

*Defend Sacred
Mountains*

Edgar Heap of Birds



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● Pitzer College
● **Art Galleries**

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On Settler Knowledge and Indigenous Political Ecology

Bill Anthes

THE SERIES OF SIXTY-FOUR monoprints, *Defend Sacred Mountains*, created by artist Edgar Heap of Birds at Fourth Dimension Fine Art Studio, Santa Fe, New Mexico, and at Josephine Press, Santa Monica, California, is focused on four sites of contestation: Bear Butte, near Sturgis, South Dakota; San Francisco Peaks, near Flagstaff, Arizona; Bear's House, in Wyoming; and Mauna Kea, on Hawai'i's Big Island. As Heap of Birds has said, "These locations are sacred to tribal people and are currently under siege and assault from development, science, commerce, and oil drilling." Taking up the struggle to protect Indigenous lands, Heap of Birds employs language as an aesthetic and activist strategy, as he has done in numerous works throughout his career.

In *Defend Sacred Mountains*, as in other well-known works such as his *Native Hosts* series, Heap of Birds pits settler knowledge against an Indigenous political ecology. A settler regime of capitalist development—but also outdoor recreation, environmentalism, and conservation—meets an Indigenous ontology, a metaphysics of being grounded in specific places. Audiences and critics alike are unsettled by Heap of Birds' conceptual interventions. As a descendent of immigrants and settlers, I grew up on what I learned much later was the traditional Cheyenne and Arapaho homeland along the front range of the Rocky Mountains in Colorado. For me, Heap of Birds' artworks offered a quick and disorienting American history lesson, and I continue to learn from his artwork about the places that I have called home. *Defend Sacred Mountains* series reveals conflicts between Indigenous and settler knowledge of—and relations to—nonhuman nature. My own work as an academic and writer has foregrounded

Indigenous struggles of the sort that *Heap of Birds* expresses in the series. And increasingly my work has engaged with questions of how we relate—ethically and practically—to the nonhuman. But I also have found myself wondering about my positionality as a settler. What standing do settlers have in a decolonial process? And perhaps more important, what intellectual legacies—and what models of environmental and ethical engagement—are available to settler academics, writers, and allies?¹ What role there is for settler allyship in the work of what T.J. Demos has called “decolonizing nature”?²

Four Landscapes

The group of sixteen monoprints focused on Bear Butte in the Black Hills of western South Dakota identifies the four-thousand-foot volcanic formation as a spiritual site for Northern Plains peoples. It is a destination for vision quests and for the procurement of medicinal herbs and roots. Gold discovered at Bear Butte in 1855 led to the violation of the 1851 Fort Laramie Treaty, which had recognized Sioux sole dominion over sixty million acres in the Black Hills. The site was claimed by homesteaders in 1897, and in the twentieth century came under the purview of the State of South Dakota’s Department of Game, Fish and Parks. In 2011, the National Trust for Historic Preservation listed the site as endangered, threatened by proposed oil drilling and wind energy development. Bear Butte is also just eight miles from Sturgis, South Dakota, which since 1938 has attracted more than half a million enthusiasts to its annual motorcycle rally each August—a ten-day festival of leather, beer, and single-crankpin V-twin engine noise, with many rally attendees congregating at a bar and campsite just two and a half miles from Bear Butte. Over a century and a half of mostly unchecked settler encroachment has diminished the site’s attraction as a spiritual destination for Northern Plains peoples.

Sixteen more prints narrate a history of Bear’s House, in the Black Hills region of northeastern Wyoming. Bear’s House is more often known as “Devils Tower,” a term that is offensive to many Native people. Rising nearly 1,300 feet above the Belle Fourche River valley floodplain, Bear’s House is significant to

Northern Plains peoples, who journey to the site to fast, pray, seek spiritual guidance, and mount the annual Sun Dance or Earth Renewal and Sacred Hoop Run ceremonies. Like Bear Butte, Bear's House was guaranteed to the Sioux under the 1851 Fort Laramie Treaty, and again in 1868. And, like Bear Butte, the site was encroached upon as settlers drove westward in pursuit of land and gold. It was lost when the Black Hills were confiscated in the controversial Agreement of 1877, which ceded the majority of the Black Hills to the federal government and established reservations for the Sioux and other Northern Plains nations. The Black Hills are the subject of an ongoing land claim dispute between the Sioux and the US Government. Managed today by the US Park Service, Bear's House attracts rock climbers and has become the focus in a struggle between defenders of traditional religious practice and outdoor recreation enthusiasts, both of whom claim a spiritual affinity with the site. Comparing Bear's House to Mount Rushmore National Memorial, the site's Black Hills neighbor 120 miles to the southeast, Heap of Birds says, "It is a federal offense to climb Mount Rushmore, but Devils Tower climbing permits are readily available."

A third set of sixteen prints focus on the San Francisco Peaks in Northern Arizona, significant to many southwestern Native peoples, including the Havasupai, Diné (Navajo), and Hopi. The dormant volcanic range surmounted by Humphreys Peak—Abalone Shell Mountain to Diné—has traditionally marked the western boundary of the Diné territory, or *Dinetha*. For the Hopi, the range is the home of the *katsinam*—ancestral cloud spirits that linger around the 12,000-foot peak visible from Hopi lands. The peaks are on US Forest Service lands—the Coconino National Forest, which encompasses the cities of Sedona and Flagstaff. The forest includes one of the oldest ski resorts in the United States, the privately run Arizona Snowbowl, on the western face of Abalone Shell Mountain/Humphreys Peak, also one of the state's most popular hiking destinations. The mountain is also the focus of over thirty years of litigation between the Hopi and Diné and the US Forest Service, most recently over the use of artificial snow made from reclaimed wastewater from the city of Flagstaff, which the tribes argue threatens medicinal plants endemic to the area and desecrates the spiritual nature of the peaks, a violation of the American

Indian Religious Freedom Act (1978) and the Religious Freedom Restoration Act (1993). While settler conservationism sees gray water reclamation as a sustainable strategy for arid western states, Heap of Birds compares it to the desecration of a sanctuary or temple. As Heap of Birds demands in a print from the series, “**CLEAN YOUR CHURCH WITH SEWER WATER.**”

Finally, one of five volcanoes on Hawai‘i’s big island, Mauna Kea—a sacred site of creation for Native Hawai‘ians—is the subject of sixteen more prints. Mauna Kea reaches 13,800 above sea level and is the highest point in the Pacific. Measuring from the sea floor, Mauna Kea is the tallest mountain on the earth. Because of this, Mauna Kea is also home to twelve facilities housing thirteen telescopes—including two of the largest in the world—built since the 1960s, with sites licensed by the state’s Board of Land Management Resources to the University of Hawai‘i and the National Aeronautics and Space Administration, the US Air Force, and other international research partnerships. Indigenous rights groups and their settler environmentalist allies allege that the site has been mismanaged and desecrated. Currently, a struggle is underway between Native Hawai‘ians and their allies and proponents of a planned Thirty Meter Telescope (or TMT), developed by an international partnership, and planned to be the highest altitude ELT (or Extremely Large Telescope) on the earth. For the burgeoning Hawai‘ian sovereignty movement, the effort to halt construction of the Mauna Kea TMT is key point in the resistance to a multicultural settler colonialism in which US and state law and international Big Science are complicit partners.

Incommensurability

Defend Sacred Mountains focuses on conflicts—between place-based Indigenous identities and ontologies and settler knowledge—land use, science, and conservation. Conflict, disagreement, antagonism, and dissensus are key terms that a number of figures in European political philosophy have explored in liberal multicultural societies, like the one we inhabit. Mulling Heap of Birds’ work brings to mind Jean-François Lyotard’s notion of the *différend*. We might think of the *différend* as the untranslatable or incommensurable. Lyotard described it as a

“conflict between (at least) two parties that cannot be equitably resolved for lack of a rule of judgment applicable to both arguments.”³ For Lyotard, the *différend* is emblematic of the impossibility of speaking truthfully when there is no appeal to an absolute standard, or legitimizing narrative. A key example for Lyotard is the problem of naming. For example, the word “Shoah” (Holocaust) refers to the systematic murder of European Jews in the twentieth century by agents and collaborators of the German state. But the Nazi, or contemporary Holocaust denier, disputes the facticity of the horrific event.⁴ This is not to suggest moral equivalence, but positions ensconced in different factual universes.

Greek Australian cultural studies scholar Nikos Papastergiadis takes up Lyotard’s term in the context of postcolonialism and neocolonialism, and the stakes for settler colonialism are clear:

The violent aftermath of colonialism provides countless examples to which Lyotard’s concept of the *différend* can be applied. For instance, a mining company surveys a territory and concludes that the land is uninhabited and rich in minerals. The company then applies to a governmental agency for the right to exploit these resources. An aboriginal community protests, claiming that the land is actually inhabited by sacred spirits, and asserting their ancestral duty to protect it. Here is a conflict in which at least one party fails to recognize the legitimate claims of the other. How will both parties go before a neutral tribunal that will decide between these competing claims? And if the law is already disposed to measuring the inhabitation of land in terms of dwellings and active utilization, are spiritual claims to be dismissed by the tribunal on the grounds that they are intangible and irrational? If the aboriginal community is then forced to defend its claims in terms of prior right to exploit the resources of this land, will they forfeit their rights of spiritual attachment?

