

Under Native American Skies

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THE LAND CAN SPEAK TO THOSE WHO LISTEN. The stories it tells are about the people—their origins, struggles, values, and beliefs. The songs and histories that it whispers are often profound, ancient, or can take on sacred meaning. Sometimes, the tragic stories are not pretty, in haunting places such as Sand Creek, the Washita River and other massacre sites, or places where injustice took place. The land also tells the sacred stories of the birds, animals, plants, and the natural phenomena that comprise human habitats. The lessons learned from the land are what give us our identity and make us fully human. Mother Earth will continue to shape society and nurture the human spirit, until modern man finally exits the natural world altogether and retreats into man-made environments; and many are already upon the path to that “Brave New World” charted by urban dwellers living in secular industrialized landscapes during the scientific age. Their worldview contrasts sharply with the cosmology of Native peoples who reside in indigenous habitats embedded in the natural world. The indigenous worldviews of the world’s surviving hunting, fishing, and gathering cultures have much to offer to nations that are searching for a land ethic in the twenty-first century, but those wisdom traditions have been largely forgotten, dismissed as “primitive,” disparaged as “inferior,” or demonized by the modern world.

In the United States, the federal government is the largest landowner, followed somewhere near the top by the many indigenous American Indian and Alaska Native nations, who own over sixty million acres. Indian reservation territory often borders federal enclaves; neighboring tribal communities can have sacred sites or cultural resources under federal management, and hold treaty or subsistence rights to the use of public lands and waters for hunting, fishing, or gathering purposes. As landowners and stewards, Indian tribes and federal land managing agencies demonstrate their “land ethic” to the rest of the nation through their land use practices, actions, and policies. In that capacity, they necessarily play important roles in shaping how the American public views the land and how we, as a modern industrialized nation, should comport ourselves with the humans, fish, birds, animals, and plants that inhabit the natural world, and the natural world itself.

A clear “land ethic” is sorely needed. Without it, our modern society cannot summon the political will to address the environmental problems that threaten our existence. A land ethic helps humans lead a sustainable existence, as every civilization must. It is also a key ingredient to social change, for without a land ethic, the American people cannot fully mature from a nation of immigrants and settlers recovering from a rapacious frontier history of Manifest Destiny and stride toward a more just culture that has adapted to the land and

incorporates valuable indigenous knowledge and values of its Native peoples into the social fabric. This social evolution is a natural healing and adaptation process followed by immigrant populations in colonized lands. In the post-colonial era, they shed the trappings of conquerors and the mind-set of colonists found in “settler states” and resolve to become more “native” to place.

A land ethic has been hard to achieve in the United States. In 1948, Aldo Leopold, the influential ecologist, forester, and father of public wildlife management, lamented: “There is as yet no ethic dealing with man’s relation to land and to the animals and plants which grow upon it.”¹ Planting the seeds for that ethic, Leopold urged society to decolonize the way we look at the land and evolve a land ethic as the social product of a mature society. He predicted that such an ethic will fundamentally change our role from “conquerors” of the land, and the animals and plants which grow on it, to becoming members of a biotic land-community that co-exists on the same land:

In human history, we have learned (I hope), that the conqueror role is eventually self-defeating. Why? Because it is implicit in such a role that the conqueror knows, *ex cathedra*, just what makes the [land] tick, and just what and who is valuable, and what and who is worthless. . . . It always turns out that he knows neither, and this is why his conquests eventually defeat themselves.

Unfortunately, Leopold’s land ethic did not take root in the 20th century. To be sure, encouraging progress was made with the passage of watershed public land laws, conservation statutes, and environmental legislation. This body of law reflects changing social values toward the end of the century. However, old habits die hard.

There are several reasons why a land ethic has not yet taken root. For most of American history, the United States has looked upon the land as a conqueror, as noted by Leopold. It fought and vigorously colonized Indian land from 1776 well into the twentieth century. That legacy is firmly embedded in our minds, legal institutions, economy, and notions of race. We have the minds, hearts, ears, and eyes of settlers, and we romanticize the American past through movies, dime novels, school books, and song. The institution of slavery was abolished and discrimination against African Americans is no longer romanticized, because Americans take those issues seriously. By contrast, little buckaroos still play “cowboys and Indians,” while grown-ups disparage the American Indian race for entertainment at sporting events.

Do we still view ourselves as cowboys, conquerors, and colonizers? Everyone is familiar with the rapacious frontier history, as Manifest Destiny swept the continent during the 19th century. Guided by the legal doctrines of “discovery” and “conquest” espoused by the Supreme Court in *Johnson v. McIntosh* (1823), the country appropriated Indian land and brushed aside the indigenous peoples in a few short decades.² During the colonization period, there was no such thing as “conservation” or “environmental protection,” and most land managing agencies did not exist. Millions of wild animals were slaughtered to near-extinction and indigenous plant communities disappeared as steel plows were pulled across the land.

The nation began the 20th century as a colonizing power at the zenith of the Age of Imperialism. It ruled a far-flung empire comprising American colonies around the world, including Cuba, Puerto Rico, the Philippines, Panama, the Virgin Islands, Micronesia, parts of China, the Wake Islands, Midway Island, Santo Domingo, and the territories of Hawaii and Alaska. At home, Indian tribes were treated like colonies—that is, as colonized subjects without the rights of citizens, ruled by the “plenary power” of Congress without judicial review, as explained by the Supreme Court in *Lone Wolf v. Hitchcock* (1903).³ In 1955, the Supreme Court still looked at Indian land through the eyes of a conqueror. It upheld an enormous government timber sale in the Tlingit homeland in Southeast Alaska that would clear-cut a vast indigenous habitat necessary to support the Indians’ hunting, fishing, and gathering existence.⁴ The court tersely explained that the government may confiscate aboriginal land without compensating the Indians under the doctrine of raw conquest:

Every American schoolboy knows that the savage tribes of this continent were deprived of their ancestral ranges by force and that, even when the Indians ceded millions of acres by treaty in return for blankets, food and trinkets, it was not a sale but the conqueror’s will that deprived them of their land.⁵

Over fifty years later, Alaska Governor Sarah Palin fervently chanted the mantra of the conqueror—“Drill, baby, drill!” and “Mine, baby, mine!”—hoping that it would carry her to the vice presidency in 2008.⁶

