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Power, positionality, and conceptions of stewardship and ownership in the cleanup of Nomans Land Island, Massachusetts

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Power, Positionality, and Conceptions of Stewardship and Ownership in the Cleanup of Nomans Land Island, Massachusetts.

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Colby College
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Preface

Choosing last spring to culminate my undergraduate education with the writing of an honors thesis in anthropology, I decided to spend a summer on Martha’s Vineyard, the island home of many of my relatives on my mother’s side, examining issues affecting the local Wampanoag tribe of Aquinnah. In my first meetings with officers of the Aquinnah Wampanoag, a Federally Recognized Tribe, I learned about several important recent and ongoing developments that looked like promising thesis topics. Though I was initially interested in researching a controversial zoning dispute between the Wampanoag Tribe and the local governments on the Island, tribal officers said I probably could not pursue the topic openly, for that dispute was and still is currently in the court system. Looking for alternative topics, I heard about the tribe’s involvement in the effort to clean up Nomans Land, an island off Martha’s Vineyard’s southwest coast, which had been damaged by repeated bombings during its years under Navy occupation. After speaking with Jackie Grey, a graduate student who was then examining the evolution of relations between tribal and non-tribal power structures on Martha’s Vineyard, I decided that the campaign to clean up Nomans Land offered both practical and theoretical possibilities for exploring the dynamics of a community’s development in New England, analyzing the role of bureaucracy in negotiations between tribal, state, and national organizations, and assessing the impacts of history, myth, and the ethnogenesis of Aquinnah.

Before pursuing the cleanup effort in detail, I extensively researched the history of the tribe on the island through primary documents at the Dukes County Historical Society and Registry of Deeds and through the few history books written about Martha’s Vineyard, the Town of Aquinnah, and the tribe itself. The Town Halls of Aquinnah and
Chilmark, as repositories of documentation on the cleanup effort, were useful places to analyze the conflict as a public issue. Furthermore, the local Town Halls proved to be useful field sites for assessing community differences, as I observed variations in the display of documentation and in the attitudes of civil employees to the tribe’s campaign. For example, though the Wampanoag Natural Resources Department had a highly organized collection of records on Nomans Land, Aquinnah Town Hall, only a short distance away, had some of the most disorganized records of the cleanup of any repository on the island. Chilmark Town Hall, on the other hand, was organized, though I frequently heard sentiments from employees that the tribe’s engagement in negotiations was actually “stalling” the cleanup process.

The extensive archives maintained by the Wampanoag on Nomans Land’s past history and recent history of the cleanup included a record of all the reports published by Foster Wheeler, the environmental contractor working for the Navy. These reports contained responses written by the public, governmental organizations, and environmental activist groups, and reading these correspondences enabled me to begin to understand the complex perspectives relating to the island’s restoration. In addition to extensive print sources, I also spoke with several tribal officers about the conflict, and those discussions provided valuable first-hand accounts, crucial to assessing the wide range of opinion within the Wampanoag tribe. Even among the tribal officers, however, there were variances in perspective.

Nan Doty, the tribe’s Education Director, helped me find a topic that would be readily accessible, and her anecdotes as a resident of Chilmark and a non-member tribal employee raised interesting questions about the role of non-Wampanoag supporters.
Brett Stearns, the associate planner for the tribe's Natural Resources department, provided invaluable knowledge about struggles to preserve cultural resources in the face of island construction. Freddie Rundlet, the tribe's Health Director and one of the more passionate tribal officials, assisted me in understanding tribal health issues as well as the multiple “narratives” about Nomans Land and its relationship to Aquinnah and Martha’s Vineyard. Jim Fuller, the tribe's Economic Development Officer, knew the legal aspects of the sale of tribal land and was invaluable in sorting through documents at the Registry of Deeds. Jeff Day, the tribe's conservation ranger, was one of the main authorities in the cleanup campaign and a helpful resource for understanding the many efforts to preserve natural and cultural resources on Martha's Vineyard. Finally, Beverly Wright, the Chairperson of the tribe, spoke to me about the opinion of the tribal council and about some of her personal experiences growing up on Martha's Vineyard during the years Nomans Land was extensively bombed.