Here the aboriginal community and the mining community are faced with an impasse: there is no common language in which both cases can be simultaneously posed and comprehended. The spiritual cannot be translated into the language of a tribunal that decides land rights in terms of material “development.” If the aboriginal community adopts the language of the tribunal, their case vanishes. They remain silenced and defeated. They are faced with the *différend* of having lost their land and not having a neutral tribunal that can hear their case. The defining feature of the *différend* is that their case cannot be proven; they feel the double pain of loss—of their land and of their voice—for the case demands to be heard, but it remains mute before a tribunal that cannot translate their words.⁵

Papastergiadis’s example suggests two positions in conflict, with no impartial third term that might adjudicate, which silences the less powerful party—a sobering illustration of the ongoing violence of colonialism. Heap of Birds’ works also suggest that there are two positions, settler and Indigenous. His text-based works are elegant in articulating this asymmetrical binary,

even as they make clear that there is not a moral equivalency between the two parties. It is impossible, if we are careful readers of Heap of Birds' work, to feel particularly good about being a settler. We are meant to be uncomfortable—not at home—and to recognize the authority of our Native Hosts. We know that the interests of neoliberal globalization (or whatever epithet we can agree on to describe our particular epoch) are hostile to Indigenous claims to land and sovereignty. And further, *Defend Sacred Mountains* makes clear that a settler ethic of environmentalism and conservation is incommensurable with Indigenous political ecology. A *différend* remains, as we see at each of the four sacred landscapes depicted in Heap of Birds' series, at Standing Rock, and at numerous other sites of environmental injustice. However, it's also the case, to be clear, that in the age of US President Donald Trump and Environmental Protection Agency head Scott Pruitt, academic science and progressive environmentalism might reasonably be seen as also (if not equally) marginalized. Yet as Heap of Birds' powerful examples argue, the goal of making common cause between settler environmentalism and conservation and Indigenous claims to territorial sovereignty remains elusive.

Papastergiadis, considering the *différend* revealed by his example of the aboriginal community and the mining company, notes that the aboriginal community has been silenced, as there is no court that can hear their case in their own terms. But he suggests that their silence may in fact “become another sign, a negative space, supporting another line of contestation.”⁶ And what about the “negative space” that Papastergiadis posits? Could it be a productive space, and I wonder who might inhabit it? Could it emerge as a third term—surely not neutral, but perhaps a place where, if not consensus, then perhaps new coalitions might be founded? But also, I want to consider if I'm using the right terms at all. Is there a word for *différend* in Hawai'ian, or Sioux, or Diné?

Bill Anthes is a professor in the Art Field Group at Pitzer College. He is author of *Native Moderns: American Indian Painting, 1940–1960* (2006) and *Edgar Heap of Birds* (2015), both published by Duke University Press.

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Edgar Heap of Birds: Decolonizing Landscapes through Contemporary Art Practice

Charlotte Jones

EDGAR HEAP OF BIRDS begins each new project or art piece with a memorial acknowledgement. A Southern Cheyenne tradition, the memorial song honors those who have died as a commencement to social gatherings.¹ The memorial song facilitates collective healing and reckoning with historic acts of violence. Heap of Birds has extended this ritual to his art practice, especially when working with a new community and seeking to understand the place. On this he says in a 2017 interview for *Art in America*, “Sometimes I’ll come to a certain location and find that no one has sung the memorial song yet. No one’s really acknowledged the loss.... Whenever I come to a new place, I try to understand the memorial aspect first, and then we go on and do formal experiments...or whatever else typifies contemporary art.... I [see] it as my mission to have that song sung.”²

At its heart, Heap of Birds’ *Defend Sacred Mountains* series (2018) memorializes an ongoing history of ecological and cultural violence at four sacred Indigenous mountains. Bear Butte, South Dakota; Bear’s House, Wyoming; San Francisco Peaks, Arizona; and Mauna Kea, Hawai‘i, have each been under unique forms of ecological and cultural siege for varying lengths of their colonial histories. However, his text prints are more than somber memorials of the cultural contempt endured by Native Americans. By (what Heap of Birds calls) “resetting history,” his words incite active remembrance, illuminating a dichotomy between settlers/capitalist development and indigeneity/Indigenous ecological ontologies.³

Furthermore, both Heap of Birds as an artist-activist and the tribal nations signified in his prints exemplify decolonizing action in response to

myriad manifestations of colonial forms of domination.⁴ The series' message of sovereignty and promotion of Indigenous ecologies or spatial thinking as it relates to survivance has implications for disrupting colonial frameworks. Jessica Horton's description in "Indigenous Artists against the Anthropocene" of what Native North American artists have accomplished in their creative responses to ecological devastation is fitting to consider during the following analysis of *Defend Sacred Mountains*. She argues that:

Some of the most insightful recent projects by Native North American artists insist on a historical approach to the altered earth that exposes continuities with earlier imperialist projects. At the same time, they register the local, intimate, and embodied impacts of contemporary resource exploitation. Interwoven with critiques of the interdependencies between corporate and colonial violence, they creatively repurpose Indigenous environmental knowledge to the ends of survival.⁵

Throughout the series' sixty-four monoprints, *Heap of Birds* weaves history lessons, local knowledge and value systems, condemnations of colonial-capitalist regimes/developments, and the impact of settler colonialism on those who claim these sites as sacred landscapes. *Heap of Birds* challenges viewers to consider their positionality in respect to the prints' content, works to decolonize landscapes and history, and promotes Indigenous ecological ontologies (intricately connected to sovereignty and survivance). Despite the intensity and urgency of *Heap of Birds*' message, the tone of survivance and resistance does not go unnoticed. Phrases such as "**WE ARE LAND LAND IS US**" from *Mauna Kea* and "**BEARS LODGE NOT FOR THE EMPIRE**" from *Bear's House* convey the resistance of those at the frontlines of legal and political action to protect these mountains.

Tuscarora artist and scholar Jolene Rickard, in an essay on Indigenous visibility and continuity prepared for the 2005 Venice symposium *Vision, Space, Desire: Global Perspectives and Cultural Hybridity*, writes about the power of reimagining an "Indigenous space" through the arts.⁶ Rickard contends that while artists of the 1990s "deconstructed a colonial space," Indigenous artists in the new millennium must focus on communicating with fellow Native peoples and together work towards conceptualizing and generating spaces of visibility and self-determination.⁷ She argues that the way in which "indigenous artists address their communities and other indigenous people...may well be the most

important,” also writing that “we need to make art for each other...we need to articulate local knowledge globally...we indigenous people need to recognize our success.”⁸ Rickard’s philosophy is an appropriate lens through which to evaluate Heap of Birds’ efficacy as a decolonial actor. Collaborating with activists to convey their stories of struggle and resistance, he achieves Rickard’s directive of generating decolonial spaces of Indigenous visibility on several levels: as a visual representation of Indigenous sovereignty and survivance in *Defend Sacred Mountains*; in the exhibition space which challenges colonial institutions and viewers; and at the mountains themselves as visibility is enhanced and new alliances established.

From as far west as the Hawai‘ian archipelago to the Great Plains’ Black Hills and southwest to Arizona’s expansive forests, Native Americans have sustained “place-specific, multi-species” relationships with land for thousands of years.⁹ These relationships are integral to cultural vitality, and they often include an intrinsic spiritual component, as “Indigenous peoples...can claim genealogical and cosmological roots in the land stretching back millennia.”¹⁰ When these sacred landscapes come under threat, entire lifeways, linguistic systems, ontologies, and epistemologies also become threatened. Because settler colonialism hinges on the confiscation of Indigenous ancestral lands, Native peoples around the globe have combatted cultural depletion for over five hundred years. In his text monoprint series *Defend Sacred Mountains*, Edgar Heap of Birds stands in solidarity with just a few of the many Nations who have taken direct action to protect their sacred lands.

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Charlotte Jones is a recent graduate of Scripps College with a degree in art history and sociology. She enjoys hot coffee and watching the Yankees (when they’re winning).

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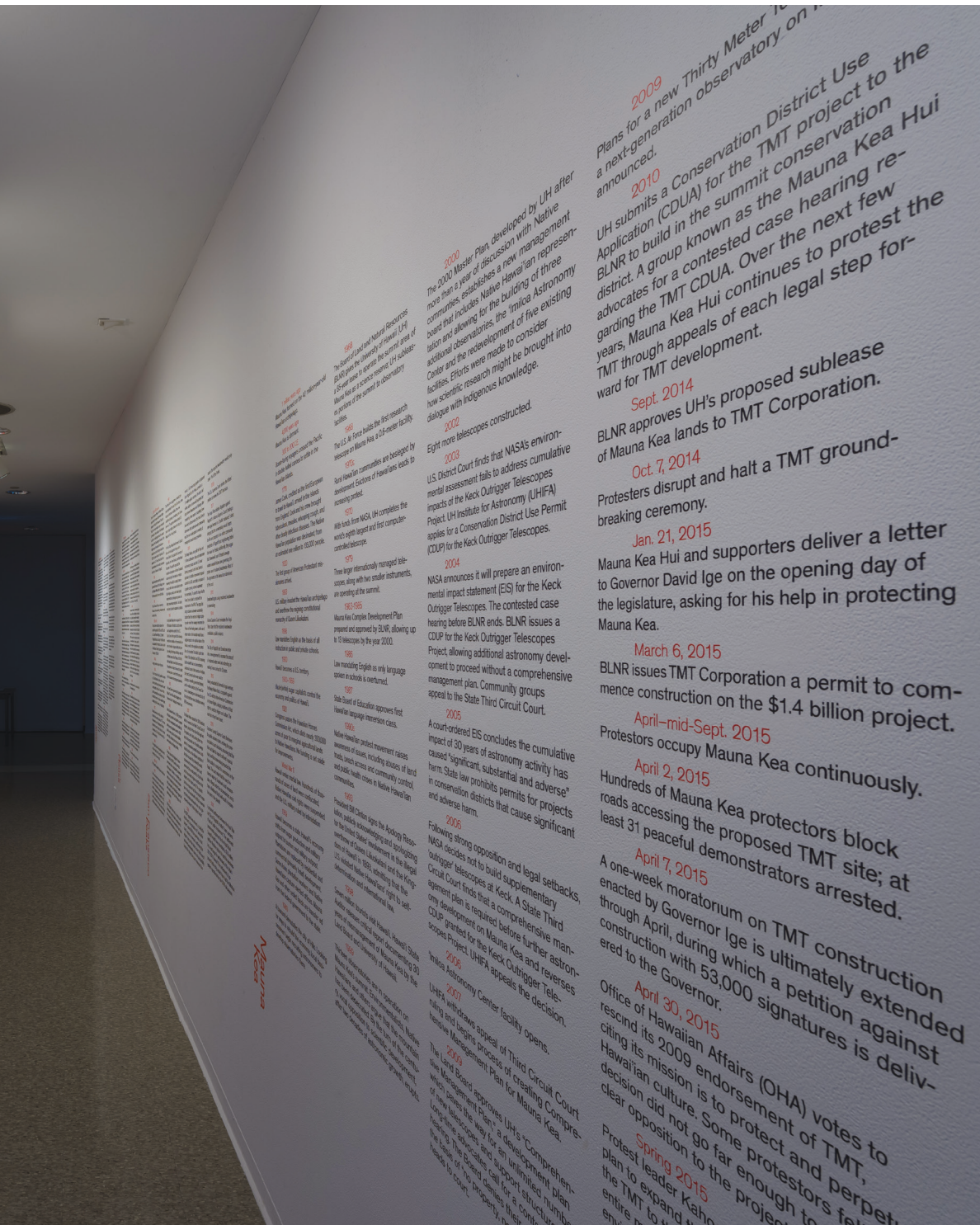
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Mauna Kea

