

THE NATION WITHIN: PROSPECTS FOR AN INDIGENOUS FUTURE

Wendy S. Greyeyes*

I. INTRODUCTION

Professor Ezra Rosser's work comes at a pivotal point for my Navajo people in terms of land issues and economic development, as the pressure to rebuild a new Navajo economy has increased during the recent presidential election.¹ For example, at the June 28, 2022 Navajo Nation Presidential Forum hosted by Diné College, Native American students from local colleges and universities posed questions for the presidential candidates.² All sixteen presidential candidates were asked questions on "why is poverty so rampant on the Navajo Nation."³ Many candidates responded by describing poverty as the result of individual choices influenced by addiction, poor health, lack of education, and lack of motivation because of "shah"⁴ mindsets. However, no candidate explained that the root cause of the generational poverty that has plagued the Navajo people is the lack of

* Wendy S. Greyeyes, Ph.D. (Diné) is an Assistant Professor of Native American Studies at the University of New Mexico. Recent publications include an article for *Wicazo Sa Review* titled, *The Paradox of Tribal Community Building: The Roots of Local Resistance to Tribal State Craft* (2021) and a book titled, *A HISTORY OF NAVAJO EDUCATION: DISENTANGLING OUR SOVEREIGN BODY* (2022). She is the winner of the Sarah Brown Community Award and was nominated for the New Teacher of the Year at University of New Mexico. She currently is a co-editor with Dr. Lloyd L. Lee for University of New Mexico Press's *Studies in Indigenous Community Building*.

1. See Shondiin Silversmith, *Navajo Nation Presidential Candidates Tackle Questions About the Navajo Economy During Forum*, ARIZ. MIRROR (June 23, 2022, 9:07 AM), <https://www.azmirror.com/2022/06/23/navajo-nation-presidential-candidates-tackle-questions-about-the-navajo-economy-during-forum/> [https://perma.cc/Y2RV-66PW].

2. See *id.*; see also *4 Navajo Presidential Forums Taking Place in June*, NAVAJONATION.VOTE (June 8, 2022, 1:30 PM), <https://www.navajonation.vote/news/4-Navajo-presidential-forums-taking-place-in-June> [https://perma.cc/ZJ84-5YZP].

3. See Navajo Nation Presidential Forum at Diné College (June 28, 2022), <https://www.facebook.com/events/714814123071816> [https://perma.cc/95LU-DYVL] (providing a general overview of the forum conference focusing on the crucial points made in the discussion).

4. *Shah* is the Navajo slang word for "give me." LEON WALL & WILLIAM MORGAN, *NAVAJO-ENGLISH DICTIONARY* 55 (1958).

privatized ownership of land. The frozen state of tribal trust lands has kept us at the margins of economic expansion.⁵ The resulting dependence on the federal and tribal governments for resources and daily needs has placed the Navajo Nation in a continuous cycle of perpetuating belief that its leaders, and the nation itself, are responsible for generating wealth for the people.

As the candidates moved on to discuss the long delays in approving homesite leases, there was a continued misunderstanding of how our economic system operates. Or maybe this issue was purposely ignored. It was easier for the leaders to focus on superficial procedural issues, such as the excessive time and paperwork required, and the need to transition to electronic online resources. It is true that homesite leases take a long time to be approved.⁶ I have endured the process for my own homesite lease, which involved lost paperwork and the firing of an entire land department staffing in Tuba City, Arizona. The point is, however, that no intelligent policy intended to create meaningful and long-term structural change was discussed. Therefore, we witnessed the perpetuation of a lack of understanding surrounding our land ownership. Although candidates did discuss the need for an improved process of managing homesite leases, these leases are for seventy-five years, and families never truly feel the need to invest in building homes that will not end up belonging to them. These lands cannot be sold, transferred, or used as collateral, which is necessary for Navajo families to enter the market and tackle the poverty that afflicts our people and communities.⁷ Our leadership does not articulate the fundamental reasons why we continue to exist in a state of dependence and perpetual poverty.

