs, the Warrior Society/Young Men of Shinnecock, People of Tradition Programs, Maintenance, Tribal Security, etc etc. For full list see Ibid.

⁷¹ Much of the general consensus, especially of the elder generations, was that “we always knew who we were, we didn’t need a judge or anyone else to tell us” in discussions regarding Federal Recognition and other foreign/external acknowledgements.

contribute to one another.”⁷² Therefore, many of our issues of contention, our internal and external political turmoil, our differences in priorities within our Nation today, and many of our problems of today have come about and existed in a state of interconnectedness. We must begin to act upon ideas, solutions, and visions that will allow for our efforts of sustainable self-determination to exist in a holistic way, unifying the new divisions and outwardly imposed ideas of our Indigenous selves we are having to overcome. Alfred has identified the confusion we have been encountering:

The root of the problem is that we are living through a spiritual crisis...We are divided amongst ourselves and confused in our own minds about who we are and what kind of lives we should be living.⁷³

As a Nation, we are in need of guidance; however, we must also remember that it has remained here for us to tune into when we are ready for it. We must rely once again on our own teachings and values, which are our spiritual understandings of our place and purpose in the world, uniting our peoples through a deeper awareness of self and how that self is to maintain relationships with our families, the Nation, and our homelands.

Shinnecock was and is the place we belong to as Shinnecock people. This community, cultural, and spiritual connection allowed for a sense of responsibility as caretakers of that land and the society we keep here – we are ideal citizens of our own indigenous Nation. Caring, conscious, compassionate and contributing we

⁷² Memmi, Albert. 1965. *The Colonizer and the Colonized*. Expanded Edition Published by Beacon Press (1991), Boston, Massachusetts, USA (See pg. 115)

⁷³ Alfred, Taiaiake. 2009. *Wasase: Indigenous Pathways of Action and Freedom*. University of Toronto Press, Toronto, Ontario, Canada. (See pg. 31)

were all raised to understand the importance and pride that comes with being a member of our tribal nation. We must continue to move forward in a way that will allow us to “perform the sacred duties laid out for us by the Ancestors – to protect, manage, and maintain the Shinnecock Indian Nation.”⁷⁴ As citizens of Shinnecock it has been our responsibility to sustain our nations with specific roles, obligations, rights, responsibilities and understandings guided by the Creator and our spiritual connections to the world we live in and to each other.

This essence of Shinnecock togetherness has not left our homelands or the shores of our home waters – it remains. It simply needs to be remembered more than the few times a year we come together for Powwow, in ceremony or in times of need or hurt. We must awaken the Spiritual Giants that live within ourselves and remember what it is *to be* and *to live* as Shinnecock people so that collectively we can embody all of the positivity, love, potential, strength, fierceness, and purposeful aspects of our complex nation, fostering the relationships and responsibilities we are supposed to embrace and live by. As Shinnecock, we must therefore continue “thinking, speaking and acting with the conscious intent”⁷⁵ of living up to our responsibilities, earning our rights, and contributing in a caring way to the community we come from.

Creating a constitution that can embody these values and visions for our Nation has been the goal. We hope that the following is something that together, as a Nation, we find relevant to our community and ways of being as well as reflective of

⁷⁴ <http://www.shinnecocknation.org/history>, as said by Beverly Jensen, accessed November 2012

⁷⁵ Alfred, T. and Corntassel, J. (2005), *Being Indigenous: Resurgences against Contemporary Colonialism*. *Government and Opposition*, 40: (See pg. 614)

who we are as a people, of Shinnecock values and traditions. The *Constitution of the Shinnecock Indian Nation* has been formulated to simply reaffirm the positives and restructure the negatives of our governing processes so that it may protect and promote our core values as we continue to move together.

“Nowadays, seems as though there is a power struggle between the Tribal Council & Board of Trustees because roles are not clear”

“the comprehensive plan lays out the agenda that the council adheres to”

“The people become the executive”

“Leadership does not provide a vision or anything as far as vision is concerned, and that’s what is missing and why we can’t get on the same page.”

“As we get more funding for federal recognition we are going to need more structure.”

“I know we have the potential to be completely self-sufficient, that should be the ultimate goal”

“It’s hard to move forward if people do not trust.”

“Too many hands in the pot gets to be a problem.”

“Very important for the people to understand what duties are delegated to who.”

