

Speaking a different language: Tribes and the state are deadlocked on the meaning of sovereignty

Maine Times - May 10, 2001 What, then, does the state think “sovereignty” means? “It’s difficult to talk in terms of tribal sovereignty from our point of view,” says Maine Assistant Attorney General William Stokes. “We don’t necessarily disagree with the fact that [the tribes] are sovereign, but we might not be talking about the same thing as they are.”

Sovereignty: An Introduction

Sovereignty is the right of a nation to exercise its own government and authority over the people living within its borders. Despite the recognition of their sovereignty through treaties, the Maliseet, Micmac, Passamaquoddy, and Penobscot living in Maine had much of their land and many of their rights taken away from them over time. In the 1970s the tribes successfully petitioned the United States for federal recognition. In 1980 the Maine Indian Claims Settlement Act was signed, and the Maliseet, Passamaquoddy, and Penobscot tribes received a cash settlement in exchange for giving up their claim to 2/3 of the state of Maine. The Micmac settled their land claim in 1991. The Settlement Act created a unique relationship between the state of Maine and the tribes that is still contentious today.



Signing the Maine Indian Claims Settlement Act, 1980.
Image courtesy of Reuben “Butch” Phillips.

“It’s important to distinguish sovereignty- there is the federal definition, but superseding that is our sovereignty, and that is original or inherent sovereignty. You can’t separate that, just like you can’t separate our DNA from who we are. So long as we have our DNA this will be so. My grandma said, ‘We aren’t them, and we don’t want to be them and that’s ok.’ The state and federal government can’t define our sovereignty. All tribal people need to hold this dear to our hearts and not relinquish that.”

- Barry Dana, Penobscot Unsettled Past, Unsettled Future, by Neil Rolde, 2004.

To learn more about Sovereignty:

Maine Indian Tribal State Commission web site: www.mitsc.org, click on “Library”

Penobscot leader links conservation, sovereignty

By Misty Edgecomb - Bangor Daily News - April 24, 2001 “Ancestral Penobscots saw environmentalism as a natural outgrowth of their daily life,” said Butch Phillips, Penobscot. Today, an environmentally aware American Indian like Phillips must venture into the Legislature and the courts to reserve the tribal traditions.