Even many professional foresters who followed in Leopold’s footsteps lost sight of his ideals in their stewardship of the public lands, as they fell under the sway of agency big-wigs in recent administrations. This is painfully visible in the US Forest Service’s shoddy treatment of Native American holy places, which continues to this very day.⁷ To many agency politicians, the natural world must be quantified only for its resource value to the “conquerors” (to use Leopold’s term). By contrast, the Native experience on the land stands in opposition to that mind-set. It teaches that some places are holy ground, we have important relatives in the animal and plant kingdoms, and humans must cooperate with the natural world to survive. These ideals are certainly not Native American “quirks.” They are universal values engrained into early human biology long ago as humans spread across the planet, so that hunters, fishers, and gatherers who depend upon indigenous habitat can flourish and survive. Unfortunately, the values of indigenous peoples cannot be taken seriously in a colonized land by people and institutions that still see themselves as conquerors; and then there is always the race factor (*we do not want to live like Indians, these savages are racially inferior and lead a barbarous lifestyle*). That mind-set makes us hostage to an unjust past, and it prevents us from looking at the land as Native American cultures do. Leopold’s call to decolonize the way we look at the land simply cannot be heeded until that mind-set is seen, understood, and discarded by those who want his land ethic. The forces that underpin that mind-set should be searchingly examined; and this paper will begin that inquiry.

How does America view the land in the 21st century? What is the role of federal land managing agencies in shaping our land ethics? Do they help or hinder the search for

Leopold's land ethic? This paper examines the barriers faced by our nation in finding Leopold's land ethic. We must understand the forces at work that hinder agencies from assuming leadership, as the stewards of public lands, in developing an American land ethic that discards the role of the conqueror, and allows our nation to adapt, mature, and become a more just society. As will be seen, none of the barriers should be "news" to land managers or cultural anthropologists, but it is useful to list them in one place.

The challenges of adapting to the land are especially hard in former colonies because they tend to perpetuate a "settler state" outlook. That mentality looks at the land primarily in economic terms, as a "resource" to be exploited. Once the fuel that sparked that outlook has run dry, many nations in the post-colonial age have matured. Many non-indigenous peoples in colonized nations now wish to become more "native" to place in their adopted homeland, and shed the harsh frontier trappings that settlers once embraced as Manifest Destiny spread across the land. The challenge for those nations is to build a sound land ethic, one that adapts closely to the habitat and cooperates with the natural world, or they run the age-old risks faced by every non-sustainable civilization that failed to adapt to the land: overuse, despoliation, and, ultimately, extinction.

This paper explores the historical and cosmological problems that have prevented our nation from adapting to the land. It will discuss the role of federal land managing agencies in shaping a sound land ethic as the stewards of public lands. The discussion will present a case for a vigorous ethnography program for managing public lands, and encourage agency leaders to raise their eyes to a greater vision of land stewardship that forges an American land ethic as a key ingredient for social change in the post-colonial world of the 21st century.

The need for a strong federal ethnography program is self-evident. It arises from the mandates imposed on agencies by modern public land laws, such as the Native American Religious Freedom Act of 1978 (AIRFA), the National Environmental Protection Act of 1969 (NEPA), the National Historic Preservation Act of 1966 (NHPA), the Native American Graves Protection and Repatriation Act of 1990 (NAGPRA), the Alaska National Interest Lands Conservation Act of 1980 (ANILCA), the Endangered Species Act of 1973 (ESA), and others, including the wilderness laws. In addition, Executive Order 13007 (1996) requires federal agencies to protect Native American sacred sites.⁸ Ethnology works with contemporary cultural issues and traditional communities to investigate links between cultural values and the cultural and natural resources located on public lands. The goal is to incorporate those links in land management as necessary to comply with the above laws.

The National Park Service is a world leader in preserving the natural world and its cultural treasures. It is deeply indebted to the agency's pioneers who developed the ethnography program needed to comply with these laws, such as Jerry Rogers and Muriel Crespi. They led land managers into the modern era as society began to change the way that it looks upon public lands. Their valuable work should continue. It has laid the groundwork for developing a land ethic in the 21st century. Rogers has noted (in his National Park Service Centennial Essay, this volume) that the Park Service is poised to recognize the important indigenous role in fashioning the way we view national parks. Citing the National Parks Second Century Commission report's vision for this century, he wrote:

Barely in time, before some traditional knowledge is lost altogether, the National Park Service has begun to recognize that benefits of working with tribes flow to the Park Service from the tribes as well as the other way around. As the Park Service works to help visitors comprehend their own interdependence with other species, traditional tribal reverence for the earth and her systems is becoming a persuasive addition to the findings of science and scholarship. Today's coldly utilitarian views must be moderated if the dominant cultures are not to overtax the earth's ability to sustain a large human population. This change will happen more readily if the lessons of science are presented in tandem with the older, deeper, and more spiritual lessons from generations of indigenous cultures. It is not unusual for national park visitors to liken an opening among giant redwoods to a cathedral, or to describe their experiences in nature as sacred. Such metaphor is important to what national parks stand for, and to the willingness of the public to use and support parks. The willingness can benefit greatly by learning from cultures for which the concept is more than metaphorical.⁹

Today, parks and protected areas around the world are paying closer attention to the values and needs of indigenous peoples, as discussed in David Ruppert's paper (this volume). Western-style conservation philosophy need not crush primal cultures. That philosophy can and should be consistent with those cultures to the great benefit of both park managers and the people who depend upon indigenous habitat in the park for their way of life and cultural integrity. These are steps in the right direction, to be sure.

This paper calls upon federal agencies to fulfill a larger goal than merely complying with federal land laws. As stewards of our public lands, federal land agencies are charged with a higher degree of knowledge about the nature of the land and its cultural significance to the American public. It is incumbent upon them to help lead our nation toward a land ethic for the 21st century.

