

# Biometrics in Indian Country: The Bloody fight for Authenticity

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I'm left to defend  
one lonely drop of blood.  
I might terminate  
if I get nosebleed.

Excerpt from the poet Annharte's 'Cheeky Moon'  
(quoted in Strong and Winkle, 1996: 552)

What defines an American Indian? Is it race? Is it culture? Is it enrollment in a federally recognized tribe? Sovereignty and identity, the issues at the root of these questions, have historically plagued American Indian nations since the advent of their colonialism and continue to dominate contemporary American Indian politics.

Despite a pre-colonial history of defining tribal membership through descent and kinship ties, over two-thirds of federally recognized American Indian nations today use blood quantum to determine who qualifies as an enrolled member of their tribe and is thus eligible for tribal rights and funds (Garrouette, 2003). Simply stated, the US government developed blood quantum, defined as the 'degree' of blood one biologically possesses of a certain 'race' or ethnic group, to facilitate the cultural eradication of Native people and dismantle traditional modes of life. However, Ward Churchill claims "to tighten or even adhere to quantum requirements... is to engage in a sort of autogenocide by definitional/statistical extermination" (Churchill, 1998: n.p.). In short, if Native nations continue to adhere to strict blood quantum requirements, he argues that it is only a matter of time before all American Indian people eventually sink below the required blood quantum and American Indian nations will no longer exist.

I turn and put focus on what he calls the 'internalization of Euro-America's conception of race by native people' (Churchill, 1998: 15). I, unlike many others, do not believe that Native nations will continue to adhere to the common and strict 1/4 blood quantum to define membership. Much of the literature surrounding blood quantum concentrates on what will happen if the current strict blood quantum requirements are upheld. If the high occurrence of out-marriage continues at its present rate, it is a mathematical fact that, in a matter of generations, the majority of American Indians will fall beneath the popular 1/4 blood quantum (Beckenhauer, 2003). I believe that tribes will eventually (indeed some already have) gradually drop to an 1/8 blood quantum, then to 1/16 blood quantum, and so on, so as to fit the needs of the tribe. I believe that Native nations, like always, will do what it takes to survive. However, I am far more concerned with how the vast majority of the American Indian community has linked the very identity and 'authenticity' of American Indians to the introduced colonial tool of blood quantum.

In this essay, I touch on the issues of self-colonization, the realities of the General Allotment Act, the implications of an increasing 'mixed-blood' Indian community, and the growing place of DNA testing in Indian country. I argue that by choosing to forsake traditional modes of community membership in exchange for blood quantum, Native nations are committing the ultimate act of self-colonization in that not only are they excluding a growing number of their 'mixed-blood' brethren, American Indian people are, in a self-colonizing act, breeding themselves out of an 'authentic' Indian identity.

## Self-Colonization:

Internal colonialism, and subsequently self-colonization, while not as widely discussed and analyzed as colonialism, is at the heart of the American Indian political, economic, and ideological struggle. Colonialism, defined by the United Nations as “the subjection of people to alien subjugation, domination, and exploitation,” was condemned by the UN in 1960 in Resolution 1514 (XV) as a clear violation of fundamental human rights (UN 1514). In the UN’s 1960 Resolution 1541 (XV), the conditions were stipulated to limit the instances that the UN would regard as colonialism. They thus would “transmit the information”, or legally protect only those communities that fell within their definition of colonialism (UN 1541). In this resolution, the UN included an ‘overseas requirement’ by stating that “there is an obligation to transmit information in respect of a territory which is *geographically separate* and is distinct ethnically and/or culturally from the country administering it” (Ortiz, 1985: 260, emphasis added). Thus, unlike colonialism, which is internationally recognized and condemned, ‘internal colonialism’ is not included in this definition since it takes place within a political entity, rather than geographically apart from it. Internal colonization is, in fact, the result of a colonial power subjugating a foreign entity/community to the point of its complete incorporation into the colonial power’s own political state or nation. A related variation of internal colonization is that of “settler-state colonialism,” where the colonial power sends and relocates part of its own population to the land of conquest. These ‘settlers’ then supplant, rather than simply subjugate, the aboriginal population of the conquered land. As in the case of the United States, this ‘settler’ community then revolted against its own sovereign and, in turn, formed its own nation state, which then absorbed the aboriginal community (Churchill, 2002).