II. THE IMPACT OF ROSSER'S WORK

Rosser's work is a meaningful part of the conversation that gathers existing work developed by Diné scholars from current reports and scholarly analyses of our land systems.⁸ His book, *A Nation Within: Navajo Land and Economic Development*, is an important collection that examines the history of our economic structures and our relationship to the land.⁹ The analysis of

5. See Dennis Wagner & Craig Harris, *Why It's So Difficult to Build Homes on the Navajo Reservation*, AZ CENT. (Dec. 14, 2016, 9:09 PM), <https://www.azcentral.com/story/news/local/arizona-investigations/2016/12/14/why-its-difficult-build-homes-navajo-reservation/79541556/> [https://perma.cc/4WSB-9LNQ].

6. See OFFICE OF THE AUDITOR GENERAL, THE NAVAJO NATION: A SPECIAL REVIEW OF THE NAVAJO LAND DEPARTMENT HOME SITE LEASE PROCESS, REPORT NO. 19-02, at 2 (2018).

7. See OFFICE OF NAVAJO LAND ADMINISTRATION, HOMESITE LEASE POLICY & PROCEDURE 15-16 (1993).

8. See generally EZRA ROSSER, *A NATION WITHIN: NAVAJO LAND AND ECONOMIC DEVELOPMENT* (2021).

9. *Id.*

our Navajo lands is an excellent contribution to the framework required to understand the complexity of our economic system and trust lands. The conversations around homesite leasing, grazing site leases, and business site leases are the most crucial aspects of the Navajo Nation land reform. Rosser provides recommendations to address the frozen state of the Navajo Nation's economic development, and offers some ideas on how to overcome these challenges.¹⁰ For instance, he suggests that a modified version of adverse possession that requires non-use, might work for homesite leasing.¹¹ The Navajo Nation could justify such a modification because the tribe holds ultimate title (in trust with the federal government) to the land.¹² As Rosser stated: "[o]ne could argue, for example, that land not withdrawn from the range 'belongs' in some way to all tribal members."¹³ Rosser offers meaningful ideas to rethink our land ownership within the current confines of the federal trust relationship.¹⁴

The topic of implementing change within the Navajo Nation is an important part of the Rosser's analysis.¹⁵ Seeing the many meanings attributed to literature as examined through the differing lenses of Navajo and Anglo-American worldviews is critical to understand how land is perceived by Navajo people and Euro-Anglo peoples. That perception relies heavily on the pre-colonial and post-colonial period and, to use Vine Deloria's term, reflects re-colonization as part of the post-colonial.¹⁶ Beginning with "Pre-Contact," Euro-Anglos "Colonization," and "Post-colonial/Decolonization/Recolonization,"¹⁷ these periods carry with them the cultural and dominating moods that have shaped our relationship to the land from its destruction to its growth. The literature surrounding land is, therefore, important to help contextualize Navajo worldviews of land.

10. *Id.* at 141-43.

11. *Id.* at 157.

12. *Id.*

13. *Id.*

14. *Id.* at 17-18.

15. *Id.* at 17-18, 121-24.

16. See VINE DELORIA, JR., *CUSTER DIED FOR YOUR SINS: AN INDIAN MANIFESTO* 264 (Univ. Okla. Press 1988).

17. See Dana Leibsohn & Barbara Mundy, *Surveying the Pre-Columbian*, VISTAS: VISUAL CULTURE IN SPANISH AM., 1520-1820 (2005), https://www.smith.edu/vistas/vistas_web/units/surv_precol.htm; see also The Canadian Rsch. Inst. for the Advancement of Women, *Colonialism and Its Impacts*, FEMINIST N. NETWORK 1 (2016), <https://www.criaw-icref.ca/wp-content/uploads/2021/04/Local-Women-Matter-3-Colonialism-and-its-impacts.pdf> [<https://perma.cc/35G3-BSAW>]; Lloyd L. Lee, *Decolonizing the Navajo Nation: The Lessons of the Naabaahii*, 42ND ANN. NAT'L INDIAN EDUC. ASS'N CONVENTION & TRADESHOW (2011), <https://files.eric.ed.gov/fulltext/ED528280.pdf> [<https://perma.cc/FQ49-Y79P>].