This challenge requires much more than a bare-bones ethnography program run by a room full of cultural anthropologists to tell agencies about the cultural significance of their lands. Instead, the task requires a comprehensive interdisciplinary approach guided by comparative religion experts, Indian studies scholars, historians, ecologists, ethnobotanists, wildlife and fishery biologists, traditional tribal religious leaders, and tribal hunters, fishers, and gatherers to synthesize our "cultural resources" into an American Way of looking at the land, and teach that ethic to the general public. This task cannot be accomplished by cultural anthropologists alone, for obvious reasons. They lack the broad expertise listed above; and, sometimes, anthropologists are hampered by professional conflicts of interest, as the repatriation movement has shown. In addition, it is unfortunate that agency anthropologists usually report only to mid-level managers and their professional studies frequently lie buried on dusty shelves, never to become part of the public discourse. Accordingly, this paper recommends not only that ethnography programs continue, but that they become part of a *larger interdisciplinary infrastructure* designed for a bigger task in synthesizing a land ethic. We need a "Land Ethic Program" to achieve Leopold's vision.

It is appropriate and timely to arise and stride toward Leopold's vision. In 2007, the United Nations overwhelmingly approved the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).¹⁰ This historic measure calls upon each nation to imple-

ment minimum standards to protect the dignity, survival, and well-being of the world's indigenous peoples. It sets forth numerous policies designed to “decolonize” the way that we treat Native peoples and lands traditionally used by them through increased state protection of their lands, traditional subsistence, ways of life, and habitats. Implementation of the UNDRIP standards into our domestic law and policy by the next generation holds the promise of changing the way that America looks at the land. Federal agencies can foster that social change, or resist it and be among the last to look upon the land through the eyes of a bygone era.

The way societies view the land reveals their innermost character

The way that societies view the land tells much about them—revealing the character, values, history, and aspirations of a people. As we chart the course toward a land ethic, there are many models in our diverse human family. Our task is to select the best model, or synthesize the best from among them in fashioning the most appropriate model for our nation in the post-colonial era. Here is a summary of the leading models followed by the human family.

The “primal” cosmology of hunters, fishers, and gatherers sanctifies the human presence in the natural world. (The word “primal” is used, because this is man's first worldview.) This cosmology shows humans how to comport themselves with animals and plants. It allows humans to cooperate with natural processes and to thrive in the natural world by following the earliest mode of human existence. In primal cosmology, only a thin line exists between humans and the animals and plants that live in tribal habitats, and everything, including the land itself, has a spirit. Gregory Cajete, an Indian cultural studies scholar, provides an excellent description of the complex underpinnings of this cosmology in Native North America.¹¹

By contrast, farmers must combat nature to survive. Their way of life depends upon strict human control of the biology and behavior of animals and plants, remaking the land, and restructuring the hydrologic system in order to survive by making the land, water supply, plants, and animals more productive for humans.¹² In the end, nature is conquered, and the wild animals, plants, and insects are eradicated as pests. The agriculturalist worldview informs the way most modern societies look at the land. It sanctifies the conquest of nature, exalts humans over all life on earth, and rationalizes our subjugation of animals, plants, and natural processes.¹³

These two cosmologies present viable ways of life. Both are venerated human worldviews. But they are fundamentally different and frequently come into conflict. In fact, this conflict accounts for much of the human misery and atrocity between indigenous and non-indigenous peoples around the world since 1492. The hunting, fishing, and gathering model is nearly extinct today. The age-old struggle between the two competing cosmologies began after the rise of agriculture, beginning some 10,000 years ago. It seems farmers and hunter-fishers just can't get along, nor can those who follow their worldviews. In any event, after the conquest of nature and the industrial revolution in the past 500 years, only a few small pockets of hunting, fishing, and gathering cultures survive in tribal habitats around the world.

Nevertheless, this earliest mode of human existence remains a viable model for a land ethic needed by a modern nation that has forgotten how to comport itself with the natural world. Importantly, before most of those lifestyles went extinct data on them were preserved by ethnographers, and much more can be gleaned from the surviving tribal communities around the world. The United States contains one of the largest concentrations of those cultures left in the world—the American Indian, Alaska Native, and Native Hawaiian nations who still reside in their indigenous habitats, practice traditional religions, and hunt, fish, or gather as part of their traditional subsistence. The ancient cosmology is seen in their languages, songs, stories, ceremonies, ideals, and values, as well as their art, artifacts, and architecture. The way that they comport themselves with their habitat, and the animals, birds, fish, and plants of their world, tells us much about primal cosmology. Their worldview provides an attractive model for key ingredients in an American land ethic, because it is the cosmology which arose from our soil, long ago.

There are additional ways of looking at the land. Conquerors view land in military terms, as “territory” to be seized. Rape, booty, and subjugation color their eyes as they gaze upon a conquered land. War and conquest rank among our oldest human traditions, and many lands have been scarred by the ravages of war as they fell as “prizes” into the hands of conquerors. However, Leopold eschewed the role of conqueror as the foundation for looking at American soil.

Colonialism offers yet another model, one followed by Europeans for over 500 years. In the Colonial Era (ca. 1492–1960), the nations of Europe competed to colonize the rest of the world. During this lengthy period, settlers viewed colonized land in economic terms, as a “resource” to be exploited. This model has many drawbacks, because they settled lands belonging to *other people*, usually located thousands of miles away from their homeland, in order to appropriate natural resources to enrich themselves and their homeland kingdoms. Thus, European settlers immigrated to distant lands to Christianize natives, subjugate them, and steal their resources. A land ethic based on those notions cannot easily be developed for colonized land, because in nearly every colony, the colonists did not adapt to the land, as the indigenous peoples had done. Instead, the settlers retained the language, religion, values, and identity of their homeland, while distancing or alienating themselves from the Native population through discrimination, marginalization, and suppression, which worked to stamp out the indigenous cultures in the colony. In that sense, settlers were from a cultural standpoint very much strangers or aliens to the land they colonized, although the immigrants obtained stewardship of the land. This happened in America, as described by Standing Bear, a Dakota chief, in 1933:

The white man does not understand the Indian for the reason he does not understand America. He is too far removed from its formative processes. The roots of his tree of life have not yet grasped the rock and soil The man from Europe is still a foreigner and an alien. But in the Indian, the spirit of the land is still vested; and it will be until other men are able to divine and meet its rhythm. Men must be born, and reborn to belong. Their bodies must be formed of the dust of their forefathers' bones.¹⁴