Self-colonization, then, is the internalization and continuation of the colonist mindset in which a colonized person actively continues, rather than disassembles, the colonial framework of subjugation and domination (Gordon, 1999). Karren Baird-Olson (2003), in discussing the self-colonizing consequences of blood quantum remarks,

“The internalization of blood quantum criteria to determine identity has promoted in-group conflict, leaving First Peoples and their descendents fighting each other under the table for the pitiful scraps thrown by the lord and lady of the manor. We fight with each other for inadequate health care and education scholarships, underpaid jobs, and pitiful fee for land claims and mineral and resource rights, and land leases (Baird-Olson, 2003: 212).”

In this way, the use of blood quantum creates a window through which ‘Indian’ people, who have the correct blood quantum, but no cultural ties to the Indian nation, are allowed to partake in the economic and legal advantages of being ‘Indian.’ In addition, by choosing to reject those who do not have the correct blood quantum, but do have a strong cultural affiliation to the tribe, American Indian people are engaging in a self-colonizing act in that they are disenfranchising many of their fellow Indians. Also, by linking the very authenticity of the American Indian to the Western concept of biology and the ever-decreasing full blood category, American Indian people are, in a self-colonizing act, assuring the slow but sure decimation of a ‘true’ or ‘real’ Indian identity.

## Legislative background of Blood Quantum:

Traditional methods of ‘tribal’ or rather Native community identity and enrollment was not dictated or even influenced by ‘genetic’ distinctions or qualifications. Native societies were organized on a ‘kinship’ basis that valued familial ties over the Western conception of genetics. This practice served to void out many of the genetic dissimilarities or distinctions between the participating Native groups. For instance, there is a recorded instance in the seventeenth century of the

Mohawk nation absorbing a significant portion of Hurons and Susquahannocks into their fold (Churchill, 1998). The combined number of absorbed Huron and Susquahannock actually exceeded the original number of Mohawks, showing that identification through 'blood' was not a leading, or even prominent factor in tribal or national identity.

Blood, as a distinct genetic marker of 'race,' was introduced with the advent of colonialism. Blood quantum first appeared legislatively in 1705 in the colony of Virginia in a law that forbade certain rights to any "negro, mulatto, or Indian. The Colony's legal definition of mulatto stated: 'The child of an Indian, and the child, grandchild, or great grandchild of a negro shall be deemed accounted, held, and taken to be a mulatto.'" (Baird-Olson, 2003: 210).

However, the General Allotment Act or Dawes Act of 1887 is generally viewed as the first real legislative landmark in blood quantum. Legislators designed the Act to break up the collective land holding tradition of the American Indian people and replace it with the Anglo-Saxon system of individual land tracts, or private property. The act read that each Indian individual who was listed on the official 'rolls' would be allotted a parcel of land in concordance with the following formula:

1. Head of family: 1/4 section [160 acres]
2. Single person > 18 years: 1/8 section [80 acres]
3. Orphan child < 18 years: 1/8 section [80 acres]
4. Other single person < 18 years: 1/16 section [40 acres]

Thus, while the act itself did not specify how an American Indian would be defined, it was left up to "special allotting agents' appointed by the president to assign individual allotments to reservation Indians" (LaVelle, 1999: 255). These agents assembled the official 'rolls' from which the allotments were distributed and demarcated. After every person (who was registered to the official 'rolls') had received his/her allotted parcel of land, the act officially declared all other land 'surplus.' This surplus land was then made available to non-Indian settlers (Churchill, 2002).