“We want to constitution to be understood by our young people, easy for everyone to comprehend, and know how our government is operating”

“... it’s too open, where people come in and manipulate the system for their own benefits”

“keep it simple, easy enough for our young people to know what we do and how we govern”

-THE PROJECT-
Mamoweenene – We Move Together

Objective:

To create a Constitution for the Shinnecock Nation that is relevant to our community and reflective of our Shinnecock Values. To put forth a constitution our people can see ourselves in, be proud of, want to defend, and allow for the facilitation of acts of sustainable self-determination our Nation may undertake.

Very honored to have been working closely with the Shinnecock Governance Project, with the direction of Project Director Aiyana Smith-Williams M.S.W., under the guidance of the Shinnecock Governance Committee, incorporating the feedback, perspectives, and ideals of community members and leaders of The Nation, and acknowledging our strong oral traditions of Shinnecock Governance, we have been working diligently to engage in the process of updating, developing, drafting, and establishing the foundational governing documents of the Shinnecock Nation. It is time to put our progress forward. By way of the *Constitution of the Shinnecock Indian Nation*, let us continue to move together in a good way.

“NNI & Bluestone reports blatantly reference their interviews and findings that state how we operate now is not working for us, that people want more cohesion between trustees and council, and we want to continue to honor the role of the citizen/of the people, as active participants in our government and political processes”

It has been determined that we have a growing population and are now dealing with more decisions to be made. There are unique qualities that exist as Shinnecock Governance, based in oral traditions and cultural values, and these are aspects of who we are that we wish to embody in this governing document. With the ability to empower our people to remain active and aware as tribal citizens of the Shinnecock Nation we have put forth the following working Draft #15. Realizing that this is a work in progress and that items and tasks are still being undertaken to

clarify this document further and to prepare for another round of Community Presentations (like that of a Definitions Section, Clarified Officer Qualifications, a Constitution Review, and further Shinnecock Language Incorporation), there are many places we are able to see ourselves.

A Preamble that has remained fairly consistent since it's first Drafting nearly ten years ago has been deemed a section that is "very us"⁷⁶ reflective of our values, beliefs, traditions, and ideals. In reference to issues of territory and jurisdiction of the Nation, it was realized that we should use this Article as "a tool of empowerment"⁷⁷ recognizing ourselves in the ways of who we are as opposed to what other entities have held for us, especially in terms of New York State and through the Federal Government. We often portray ourselves as "always sovereign"⁷⁸ this is therefore a way to embody this notion. Similarly, we have chosen to blatantly celebrate and acknowledge our responsibilities and rights as people of the water and lands of the South Shore of Eastern Long Island, we have asserted our rightful place where we were born and where we remain.

Terminology and semantics were also issues that arose over the drafting process, mostly telling of our inter-generational working groups. From debates of citizenship to membership, or the continued use of "Trustee" holding its imposed colonial connotations yet familiarity, or having to translate common terms like that of The Nation and Tribe Meeting into updated terms within the constitution, or vice versa. From a three member Board of Trustees and thirteen member Tribal Council to a fusion of the two as a seven member Council of Trustees, the ability to create a

⁷⁶ Tribal Member Quote, Governance Committee Meeting Minutes, September 2012

⁷⁷ Ibid.

⁷⁸ As stated on "The Great Seal of The Shinnecock Indian Nation" as "Algonquian & Always Sovereign"

cohesive, clear, and communicative governance structure is able. What has remained is the “ultimate authority” of the people and our highly participatory governance, which is reminiscent of our traditional consensus based political system.

Eloquently stated at a Community Meeting, “the Nation holds our sovereignty collectively and delegate that authority to our governing body.”⁷⁹ Allowing for the General Council, the eligible voters of The Nation, executive powers such as electing/recalling leadership, approving the annual budget, identifying and adopting a comprehensive plan to hold elected leaders accountable to, and powers of initiative and referendum, our participatory governance ideals are preserved and further perpetuated. Additionally, community members will still have the right and responsibility to participate on Tribal Council committees like that of the Governance Committee that is in existence today (made up of a diverse participation of leaders and tribal members alike).

“Without our elders we are like trees with no roots,” truly reflects the continued presence, guidance, and counsel of our Shinnecock Elders, which has also become a strong component of the Constitution. Acknowledgement of the Council of Elders to act in an advisory component to the Shinnecock Governance Structure, as well as the institution of two seats reserved on the Tribal Council for elders aged 55 years or older as Sachem and Sunksqua strengthens this already existing cultural norm and governance presence. Similarly the identification and importance of the Youth Council has been deemed an important component of the Nation and for the benefit of our Shinnecock young people.