This estrangement from the land is evident in the way that 19th- and 20th-century American settlers treated indigenous plants on the Great Plains. They raced through the landscape without understanding even the plants beneath their feet. An early ethnobotanist, Melvin R. Gilmore, studied those plants and their uses by the Indians on the Nebraska prairie, which deeply shaped the cultures of the Plains Indians. After investigating the vast body of Native plant knowledge about the extant indigenous plant community, Gilmore lamented in 1914 that the native plants and their uses as food, medicine, and material were largely overlooked by incoming settlers who displaced the Indians:

The people of the European race in coming into the New World have not really sought to make friends with the native population, or to make adequate use of the plants or the animals indigenous to this continent, but rather to exterminate everything found here and to supplant it with the plants and animals to which they were accustomed at home. It is quite natural that aliens should have a longing for the familiar things at home, but the surest road to contentment would be by way of granting friendly acquaintance with the new environment. . . . We shall make the best and most economical use of all our land when our population shall have become adjusted to the natural conditions. The country cannot be wholly made over and adjusted to a people of foreign habits and tastes. There are large tracts of land in America whose bounty is wasted because the plants which can be grown on them are unacceptable to our people. This is not because these plants are in themselves useful and desirable, but because their valuable qualities are unknown.¹⁵

By contrast, the Native people were intimately familiar with plants that grew in their tribal habitats, and that vegetation was an important factor shaping their cultures. As will be discussed, their relationships with the Plant World ran deep and were maintained on a meta-physical level.

This contrast in the way that Americans comport themselves with the Plant World can be seen today in the Klamath River basin of southern Oregon. There, Indian gatherers enjoy the bounty provided by rich indigenous plant communities that grow naturally in some spots along the rivers and streams, without having to plant, irrigate, fumigate, and fertilize them. On the other hand, their non-Indian neighbors struggle to fight nature, eradicate native plants as weeds, reorder the hydrology, and irrigate crops. This is done only with massive help from federal power, irrigation, and price subsidies. Unfortunately, that enormous effort to reorder the natural world has polluted the streams, drained wetlands, watered the desert, lowered lake levels, degraded the landscape, brought about massive fish kills, and placed many fish and animals upon the endangered species list. That is a highly destructive lifestyle that heavily burdens the taxpaying public, simply because the farmers are unaware of the bounty which the Great Spirit has already provided to the land beneath their own feet. This has been the case in that water basin since the pioneer days, when early settlers starved while living in nature's grocery store among abundant edible plants, medicines, and materials that they could not see.

Colonialism does not afford an attractive model in the 21st century. It is not a sustainable system, and this highly oppressive institution was rejected as repugnant by the interna-

tional community following World War II, after many of the world's last remaining colonies achieved their independence. As that era was coming to a close, Leopold wisely urged America to decolonize the way it looks at the land. The UNDRIP strongly supports that view. It can help guide the selection of an appropriate model for developing a land ethic in a post-colonial world.

Four powerful forces stymie a land ethic in the United States

American society has been alienated from the land and the natural world by several powerful forces. Each must be confronted, understood, and discarded before an American land ethic can be fully developed and implemented. They are listed here.

1. The cosmological problem The first root problem that bars formation of a land ethic is a cosmological problem. It is the cosmology of agriculturalists that informs the way Westerners look at animals and plants in the natural world, one that has suppressed to the point of extinction and vilified the equally viable primal cosmology of hunting, fishing, and gathering cultures. The former worldview is described by Jim Mason, an American authority on human–animal relations, in *An Unnatural Order* (2005) as “dominionism,” that is, the 10,000-year-old Western belief system that exalts human subjugation over all life on earth.¹⁶ Since the rise of agriculture over time, this aggressive cosmology has overtaken the competing worldview found in our primal hunting, fishing, and gathering cultures. The latter is humanity's older, primal cosmology. It exalts life on earth, forges a spiritual bond between humans and the creatures found in their habitats, and depends upon cooperation with the natural world.¹⁷ For those societies embedded in the primal world, the sanctity of nature is taken seriously and it forms a cornerstone of primal religion.¹⁸ The balance between these venerated worldviews has been sorely breached in the modern world, which has relegated the primal belief system to a few surviving pockets in tribal communities around the world.

The balance between these worldviews needs to be restored before an American land ethic can emerge, because unchecked “dominionism” works to alienate humans from animals and plants. Animal–human relations in this mind-set were summed up by Sigmund Freud in 1917:

In the course of his development towards culture man acquired a dominating position over his fellow-creatures in the animal kingdom. Not content with this supremacy, however, he began to place a gulf between his nature and theirs. He denied the possession of reason to them, and to himself he attributed an immortal soul, and made claims of divine descent which permitted him to annihilate the bonds of community between him and the animal kingdom.¹⁹

Freud described our supposed supremacy as “human megalomania.”²⁰ This cosmology is a powerful, 10,000-year-old force that alienates modern man from the land. The restoration of measured balance and respect between these worldviews will be difficult, because “dominionism” is deeply embedded in the modern mind-set. It is sanctified by Western religion, strengthened by science, bolstered by secularism, and cemented into our lives by tech-

nological revolutions. Nonetheless, that outlook must be curbed and reconciled with the primal hunting, fishing, and gathering cosmology, ideals, values, and beliefs of the human race that are still maintained, almost exclusively, by traditional indigenous peoples. If we can justly mediate the cosmological conflict and find the best in both worldviews, perhaps a land ethic will emerge for the 21st century. If we cannot, the world's surviving hunting, fishing, and gathering cultures will pass into extinction, along with the habitats that supported man's earliest mode of existence.