Recently, there has been much debate and controversy surrounding the exact wording and scholarly research of the General Allotment Act or Dawes Act of 1887. I defer to both the thorough works of John P. LaVelle and Ward Churchill when discussing the General Allotment Act. Well-written and impressively researched, LaVelle's article 'The General Allotment Act "Eligibility" Hoax: Distortions of Law, Policy, and History in Derogation of Indian Tribes' elaborately makes his point that, contrary to Churchill's ascertations, the General Allotment Act does not include any formal reference to blood quantum. My main criticism of this article is not in its thoroughness or attention to detail, but in its lack of attention to blood quantum itself. While the priority of this article was obviously to discredit Churchill and Jaimes' scholarly work surrounding the General Allotment Act and not to analyze the affects of the Act, I still worry that the stark reality that blood quantum was and is a colonial tool of destruction is lost in the critique.

Putting aside this current tiff in Academia, the disastrous consequences and realities of this Act lay not in its exact wordage, but in its interpretation. Two examples of how the interpretation of the General Allotment Act and the subsequent 'Burke Act' of 1906 cemented blood quantum in the Indian reality and subconscious is that of the Chippewa Indians of Minnesota and the Washoe Nation of Nevada and California.

In attempting to implement the Act to the Chippewa Indians at the Minnesota White Earth Reservation in 1906-07, physical anthropologists were called in as 'expert witnesses' (Wilson, 1992: 121). In a show of how Natives had restructured the Anglo hegemonic classifications to suit their own cultural constraints, the Chippewas at that time actually used culture to define blood, citing that those who lived with the tribe were full bloods and those who lived with the

Whites were mixed bloods. However, the anthropologists ignored these claims and instead conducted their own physical tests. Hair was sampled (any curly hair equaled some white blood), feet were measured (larger sizes indicated some white ancestry), and chests were scratched (mixed bloods' scratches were brighter red) to determine each Chippewa's level of 'blood' (Wilson, 1992).

In discussing the affects of the General Allotment Act on the Washoe Nation of Nevada and California, Pauline Strong and Barrik Van Winkle state, "These allotments... were an effective first step in the destruction of the previous pattern of genealogical 'amnesia.' Names of ancestors and their descendants were fixed permanently in the allotment records; similarly, names and relationships were recorded in school dossiers, probate court records, and the like. Individuals were identified in allotment and other documents as 'Washoe' or 'Washoe-Paiute,' but also as 'full-blood,' 'mixed-blood' (those of mixed Indian ancestry), or 'half-blood' (those with White ancestry). As a consequence of the *administration* of the Dawes Act, not only individuated land holdings but individuated blood quanta entered Washoe consciousness and experience" (Strong, 1996: 558 italics added).

Thus, while the exact wordage of the Dawes Act did not include blood quantum, it was in its interpretation and enforcement that the Western racial ideologies were firmly implanted. Even in the very creation of the rolls, a 'genealogical amnesia' was fostered and enforced. By permanently placing names and their respective (ill-determined) blood quanta on an official roll, the government began the effective stripping of traditional methods of inclusion and 'enrollment' in Native communities.

### Out-marriage and 'Mixed-Bloods':

According to the 2000 US census, 1,643,345 of the 2,475,956 American self-identified Indian people, or roughly 40% identified as being two or more 'races' (Baird-Olson, 2003: 196). In fact, "the rate of racial intermarriage for American Indians is the highest of all American racial categories, with fewer than half of American Indians marrying other Indians." This same study showed and juxtaposed Indian endogamy with that of the racial categories of White, Black, and Asian. In contrast, all had "racial endogamy rates of 95 percent and higher" (Nagel, 1996: 245).

If one wonders why there is such a large disparity in endogamy rates between American Indians versus other 'ethnic' groups, I can only look at my own example of growing up near the small tribal community of Skokomish. With such a small community, nearly all were related. I recall one particular moment in middle school in which my future first boyfriend had asked me to 'go out' with him. I remember making the half-serious joke with my friends that I had to check and make sure we weren't related before I agreed. Many tribal communities are located in similar rural areas, in which many of the families on the reservation are closely related. This leads to socialization and intermarriage between Natives and the surrounding (often White) communities.