“Pre-contact” refers to the period described by the Diné as our state of purity, prior to European contact.¹⁸ This state of purity is depicted in our original stories, in which pre-colonial indigenous people were able to protect the land by living in a state of balance and harmony with their own values.¹⁹ “American Indians hold their lands” as *places* of outmost significance, and “all their statements are made with this reference . . . in mind.”²⁰ In contrast, western societies “derive meaning from the world in historical and developmental terms, thereby placing *time*” at the center of significance.²¹ In our creation stories, our ancestors migrated through the four worlds to escape the monsters that threatened to destroy our existence.²² After leaving the four worlds and entering our current world, our ancestors constructed this world, which is embraced by land.²³ The holy people established the mountains and the sacred places that would define our new home.²⁴ However, the meaning of these established spaces of home did not mean the creations of a self-quarantined zone that kept us confined. Instead, home was identified by markers as a recognition of our entrance into the world.²⁵ These markers served as our anchor to the rest of the world.²⁶

As Navajos, we view land as a porous and a borderless reality. We were not built to stand in one place. To ensure our existence, we build relationships with others and cross terrains to engage in trade, work, politics, and learn. This has always been the case. Just like in the case of Changing Woman, who created the first people and the original clans.²⁷ As of today, we have over 100 clans, which represent our movement and engagement with others.²⁸ We connect and build relationships beyond the four original clans

18. See VINE DELORIA, JR., *INDIANS OF THE PACIFIC NORTHWEST: FROM THE COMING OF THE WHITE MAN TO THE PRESENT DAY* 5-10 (Fulcrum Pub’g 2012).

19. See Glen Coulthard, *From Wards of the State to Subjects of Recognition? Marx, Indigenous Peoples, and the Politics of Dispossession in Denendeh*, in *THEORIZING NATIVE STUDIES* 56, 70-72 (Audra Simpson & Andrea Smith eds., 2014).

20. *Id.* at 69.

21. *Id.*

22. See KLARA KELLEY & HARRIS FRANCIS, *A DINÉ HISTORY OF NAVAJOLAND* 12-13 (2019).

23. *Id.* at 12.

24. *Id.* at 12-13.

25. See Kevin S. Blake, *Contested Landscapes of Navajo Sacred Mountains*, 3 *N. AM. GEOGRAPHER* 29, 29-33 (2001); see also Adriana C. Risetto, *Sacred Mountains as Geographical Markers*, *BETWEEN FOUR SACRED MOUNTAINS: THE DINÉ AND THE LAND IN CONTEMPORARY AMERICA* (1997), <https://xroads.virginia.edu/~MA97/dinetah/geo.html> [<https://perma.cc/BT6K-TK7A>].

26. See Blake, *supra* note 25, at 30-33.

27. See KELLEY & FRANCIS, *supra* note 22, at 13-14.

28. See Shondiin Silversmith, *What Is the Navajo Clan System? What It Means to Introduce Yourself in Navajo*, *AZ CENT.* (Nov. 4, 2019, 9:48 AM), <https://www.azcentral.com>

in order to survive. Our survival is based on a history of migration.²⁹ We move to exist. It is important to recognize the foundational elements of our existence that help us unpack the literature and perceptions of land. In contrast, the Western view holds that the indigenous land was terra nullius, or unoccupied.³⁰ This basic belief led to the justification of the next period of transformation for Indigenous people in the United States upon the onset of the colonial period.³¹

The colonial period led to the theft of millions of acres of land through treaties, forced migration, and colonial military violence. This is well-documented in the works of Vine Deloria, Jr. and Clifford Lytle's similarly titled book, *The Nations Within: The Past and Future of American Indian Sovereignty*.³² Deloria and Lytle describe the congressional moves to create Indian reservations as a strategy to strengthen the federal government's oversight and control of Indian tribes.³³ They explain how Indian agents created the reservation system, which some tribes quickly adopted.³⁴ However, many rejected this view. This was true of the Navajo people, many of whom demonstrated massive disdain and distrust towards the federal government.³⁵ "Colonialism is the practice by which a powerful country directly controls less powerful countries and uses their resources to increase its own power and wealth."³⁶ For instance, the Navajo people articulated the need to educate the children, but the boarding school experience was also a ruse to further control Indian lands and to teach children disdain towards their community and people.³⁷

The effort by the federal government to bring Native Americans from a state of savagery to a state of civility encoded a sense of a time-controlled

/story/news/local/arizona/2019/08/29/what-means-introduce-yourself-navajo-clan-system/2131456001/ [https://perma.cc/ZL29-U69F].