2. The religious question The second barrier to forging a sound land ethic has to do with religion, including our history of religion in the United States and the diminishing role of the sacred in modern American life. As will be explained, these factors hinder creation of a land ethic, because they work to (1) blind us from seeing the spiritual side of Mother Earth; (2) rob animals and plants of their kinship with humans as living things with a spirit of their own; and (3) hinder society's ability to incorporate indigenous values, wisdom, and needs into America's land ethics. The predominant religious faith in the United States, Christianity, simply does not impart a spiritual side to American land, nor to the animals, birds, fish, and plants in North America. It teaches that holy ground lies only in a few faraway spots located in the Middle East. Furthermore, in the origin story of this religion, which was founded by early agriculturalists, God placed all living creatures, as lowly mindless beings without feelings or souls, into the service of humans. In turn, Genesis that says animals should "fear" and "dread" humans as the natural order of things:

And the fear of you and the dread of you shall be upon every beast of the earth, and upon every fowl of the air, upon all that moveth upon the earth, and upon all the fishes of the sea.²¹

These are all good religious beliefs for farmers and many others, but they present obvious drawbacks for building a sound land ethic in this part of the world. The religious belief that "nothing is sacred" in the natural world was implanted on American shores by European newcomers, folks who also believed that the Native Americans had no religion and their sacred ties to the land, animals, and plants were "savage superstitions" that must be stamped out as inferior, barbarous heresy. In a classic case of religious discrimination, the tragic history of religion that followed amounted to a wholesale government policy to stamp out indigenous primal religions. That shameful history of religious genocide was finally repudiated by Congress in the 1978 with the passage of the AIRFA policy to protect and preserve remaining pockets of traditional Native American religion.²² A land ethic founded upon a religious heritage which teaches that "nothing is sacred" in the natural world is wrong-headed, because it is at odds with the long human experience on the planet. It decouples us from a broader human legacy that teaches otherwise. It unleashes "dominionism" in our relationship to the land, because it frees humans from any moral restraint in their treatment of animals and plants.

We must break the bonds of religious discrimination to see the land beneath our feet more clearly. Once freed from the shackles of religious intolerance, an America emerges as a land filled with indigenous holy places, a wondrous land where everything has a spirit, including the earth, water, every living thing, and even the mystical powers of the universe.

At once, even our American skies are holy, because they contain the heavens teeming with higher celestial powers and primal forces. Just ask the Native peoples, or see the land through their eyes. Though long overlooked by scholars of religion (and just about everyone else), Native Americans (that is, American Indians, Native Alaskans, and Native Hawaiians) are heirs to profound indigenous religions teeming with diversity in this corner of Mother Earth. These indigenous religions, which arose from the land, can provide valuable lessons for living on the land, and they can contribute critical ingredients for an American land ethic. One lesson, discussed next, is that our land has holy ground.

Have you ever walked upon sacred ground to a spot where the world was created, or made your medicine in a holy place? Nowhere is the cultural divide between tribal and non-tribal people so vast as the way that we look at the land. In ancient times, all of humanity revered the sacred found in the natural world. Today, many have forgotten how to listen to the spiritual power that springs from the land, even though the Bible reminds us that sacred places do exist. Moses' vision on Mount Sinai comes to mind. His vision shaped the destiny of a people and transformed a desert mountain into their revelatory center of the world:

There the angel of the Lord appeared to him in a flame of a burning bush. Moses noticed that, although the bush was on fire, it was not being burnt up: so he said to himself, "I must go across to see this wonderful sight. Why does not the bush burn away?" When the Lord saw that Moses had turned aside to look, he called to him out of the bush, "Moses, Moses." And Moses answered, "Yes, I am here." God said, "Come no nearer, take off your sandals; the place where you are standing is holy ground."²³

Just as Moses climbed Mount Sinai, on this side of the world, Sweet Medicine ascended Bear Butte. That venerated Cheyenne Prophet faced the Creator on a sacred mountain where he received spiritual gifts and teachings, including the sacred arrows. Upon Sweet Medicine's return, like Moses, he instructed his people in the sacred laws, covenants, prophecies, and ceremonies that shape the Cheyenne Nation to this very day.

Worship at sacred sites is done all over the world as a basic attribute of religion. The holy places form a rich tapestry where humans can experience direct communication with God, in places such as Mount Sinai, Bethlehem, the Wailing Wall, Mecca, the summit of Golgotha (where Adam was created and buried), Jerusalem (where Jesus was crucified and sects await his return), the revered Ganges River (a pathway to salvation in India), and the Bhodi Tree (where Siddhartha attained nirvana and became the Buddha). In other parts of the world, sacred mountains, waterfalls, pools, caves, and lakes that dot the Philippines, Indonesia, Hawaii, Australia, Canada, and South America are holy places where indigenous people pray. As Huston Smith notes, "Many historical religions are attached to places," but no historical religion "is embedded in place to the extent that tribal religions are."²⁴

In short, the modern world is filled with holy places. The renowned religious historian, Mircea Eliade, defines the tie between visions and holy places that form the basis for many world religions as "hierophany," meaning the manifestation of the sacred.²⁵ He notes that many religions are based upon these dramatic encounters with supernatural beings that manifest themselves in natural places or features, such as the sky, mountains, stones, plants,

and water bodies. “Hierophanies” can reveal esoteric knowledge, or convey broader revelations for groups of people, or nations, as seen throughout human history. Can it be that the United States is the only land without holy ground?

Sadly, we may be blinded to Native American wisdom, including their tribal religious traditions, by our own intolerance. Senator Daniel K. Inouye noted how the religious prejudices of early colonists became American foundations for relations with Native people:

In the minds of Europeans, tribal religions of the New World were inferior. . . . Thus, it is not surprising—especially given Europe’s own heritage of religious discrimination among unpopular Christian denominations and against the non-Christian world religions—that intolerance became a basic feature in the Pilgrims’ and other colonists’ relationship with the Indians. Indeed, although early settlers came to America to escape religious persecution, Old World prejudices were transplanted in the Colonies, [in] which discrimination became commonplace.²⁶

What has this mind-set overlooked? Huston Smith, a leading authority on world religion, classifies Native American religions among the “primal religions” of the world. In a reminiscence published in 2001, this beloved figure sheepishly explained why he revised his classic text, *The World’s Religions*, to include a chapter on tribal religion among the world’s religious traditions:

‘My God, Huston,’ I heard myself saying in the car, ‘For three decades you have been circling the globe trying to understand the metaphysics and religions of worlds different from your own, and here’s one that has been right under your feet the entire time—and you haven’t even noticed it.’ That was the moment when the significance of this totally new area of world religions, supposedly my field of study, just clicked. . . . So thirty-five years after the first edition of my book had appeared, I added a chapter about the primal religions, making it eight, instead of seven, religions covered in the book. . . . To omit them from the first edition of my book was inexcusable, and I am glad I will not go to my grave with that mistake uncorrected. The added chapter honors the primal religions as fully equal to the historical ones.²⁷

Smith classifies tribal religions as “primal” because they came first and are the oldest religious traditions of the human race. According to Smith, these religions represent “human religiousness in its earliest mode,” and they allow tribal people to “retain insights and virtues that urbanized, industrialized civilizations have allowed to fall by the wayside.”²⁸ The primal religions, according to Smith, differ from the larger historical religions in several major respects. They are tribal in nature, practiced by small groups according to oral traditions.

