



January 2016

## Book Review: Lerma, M. (2014). Indigenous Sovereignty in the 21st Century: Knowledge for the Indigenous Spring

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### Recommended Citation

Hiraldo, D. (2016). Book Review: Lerma, M. (2014). Indigenous Sovereignty in the 21st Century: Knowledge for the Indigenous Spring. *The International Indigenous Policy Journal*, 7(1).

**DOI:** 10.18584/iipj.2016.7.1.4

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## Abstract

This article provides a review of Michael Lerma's book, *Indigenous Sovereignty in the 21<sup>st</sup> Century: Knowledge for the Indigenous Spring*.

## Keywords

Native American, peoplehood, sovereignty, federal Indian law and policy, U.S. Supreme Court

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## Book Review

**Michael Lerma. (2014). *Indigenous Sovereignty in the 21<sup>st</sup> Century: Knowledge for the Indigenous Spring*. Gainesville, FL: Florida Academic Press. 167 pp. \$48.00 (paperback). ISBN-10: 1890357499.**

In his book, Michael Lerma provides an historical overview of how U.S. federal Indian law and policies, and Supreme Court cases have sought to impact Indigenous sovereignty. Typically, federal Indian policy is classified in thematic eras, but Dr. Lerma posits another theoretical model to analyze federal Indian law and policy as “functional creep” zones. Lerma explains, “bureaucracy has a tendency to creep away from its original intent” (p. 26). Thus, it is no longer accurate to organize federal Indian law and policy around a thematic timeframe. Creep provides a different perspective on how these policies and practices sought to expand or constrain Indigenous sovereignty whenever it affirmed or threatened U.S. federalism (p. 42). Lerma argues, “Interestingly, we find that Indigenous rights tend to be defended insofar as they simultaneously maintain and bolster the superiority of federalism over state sovereignty” (p. 42). In addition, Lerma contends that land and access to resources was the root of international relationships with Native nations; these nations were not passive actors in this development. According to Lerma, we should continue to view Indigenous peoples as international actors who negotiated international agreements with European countries and later the United States.

K. Tsianina Lomawaima and Teresa L. McCarty (2006) also employ a theoretical model to describe federal Indian policies and practices known as “safety zones.” According to Lomawaima and McCarty (2006), the safety zones represent “an ongoing struggle over cultural difference and its perceived threat, or benefit, to a sense of shared American identity” (p. 6). Simply put, through policy, the federal government has differentiated safe and dangerous Native peoples’ ways of life and redefined those boundaries over time through federal policies. Using Indigenous educational policy as evidence, the authors posit that safety zones were instances where Indigenous customs were permitted to be a part of American life, such as incorporating basket weaving and other variations of arts and crafts, and at other times using Indigenous language in educational materials to teach “American” values to Native children. By contrast, the dangerous zones threatened American nationalism—such as, challenges to federal control of Native education, displays of culture diversity counter to American culture, and the assertion of self-determination rights—thus, policies were adopted to marginalize Indigenous peoples. However, Native peoples challenged those safety zones in a variety of ways to impact change.

Lerma’s functional creep zones model is insightful, but resembles the “safety zone” model. More accurately, the author’s discussion of federalist versus state rights best describes the U.S. approach to Indigenous sovereignty as a reinforcement mechanism for the federalist structure and, thus, upholds the supremacy of the national government. The Rehnquist Court, as Lerma describes, challenges such authority by consistently providing Supreme Court decisions that threatened and sought to diminish Indigenous sovereignty. The concept that the federal government “creeps” from its original intent may become problematic. The reader should conclude that the original intent of the U.S. government was to gain resources (i.e., land). Access to land provides boundaries—a prescribed territory—which one would assert jurisdiction and sovereign authority over. I do not believe the U.S. is trying to creep from its original intent, but rather is attempting to redefine Indigenous sovereignty through these zones for its own benefit. This is where Lomawaima and McCarty’s safety zone model is applicable because it

demonstrates how national educational policy sought to assimilate Native peoples into the “American” culture. In addition, Lerma argues that Indigenous sovereignty “does still exist but in diminished capacity and varying from Indigenous nation to Indigenous nation” (p. 25). Then the author cautions readers not to articulate Indigenous sovereignty as unique to other sovereigns. The diminished explanation suggests that other sovereigns maintain their sovereignty intact or whole. Just as we should be cautious at explaining Indigenous sovereignty as unique, we should be cautious in suggesting that Indigenous sovereignty is less than (i.e., diminished) in relation to other sovereigns. International agreements, treaties, and so on, bind other sovereigns, just as Native nations have established a government-to-government relationship with the U.S. national government.

The author’s audience is scholars, practitioners, elected officials, and youth researching Indigenous sovereignty and examining federal Indian law and policy. There is one component of this book, included in Chapter 3, which is probably the most compelling for Native practitioners and Native leaders alike, wherein Lerma employs his students to discuss Indigenous sovereignty in a contemporary context around traditional ways of knowing and understanding the concept. This chapter seems to be the heart of the author’s argument, which is: Sovereignty is not a superficial word for Indigenous peoples because oral stories, traditions, and customs—the peoplehood model—have always and continue to inform how Native peoples govern themselves. Section II, which includes chapters on the Marshall Court, the Rehnquist Court, and the Rehnquist Legacy cloud this insightful argument.

*Indigenous Sovereignty in the 21<sup>st</sup> Century: Knowledge for the Indigenous Spring* provides an Indigenous perspective on sovereignty and its importance in today’s society. Moreover, it serves as a reminder for Native youth and Elders to begin or continue a dialogue around traditional governance practices and how they apply in today’s context.

## References

Lomawaima, K. T., & Teresa L. M. (2006). *To remain an Indian: Lessons in democracy from a century of Native American Education*. New York: Teachers College Press.