29. See *History: The Navajo*, UTAH AM. INDIAN DIGIT. ARCHIVE (2008), <https://utahindians.org/archives/navajo/history.html> [https://perma.cc/K5BJ-89G9].

30. See ROSSER, *supra* note 8, at 12.

31. See Blake A. Watson, *The Doctrine of Discovery and the Elusive Definition of Indian Title*, 15 LEWIS & CLARK L. REV. 995, 996-97 (2011).

32. See VINE DELORIA, JR. & CLIFFORD M. LYTLE, *THE NATIONS WITHIN: THE PAST AND FUTURE OF AMERICAN INDIAN SOVEREIGNTY* 18-22 (1984).

33. *Id.* at 46.

34. *Id.*

35. See LAWRENCE C. KELLY, *THE NAVAJO INDIANS AND FEDERAL INDIAN POLICY* 4-6 (1968).

36. *Colonialism*, COLLINS ONLINE DICTIONARY, <https://www.collinsdictionary.com/us/dictionary/english/colonialism> [https://perma.cc/48C8-WWJT]; see also LEELA GANDHI, *POSTCOLONIAL THEORY: A CRITICAL INTRODUCTION* 4 (Colum. Univ. Press, 2d ed. 2019).

37. See DAVID WALLACE ADAMS, *EDUCATION FOR EXTINCTION: AMERICAN INDIANS AND THE BOARDING SCHOOL EXPERIENCE, 1875-1928*, at 19-21, 24 (1995).

human reality in the Navajo population.³⁸ As described by David Adams, Indigenous children were taught the meaning of private property, individualism, and wage ownership through the coupling of forced education and language learning.³⁹ It is also clear that the false government, constructed by the federal government in the 1920s, illustrated the period of exploitation of the Navajo people's lands.⁴⁰ Westerners view land as an object that contains valuable minerals and resources.⁴¹ The perception of land as a living being was pushed to the side as early leaders signed off on gas, coal, and oil leases that lead to the extractive economy that shaped and defined our current state of land issues.⁴² Although the extractive economic system supported many Navajo families by creating jobs, it has primarily led to devastating results.⁴³ I recognize that I benefited from my father's employment with both Peabody Coal Mine and Kayenta Coal Mine for forty years. With the shutdown of the mines, many workers are being forced to leave the reservation in search of employment.⁴⁴ Moreover, some workers have become sick, especially with the remnants of uranium mines that have left Navajo families caring for their elders and paying for much needed medical treatment.⁴⁵ The extent to which the forestry, water, and animal populations have been harmed by this extractive economy remains unclear. This has brought many activists and homegrown organizations, such as the Black Mesa Water Coalition, Tó Nizhóní Ání ("Sacred Water Speaks") to the forefront to push back against our own leadership.⁴⁶ These organizations have forced us to rethink what the future holds for our people, and how we must consider sustainable economies to help our people and our mother earth

38. See Coulthard, *supra* note 19, at 69.

39. ADAMS, *supra* note 37, at 11-12, 15, 18-19, 21-24.

40. See ROBERT W. YOUNG, A POLITICAL HISTORY OF THE NAVAJO TRIBE 49-52 (1978).

41. See Coulthard, *supra* note 19, at 69.

42. See ROSSER, *supra* note 8, at 69-70.

43. See *id.* at 36-69; see also Jariel Arvin, *After Decades of Activism, the Navajo Coal Plant Has Been Demolished*, VOX (Dec. 19, 2020, 6:00 PM), <https://www.vox.com/2020/12/19/22189046/navajo-coal-generating-station-smokestacks-demolished> [<https://perma.cc/XZU6-L7ZU>].

44. See Harrison Mantas, *Kayenta Coal Mine Lays Off Its Last 265 Workers as Closure Nears for Navajo Generating Station*, TUCSON.COM (Sept. 3, 2020), https://tucson.com/business/kayenta-coal-mine-lays-off-its-last-265-workers-as-closure-nears-for-navajo-generating/article_7afa124f-bb83-52b7-8ae8-9325775032ed.html [<https://perma.cc/3T4N-JZ6E>].