The tribal religions cannot be considered in a vacuum, but must be understood within the context of the primal world, for tribes in their aboriginal places are embedded in their indigenous habitats so solidly that the line between nature and the tribe is not easy to establish. For example, when the first explorers came to Klamath country in southern Oregon, they were amazed how closely the Indian hunters, fishers, and gatherers merged with their environment. One stated: “Almost like plants, these people seem to have adapted themselves

to the soil, and to be growing on what the immediate locality afforded.²⁹ Unencumbered by materialism, there is an absence of sharp divisions in the primal world in the lines that divide humans from animals and plants, as all are thought to possess the same spirit. As Black Elk (Lakota) put it:

All things are the works of the Great Spirit. He is within all things; the trees, the grasses, the rivers, the mountains, and the four-legged animals, and the winged peoples. He is also above all these things and people.³⁰

In totemism, animals are like people who talk, plants have spirits just like us, and humans can exchange forms with their opposites in the natural world. As the late Vine Deloria, Jr., observed, in Native America “[s]tories abound in which certain plants talk to people or appear in dreams to inform humans of their use.”³¹ As a result of these religious traditions, humans are kin to animals and plants in Native America connected by physical, social, and spiritual ties. Those close connections are illustrated by tribal names. Many Indians are *named* after animals and plants from their tribal areas. This is seen in my own family names from the Pawnee tribe, which is indigenous to the Great Plains: Echo Hawk, Blue Corn Woman, Acorn, Young Buffalo Calf, Eagle Woman, Mother Corn Goes Inside, New Horse, Fighting Bear, Good Horse, Big Crow, Hill of Corn, Coming Horse, Blue Hawk, Roam Eagle, Male Elk, Eagle-Flies-High, Hawk, Screaming Eagle, Crazy Horse, Stallion, Spotted Horse Chief, White Eagle, and She-Is-Leading-A-Horse-Inside-To-Give-It-Away. We are relatives to the plants and animals that comprise our world, not masters.

Similarly, no sharp lines exist between this world and the next. Smith observes that “the most important single feature of living primal spirituality” is the “symbolist mentality” that “sees things of the world as transparent to their divine source.”³² He points out that “modernity recognizes no ontological connection between material things and their metaphysical source, spiritual roots” like primal peoples who are “better metaphysicians” in this sense, even though their metaphysics is “naturally of the mythic cast.”³³ To the primal mind, physical appearances and reality are never entirely as they seem. Instead, the landscape, forces of nature, and the animals and plants that inhabit the natural world have a spiritual side, and that reality which pervades that world presents a “spiritual dimension’ which escapes modern man.”³⁴

Smith categorizes the tribal religions in the United States among the primal religions of the world—along with the indigenous religions in Africa, Australia, Oceania, Siberia, Southeast Asia, and the other Indians of North and South America—and he ranks them alongside of the major historical religions. Importantly, Smith found that no one religion is superior, stating: “No one alive knows enough to say with confidence whether or not one religion is superior to the others—the question remains an open one,” and “this book has found nothing that privileges one tradition above the others.”³⁵ Based upon that finding, this scholar says the best advice is to view all of the world’s religious traditions as a single mosaic “in a stained glass window whose sections divide the light of the sun into different colors,” because the Spirit appears in diverse ways to different peoples. Each religious difference has

inherent worth, because for God to be understood in all parts of the world, “divine revelations would have had to be couched in the idioms of its respective hearers.”³⁶

Bare-knuckled religious intolerance, coupled with the rise of secularism and “scientism” (as will be defined shortly) are forces that make it difficult to see Native American religion through Smith’s “stained glass window.” It is especially hard to recapture the “sacred” found in the natural world by indigenous peoples, when the place of the sacred in modern society has greatly diminished over the past 100 years, with the gradual elevation of science over religion.

The rise of secularism was traced by the late Vine Deloria, Jr., in a series of articles that shed light on the situation.³⁷ He observed that Medieval Europe once followed two traditions of thought that regarded faith and reason as “equally viable paths to truth.”³⁸ In that part of the world, organized religion was gradually overtaken, for a variety of reasons, by secular science in demonstrating truth. By the time of the writing of the American Constitution, it was felt necessary to rein in the organized religions to curb religious abuse, conflicts, and persecution. This was done in the religion clauses of the First Amendment to the United States Constitution, which operates to separate church from the secular affairs of the state. Even so, during early American history the churches played a significant role in everyday life, addressing social issues such as education and charity. They also influenced the literature and policies of the day, playing especially powerful roles in guiding and implementing the federal government’s Indian civilization, wardship, and assimilation policies throughout the 19th century. Over the decades, this influence upon mainstream society and government waned, as churches withdrew from active involvement in the public arena and confined themselves largely to weekly services and bingo games, leaving their realm only occasionally to make pronouncements on conservative hot-button issues, such as abortion, birth control, and the death penalty—the big church concerns. Sometimes, the organized churches also ventured forth in 20th- and 21st-century political contests in the harness of right-wing candidates. But for the most part, churches usually relegate their participation in the public arena to late-night evangelism on TV, leaving the everyday business of education, health, welfare, culture, and governance to others.