This paper seeks to first give a historical background to the issues now arising between the tribe and various local, state, and federal organizations. Once a historical narrative is established, I aim to understand the ways the development of Aquinnah as a town of Wampanoag and non-Wampanoag peoples, the formation of personal and collective perspectives, and the existence of wide-reaching networks of power affect negotiations and help or hinder progress toward a resolution.
Introduction

One of the most pressing issues facing Indigenous groups today, especially in the intimate New England communities of the northeastern United States, is their ongoing struggle to reclaim and preserve sovereignty on land they once cultivated as stewards but now live on under the encroachment of larger States. In recent years, the United States government has sought to deal with issues of Native American sovereignty through granting federal recognition to tribes, thus creating a relationship of “nation-to-nation status” between a tribal government and the national government. This relationship generates a complex power structure on global, national, regional, and tribal levels, and, as Professor Ward Churchill noted in a talk on the Colby campus this past spring, relations between Native American populations and the federal government are invariably still structured around a dichotomy of empowerment-disempowerment. Claims made by those in power do not always reflect historical realities, and disagreements often revolve around conceptions of “the truth.”

Nomans Land, located a few miles from the national landmark and spiritually important Aquinnah/Gay Head cliffs, has historically been a site of conflict and controversy. Though originally inhabited as a seasonal retreat by Wampanoag tribal peoples and occupying a significant place in Wampanoag mythology, which I will elaborate on in the next section, the island quickly came under white settlers’ control in colonial times. The early land deeds on Nomans Land reflect a European disregard for native occupation of land, for the earliest recorded Wampanoag claims to the island – a deed between Sachem Cascanabin and his brother, Tackquabin, on May 1st, 1686 (Dukes Deeds, I, 70) – appears simultaneously with deeds between Europeans. Though these
early transfers constitute an interesting narrative of their own, the history of most concern in this paper is the more recent purchase of the island from Chilmark by Joshua Crane of Boston in 1913 and the subsequent lease and occupation in 1943 by the United States Navy.¹

The US Navy used Nomans Land for bombing practice during World War II and continued to use it periodically through the Gulf War. After a complex Joint Management Agreement between the Department of the Navy and the Department of Interior in 1970 to begin the conversion of Nomans Land into a Wildlife Refuge, followed by a transfer of partial control to the US Fish & Wildlife Service, the island’s importance to the Wampanoag Tribe has become increasingly politicized. In an ongoing debate over which party should have jurisdiction over the island’s future and over who should have access to the land, notions of sovereignty on Nomans Land and in other important tribal issues have changed over time through legislation, court rulings, and the Wampanoag Tribe becoming federally recognized in 1987. Currently, having been denied access to the island by local, state, and national governments, the Wampanoag Tribe desires to reclaim Nomans Land as a site of cultural heritage. These complex notions of stewardship, ownership, sovereignty, history, and the importance of perspective are at the heart of the Tribe’s efforts to persuade federal organizations to remove unexploded ordnance and other debris from Nomans Land to the extent that it could again be inhabited by people. Furthermore, the effort to clean up Nomans Land grows increasingly more urgent as the island’s polluted surface and surrounding waters threaten the Tribe’s economic and political well-being, and, according to tribal health

¹ See appendix for a timeline of events involving the sale of Nomans Land and the history of the Tribe.
officials, are directly related to alarmingly high cancer rates in both Aquinnah and Chilmark. As of now, the Navy has only engaged in what Horsley & Witten, the environmental firm representing the Wampanoag tribe, refers to as a "limited investigation" and "piecemeal approach" to assessing the risk posed by not removing all toxins on the island.²

This paper will illustrate how multiple perspectives – tribal, town, environmental, and military – shape recent developments in the Nomans Land cleanup effort. Specifically, I will look at the diverging notions of land ownership and stewardship used by the parties interested in Nomans Land, focusing on how these ideas have shaped land transfer and the current disputes over the thoroughness of the island’s cleanup. Furthermore, I will examine Nomans Land from a spatial-temporal perspective, looking at the impact of various cultural representations of the island over time and how control over this small island affects the complex power relations between the Wampanoag and local, state, and national governmental institutions. Finally, I will view this dispute in the broader context of relations between tribal and non-tribal governments and examine its larger implications through parallel case studies and theorists.