45. See Eli Cahan, *'We're Losing Our People': COVID Ravaged Indigenous Tribes in New Mexico. Did Uranium Mining Set the Stage?*, USA TODAY (Aug. 26, 2022, 12:57 PM), <https://www.usatoday.com/story/news/health/2022/08/26/uranium-mining-may-have-put-new-mexico-indigenous-tribes-covid-risk/7886296001/> [<https://perma.cc/2JVF-8Q4C>].

46. See Jessica Kutz, *The Fight for an Equitable Energy Economy for the Navajo Nation*, HIGH COUNTRY NEWS (Feb. 1, 2021), <https://www.hcn.org/issues/53.2/south-coal-the-fight-for-an-equitable-energy-economy-for-the-navajo-nation> [<https://perma.cc/HY45-ARQC>].

heal. We have given too much of our power to the federal government and outsiders. It is time to consider the new movements happening both internally and externally.

“Postcolonial” means occurring or existing after the end of the colonial rule.⁴⁷ However, this term is highly debatable because some argue that colonialism has not ended and that instead we have constructed a “cyborg of postcoloniality [that] is also plagued by ‘something like an imperative to grow new organs, to expand our sensorium and our body to some new, yet unimaginable, perhaps impossible, dimensions.’”⁴⁸

The conception of a postcolonial reality must involve the people. As Rosser reminds the Navajo People, we are the ones with the decision-making power to exercise our sovereignty.⁴⁹ To make this move, we observed how the presidential candidates articulated these issues around dated terminology of “economic development” and “bringing our Navajo youth home to help build a new Navajo.”⁵⁰ Many of us have heard slogans but they have not inspired transformation in our communities or incited change. We need new terminology that will help us consider the future of our indigenous reality. Vine Deloria Jr. coined the term “recolonization,” which he describes as the gradual return of indigenous people to their former homelands and reclaiming their rightful places there.⁵¹ To reclaim their lands, power, and ideas, nations must unite.⁵²

The recolonization movement will require the Navajo people to confront the United States for its participation in the taking and subsequent

47. See *Postcolonial*, COLLINS ONLINE DICTIONARY, <https://www.collinsdictionary.com/us/dictionary/english/postcolonial> [<https://perma.cc/J6H2-5EVF>].

48. GANDHI, *supra* note 36, at 6.

49. ROSSER, *supra* note 8, at 215.

50. See, e.g., Shondiin Silversmith, *Navajo Voters Decide on Jonathan Nez, Buu Nygren as Top Presidential Candidates*, TUCSONSENTINEL.COM (Aug. 3, 2022, 9:20 AM), https://www.tucson sentinel.com/local/report/080322_navajo_election/navajo-voters-decide-jonathan-nez-buu-nygren-as-top-presidential-candidates/ [<https://perma.cc/E4X2-RLFY>] (noting candidate Buu Nygren’s proposal during a pre-election speech focused on “bringing our relatives home so they can help us”); Antonia Gonzales, *Navajo Nation President Jonathan Nez Makes Case for Second Term*, KUNM (Oct. 31, 2022, 5:30 PM), <https://www.kunm.org/local-news/2022-10-31/navajo-nation-pres-jonathan-nez-makes-case-for-second-term> [<https://perma.cc/8C28-5ZC4>] (outlining then President of the Navajo Nation Jonathan Nez’s focus on “infrastructure, economic, and community development projects” that “can get done quicker”); Felicia Fonseca, *Navajos Electing Next Leader Who Wields Influence Nationally*, KUTV (Nov. 8, 2022, 2:30 PM), <https://kutv.com/news/election/navajo-nation-electing-next-leader-who-wields-influence-nationally> [<https://perma.cc/LXE3-6TKL>] (noting incumbent President Jonathan Nez’s plan to “put a shot in the arm for the Navajo economy and bring our Navajo people back”).