⁷⁹ Community Meeting, Community Center, Shinnecock Indian Res. Sept. 2012

The conflicts from the lack of confidence in the internal administrative capabilities is evidenced from the Shinnecock's lack of tribal constitution that defines their values as a people and protects the rights of members. By lacking an approved constitution, the Tribe opens itself to many of the problems expressed in other independent variables such as equal participation in tribal government affairs, how it will defend itself in external disputes, and how to deal with leadership corruption.⁸⁰

Further fueled by the internal political turmoil that has unfolded this year, the need for a Constitution was magnified. Realizing that we need to be “cautious and careful”⁸¹ in our dealings with outsiders as well as with each other, the need for the accountability and transparency of our leadership is vital and addressed in the proposed governance structure and procedures of Recall, Removal for Cause, and the Code of Ethics that is in the works. Amongst other issues of contention and concern have revolved around matters of establishing Off Reservation Voter Stipulations and other Election matters like who will certify these elections/votes, what specific issues the people will vote on and what will be at the discretion of the elected leaders, and other details that are still in the process of being discussed and addressed.⁸²

As an alternative to bureaucratic structures and decision making institutions, indigenous governance is an ongoing process of honoring and renewing individual and community relationships and responsibilities.⁸³

Although *The Constitution of the Shinnecock Nation* is participating in the facilitation of a pseudo bureaucratic structure and establishing a decision making process for The Nation, this process and its end intention exists as an effort of Indigenous

⁸⁰ Dennis, Kelly. Undergraduate Thesis: “Intra-Tribal Conflict in Northeastern Native American Tribal Governments and the Impacts of Federal Recognition.” 2007.

⁸¹ Tribal Member Quote (July 2012) - Bluestone Strategy Group, Shinnecock Indian Nation Phase

⁸² It is of the general consensus that the off reservation vote issue will not be addressed in this version of the Constitution. It will need to be an amendment made at a further date.

⁸³ Corntassel, Jeff. 2008. *Forced Federalism: Contemporary Challenges to Indigenous Nationhood*. University of Oklahoma Press, Norman, Oklahoma, USA (See page 25)

Governance. Continuing to allow our Shinnecock cultural values to remain at the core of our Constitution and governing ideals, we are renewing the individual and community relationships and responsibilities that live here in our Shinnecock homelands and have been preserved by our Shinnecock ancestors.

Mamoweenene –we are all moving together, soon to be united by a Constitution that we can be proud of, see ourselves in, and stand by. Based on our inherited teachings, Shinnecock life ways and beliefs, and the realities and relevancies of our community, we move forward together. With the guidance of the Spiritual Giants that have come before us, who have instilled the responsibilities and beliefs of *togetherness, faith, loyalty, reciprocity, love and protection of our lands*, “we want the constitution to be understood by our young people, easy for everyone to comprehend and know how our government is operating”⁸⁴ for that is the reason we are doing this.

⁸⁴ Tribal Member Quote, Governance Committee Meeting, October 2012.

CONSTITUTION OF THE SHINNECOCK INDIAN NATION



Governance Committee Working DRAFT
Version #15
Dated: November 19, 2012

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PREAMBLE⁸⁵

Under the guidance of the Creator, in honor of our ancestors, and for the future of our children, we are determined as the people of the Shinnecock Indian Nation, to live and govern with faith, respect, common sense, and compassion. We are the caretakers of the land and waters that nourish and heal us; we learn and teach the values and traditions that have been passed down for generations.

It is with this knowledge that we have established guidelines for governance The Nation. Invoking the wisdom, blessings, and guidance of the Creator, we affirm our faith and assert our sovereignty based on our history and cultural heritage from time immemorial. We, the people of the Shinnecock Indian Nation, do ordain and establish this Constitution for the following purposes:

- . To promote our unity;
- . To ensure and promote the well-being of our Nation;
- . To protect our sovereignty;
- . To defend our freedom of self-determination;
- . To preserve and promote our Shinnecock culture, values, and traditions;
- . To conserve and utilize our tribal lands and resources appropriately; and
- . To advance the common good of the Shinnecock Indian Nation

⁸⁵ The remainder of the Constitution is intentionally omitted from this Community Governance Project. No part of this document is binding and the DRAFT is most definitely subject to change. However, upon ratification, the *Constitution of the Shinnecock Indian Nation* is scheduled to be published on the official website.

**-APPENDIX A-
Land Loss /Colonial History**

“While our ancestral lands have dwindled over the centuries from a territory stretching at least from what is known today as the Town of Easthampton and westward to the eastern border of the Town of Brookhaven, we still hold on to a miniscule section of our original Ancestral lands.”

