

Statement

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An Act To Implement the Recommendations of the Task Force on Changes to the Maine Indian
Claims Settlement Implementing Act

by

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This year, the State of Maine celebrates its bicentennial. For the Wabanaki, this historical landmark offers no reason for celebration because the state inherited and perpetuated a miserable political track record with respect to dispossessing and repressing the region's surviving indigenous nations. I therefore applaud the Task Force for its efforts to produce legislation that will improve tribal-state relations.

Since the mid-1980s, I have taught university courses focusing on indigenous cultural beliefs and practices in North and South America, first at Bowdoin College then at Colby, and next in Kansas where I was promoted to University Distinguished Professor of Anthropology.

I read the draft informed by a comparative historical perspective on Indian treaties in Maine, the Canadian Maritimes, and across this continent. The baseline for my perspective was laid almost 40 years ago, soon after the Maine Indian Claims Settlement Act was signed into federal law, when the Association of Aroostook Indians appointed me as its research director. For about ten years, I continued that service for the Micmac tribe. Twenty-five years ago, the Bureau of Indian Affairs commissioned me to produce a cultural history of the Penobscot River as part of an environmental damage report. Seven years ago, the Penobscot Nation requested my historical research input in its sovereignty dispute with the State of Maine concerning the Penobscot River.

Discussing a history of conflicts about land claims in Maine, Attorney General James Sullivan wrote in his 1795 landmark *History of the District of Maine*: "... unless some measures can be taken by the legislature to put an end to the litigations, the District [of Maine] will groan under the injury for a long time to come."¹ Sullivan was only partially

¹ Sullivan 1795, p.150)

correct, for he had turned a deaf ear to the groans of the Wabanaki, as he expected them to quietly vanish like dust in the wind.

In my report, I detailed the historical treaty-making process, and focus on the ecology of the Penobscot River, underscoring its cultural significance for the local indigenous families still residing on Panawamskek (Indian Island). That river always was and will forever remain the central artery in that tribal nation's ecosystem. Its significance goes far beyond fisheries, water fowl, or beaver, for example, for the river also served these canoe-faring foragers as a waterway between the seacoast and the hinterland. The Penobscot River features prominently in the tribe's mythology and folklore. Many indigenous place names, for example, reflect how finely attuned Penobscot Indians are to their riverine habitat. Some of the geographic features in the Penobscot Valley are attributed to Gluska/be, the giant shaman hunter, their "culture hero."

A deep ecological awareness of Penobscot dependence on fish, fowl, and game animals in their riverine habitat is also underscored by the fact that many families (or clans) still bear names associating with fish and water- or shore-based animals as *ntútem*, or totem, a word found in many related Algonquian languages, which literally translates as "my spouse's parents," or "my partner of another kind." Some examples of Penobscot families with fish-related totems are Neptune (eel); Sockalexis (sturgeon), and Penewit (yellow perch). Penobscot families with a river-based mammal totem include Orono/Tama'hkwe (beaver), Nicola (otter), and Francis (fisher).

Beyond place names, myths and legends, spiritually-important sites exist along the banks and even within the river itself. One such site was a granite rock (now destroyed) with a large circular hollow rising above the surface not far downriver from the historic tribal village site at Mattawamkeag Point. Traditionally, Penobscot Indian families canoeing to their hunting districts upriver left tobacco and other gifts for a mythic storm spirit residing at Katahdin, hoping these ritual offerings would bring them success with hunting, trapping and fishing.

The Penobscot tribe's creation myths, animal totem stories, ritual gifting, and a range of other traditional practices not only affirmed their cultural identity but also reminds us all of their deeply historical, ecological, and spiritual roots in their ancestral homeland and enduring connections to their ancestral river and its once-abundant wildlife.

In conclusion, I much hope that the Commission will recognize the enduring importance of the rivers for the Penobscot, but also for the Passamaquoddy, Maliseet and Micmac, and that this is reflected in the wording of the document under discussion.