51. DAVID E. WILKINS, RED PROPHET: THE PUNISHING INTELLECTUALISM OF VINE DELORIA JR. 95 (2018).

52. *Id.* at 94-95.

exploitation of these lands. This movement involves examining these moral questions, which might be included in the current Land Back movement talks. In the United States, the Land Back movement, which was articulated by current Native American activists, calls for the return of stolen Native American lands and territories.⁵³ Social movements like the No Dakota Access Pipeline (NoDAPL),⁵⁴ the movement to protect Bears Ears,⁵⁵ and the movement to prevent fracking at Chaco Canyon,⁵⁶ have increased the Land Back rhetoric. These social movements are the response to the United States' destructive stewardship of lands that have a destabilizing impact on sacred lands and spaces.⁵⁷ The Land Back movement raises an old and unanswered moral question for the United States and for our tribal nations: how can the injustices of America's colonial past be remedied? The movement's rhetoric forces our society to think about ways to fix the injustices of America's colonial past. Future research must examine how the Land Back rhetoric brings to the surface America's moral obligation as a democratic nation to repair the wrongs of its colonial past, particularly in light of recent land acknowledgement statements made by the government, universities, and corporations that recognize where these institutions are built.⁵⁸ If Land Back becomes a reality, activists and leaders demand the return of the jurisdictional and sovereign oversight over lands.⁵⁹ This type of action will force the federal government to revisit approximately 368 treaties that the United States commissioners and tribal leaders have negotiated and signed between 1777 and 1868⁶⁰ to determine which territories must be returned. On the

53. See Ruth Hopkins, *What Is the Land Back Movement? A Call for Native Sovereignty and Reclamation*, TEENVOGUE (Oct. 12, 2021), <https://www.teenvogue.com/story/what-is-the-land-back-movement> [<https://perma.cc/NS5G-9QHU>].

54. See ROSSER, *supra* note 8, at 3, 73-75.

55. See *About the Coalition*, BEARS EARS INTER-TRIBAL COAL., <https://www.bearscoalition.org/about-the-coalition/> [<https://perma.cc/D98F-E26X>] (“Coalition Tribes are unified in the effort to protect this landscape we call Hoon’Naqvut, Shash Jáa, Kwiyaqatu Nukavachi, Ansh An Lashokdiwe, in our Native languages, all of which mean “Bears Ears.””).

56. See *Greater Chaco Coalition Primer*, #FRACKOFFCHACO, <https://www.frackoffchaco.org/our-coalition> [<https://perma.cc/MB4G-BGQY>].

57. See Nikki Pieratos & Krystal Two, *Land Back: A Necessary Act of Reparations*, NONPROFIT Q. (Oct. 11, 2021), <https://nonprofitquarterly.org/land-back-a-necessary-act-of-reparations/> [<https://perma.cc/8CY7-WY5B>].

58. See Emily St. James, *The Rise of Land Acknowledgments—and Their Limitations*, VOX (Jul. 28, 2022, 6:38 AM), <https://www.vox.com/the-highlight/23200329/land-acknowledgments-indigenous-landback> [<https://perma.cc/CXJ3-XDE5>].

59. See Harmeet Kaur, *Indigenous People Across the US Want Their Land Back – And the Movement is Gaining Momentum*, CNN (Nov. 26, 2020, 6:24 Pm), <https://www.cnn.com/2020/11/25/us/indigenous-people-reclaiming-their-lands-trnd/index.html> [<https://perma.cc/8WG3-NADM>].

60. Kevin Gover, *Nation to Nation: Treaties Between the United States and American Indian Nations*, 15 No. 2 AM. INDIAN (2014), <https://www.americanindianmagazine.org/story/nation->

other hand, a historic move like this will also force tribal leaders to retool and rethink their tribal institutions' jurisdictional oversight.

The Land Back rhetoric by Native American activists must be understood, especially in light of Native American leaders' governing goals. These leaders are elected to manage the affairs of their Native people but their language is often dismissed as too lofty or without intellectual grounding.⁶¹ Intellectually, however, Land Back rhetoric is echoed in the language of leaders, such as tribal sovereignty and the federal Indian trust relationship.⁶² Tribal sovereignty is understood by the United States as upholding federal trust relationships that were established through federal Indian treaties.⁶³ The treaty period in the United States has ended, but these agreements have been codified into United States statutes that continue to guide and shape the federal government's engagement with tribal nations.⁶⁴ The Land Back movement lacks an understanding of the moral obligation embedded in the federal Indian trust relationship, a critical question for our American future. While America recognizes that the genocide and theft of Native lands is immoral,⁶⁵ why has it not prompted the return of these lands to rectify the unspeakable acts of colonization? If these lands are not returned, what are the justifiable acts of restitution to compensate for these actions? What is the moral move for our country and the future of Indigenous relations in this period of federal trust responsibilities?