1960 The University of Hawaii (UH) receives a 100-acre parcel of land on Mauna Kea as a research site for astronomical observations. The site is known as the Mauna Kea Observatories.

1961 The U.S. Air Force builds the first research facility on Mauna Kea, a 2.5-acre facility.

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2000 The 2000 Master Plan, developed by UH after more than a year of discussion with Native communities, establishes a new management board that includes Native Hawaiian representation and allowing for the building of three additional observatories, the 'Imiua Astronomy Center and the redevelopment of five existing facilities. Efforts were made to consider how scientific research might be brought into dialogue with indigenous knowledge.

2001 Eight more telescopes constructed.

2002 U.S. District Court finds that NASA's environmental assessment fails to address cumulative impacts of the Keck Outrigger Telescopes Project. UH Institute for Astronomy (UHIFA) applies for a Conservation District Use Permit (CDUP) for the Keck Outrigger Telescopes.

2003 NASA announces it will prepare an environmental impact statement (EIS) for the Keck Outrigger Telescopes. The contested case hearing before BLNR ends. BLNR issues a CDUP for the Keck Outrigger Telescopes Project, allowing additional astronomy development to proceed without a comprehensive management plan. Community groups appeal to the State Third Circuit Court.

2004 A court-ordered EIS concludes the cumulative impact of 30 years of astronomy activity has caused 'significant, substantial and adverse' harm. State law prohibits permits for projects in conservation districts that cause significant and adverse harm.

2005 Following strong opposition and legal setbacks, NASA decides not to build supplementary 'outrigger' telescopes at Keck. A State Third Circuit Court finds that a comprehensive management plan is required before further astronomy development on Mauna Kea and reverses CDUP granted for the Keck Outrigger Telescopes Project. UHIFA appeals the decision.

2006 UHIFA appeals the decision.

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2009 UHIFA appeals the decision.

2009 Plans for a new Thirty Meter Telescope (TMT) announced.

2010 UH submits a Conservation District Use Application (CDUA) for the TMT project to the BLNR to build in the summit conservation district. A group known as the Mauna Kea Hui advocates for a contested case hearing regarding the TMT CDUA. Over the next few years, Mauna Kea Hui continues to protest the TMT through appeals of each legal step forward for TMT development.

Sept. 2014 BLNR approves UH's proposed sublease of Mauna Kea lands to TMT Corporation.

Oct. 7, 2014 Protesters disrupt and halt a TMT groundbreaking ceremony.

Jan. 21, 2015 Mauna Kea Hui and supporters deliver a letter to Governor David Ige on the opening day of the legislature, asking for his help in protecting Mauna Kea.

March 6, 2015 BLNR issues TMT Corporation a permit to commence construction on the \$1.4 billion project.

April-mid-Sept. 2015 Protesters occupy Mauna Kea continuously.

April 2, 2015 Hundreds of Mauna Kea protectors block roads accessing the proposed TMT site; at least 31 peaceful demonstrators arrested.

April 7, 2015 A one-week moratorium on TMT construction enacted by Governor Ige is ultimately extended through April, during which a petition against construction with 53,000 signatures is delivered to the Governor.

April 30, 2015 Office of Hawaiian Affairs (OHA) votes to rescind its 2009 endorsement of TMT, citing its mission is to protect and perpetuate Hawaiian culture. Some protesters feel the decision did not go far enough to protect the TMT to the project.

Spring 2015 Protest leader Kahaloa announces a plan to expand the TMT to the entire Mauna Kea project.

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DINE FIR ASPEN CORN BEAN SQUASH	DEFEND DEVINE MITS OR SPRING BREAK FUN	THIS SACRED LAND IS OUR SHIELD	HOLY PLANT ALIVE HAVE A BEING	WHERE THE EARTH MEETS THE HAVENS	WHAT PART OF SACRED DONT THEY GET	CITY OF FLAG CHEAT WATER SUN!!	SEWAGE PUBLIC HEALTH MARGIN OF PROFIT

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DEVILS TOWER WRONG NAME CONJURED WHITE MAN	WHITE BUFFALO CALF WOMAN SAVE PIPE	DOROTHY FIRE CLOUD LODGE FILLS HEART	YES WORSHIP AFTER PAYING ENTER FEE	DANGER EXCITE ESCAPADE CLIMB SPORT DEVINE?	BE ROOTED HOLD TO THIS EARTH	BEARS LODGE NOT FOR THE EMPIRE	POVERTY SADNESS FOR WHICH IT STANDS
BAN THE CLIMB OF ROCK TREE	DO NOT DISTURB PRAYER BUNDLES PRAYER CLOTHS	U.S. GIVE APOLOGY ABUSE OF SACRED	MOUNT RUSH MORE POUND SPIKES IN	U.S. GIVING DAMAGE SEA SHINING SEA	A PLACE TO PRAY FOR PEACE	DRYING UP HIDE BEARS TIP BURIAL	1200 FEET ABOVE SEND EASTING PRAYERS

TO PRAY FAST RENEW SACKED SONGS	CHEYENNE KIOWA LAKOTA ARIKARA HIDATSA MANDAN	DISRUPT OUR WORSHIP WITH ENTER PRISE
WHITE PLUME YELLOW MAN LITTLE COYOTE	FISH GAME AND PARK DEPT DENY	OIL WELLS DRILL POLLUTE PRAYERS

Mauna Kea

1 million years ago

Mauna Kea formed on the 40-million-year-old Hawai'ian archipelago.

4,000 years ago

Mauna Kea is dormant.

300 to 800 C.E.

Ocean-faring voyagers cross the Pacific in double-hulled canoes to settle in the Hawai'ian Islands.

1778

James Cook, widely credited as the first European to travel to Hawai'i, arrives in the Islands from England. Cook and his crew bring tuberculosis, measles, whooping cough, and other deadly infectious diseases. The Native Hawai'ian population is decimated, from an estimated one million to 135,000 people.

1820

The first group of American Protestant missionaries arrives.

1893

US military invades the Hawai'ian archipelago and overthrows the reigning constitutional monarchy of Queen Liliuokalani.

1896

Law mandates English as the basis of all instruction in public and private schools.

1900

Hawai'i becomes a US territory.

1900–1959

Haole (white) sugar capitalists control the economy and politics of Hawai'i.

1921

Congress passes the Hawaiian Homes Commission Act, which allots nearly 200,000 acres of poor to marginal agricultural lands to Native Hawai'ians. No funding is set aside for improvements.

World War II

Hawai'i under martial law. Seven hundreds of thousands of acres of land are confiscated, Native Hawai'ian civil rights are suspended, and the US military rules by intimidation.

1959

Hawai'i becomes a state. Hawai'i's economy shifts from sugar production and military outpost to tourism and military outpost. Plantations are replaced by residential and commercial (primarily hotel) development. Some Asian plantation workers and Native Hawai'ians capture elected offices. Mauna Kea and other ceded lands are transferred from the federal government to the state.

1960

A tsunami devastates the city of Hilo. Looking for ways to rebuild the economy, local businessmen begin recruiting astronomers to develop observatories there.

1968

The BLNR gives the University of Hawai'i a 65-year lease to operate the summit area of Mauna Kea as a science reserve; UH subleases portions of the summit to observatory facilities.

1968

The US Air Force builds the first research telescope on Mauna Kea, a 0.6-meter facility.

1970

UH completes a 2.2 meter telescope with funds from NASA, the world's eighth largest and first to be computer-controlled.

1970s

Rural Hawai'ian communities are besieged by development. Evictions of Hawai'ians lead to increasing protest.

1979

Three larger internationally managed telescopes, along with two smaller 0.6-meter instruments, are operating at the summit: the 3.8-meter United Kingdom Infra-Red Telescope, the 3.6-meter Canada-France-Hawai'i Telescope, and the 3.0-meter NASA Infrared Telescope Facility.