As a result, Deloria observed in 1992 that a “major phenomenon of this century has been the erosion of the power and influence of organized religion in American society.”³⁹ This demise gave birth to what Deloria termed the secular “civil religion,” in which churches took a backseat to a melding of scientific, secular, and bureaucratic thinking by administrators and institutions across the land that hold purely secularized views and see the world through the eyes of the hard sciences. Taken to its logical extreme, that attitude morphs into base “scientism” (to borrow Huston Smith’s term), when it rejects all other sources of knowledge, such as religion, philosophy, and the humanities.⁴⁰ Scientism asserts that science is the best, or even the only, path to knowledge, capable of describing all of reality, with authority over all other interpretations provided by religion, philosophy, mystical or metaphysical, or humanistic explanations.⁴¹ The civil religion of scientism views birds, plants, and animals in the natural world, along with human beings, predominately as phenomena that can be explained only by scientific investigation. God is taken out of nature. In fact, “God is dead”

in the eyes of scientism. As Julian Huxley pronounced during the middle of the 20th century, “it will soon be [as] impossible for an intelligent or educated man or woman to believe in god as it is now to believe that the earth is flat.”⁴² By the end of that century, the sacred was largely banished from public life.

Consequently, religion exists only on the margins of society in the 21st century. *It is just not that important*. Many urbanites and agencies see science as the only pathway to truth and knowledge about reality. This attitude is bare scientism as described by Huston Smith, not to be confused with science, and it harbors a worldview fraught with limitations when it comes to fashioning a land ethic. Science cannot see the Great Spirit, quantify the Great Mystery, nor peer into the Spirit World. That spiritual realm lies beyond the pale of science, and certainly eludes the pointy-head of scientism.

Christianity, religious intolerance, and the rise of secularism and scientism are powerful forces. They work to sever ties to the land, because they cannot see the spiritual side of Mother Earth. They deny that holy ground exists on American soil. They assert that the land, animals, and plants possess no sacred quality. A scientific land ethic that excludes the sacred excludes indigenous wisdom, because it sees science as the only path to understanding the natural world. Indigenous values that teach otherwise have no place in that ethic. In short, these forces prevent us from finding that which is “sacred” on the land and in the natural world. They effectively close our eyes to the sacred in our world, and act to take God out of nature, even though that is where the Great Spirit abides. This is troubling, because a land ethic for our industrialized nation cannot be founded upon science and technology alone, for they *caused* much of the environmental trouble and lack the tools, knowledge, wisdom, and moral willpower to solve that crisis.

This unfortunate predicament was cemented into the law of the land by the United States Supreme Court in the Indian religion cases of the 20th century. In *Employment Division v. Smith* (1990) and *Lyng v. Northwest Indian Cemetery Association* (1990), the court went to great lengths to deny extant constitutional protections for Native American religious practices. In so doing, the court seriously weakened the First Amendment, restricted American religious freedom, and, most importantly, placed the protection of that liberty into the hands of Congress where it must find protection through secular political processes. That completes the secularization process by firmly placing the sacred under the control of the secular. It opens the door for unchecked scientism, and fosters a land ethic that eschews the sacred. To fashion a workable land ethic, balance must be restored between the sacred and the secular. Our survival and well-being depend on recapturing the sacred in American life as we look upon the land.

3. The legacy and mind-set of colonialism The third force that stymies our search for Leopold’s vision is the legacy of colonialism, mentioned earlier, which has persisted in this nation centuries after Americans achieved their independence from England. The early settlers simply replaced England’s colonial policy for dealing with Indian tribes with their own colonial system. These forces continue to color the way we view the land. As mentioned earlier, this mind-set estranges settlers from the land, preventing adherents from adapting because of the drive to exploit colonized land as an economic resource. That mentality

opposes a land ethic built upon any other values or principles. We must confront and discard that legacy, once and for all, because it leads to environmental destruction.

Colonization of Native lands is invariably accompanied by destroying the habitat that supports the tribal way of life. Colonies displace the Natives, extract natural resources from the land, and remake the natural world for agriculturalists and manufacturers. Thus, conquest of nature often accompanies the settlement of Native territory. In *The Conquest of Paradise* (1990), historian Kirkpatrick Sale examined the astounding level of environmental degradation that accompanied European colonization of the New World.⁴³ In 1823, United States Chief Justice John Marshall described the familiar ebb and flow of colonization in the United States:

As the white population advanced, that of the Indian necessarily receded. The country in the immediate neighborhood of agriculturalists became unfit for them. The game fled into thicker and more unbroken forests, and the Indians followed. The soil . . . being no longer occupied by its ancient inhabitants, was parceled out according to the will of the sovereign.⁴⁴

In just a few short decades, for example, the Plains habitat of my own tribe—the Pawnee Nation—was virtually destroyed as countless millions of buffalo and wolves were slaughtered and steel plows were pulled through native plant communities. When the Native people resisted, the law and military invariably supported the destruction of their “indigenous habitat” (meaning the land, water, animals, birds, and plants that made tribal life possible), often with harsh life-altering consequences. The depopulation of the American Indians and destruction of their cultures following European contact has been attributed, in part, to the accompanying destruction of indigenous habitats.⁴⁵ Simply put, deforestation, dewatering, and destruction of the wild animals and plants that sustained Indian tribes led to their collapse. Many went extinct following the conquest of nature in North and South America. The land ethic of colonists is hard on indigenous people, wild animals, and native plants. No land ethic based upon abject colonialism should be allowed to stand, ever. Although the Colonial Era has come to an end, that mind-set lingers in America. It opposes a land ethic that follows the vision of Leopold.

4. The problem of leadership Who shall lead the way to an American land ethic? The fourth barrier to achieving Leopold’s dream arises from certain structural problems observed in federal land agencies. One would think that they should lead. However, certain weaknesses hamper their leadership or, worse yet, have sometimes actually caused agencies to work against a land ethic during the modern era of public land law over the past thirty years. We must open our eyes to these problems to see what can be done to address them.

First, the Supreme Court in *Lyng* and *Smith* allows federal land agencies to run roughshod over tribal holy places on federal land. So does Congress. That deplorable conduct continues unabated to this very day, despite Executive Order 13007 (1996), which directs agencies to comport themselves differently. This illustrates an outright loophole in the American legal system that works against the formation of a land ethic. Agencies cannot develop a land ethic on the one hand, while destroying holy places on the land with the

other. Destroyers forfeit the moral authority to lead and cannot inspire confidence in the eyes of the general public, and especially among the Native peoples who are vital ingredients for a land ethic.