As I think through this colonial project, I realize that our Native American future depends on the consequences of our action (or our inaction). There is a need to deepen our understanding of the Land Back rhetoric, its meanings, and future relevance. In my own work, I examined the educational system of the Navajo Nation and its efforts to assert its sovereign rights as a nation. Tribal nations are using creative strategies to generate power in

nation-treaties-between-united-states-and-american-indian-nations [https://perma.cc/97W2-3XPB].

61. See Gary Sandefur & Philip J. Deloria, *Indigenous Leadership*, 147 No. 2 DAEDALUS 124, 125-26 (2018).

62. See, e.g., Claire Elise Thompson et al., *Returning the Land: Four Indigenous Leaders Share Insights About the Growing Landback Movement and What it Means for the Planet*, GRIST (Nov. 25, 2022), <https://grist.org/fix/justice/indigenous-landback-movement-can-it-help-climate/> [https://perma.cc/5AJ8-RP28].

63. See Rebecca T. Tsosie, *Conflict Between the Public Trust and the Indian Trust Doctrines: Federal Public Land Policy and Native Indians*, 39 TULSA L. REV. 271, 272-74 (2003).

64. *Does the United States Still Make Treaties with Indian Tribes?*, U.S. DEP'T OF INTERIOR INDIAN AFFS., <https://www.bia.gov/faqs/does-united-states-still-make-treaties-indian-tribes> (last visited Feb. 28, 2023).

65. See Rebecca Tsosie, *The BIA's Apology to Native Americans: An Essay on Collective Memory and Collective Conscience*, in TAKING WRONGS SERIOUSLY: APOLOGIES AND RECONCILIATION 185, 185-89 (Elazar Barkan & Alexander Karn eds., 2006).

powerless spaces. However, my work examines the tribal nation's work within the boundaries of the federal government. As Navajo people, we should ask the greater question of how we might eliminate these boundaries and think bigger for our future. Land is central to our understanding and relationship to Diné Bi'keyah.⁶⁶ The Land Back movement enables the creation of a system that would give tribal nations the full autonomy and authority over their own lands and institutions. However, the possibility of Land Back as a post-colonial remedy as part of our moral commitment as a democratic nation was not part of my interviews.

The Land Back rhetoric and its significance is an immoral act that Americans are willing to live with. Even after years of incorporating our Native American history and experience into the United States educational systems, it has not led to the return of our lands. Instead, Native America is witnessing the disintegration of our nation as certain state legislators embrace an anti-truth movement that has prompted the need for "anti-woke" policies,⁶⁷ which violates our intellectual relationship with the truth of American history.

III. CONCLUSION

Rosser's contributions are essential to the discussion of Navajo economic and land development issues. He states that "[i]t is up to the Diné to decide for themselves."⁶⁸ This statement is accurate. As a Navajo woman, I have learned that if the people do not have a say in the solution, there will be no buy-in. The Diné people must seek out their own answers. Rosser's work paints a powerful analysis of the Navajo people and their relationship with the land. I believe it was wise that Rosser did not offer the recipe for how we can fix our reality, but instead chose to shed light on where the tensions lie so that we can work towards improving our fate to fulfill the dreams of a true sovereign nation. While Rosser offers an important analysis of our history as the Navajo people, it is clear that the fight remains with us.

66. The Navajo World, in Diné. See WALL & MORGAN, *supra* note 4, at 20.

67. See, e.g., Sarah Schwartz, *Map: Where Critical Race Theory is Under Attack*, EDUCATIONWEEK (Mar. 23, 2023), <https://www.edweek.org/policy-politics/map-where-critical-race-theory-is-under-attack/2021/06> [<https://perma.cc/6J5X-ESVB>] (noting the Republican state lawmakers' "crusade" on regulating "how the nation's teachers can discuss racism, sexism, and issues of systemic inequality in the classroom"); Rashawn Ray & Alexandra Gibbons, *Why Are States Banning Critical Race Theory?*, BROOKINGS (Nov. 2021), <https://www.brookings.edu/blog/fixgov/2021/07/02/why-are-states-banning-critical-race-theory/> [<https://perma.cc/D58M-HXS7>] (framing the attack on "critical race theory" by some legislators who moved to "ban teachings about racism in classrooms" and other progressive policies).

68. ROSSER, *supra* note 8, at 160.