1983–1985

Mauna Kea Complex Development Plan, prepared and approved by BLNR, allows up to thirteen telescopes by the year 2000.

1986

Law mandating English as only language spoken in schools is overturned.

1987

State Board of Education approves first Hawai'ian language immersion class.

1990s

Native Hawai'ian protest movement raises awareness of issues, including abuses of land trusts, beach access and community control, and public health crises in Native Hawai'ian communities, such as high rates of infant mortality, obesity, and cancer.

1993

President Bill Clinton signs the Apology Resolution, publicly acknowledging and apologizing for the United States' involvement in the illegal overthrow of Queen Liliuokalani and the Kingdom of Hawai'i in 1893, admitting that the US violated Native Hawai'ians' right to self-determination and international law.

1998

Seven million tourists visit Hawai'i.

1998

Hawai'i State Auditor releases critical report documenting 30 years of mismanagement of Mauna Kea by the Land Board and University of Hawai'i.

1999

Thirteen observatories are in operation on Mauna Kea's summit, including the 8-meter Gemini North and Subaru, and the twin 10-meter Kecks. Environmentalists,

Native Hawai'ians, and others argue that the mountain has been desecrated. By the turn of the century, vocal opposition to scientific development erupts after two decades of astronomic growth.

2000

The 2000 Master Plan is developed by UH, establishing a new management board that includes Native Hawai'ian representation and allowing for the building of three additional observatories, the 'Imiola Astronomy Center and the redevelopment of five existing facilities. The Master Plan is the result of more than a year of outreach and discussion with Native Hawai'ian communities. Efforts were made to consider how scientific research might be brought into dialogue with Indigenous knowledge.

2002

Eight more telescopes constructed.

2003

US District Court finds NASA's environmental assessment for the Keck Outrigger Project to be inadequate, failing to adequately address cumulative impacts. UH Institute for Astronomy (UHIFA) applies for a Conservation District Use Permit (CDUP) for the Keck Outrigger Telescopes.

2004

NASA announces it would prepare an environmental impact statement (EIS) for the Keck Outrigger Telescopes. The state-contested case hearing before BLNR ends. BLNR issues a CDUP for the Keck Outrigger Telescopes Project, allowing additional astronomy development to proceed without a comprehensive management plan. Community groups appeal to the state Third Circuit Court.

2005

A court-ordered EIS concludes the cumulative impact of thirty years of astronomy activity has caused "significant, substantial and adverse" harm. State law prohibits permits for projects in conservation districts that cause significant and adverse harm.

2006

Following strong opposition and legal setbacks, NASA decides not to build supplementary "outrigger" telescopes at Keck. A state Third Circuit Court finds that a comprehensive management plan is required before further astronomy development on Mauna Kea and reverses CDUP granted for the Keck Outrigger Telescopes Project. UHIFA appeals the decision.

2006

'Imiola Astronomy Center facility opens.

2007

UHIFA withdraws appeal of Third Circuit Court ruling and begins process of creating Comprehensive Management Plan for Mauna Kea.

2009

The Land Board approves UH's "Comprehensive Management Plan," a development plan that paves the way for an unlimited number of new telescopes and support structures. Long-time advocates call for a contested case hearing. The Board denies their standing, on the basis of "no property, no say." The group heads to court.

2009

Plans are announced for a new Thirty Meter Telescope (TMT), a next-generation observatory on Mauna Kea.

September 2010

UH submits a Conservation District Use Application (CDUA) for the TMT project to the BLNR to build in the summit conservation district.

March 2011

A group known as the Mauna Kea Hui advocates for a contested case hearing regarding the TMT-CDUA. Over the next few years, Mauna Kea Hui continues to protest the TMT through appeals of each legal step forward for TMT development.

Sept. 2014

BLNR approves UH's proposed sublease of Mauna Kea lands to TMT Corporation.

Oct. 7, 2014

Protesters disrupt and halt a TMT groundbreaking ceremony.

Jan. 21, 2015

Mauna Kea Hui and supporters deliver a letter to Governor David Ige on the opening day of the legislature, asking for his help in protecting Mauna Kea.

March 6, 2015

DLNR issues TMT Corporation a permit to commence construction on the \$1.4 billion project.

April 2015–mid-Sept. 2015

Protestors continuously occupy Mauna Kea.

April 2, 2015

Hundreds of Mauna Kea protectors block roads accessing the proposed TMT site; at least 31 peaceful demonstrators arrested.

April 7, 2015

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April 30, 2015

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Spring 2015

Protest leader Kahookahi Kanuha announces plan to expand the scope of protests beyond the TMT to the state's management of the entire mountain, demanding compliance with environmental guidelines and the completion of a cultural impact assessment.

May 2015

Governor Ige announces that the university must decommission as many telescopes as possible — with a goal of having a quarter of the obsolete telescopes removed by the time the TMT is operational.

June 24, 2015

750 protestors prevent construction crews from reaching the summit; 12 are arrested.

Aug. 9, 2015

10,000 people join in the Aloha ʻĀina Unity March through Waikīkī, bringing together the many different issues facing the Native Hawaiian community, including the TMT, the loss of agricultural lands to housing development, large-scale GMO crop testing and pesticide use, the Hawaiian sovereignty movement, and more.

Aug. 27, 2015

Oral arguments regarding the Conservation District Use Permit for the TMT heard in Hawai'i Supreme Court. Justices grill UH and BLNR over due-process issues, asking why a permit is granted before a contested case hearing is held.

October 2015

UH initiates plans to decommission up to three of the oldest telescopes on Mauna Kea and return the vacated land to its natural state.

Nov. 17, 2015

Hawai'i Supreme Court issues an order halting construction until Wednesday, December 2, 2015, or further order of the court.

Dec. 2, 2015

Hawai'i Supreme Court invalidates the TMT Conservation District Use Permit and sends it back to BLNR for reconsideration.

Dec. 16, 2015

Construction equipment is removed from Mauna Kea.

March 2016

TMT Corporation announces they are looking at alternative sites.

June 2016

Native Hawaiians and supporters ask the people and governments of Canada, China, India, and Japan to withdraw any further funding and support of TMT that would cause further adverse impacts upon Natives, their cultural practices, and ancestral lands.

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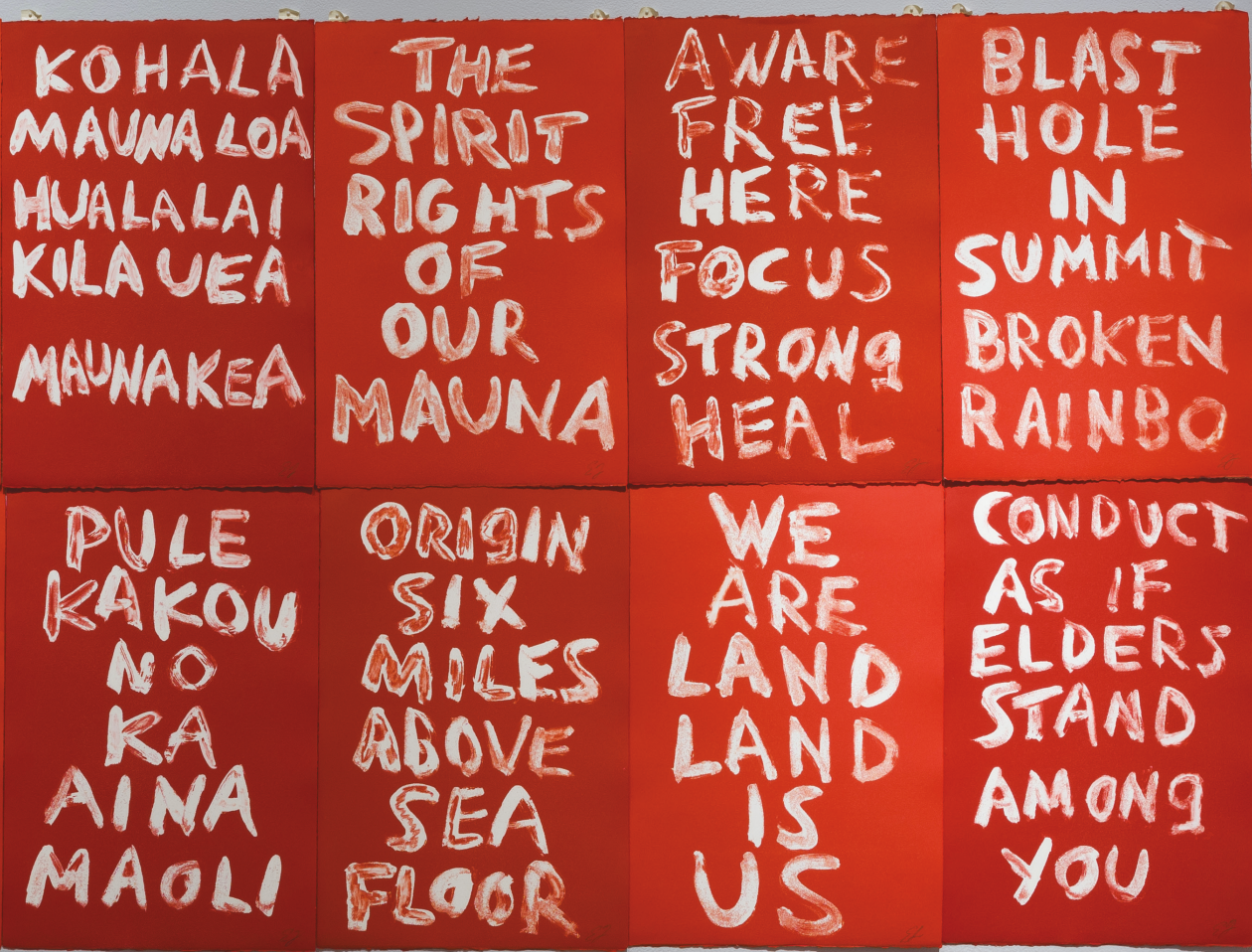
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Defend Sacred Mountains, Mauna Kea
120 × 44 inches
Ink on rag paper, monoprints

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San Francisco Peaks

2,500 to 500 years ago

The San Francisco Peaks in Northern Arizona are significant to many Southwestern Native peoples, including the Havasupai, Diné, and Hopi. The dormant volcanic range surmounted by Humphreys Peak — Abalone Shell Mountain to Diné — has traditionally marked the western boundary of the Diné territory or *Dinetha*. For the Hopi the range is the home of the *katsinam* — ancestral cloud spirits that linger around the 12,000-foot peak visible from Hopi lands. The peaks are on US Forest Service lands — the Coconino National Forest — which encompasses the cities of Sedona and Flagstaff.

