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RELATIONAL SOVEREIGNTY: INSIGHTS FROM THURMAN LEE HESTER'S "POLITICAL PRINCIPLES AND INDIAN SOVEREIGNTY"

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ABSTRACT

This paper investigates the concept of Relational Sovereignty as put forth by Thurman Lee Hester in "Political Principles and Indian Sovereignty". Hester's work places both the philosophical and practical significance of Indigenous governance in the foreground and offers new prompts for thinking about authority and power in U.S. and global politics. Relational sovereignty challenges the state-centric models of sovereignty that dominate Western political thought. It seeks to understand authority in an Indigenous context—where authority is not equated with power and where the interconnectedness of community and the ethical stewardship of a place is paramount. This paper also plumbs Hester's idea for theoretical depth—how it compares with autonomy as the West understands autonomy—and whether it is workable in the Indigenous governance system. It employs case studies of Indigenous groups to bolster this argument with concrete examples. It merges those studies with a policy analysis of contemporary Federal Indian Policy in the U.S.

KEYWORDS: *Relational Sovereignty, Indigenous governance, Thurman Lee Hester, Tribal Sovereignty, Federal Indian Policy, Indigenous Philosophy, Community-based Governance, Environmental Stewardship.*

INTRODUCTION

Indigenous Sovereignty has long been embraced as an ideal in Native American political thought and activism. And yet, in "Political Principles and Indian Sovereignty", Thurman Lee Hester argues that indigenous self-governance is still hemmed in by colonial structures and Western ways of thinking about law and politics. Hester offers a model of governance for indigenous nations that is not only friendly to federalism but also rooted in the philosophical principles that many native cultures across North America share. His concept of "Relational Sovereignty," which Hester says is more a way of life than a set of political principles, provides a pathway for Indigenous Nations and Peoples to achieve self-determination in a manner that is nonetheless respectful of the realities of modern life. This study looks at Hester's concepts, locating them within a broader political theoretical context and considering the governance, policy, and justice implications of what Hester has to say.

THEORETICAL FOUNDATIONS

Looking at the concept of Sovereignty from the contrasting perspectives of the individualistic paradigm, which is prevalent in Western political theory, and the relational approach espoused by Indigenous philosophies, two very different understandings of the idea appear. In the Western context, political philosophers—notably, Thomas Hobbes and John Locke—emphasize the autonomy and rights of the individual. In "Leviathan," Hobbes propounded the notion that individuals venture into a social contract to escape the chaos of the "state of nature" (Munro and André). They establish a sovereign power that is responsible for enforcing order. Locke complements Hobbes's notion by arguing that the sovereign power, or state, exists primarily to protect the rights that predate and undergird the formation of the state, which was to maintain order. Contrastingly, Indigenous Worldviews favor a relational approach to sovereignty that prioritizes interconnectedness among people, their communities, and the land. These philosophies are not ideologies, which, in many cases, are taught or promoted in a way that centers on one version of the truth and often leads to or justifies conflict and violence. Instead, these wisdom traditions offer many valuable perspectives, practices, and life-affirming knowledge. This approach emphasizes not only the multiple years of governance that many Indigenous nations have practiced across what is now called North America but also the teachings and lived experiences that have helped govern those societies in a way that maintains peace and steers clear of violent conflict (nearly all of the Indigenous Societies across North America have practiced peace for most of the time that they have existed).

Hester's framework of relational sovereignty seeks to bridge the two paradigms by asserting that sovereignty must be embedded in relationships among individuals, communities, and ecosystems. Hester takes a shot at traditional Western models of power and authority and calls for a governance model that favors collaboration over control. In this vision, sovereignty is not something known only to states or individuals. Still, it can be divvied up among different entities interacting in a space local to them. Consequently, Hester emphasizes dialogue and respect for the kind of knowledge systems that different entities in such spaces are likely to have.

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In the 'Foreword' of the book, Chief Gregory Pyle of the Choctaw Nation of Oklahoma mentions: "The United States Government has been regulating us for most of the past 200 years. During these centuries, at places like Wheelock Academy, we were told we shouldn't be speaking our Native language, and that we should give up our culture" (Hester 5). Hester demands respect for their legacy. He is promoting a good governance model that really ought to be onboarded by more folks.

CASE STUDIES OF RELATIONAL SOVEREIGNTY IN PRACTICE

Relational Sovereignty serves as the foundation for many tribal governance systems. It emphasizes decision-making that is collective, not individual; responsibilities that are interconnected, not compartmentalized; and a governance that respects and preserves Native cultures. Prominent tribal governance systems that exemplify Relational Sovereignty are the ways in which several Indigenous Nations manage their natural resources. The Menominee Nation, for instance, has an approach to forestry that is sustainable and emblematic of what the World Bank has identified as "best practices." These practices are characterized by decision-making that is community-centered and processes that are inclusive. Consider also the governance system of the Haida Nation, a Canadian tribe that employs community-led decision-making processes to manage its fisheries. Like the Menominee, the Haida operates nearly a century ahead of standard time in its governance. "Indigenous knowledge for sustainable development represents a body of cultural wisdom on natural resource management that incorporates caring and respect" (Griffin 142).