The highly racialised US society has historically controlled Indian identity, causing the Indian identity to be considered shameful. However, Native people today are often faced with the opposite problem: not being enough Indian to claim full Native heritage. "Often mixed bloods in response to queries about their ethnicity will reply: 'I'm only one-quarter Indian or half Indian,' presumably accepting the notion that a lesser blood quantum somehow determines the degree of Indianness" (Wilson, 1992: 123). In my own experience, I have found that the system of blood quantum, as well as the surrounding enrollment criteria, has indoctrinated mixed Native peoples with the belief that they must 'prove' their Indianness and deny being just 'Indian,' because they are not 'authentic' or 'real' Indians (Garrouette, 2003).

Thus, with the previously stated percentage of mixed blood Indians approximating forty percent, this classification of mixed bloods as some sort of 'impure' or 'lower' strand of American Indian "makes hybridity a contaminant of the

American Indian's right to authenticity" (Garrouette, 2003: 56). This internalization of defining authenticity or belonging via blood pedigree is currently having a disastrous effect on the forty percent of the Indian population who identify as mixed blood and can only have an equally disastrous effect on the future of American Indians. In other words, with the ever increasing intermixing of the American Indian 'race,' the authenticity of Indian people, as defined by blood criteria, will only continue to dissipate.

### DNA Testing/The Future:

There is a recent and disturbing trend in which genetic testing has been advertised as being able to prove 'Native American' descent. Not only are there corporations that offer 'tribal enrollment workshops' in which a sales pitch of DNA technology is promoted, but there was also a bill introduced in the state of Vermont, H. 809 in 2001. This legislation, sponsored in part by the Western Mohegan Tribe, was introduced to cement procedures for DNA testing for tribal people or nations in the hopes that they will prove their native ancestry to the US government (TallBear, 2003). In discussing the Vermont House Bill 809, Kimberly TallBear warns, "the acceptance of racial ideology that resulted in this legislation may be an indication of future overly racist laws and policies that will also assume that political and cultural rights are and should be biologically determined" (TallBear, 2001: 2). The bill was dismissed, but the fact remains that Native and non-native groups felt legitimate in proposing the legislation that promoted and legitimized a completely racialized definition of what constitutes a 'Native American.'

Simply put, "it is absurd to try to define what is essentially a social identity by using biological characteristics" (Beckenbauer, Eric p.17). I find it interesting that so many have stood up and advocated against genetic testing to determine tribal enrollment. Many tribal nations obviously fear this type of bill due to the fact that it could eventually usurp tribal sovereignty and the right to define their own membership would be relinquished. However, I ask, is this not what has, in effect, already happened and continues to happen in roughly two-thirds of Native nations that use blood quantum as the sole determinant of tribal enrollment?

### Conclusion:

"First Peoples need to continue to take back the power to name, specifically to reclaim, the right to determine Indian nation membership. If we do not, the oppressed have become the oppressors: By denying our relatives, we have turned on our own. As long as we do not cast aside the colonizer's rules about blood quantum, phenotypical stereotypes, and other forms of racialized thinking with all of its issues of power, status, and prestige, both mixed bloods and full bloods will remind [remain] the "colonized other," a demonstration of internalized oppression" (Baird-Olson, 2003: 215).

To reclaim Native definitions of identity, blood quantum must, first and foremost, be abolished as a culturally appropriate measure of whom legally and culturally constitutes a 'real' Indian. However, the true work lies in outing blood quantum for what it truly is, a colonially imposed apparatus of cultural destruction. By adhering to blood quantum requirements to determine enrollment and identify prestige, American Indians have internalized 'Anglo norms' and Western notions of 'race.'

If traditional modes of enrollment, such as cultural affinity, kinship ties, and descent are not reclaimed and most importantly validated as 'authentic' modes of inclusion criterion, American Indians, as a distinct cultural group, will one day cease to exist. While I may not agree with other theorists' claims that Indians will 'breed themselves' out of a statistical/political entity, I do believe that blood quantum is ensuring the destruction of an 'authentic' identity.

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