1500s

Spanish Conquistadors exploring the area for gold name the peaks “Sierra Sinagua,” meaning “Mountains Without Water.” Because the Spaniards leave the area quickly, the name doesn’t stick.

1629

The San Francisco Peaks are named by Franciscan Friars conducting missionary work among the Hopi.

1850s–1860s

The peaks are noticed by dozens of explorers throughout the 1850s and ’60s, such as Lt. Amiel Weeks Whipple, Lt. Edward Fitzgerald Beale, and Joseph Pratt Allyn, who was appointed by President Lincoln as justice of the Arizona Territory’s supreme court in the winter of 1863–64.

1880s

Logging operations begin in the area.

1889

The San Francisco Peaks Expedition, comprising C. Hart Merriam, his wife, and a small team of scientists and a photographer, spend several months in the San Francisco Peaks and the surrounding area studying the distribution of life zones in a high mountain region, subsidized by the Secretary of Agriculture.

1937

Arizona Snowbowl, one of the oldest ski resorts in the country, opens on 777 acres on the western face of Humphreys Peak, the tallest of the San Francisco Peaks. The resort is operated on US Forest Service land by a private contractor.

1956

The original Arizona Snowbowl lodge, which had been built by the Forest Service, is destroyed by a fire and rebuilt.

1958–1962

First chairlifts installed at Arizona Snowbowl.

1977

The Forest Service transfers the permit to operate the ski resort to a new contractor, Northland Recreation, which submits a proposal for expansion of the property by 120 acres and the development of new ski lifts, clearing of trees for new runs, lodge facilities, additional parking, and road improvements.

1980

The Forest Service approves a revised proposal expanding the resort by 50 acres, a new lodge and restroom facilities, three new chairlifts, and paving and widening the Snowbowl road. The approval initiates almost 30 years of legal battles between the Hopi and Navajo and the Forest Service.

1981

The Hopi Tribe, Navajo Medicinemen’s Association, and local supporters bring suits in Federal District Court against the Secretary of Agriculture, the Forest Service, and Northland Recreation. The plaintiffs argue that the operation and expansion of Arizona Snowbowl constitutes a violation of their right of free exercise of religion, threatening their ability to conduct ceremonies and collect various sacred objects essential to religious practice, and violates federal environmental and endangered species and historic preservation protections. The district court rules to allow the expansion to continue.

1983

The Hopi and Navajo enter an appeal to the 1981 decision of the district court; the lower court’s judgment is upheld by the D.C. Circuit Court, which argues that the development does not constitute an “impermissible burden” on the tribes’ religious beliefs and practices, ruling that the Hopi and Navajo are not prohibited access to the Peaks, and that the tribes have failed to prove that the ceremonies they perform and objects they need to collect must take place or come from the area used by the Snowbowl or the proposed expansion.

1987

The Forest Service approves the Coconino National Forest Plan, which designates the Snowbowl site for “developed recreation” use.

1992

Arizona Snowbowl Resort, LP (ASR) purchases the skiing operation and submits a proposal for further developments mostly within the existing acreage approved under the 1981 plan. The new proposal includes installing new ski lifts, relocating ski runs, and creating new recreation and lodging facilities.

1993

Congress passes the Religious Freedom Restoration Act (RFRA), which prohibits government action substantially burdening religion unless it furthers a compelling government interest and is the least restrictive means of furthering that interest. Nonetheless, legal experts and tribal allies argue that laws neutral to religion can infringe on religious freedom.

2002

City of Flagstaff enters into a contract with Snowbowl to supply treated wastewater to the ski resort. Because snowfall at the Peaks is drastically inadequate to running a ski resort, a 14.8-mile-long pipeline is

proposed from Flagstaff to the Peaks, as well as a 1.9-million-gallon reservoir. One and a half million gallons of snow would be sprayed per day between November and February. After considering other means of supplying Snowbowl with sufficient water, the Forest Service determines that reclaimed-water snowmaking is the most viable option for meeting its management needs during dry winters.

2006

The Navajo Nation, along with the Hopi and 11 other southwestern tribes and environmental advocacy groups, sues the US Forest Service, prompted by the Forest Service’s approval of a facilities improvement proposal submitted by ASR, specifically its inclusion of a pipeline carrying reclaimed wastewater for snowmaking. The plaintiffs charge that the Forest Service failed to comply with the requirements of the RFRA. They argue that using reclaimed wastewater substantially burdens their free exercise of religion, spraying water made from sewage desecrates the Peaks and their healing powers, as the use of impure water on the mountain would have a negative impact on the spiritual nature of the Peaks as well as the vegetation and animal life on the mountain. The district court rules in favor of the defendants and ASR, reasoning that the plaintiffs have not demonstrated a substantial burden to their exercise of religion, the Forest Service’s actions are valid for pursuing a compelling government interest, and the method selected by the Forest Service for snowmaking is determined to be of the least restrictive means, therefore meeting RFRA requirements.

2007

The Navajo Nation appeals the 2006 decision, which is reversed in Ninth Circuit Court of Appeals, giving the tribes their first legal win. The appeals court cites, among other reasons, that proposed use of treated sewage water for snowmaking would impose a substantial burden on the religious practices of the tribes because they believe it would contaminate the ceremonial objects and undermine the overall sanctity of the Peaks and the associated religious practices that depend on the Peaks’ purity. The appeals court also reasons that the proposed expansion of the ski season with artificial snowmaking from treated wastewater is not a governmental interest “of the highest order.”

2008

The 2007 appeal is reheard, to clarify the circuit court’s interpretation of “substantial burden” under RFRA; the previous circuit court’s opinion is reversed, reaffirming the original ruling of the district court that use of reclaimed wastewater does not substantially burden the tribes, the court reasons, because the recycled wastewater would only cover 1% of the Peaks.

2009

The US Supreme Court denies the tribes’ petition to review the 2007 decision.

2011

The Hopi Tribe initiates litigation against Flagstaff in Arizona Superior Court, finding a new legal avenue in a “public nuisance” claim, alleging that the snowmaking would harm the life and property of an entire community (residents of Flagstaff and neighboring tribes that value the Peaks); additionally, they argue that Snowbowl’s use of treated sewage violates several Arizona laws governing the proper use of reclaimed wastewater. Most of the arguments in the lawsuit are dismissed by the court.

2012

Snowbowl begins using reclaimed wastewater in snowmaking.

2014

Arizona Superior Court reinstates the Hopi Tribe’s claim that the reclaimed wastewater constitutes a public nuisance.

2014

The City of Flagstaff and Snowbowl enter into a new agreement to increase the amount of reclaimed water used and extending an existing five-year contract to 20 years.

2015

Having exhausted all domestic legal avenues, the Navajo Nation files a complaint against the US with the Inter-American Commission on Human Rights, alleging violations of their rights to practice religion and culture. The case has not yet been heard.

2016

Coconino County Superior Court dismisses the public nuisance claim, echoing the previous district court decisions, reasoning that the tribe has failed to show it suffers a special injury, and that snowmaking impacts the tribe’s ability to conduct its ceremonies on the Peaks. The court notes that the use of reclaimed water by Snowbowl is not unreasonable or illegal under the circumstances, nor is there a likelihood that it would result in irreparable harm to the plaintiff.

2016

A proposed settlement between the Hopi Tribe and City of Flagstaff is halted “over concerns of lack of public involvement.” The settlement (unanimously approved by the Hopi Tribal Council) would have mandated a \$1.6 million earthen filtration system to treat the wastewater, in exchange for withdrawal of the tribe’s 2011–2014 lawsuit. The settlement, if approved by the city, would have had the filtration system operational for the 2018 ski season.