1640 - Town of Southampton “Settled,” First Deed with the Shinnecock signed

1703 - “1,000 year lease” granting Shinnecock land lease of land west of Southampton and east the Shinnecock Canal at Canoe Place (Present day Hampton Bays)

1792 - 3 Member Trusteeship imposed, calling for all Shinnecock adult males, 21 years and older to nominate, and vote by a show of hands on their “leadership” at Southampton Town Hall every first Tuesday of April.

1853 - Shinnecock men wrongly sued for impounded settler livestock that were destroying Shinnecock crops outside of the leased lands boundaries.

1859 - Based on further encroachment and settler/Shinnecock battles over land, livestock, and leases, as well as the desire to expand the Long Island Rail Road to the East End, 3600 acres of Shinnecock land, including the Shinnecock Hills, were lost by a forged signatures in exchange for the fee-simple deed of the Shinnecock Neck, where the 800 acre reservation is today. Despite a legitimate petition signed by Shinnecock males, the State approved the transfer.

1884- Suit was first filed to reclaim the Shinnecock Hills.

-APPENDIX B-

Partial Contemporary History, 40 Years of Evolution Pre-Fed-Rec Timeline

1952-4 - *Cove Realty Company Case – Successful with the establishment of the Shinnecock Indian Community Group, legal battles, and grassroots action.*

Late 1960's - *Shinnecock Indian Development Board and Steering Committee*

1972 - *Shinnecock Native American Cultural Coalition (SNACC) funded for programming*

- *Shinnecock Senior Citizen's Nutrition Program (Grant Funded 1994)*

-

1974 - *Aquaculture project, Lummi exchange, Solar Powered Facility*

1978 - *Battle for Federal Recognition Begins*

1980's - *"A Shinnecock women's group was established in 1980's to focus on the issues facing the community. The group publishes a newsletter and organizes support for community programs" (53-4) "The increased activity and participation of the Shinnecock women in tribal affairs led them to press for the right to vote in tribal trustees elections"*

1990's - *Gaming begins to be discussed in Shinnecock politics.*

1992 - *Women's right to vote in tribe meetings*

1992 - *Shinnecock Youth Council Established*

1993 - *Women's right to vote in Trustee elections (first vote, 1994)*

1993- *Tribal Council Established*

1993 - *Shinnecock Indian health Services*

1993-4 - *Title V, Indian Education Grant for tutoring, presentations/performances, substance abuse prevention, heritage component, computer literacy, workshops*

1994 - *Shinnecock Powwow Committee allocated funds for Cultural Enrichment Project*

1995 - *Mural Project*

1995 - *Tribal Council established the Economic Development Committee "to advise the tribe and make recommendations about both tribal and individual entrepreneurial activities." ?? 90's business boom??*

2003 - *"Ready for Active" Fed Rec List*

2005 - *Billion Dollar Law Suit for the Return of the Shinnecock Hills*

2007- *Reclaiming the Right to Vote without the Town/Village (On Rez Election)*

2009 - *Council of Elders Established*

2010 - *Official Federal Recognition Achieved on October 1, 2010*

-APPENDIX C-
Shinnecock Governance Project 2012 Highlights
***Community Governance Project Participation**

January – Governance Project Director & Staff Hired

February – Native Nations Institute Consultant Relationship Established

March – University of Arizona, American Indian Studies Students sent to Shinnecock to undertake, “Shinnecock Indian Nation: Reform on Long Island,” interviews, meetings, presentations, and research conducted.

April, May, June – Consultant Relationships established with others, Community Meetings, Council Governance Meetings, Traditional Talking Circles, Research, Trainings Attended, Draft Revising/Review

July – Blue Stone Strategy Group, undertook “Shinnecock Indian Nation Phase I” conducting interviews, meetings, and presentations with a diverse focus group of community members, Tribal Council members, Trustees, elders, and young people.