Enacting Relational Sovereignty within the confines of federal governance is amply illustrated by tribal co-management agreements in national parks. These arrangements provide a venue for tribes to actively demonstrate real-world application of sovereign authority to join in the stewardship of traditional park lands and to work shoulder to shoulder with federal agencies, strikingly as equals, in the management of the national parks and the wild places preserved therein. The Bear Ears National Monument in Utah is a prime example of this. It is a place where federalism has been elevated because some of the tribes that co-manage it—Hopi, Navajo, Ute, Ute Mountain Ute, and Zuni—have a formal role in making decisions that affect land use and management, conservation efforts, and the preservation of important cultural sites ('U.S. Department of the Interior'). The Klamath Tribes in Southern Oregon have similarly influenced the co-management of wild places federally designated as national parks or monuments through governance arrangements that protect their special authority over fishing and water rights, which are as tied to their cultural identity as the bones of the dead serve as stitching in a funeral shroud.

Relational Sovereignty, a crucial expression of social ordering among Indigenous Nations, ensures community identity and self-governance. Among the initiatives many tribes take to assert that order, the even more important protections of language and cultural practices strengthen community identity to an even greater degree. One might consider language revitalization programs within the contexts of Indigenous governance, educational reforms, resurgent lifeways, and the assertion of sovereignty. Language preservation serves those ends and is moreover integral to the potent pathologization of the social ordering by which tribes govern. List first among those potent pathologizations the preservation of language serving as the basis for community identity. The Cherokee Nation's school system serves as an immersion school, a vehicle for the transmission of the community's language from the end of the living memory of the last fluent speaker. "On July 13, 1991, the Cherokee Nation Language and Cultural Preservation Act was signed, providing for the promotion and preservation of Cherokee language, history and culture. The Act formally recognized that the survival of a people is dependent upon their capacity to preserve and protect their culture and language" ('Cherokee Immersion School')

These case studies illustrate how relational sovereignty can be a workable and flexible model of self-determination for Indigenous communities. It arises from a dynamic mix of communal decision-making, governance that works in partnership with various levels of government, and an adherence to cultural practices that define the community and the community's sense of place.

POLICY ANALYSIS AND REFORM

"Since the mid 1990's, Indian people have been technically viewed as having inherent sovereignty, the inherent authority for self-government through their respective Indian nations despite their imposed U.S. citizenship" (Hester 68). Hester analyzes current policies such as the Indian Self-Determination and Education Assistance Act and argues that while they provide pathways to self-governance, they also impose encumbering constraints that stifle real tribal autonomy. Hester views those policies as undermining the principles of relational governance, which holds that important relationships, community engagement, and cultural continuity are key to exercising sovereign authority. Another significant barrier to implementing something like Relational Sovereignty is the structural challenge posed by entrenching Western norms in the legal definitions of sovereignty with which we work. Those laws tend to privilege the economic and political stability that is federalism's bread and butter over the kinds of governance that relational frameworks promote—frameworks that are allowing a growing number of tribes to assert the type of self-determination that Hester wants to see happening more widely. Indeed, the kinds of reforms that Hester is getting at with these policies and analyses could allow many more tribes to assert the kind of autonomy that a few tribes are able to achieve in a framework that is respectful of their needs, aspirations, values, and ways of life.

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PHILOSOPHICAL AND GLOBAL IMPLICATIONS

Relational Sovereignty challenges the conventional state-centered view of governance. We think of governance in terms of what governments do in a top-down, linear way. But when Indigenous leaders repeatedly say they are being empowered to govern relationally, what is the monumental importance of that shift? Indigenous governance systems are complex and specific, providing ways of managing intricate, long-standing relationships across wildly diverse communities. With too much focus on national interests, we tend to construct a global governance system in which we all occupy walled, gated communities and can barely talk across the walls. Pervasive in the U.S. and global governance systems, this framing of safety in terms of gated communities is quite harmful and precisely the opposite of relational governance.

CONCLUSION

Today, “many complex problems face Native Americans and their tribes. The problems can be divided into a few broad categories including economics, education and health care” (10). Thurman Lee Hester’s work, "Political Principles and Indian Sovereignty," provides a means to understand Indigenous governance and advance it. His lens is transformative, not just prescriptive or straight-up descriptive. Hester’s work compels us as readers and thinkers to grapple with the very concept of "sovereignty," which, in and of itself, is a Western imposition that carries with it a whole host of negative associations. Those associations arise from decades of colonial practices and a not-quite-hidden agenda that seeks to impose Western Civilization on Indigenous Nations. Hester pushes us to think about a "transformative lens" and "advancing principles" in the context of governance, and he works hard to frame both concepts in deeply ethical terms that include all kinds of relationships both within and between communities. He emphasizes the transformative power of not just the word "sovereignty" but also the principle of "relational sovereignty," which, in a nutshell, is about "governing." A government that takes the environment in which communities exist seriously. Following through on Hester’s principles in both tribal governance settings and within a context of broader Indigenous policy reforms shows the path ahead to handle the contemporary challenges that plague native communities. He states that “the doctrine of inherent and retained sovereignty under the plenary power of Congress” does not give full benefits of empowerment to indigenous people (86). Thus, his ultimate objective is to promote the implementation of “true sovereignty for Native American nations” (8). He is hopeful that Euro-Americans “perhaps before the end of the next century can finally do away with the Indian law that perpetuates the original injustice” (102).

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