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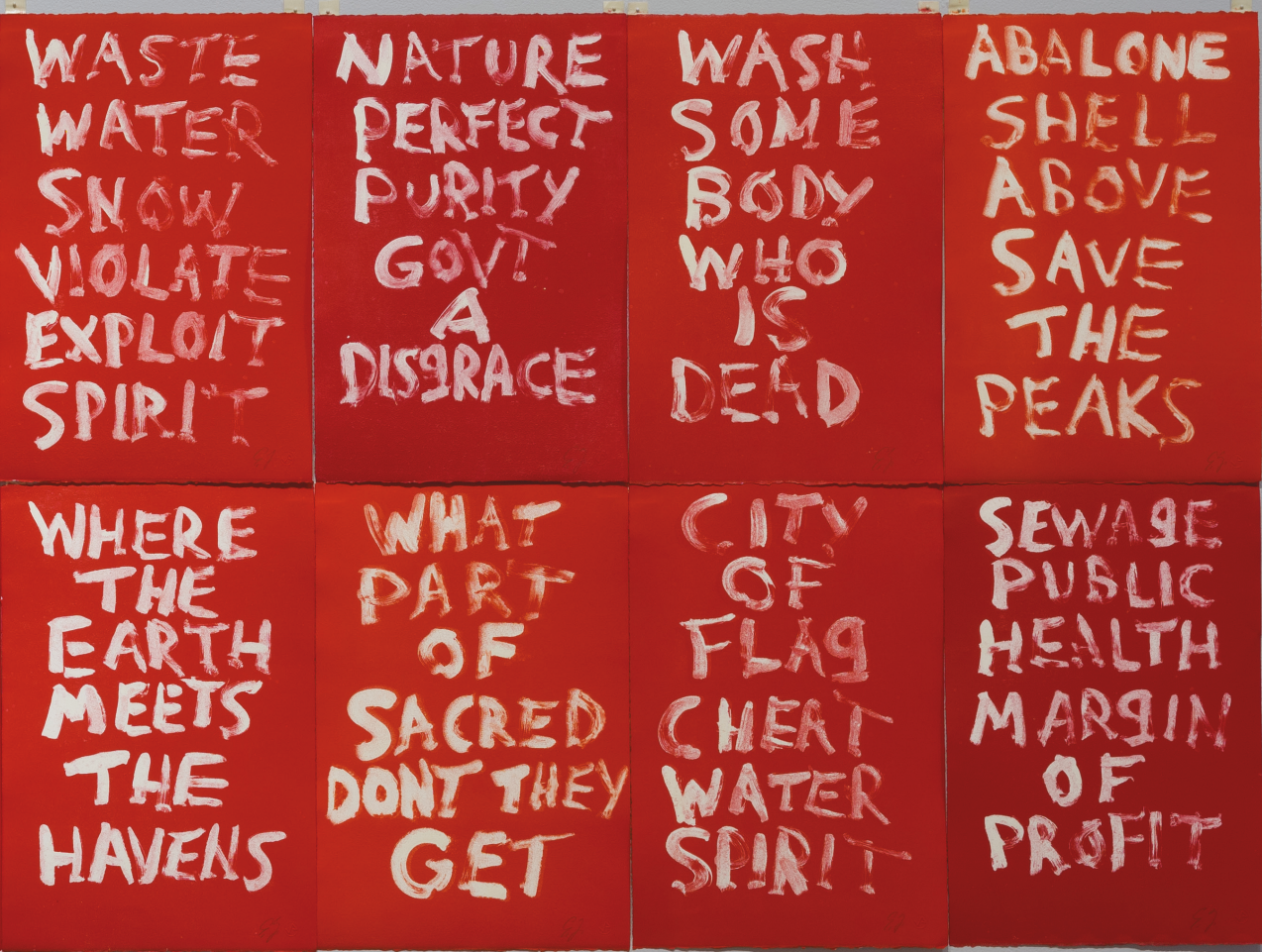
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EF. ⑤

Bear Butte

10,000–4,000 years ago

Earliest evidence of human occupation of the Black Hills around Bear Butte.

1300s–1876

The Black Hills are occupied by multiple Northern Plains nations, including the Kiowa, Kiowa-Apache, Comanche, Cheyenne/Suhtai, Arapaho, Lakota, and others. Bear Butte, “Place Where the People Were Taught” to the Cheyenne, is an important site for vision quests and divination, and for the procurement of medicinal plants. The site is fundamental to many Plains Native peoples, and is visited for prayer, worship, and spiritual guidance. A signature aspect of the site is the left-behind tokens of reverence: prayer ties (strips of brightly colored cloth), tobacco, stones, and other items can be found on the trails and slopes of the butte.

1851

The first Fort Laramie Treaty grants the Sioux 60 million acres of the Black Hills.

1855–1857

Trace gold discovered at Bear Butte during the first government-sponsored scientific and topographic expedition into the Black Hills.

October 1857

A major gathering of Lakota, Dakota, Cheyenne, and Arapaho nations is held at the base of Bear Butte to discuss the encroachment white settlers.

1861

Dakota Territory established, encompassing present-day North and South Dakota, portions of Nebraska, Wyoming, and Montana.

1868

The second Fort Laramie Treaty reduces the Great Sioux Reservation to 20 million acres.

1860s–1870s

The Plains Wars rage as settlers and prospectors push into the Black Hills region in violation of treaties.

1877

The Black Hills Treaty cedes all usable land in the Black Hills, including Bear Butte, to the US government.

1880s

Native residents of the Black Hills region and the greater Plains removed to reservations. Government suppression of Indigenous religious practices.

1897

Bear Butte made available for white homesteading claims. The site becomes private property.

1938

First annual Sturgis Motorcycle Rally attracts motorcyclists to the area. The rally continues to the present day — a ten-day festival of leather, beer, and single-crankpin V-twin engine noise, with many

rally attendees congregating at a bar and campsite just two and a half miles from Bear Butte.

1940s

Bear Butte promoted as a tourist attraction for families in the Sturgis area; Indigenous visitors are able to visit and ascend to the summit in small groups as the owners encourage Native practice.

1961

The State of South Dakota purchases Bear Butte from the descendants of the original homesteaders for \$50,000. The site comes under the administration of the State Department of Game, Fish and Parks.

1965

Bear Butte registered as a National Natural Landmark because of its geological significance; two hiking trails and a visitor’s center constructed.

1973

Bear Butte added to the National Historic Register.

1970s

The Northern Cheyenne and Southern Cheyenne-Arapaho purchase lands surrounding Bear Butte when it comes on the market.

1978

The American Indian Religious Freedom Act (AIRFA) becomes law.

1980

The Black Hills Treaty of 1877 ruled illegal in *U.S. v. Sioux Nation of Indians*; The Supreme Court awards a monetary settlement of \$106 million. Tribal leaders demand the return of the Black Hills.

1982

Conflicts flare between the various constituencies who visit Bear Butte. The Department of Game, Fish and Parks maintains a “multiple-use” policy as a means of accommodating all people using the park. Issues involving hiking trails encircling ceremonial sites and observation platforms that enable non-Native park visitors to view culturally sensitive practices culminate in *Fools Crow v. Gullet*, in which Lakota and Cheyenne claimants seek a declaration of their right to unrestricted use of Bear Butte for spiritual practice. US District Court rules that public interest outweighs Native requests, arguing that the plaintiffs do not demonstrate that Bear Butte is the cornerstone of their religion and do not prove that the site is inaccessible to them.

1995

Bear Butte Water Pipeline installed within the National Historic Landmark Boundary of Bear Butte State Park with a well and buried tank near the sacred site and a tap used to pump water into the campground. Tribal groups are not consulted in initial plans, and claim that an environmental

assessment report is inadequate because it does not address the religious significance of the site.

2002

Defenders of the Black Hills founded to protect the Black Hills and surrounding areas from development and encroachment and to counter federal legislation opening up the last 3% of the Black Hills to logging. Before disbanding in 2016, their major advocacy areas include logging, mining, sacred sites protection, air and water protection, and pollution from mining and nuclear facilities.

2003

Developers propose a shooting range, without consulting tribal groups, near Bear Butte to be built with a federal grant from the Department of Housing and Urban Development. Tribes argue that the estimated 10,000 rounds per day fired from rifles and handguns would negatively impact those who come to Bear Butte to pray and seek spiritual guidance. The grant funding is ultimately canceled.

2004

Northern Cheyenne Tribal Council purchases a 160-acre campground at the base of the butte; camping structures, shades, and outhouses for use by tribal members during ceremonies are constructed at the site.

2010

South Dakota grants a permit to Nakota Energy, LLC to allow oil drilling in the area of Bear Butte, including 360 acres of privately owned land within the National Historic Landmark Boundary.

2011

The National Trust for Historic Preservation includes Bear Butte on its list of the Eleven Most Endangered Places, citing proposed wind energy and oil development as threats to the site.

2012–present

Tribes, including the Lower Brule Sioux, the Rosebud Sioux, the Northern Cheyenne, the Southern Cheyenne and Arapaho Tribe of Oklahoma, the Northern Cheyenne Tribe of Montana, and the Rosebud Sioux Tribe of South Dakota, own property in the vicinity of Bear Butte, and continue to seek to acquire land surrounding the site.