August- Visionary Leadership Intensive with Colby Tootosis – 12 Shinnecock tribal members in participation (Council, community members, Governance staff, Tribal Attorney, Tribal Administrator, etc)*

- *Three day Community Constitution Workshop with Seventh Generation Consultants, to revise, scale down, and initiate reform process.*

September - Community Constitution Meeting at the Community Center, 40 people in attendance, working meeting to review the progress thus far/ to test the proposal of a new structure.*

- *Working draft Proposed to the Council of Elders*

October - Continuous Drafting and Expansion of the Governance Committee*

- *Working draft Proposed to the Tribal Council*

November - Visioning Process and Next phase of Constitution Proposal.*

Works Cited/Consulted

- Alfred, Taiaiake. 2009. *Peace, Power, Righteousness: An Indigenous Manifesto*. 2nd Edition. Oxford University Press, Don Mills, Ontario, Canada.
- Alfred, Taiaiake. 2009. *Wasase: Indigenous Pathways of Action and Freedom*. University of Toronto Press, Toronto, Ontario, Canada.
- Alfred, T. and Corntassel, J. "Being Indigenous: Resurgences against Contemporary Colonialism." *Government and Opposition* (2005), 40: 597-614
- Batalla, Guillermo Bonfil. 1996. *Mexico Profundo: Reclaiming A Civilization*. University of Texas Press, Austin, Texas, USA
- Bluestone Strategy Group. 2012. "Shinnecock Indian Nation Phase I: Priority and Theme Development, Summary of Findings." (Headquartered in Arizona, California, New Mexico, Washington). Commissioned by the Shinnecock Governance Project.
- Corntassel, Jeff. 2008. *Forced Federalism: Contemporary Challenges to Indigenous Nationhood*. University of Oklahoma Press, Norman, Oklahoma, USA
- Corntassel, Jeff. "Toward Sustainable Self-Determination: Rethinking the Contemporary Indigenous-Rights Discourse." *Alternatives* 33 (2008): 105-132
- Dennis, Kelly. Undergraduate Thesis: "Intra-Tribal Conflict in Northeastern Native American Tribal Governments and the Impacts of Federal Recognition." 2007.
- Deloria, Vine. 1985. *American Indian Policy in the Twentieth Century*. University of Oklahoma Press, Norman, Oklahoma, USA
- Jensen, Beverly Deer. Spokesperson of the Shinnecock Indian Nation and author of

- "Culture & History" <http://www.shinnecocknation.org>. November 2012
- Kellis-Smith, Eva H. "Convocation of Shinnecock Tribe Meeting"
Delivered July 1, 2001 at the Shinnecock Indian Reservation
- Memmi, Albert. 1965. *The Colonizer and the Colonized*. Expanded Edition Published by
Beacon Press (1991), Boston, Massachusetts, USA
- Miller, Mark. 2004. *Forgotten Tribes: Unrecognized Indians and the Federal
Acknowledgement Process*. University of Nebraska: Lincoln
- Moraga, Cherie. 2011. *A Xicana Codex of Changing Consciousness: Writings, 2000-
2010*. Durham & London Duke University Press, Durham, North Carolina, USA
- Osorio, Jonathan K. "Ku'e and Ku'oko'a: History, Law, and Other Faiths" *Hawaiian
Journal of Law and Politics*, Vol 1 (Inaugural Issue, Summer 2004), pp 92-113.
- Tilden, Mark. 2002. "The Importance of a Constitution to the Sovereignty of Tribal
Governments."
- Smith, Linda Tuhiwai. 1999. *Decolonizing Methodologies: Research and Indigenous Peoples*.
Zed Books Ltd, London, UK, by way of New York, NY USA.
- University of Arizona, American Indian Studies Program (Lavalley & Brooks). 2012.
"Shinnecock Indian Nation: Government Reform on Long Island."
Commissioned by the Shinnecock Governance Project, in collaboration with the
Native Nations Institute.
- Vizenor, Gerald. 2000. *Fugitive Poses: Native American Indian Scenes of Absence and
Presence*. University of Nebraska Press, Nebraska, USA.
- Waziyatawin, and Michael Yellow Bird. "Beginning Decolonization." In *For Indigenous*

Eyes Only: A Decolonization Handbook (School of American Research Native America).
Sante fe: School Of American Research Press, 2005.

Wa Thiongo, Ngugi. 1986. *Decolonising the Mind: The Politics of Language in African Literature.* East African Educational Publishers, Nairobi, Kenya, (See pg. 14)

Wilkins, David. 1997. *American Indian Sovereignty and the U.S. Supreme Court: The Masking of Justice.* University of Austin Press, Austin, Texas, USA

Wilkins, David. 2002. *American Indian Politics and the American Political System.* Rowman & Littlefield Publishers, Inc., Lanham

Yellow Bird, Michael. "Decolonizing Tribal Enrollment." In *For Indigenous Eyes Only: A Decolonization Handbook (School of American Research Native America).* Santa Fe: School Of American Research Press, 2005.