Second, when it comes to land ethics, agencies are sometimes hamstrung by internal conflicts of interest, fall prone to political cronyism by agency big-wigs, or become the hapless hostage of special-interest groups. Such is the nature of agencies that answer to many masters. During these unfortunate periods when professional land management takes a back seat, pork barrel projects rule the day, and years of hard work by dedicated mid-level line officers and professional field staff to establish credibility and working relationships with traditional tribal communities regarding cultural resources on public land are undercut. The public insists upon a more even keel, and that is usually forthcoming in many agencies most of the time. However, nasty lapses which frequently recur in others present a very serious barrier to agency leadership. If unchecked, this problem will relegate agency leadership to the margins, leaving the task of developing a land ethic to others.

We need an *independent* “Land Ethics Program” that is immune to these lapses, a program protected by oversight from the highest levels in the administration and the Congress. How that can be done is left here to the political scientists and beltway big-wigs. This paper simply identifies the problem as a cautionary note to avoid landmines hidden in the dark corners of agency headquarters, as our nation strides toward Leopold’s vision.

Toward a land ethic that incorporates Native American wisdom traditions

I cannot close without presenting a Native American perspective on a land ethic for comporting ourselves with animals and plants in North America. As Cajete explains, Native American cultures spring from the land itself. They derive from a hunting, fishing, and gathering existence. That way of life produced an astounding primal cosmology that revels in Mother Earth’s remarkable ability to support life. It proclaims Mother Earth as the foundation for human culture. That is, human culture, ethics, morals, religion, art, politics, and economics derive from the cycles of nature, the behavior of animals, the growth of plants, and from inextricable human interdependence with all living things that are endowed with a spirit of their own. In the cosmology of Native American gatherers, plants hold an esteemed place of honor as the foundation for human and animal life. The Native American perception of animals mirrors hunting cultures around the world, and it is an ancient way of life in Native North America. This tradition evolved songs, dances, ceremonies, art forms, and a spiritual reverence for animals, producing an elaborate worldview that explains how humans should comport themselves with animals.

Historians, Indian studies scholars, and world religion experts can put flesh on these observations, with help from traditional Indian religious leaders and tribal hunters–fishers–gatherers. These accumulated wisdom traditions can inform a sound American land ethic. In an independent Land Ethics Program, ecologists, biologists, ethnobotanists, and cultural anthropologists can take that wisdom, add their expertise and knowledge about cultural resources, and together we can synthesize a uniquely American land ethic.

The land can speak to those who listen. Here are some Native voices from the land.

In the beginning of all things, wisdom and knowledge were with the animals, for *Tirawa*, the One Above, did not speak directly to people. He spoke to people through his works, the stars, the sun and moon, the beasts, and the plants. For all things tell of *Tirawa*. When people sought to know how they should live, they went into solitude and prayed until in a vision some animal brought wisdom to them. It was *Tirawa* who sent his message through the animal. He never spoke to people himself, but gave his command to beast or bird, which came to some chosen person and taught him holy things. So it was in the beginning.⁴⁶

— *Eagle Chief (Pawnee), 1907*

A long time ago the Creator came to Turtle Island and said to the Red People: ‘You will be the keepers of Mother Earth. Among you I will give the wisdom about Nature, about the interconnectedness of all things, about balance and living in harmony. You Red People will see the secrets of Nature. . . . The day will come when you will need to share the secrets with other people of the Earth because they will stray from their Spiritual ways. The time to start sharing is today.’⁴⁷

— *Mohican Prophecy*

All people have a liking for some special animal, tree, plant or spot of earth. If they would pay attention to these preferences and seek what is best to make themselves worthy of that to which they are attracted, they might have dreams that would purify their lives.⁴⁸

— *Brave Buffalo (Lakota), 1918*

The Indian tried to fit in with nature and to understand, not conquer or rule. Life was a glorious thing, for great contentment comes with the feeling of friendship with the living things around you.⁴⁹

— *Luther Standing Bear (Lakota), 1931*

All animals have power, because the Great Spirit dwells in all of them, even a tiny ant, a butterfly, a tree, a flower, a rock.⁵⁰

— *Pete Catches (Lakota Medicine Man), 1973*

One should pay attention to even the smallest crawling creature for these may have a valuable lesson to teach us, even the smallest ant may wish to communicate to a man.⁵¹

— *Black Elk (Lakota Medicine Man), 1932*

A tree is like a human being, for it has life and grows; so we pray to it and put our offerings on it that God may help us.⁵²

— *Lakota, 1894*

When you look at all the other parts of creation, all the other living creatures—the Creator endowed them with gifts that are far better than ours. Compared to the strength of the grizzly

bear, the sharp sightedness of the eagle, the fleetness of the deer, and the acute hearing of the otter, we're pitiful human beings. We don't have any of those physical attributes that the Creator put into everything else. For that reason, we have to be compassionate with one another and help one another—to hold each other up.⁵³

— *Rueben Snake (Hochunk), 1993*

America has a primal legacy. Despite our secular mind-set, our nation is well endowed with indigenous wisdom traditions that transcend modernity. Everyone is an heir to the hunters', fishers', and gatherers' legacy. They left indelible tracks in each person. Our ancestors became fully human in the natural world. That cosmology is alive and well. It lies on the land beneath our feet. Let us arise, recapture the best in that worldview, and fashion a land ethic for the 21st century.

Acknowledgments

The author respectfully dedicates this paper to two friends, the late Rueben Snake (Hochunk) and the beloved Huston Smith (a scholar of world religion). These profound elders shaped his life, and that of a generation.

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located on public lands in ways that would never be tolerated if Judeo-Christian holy places were at stake. They include *United States v. Means*, 858 F.2d 404 (8th Cir. 1988) (Black Hills); *Wilson v. Block*, 708 F. 2d 735 (D.D. Cir. 1983) (San Francisco Peaks); *Inupiat Community of the Arctic Slope v. United States*, 746 F.2d 570 (9th Cir. 1984) (Arctic coastal area); *Badoni v. Higginson*, 638 F.2d 172 (10th Cir. 1980); *Sequoyah v. TVA*, 620 F.2d 1159 (6th Cir. 1980) (Cherokee homeland and burial ground); *Crow v. Gullet*, 706 F.2d 856 (8th Cir. 1983) (Bear Butte).

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