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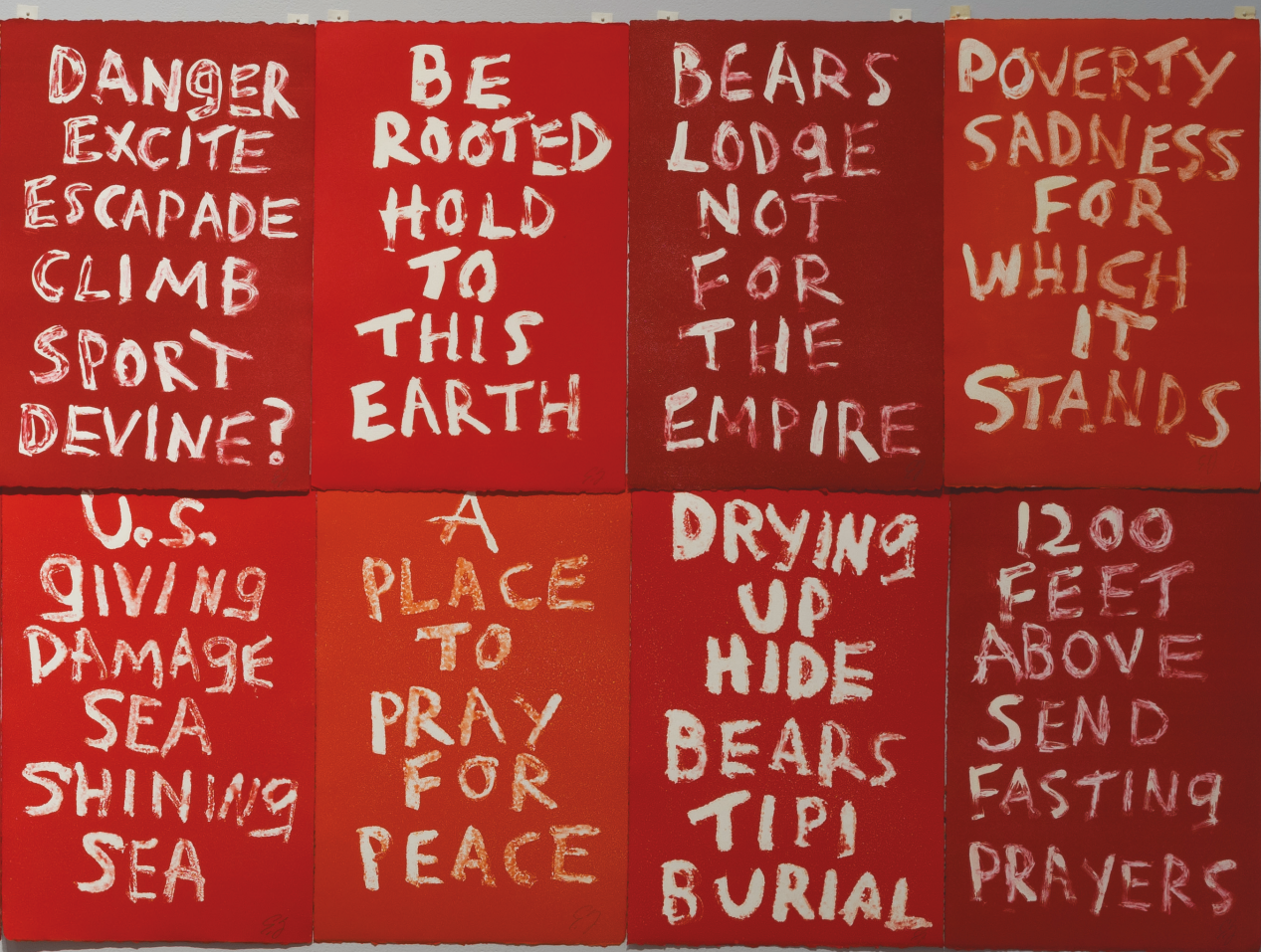
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THE
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TO
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WHITE
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DISRUPT
OUR
WORSHIP
WITH
ENTER
PRISE

g.h. (1)

Bear's House

10,000 years ago

Ancestors of the tribal nations of the Northern Great Plains (including the Lakota, Shoshone, Kiowa, Crow, Cheyenne, and Arapaho) occupy the Black Hills. Bear's House becomes an important pilgrimage site for Plains peoples. In addition to the annual Sun Dance each year at the summer solstice, Plains peoples travel to the site to reflect, meditate, and engage in ceremony.

1851–1877

Three treaties between Northern Plains tribes and US government attempt to make peace between tribal nations and settlers, establish reservations, and cede vast swaths of land to the US. The 1868 Fort Laramie Treaty, which established the Great Sioux Reservation, is broken by 1874, when gold is discovered in the Black Hills. The 1877 Black Hills Treaty, signed by less than 10% of the adult male Sioux population, is later found to be illegal.

1875

A scientific team led by Col. Richard I. Dodge unofficially names Bear's House "Devils Tower." The name, which is offensive to Indigenous people, comes from an erroneous translation of the word for bear.

1889

Congress parcels the Great Sioux Reservation into five smaller reservations: Standing Rock, Cheyenne River, Lower Brule, Upper Brule or Rosebud Indian Reservation, and Pine Ridge. The US government opened up the remaining unassigned lands — approximately nine million acres, or one-half of the former Great Sioux Reservation — for ranching and homesteading by settlers.

1893

The first recorded climb of the butte by non-Natives — as local ranchers exploit the site for commercial gain.

1906

The American Antiquities Act enables the president to set aside land of significant scenic, archaeological, or natural value as national monuments; Theodore Roosevelt designates Devils Tower National Monument as the first, thus protecting the site from commercial and mining interests.

1960s

Increasing numbers of sport climbers ascend the butte. By the late 1970s, the monument hosts approximately 500 climbers annually.

1976

Stephen Spielberg's *Close Encounters of the Third Kind* features scenes filmed at the monument.

1983

The Sacred Hoop Run — a five-day, 500-mile relay run based on the oral history of how the Lakota first came to the Black Hills — founded. The run begins at Bear Butte on Father's Day and ends at Bear's House.

1985

More than 4,000 climbers ascend the butte. Climbing becomes an important part of the monument's recreational use; attendance increases as many tourists come to the monument to watch the climbers. Northern Plains Native peoples object in particular to the bolts that climbers attach to the rock face of the butte.

1995

After three years of consultation, the National Park Service (NPS) releases a Climbing Management Plan (CMP) to regulate recreational climbing activities and protect the monument's natural and cultural resources. Climbers are asked to refrain voluntarily from climbing during the month of June, in which tribal ceremonies including the Sun Dance occurs. The number of climbers at Devils Tower in June falls from 1,200 to just 167 in June 1995.

1998

A group of climbers and commercial guides bring suit (*Bear Lodge Multiple Use Association v. Babbitt*), claiming that the voluntary climbing ban in the CMP unconstitutionally promotes, rather than merely accommodates, religious practice — a violation of the Establishment Clause. US District Court upholds the CMP, but implies that a mandatory ban would be unconstitutional. The ruling is upheld in Federal Appeals Court, arguing that climbers are not in fact prevented from accessing the site, but left unanswered is the contentious issue of whether the CMP violates the Establishment Clause or whether it is an accommodation of Native Americans' legally protected right to practice their religion on federal lands. The US Supreme Court declines to hear the case.

2004

June climbing reaches a low point, with just 163 ascending the butte.

2014

The Great Plains Tribal Chairman's Association passes a resolution in opposition to the name "Devils Tower National Monument," pointing out the nine of 18 national monuments established by Roosevelt that have had their names changed, and stating the cultural, spiritual, and historical significance of the butte.

2015

The Cheyenne River Youth Project organizes a two-day trip for 15 Lakota youth to Bear's House and Bear Butte, in hopes of reintroducing tribal youth to the sacred sites, oral traditions, and the power of sacred places.

2016

373 climbers ascend the butte in June.

2017

269 climbers ascend the butte in June. Currently an estimated 5,000 to 8,000 climbers visit Bear's House annually; the monument as a whole attracts 500,000 visitors each year.

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Defend Sacred Mountains, Bear's House
120 × 44 inches
Ink on rag paper, monoprints

POVERTY
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FOR
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THE BRUTALITY WHICH IS AMERICA,¹ a conversation with Hock E Aye Vi Edgar Heap of Birds

Ciara Ennis

Ciara Ennis: Your recent project, *Defend Sacred Mountains*, continues to expose ongoing structural inequalities that affect Native North American communities. How does this new work contribute to your activist legacy?

Edgar Heap of Birds: I see it, not as part of my artistic activist legacy, but of my life. I am raising awareness of these sites in order to protect them. They should be kept pure, untainted, and free from profiteering. I believe I've a responsibility to keep them viable for future generations. It's a reality. Every day when she prays, my wife uses the medicinal plants from some of these locations. Others use these sites for fasting and prayer, so it's really important to ensure these sacred sites are healthy.

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CE: The four sites that you focus on, Bear Butte, South Dakota; San Francisco Peaks, Arizona; Bear's House/Devils Tower, Wyoming; and Mauna Kea, Hawai'i, are essential to Native cultural histories as well as spiritual practices. Can you discuss the significance of each of these sites and how their loss or debasement by non-Natives will impact Native communities?

EHB: Everyone goes to these sites for worship and blessings. Prayer and fasting takes place on these rocks. You're connected with your bare feet, and not much else, which links you directly to this planet. The one in Arizona, Abalone Shell Mountain, called San Francisco Peaks, has a lot of plants and vegetation used in Navajo ceremonies that only come from that particular place. Whereas cedar and sage can be found all over the prairies.

CE: **CLEAN YOUR CHURCH WITH SEWER WATER** calls attention to the appropriation of these sites by corporations and the physical damage on the land and the psychic damage on communities that use them. Can you discuss how you expect this work might raise visibility about these issues?

EHB: Near Flagstaff, by Interstate 40, they decided to make a snow bowl. But there wasn't enough natural snow, so they fabricated it from sewage water and blew it all over the mountain. When it melted, it flooded the entire mountain with toxic water, which harmed the medicinal plants. Tribal health and the wellbeing of the nations that used the plants and site were traded for tourist dollars. It's a sacred place being bathed in poisonous water. My work calls attention to these horrific acts and asks what would you do with your own church? Would you wash it with polluted water? I'm sure you would be very offended if someone did that to your place of worship.

CE: In 1986, in support of the South African Anti-Apartheid Movement, you made *South African Homelands* (1986), which drew parallels between South African townships and US Indian reservations. Later, in 1994, you worked with artists from Cape Town on the exhibition *Eagles Speak* (2002),² which explored connections between different Indigenous symbolic systems. How do these works connect to your activist practice?

EHB: America is very racist and power-centric; it doesn't understand belief systems different from its own; it is only concerned with its own self-interest. *South African Homelands* (1986), my first painted billboard, was installed at Cleveland State University. At the time, many were appalled at South African apartheid—the segregation and subjugation of its Indigenous populations. Of course, in North America that's a familiar strategy in the construction of Native American reservations. It was important for me to make that comparison—reservations and African homelands—and to highlight the ongoing imperialism that dictates what happens to other groups of people. There's no collaboration regarding what your fate should be. It's just handed down to you.

Even our name, Native Americans, has the word “America” the same for African Americans, who are regarded as black, but it’s not a color black. It’s black compared to white. All these things are always based on hierarchical Euro-American power structures.

We’re Indigenous. We’re autonomous. We’re sovereign. We’re not subservient to a republic. We have our own nations. We’re not like Latinos, or so-called African Americans, or Asian Americans. We have our own status as nations.

CE: In Northern Ireland, you showed the billboard *No More Kings* (1988), in Derry’s market square, confronting ongoing British occupation. You also presented *American Policy* (1987), drawings in Derry’s Orchard Gallery with parallels between British colonial rule and US imperialism. Can you discuss this pairing and your relationship to Irish sectarian politics of the 1980s?

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EHB: I was at the Royal College of Art in London in the late ’70s. When I went to Ireland, I was shocked by England’s oppression of the northern counties where I was working. I witnessed the British army, with their troop carriers, machine guns, and army patrols going through the main streets of Derry. The work I made for Northern Ireland speculated about the continuation of the British empire with Prince Charles as king, but that never happened, because England still has a queen, she’s living longer than we ever imagined, but I saw the United Kingdom continuing on and on and on.

CE: In Derry and Belfast, did you get a sense of how divided the community was? How did the political tensions manifest in the different parts of the city? How did people in Ireland respond to you?

EHB: If you’re a person of color, you’re a different kind of animal. It’s the only place I have been in the world where if you’re colored, they wave you through at checkpoints. One night I got stuck at a roadblock in my car, and they just waved me on. “Go ahead. Go ahead, mate.” That was great because in America,

they stop you because you're colored and they're going to do something to you. But in Derry, they have the Cityside, which is the Republican, IRA side. And the Waterside. The Waterside is where the other camp (Unionist) would be, but the troops only patrolled the Republican side—the side that they don't like—where I got stuck in a roadblock.

But then I visited Newgrange, and saw their Solstice site, which is just tremendous. Like a beautiful kiva—like a pueblo ceremonial circle place—out there north of Dublin. I found them to be very similar. It faced east, where the sun comes up. Pre-Kingdom Irish State. Pagan, I guess. I smoked my ceremonial pipe in those places.

They call them forts. They were circular stone forms that were ceremonial. I felt very comfortable there. I wanted to say something about the Indigenous people of that part of the world and their colonization by the United Kingdom.

CE: You have also featured the Zapatista Army of National Liberation, openly supporting their struggle for Indigenous independence with such works as *ZAPA MARCOS RESIST CHIAPAS TREE STRONG* (2009).

EHB: I was focusing more on Mexico and the dominant influence of the Catholic Church. The so-called peasants are devoted to the Catholic Church, which they consider to be their savior. I was struck by how impoverished the Native people were, yet how unwavering their faith was, despite being imposed upon them by colonization.

CE: You've also made work that focused on the exoticization and marketing of Indigenous identities for financial gain. Works such as *INDIO COME SEE ON FREE DAY* (2009) also links to the exploitation of other marginalized communities, such as the human zoos that exploited Africans at numerous world's fairs. Though less brazen, this racist apparatus is still in operation.

EHB: I went to Palenque, which is a major archeological site, in Chiapas, with my wife; there were Indians everywhere. It was wonderful. There were Indian families, and everyone was dressed up. I thought maybe I made a mistake. Maybe this place is very democratic and the Indio are included everywhere and made welcome. I came back the next day to do my research and found no Indians there, just white tourists. I asked one of the Native guards what was going on and he said, “Yesterday was Free Day for Indians.”

CE: Your Venice Biennale billboard RAMMENTARE (remember), installed at Marco Polo airport, focused on the names of Native people who died while performing in Bill Cody’s Wild West European travelling shows. Emerging at the tail end of the nineteenth-century, both the Biennale and the Wild West shows resonated with the racist practices of colonial world fairs. How did these references inform your thinking when you made this work?

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EHB: Buffalo Bill Cody took his Wild West show to Venice and Verona and then all over Europe. The performers were taken out of a prison from just outside of Chicago; they had been imprisoned after Wounded Knee. Cody bonded them out for \$20,000, sort of rented them from the USA and took them as indentured servants to Europe. They didn’t know what Europe was, but it seemed like a better choice than prison.

I found the Biennale to be flawed. All of my projects took place outside the Giardini throughout the city of Venice and were all written in Italian to include the local community. That’s important, too. I spoke Italian, Cheyenne, and English. It was an invitation for Italians to participate.

The Biennale is a modern spectacle, like Cody’s Wild West shows, I wanted to make that clear. I wanted to underscore the idea that I’m not the first Native to visit sites such as Venice. In the 1890s, Native people were all over Europe, suffering, performing, and bringing their spirit. I wanted to pay homage to the ones who died in that pursuit, in that performance, three children that died as well.

CE: The essentializing of race and ethnicity remains widespread in the art world through exhibitions that ghettoize ethnic and racial identities. Have you experienced this reductive agenda? How have you responded to it?

EHB: The challenge for me, and for younger artists, and artists of color, is to continue your practice without the need of the art world apparatus. I don't really sell much art, but I'm starting to sell a little bit more now, but I'm 63 years old. I'm not interested in being involved with the market. I try to function outside of it. I'm more focused on using my art as a tool to communicate. I don't live in a major art capital, I live in Oklahoma. I can build a crate if I have to. I don't have a team of people to help me do anything. I've learned to live that way. The art world is not the only thing that matters but can easily take over an artist's life, become toxic. I don't want to become tarnished by those energies. For me, it's important to function as a father, as a son, and within the tribe as a mentor and to contribute in ceremonial ways.

Ciara Ennis is director and curator of Pitzer College Art Galleries. Her practice focuses on the intersection of art, politics, and activism.

Endnotes

On Settler Knowledge and Indigenous Political Ecology

1. *My thinking here has been influenced by my collaboration with the Settler Colonial Art History working group. Thanks to Kristina Huneault, Damian Skinner, Lize van Robbroeck, Khadija von Zinnenburg Carroll, and Anne Whitelaw. Métis scholar Zoe Todd in particular has raised these issues as regards settler academics, calling out scholars for appropriating Indigenous knowledge of and relation to nonhuman others in what has been termed the ontological or nonhuman turn. See “An Indigenous Feminist’s Take on the Ontological Turn: ‘Ontology’ is just another word for colonialism,” *Journal of Historical Sociology*, v. 29, n. 1 (March 2016): 4–22.*
2. T.J. Demos, *Decolonizing Nature: Contemporary Art and the Politics of Ecology* (Berlin: Sternberg Press, 2016).
3. Jean-François Lyotard, *The Différend: Phrases in Dispute*, trans. Georges Van Den Abbeele (Minneapolis: University of Minnesota Press, 1988), xi, quoted in Nikos Papastergiadis, “The Limits of Cultural Translation,” in Gerardo Mosquera and Jean Fisher, eds., *Over Here: International Perspectives on Art and Culture* (Cambridge: The MIT Press, 2004): 340–41.
4. Papastergiadis: “In this situation the legitimacy of one argument does not imply the illegitimacy of the other. This form of conflict may involve rival claims over an object. If the rule of judgment over this object is applied equally and uniformly to both parties, Lyotard argues that this may still do harm to one. Such conflicts are not resolved by a discourse that can adhere to only one set of rules for defining the rights to that object. A différend emerges when the rules for judging between the rival claims are not equally placed for grasping the specific genres within which the points of contestation are claimed.” Ibid, 340.
5. Ibid, 341.
6. Ibid.

Edgar Heap of Birds: Decolonizing Landscapes through Contemporary Art Practice

1. William Smith, “Hock E Aye Vi Edgar Heap of Birds in the Studio,” *Art in America* (October 2017): 116–117.
2. Ibid.
3. Ibid., 112.
4. Erich Steinman, “Decolonization Not Inclusion: Indigenous Resistance to American Settler Colonialism” *Sociology Race and Ethnicity* (2016). Table 2 (“North American Settler Colonialism and Contemporary Indigenous Resistance: Nonpolity Domination and Decolonization,” 233–234) details the various theoretical colonial forms of domination with concrete manifestations and illustrations of decolonizing action.
5. Jessica L. Horton, “Indigenous Artists against the Anthropocene,” *Art Journal* 76 (Summer 2017): 60.

6. Jolene Rickard, "The Local and the Global," In *Vision, Space, Desire: Global Perspectives and Cultural Hybridity* (Washington, D.C.: Smithsonian Institution, 2006), 64.
7. Ibid.
8. Ibid., 64–65.
9. Erich Steinman, "Why Was Standing Rock and the NoDAPL Campaign So Historic? Factors Affecting American Indian Participation in Social Movement Collaborations and Coalitions," *Ethnic and Racial Studies* (2018): 13.
10. Zoltán Grossman, "Resource Wars and Sharing Sacred Land," in *Unlikely Alliances: Native Nations and White Communities Join to Defend Rural Lands* (Seattle, WA: University of Washington Press, 2017), 168.

THE BRUTALITY WHICH IS AMERICA, a conversation with Hock E Aye Vi Edgar Heap of Birds

1. *THE BRUTALITY WHICH IS AMERICA* is the text on the left panel of a serigraph triptych titled: *Public Enemy Care For Youth, made by Heap of Birds in 1993*.
2. *Eagles Speak* included the work of Indigenous artists from New England and South Africa. The exhibition drew connections between the triangular slave-trade routes from Africa, the Caribbean, North America, and Europe.

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