² Comments of Draft Scope of Work (SOW) Supplemental Environmental Baseline Survey, 4/25/03 and Letter to David Barney, Caretaker Site Office, 10/15/02
Disputed Sovereignty: Conflicts Between Land Owners and Stewards

Relations between the parties in the effort to clean up Nomans Land Island are
often driven by diverse attitudes about property ownership and land stewardship. Shaped
by a unique dialectic arising out of the development of communities in New England,
these distinctions generate differences of opinion over the depth of tribal sovereignty, and
it is important to look both at cultural conceptions of land and property and at the
implications of these concepts. Jean O'Brien, writing in *Dispossession by Degrees*,
describes beliefs about property among natives and Europeans living in Massachusetts at
the time of colonization.

"Indian ideas about property and land tenure, often misunderstood by Europeans,
reconciled individual and collective ownership of goods and places and were shaped
by Native patterns of mobility as well as the principles of sharing and
reciprocity...Indian ways of belonging on the land held mobility and fixity in tension:
Indians moved between resource sites, visited relatives in other villages, and
sometimes entirely relocated their village affiliation based on kin relations" (20-21).

More recently, beginning in the early 1970's, the debate over the limits of tribal
jurisdiction has been discussed in numerous arenas of tribal-US government relations.
As Thomas Biolsi recalls in *Deadliest Enemies*, an Interior Department Lawyer spoke to
a conference of the American Indian Lawyer's Association in 1973, saying that, despite
the department's perpetuation of the view "that the tribes have no jurisdiction over non-
Indians...[t]here is a very large question of whether that is really the law, or whether
tribes do, in fact, have both criminal and civil jurisdiction over non-Indians" (143).

Biolsi further notes in *Indians & Anthropologists*, drawing on the work of Deloria and
Lytle (1984), that
“since the early 1970s the official Indian policy of the United States has been self- 
determination – that Indian people should decide their own fate and control their own 
reservations...In the 1980s self-determination was often used to cut off government 
aid to Indian people” (75).

Jurisdiction and the extent of sovereignty have historically been divided between 
theory and practice. Stephen Pevar in The Rights of Indians and Tribes notes that, 
despite the lack of full control a tribe has over lands held in trust, the advantages far 
outweigh this disadvantage:

“Because it is owned by the federal government, trust land is immune from state tax 
and zoning laws, and it may not be seized under the state’s power of eminent domain 
or lost through adverse possession” (98).

These conflicting beliefs in land stewardship and shared property are relevant in today’s 
zoning conflicts in Aquinnah and in the conflict over Nomans Land. While the military 
views land as a possession, thus creating the implication that ownership allows one to do 
as one pleases, Wampanoag ideas about stewardship have historically emphasized the use 
and care of land, rather than the ownership of property (O’Brien, 21). Nomans Land’s 
status as an abandoned plot of land over which the Navy claims joint control along with 
the Department of Interior and the US Fish & Wildlife Service therefore is complicated 
both through Wampanoag desires to be able to use the land for cultural purposes, 
including annual celebrations, and through recent claims made by the US Department of 
Interior and other environmental groups, who see the land as a viable wildlife reserve that 
must be devoid of human inhabitation.

An important factor influencing negotiations between tribes and local or national 
governments is the spectrum of opinions about tribal autonomy, particularly with the 
recent increase in the number of Federally Recognized tribes. Options available for the 
Wampanoag Tribe of Aquinnah to function autonomously are both expanded and
constrained by their relationships to the surrounding close-knit communities of Martha’s Vineyard and to the Commonwealth of Massachusetts. The Wampanoag Tribe gained federal recognition status in 1987, beginning with the formation of the Wampanoag Tribal Council of Gay Head Aquinnah Incorporated (WTCGHA) in 1972, and it is important to assess how this status both empowers them in negotiations and perhaps also constrains their avenues for activism.

One such example illustrating potential constraints involves a recent zoning dispute between the Wampanoag Tribe and the Town of Aquinnah. A court ruling referring back to the Wampanoag’s 2001 construction of a shed and pier on their shellfish hatchery property fronting Menemsha pond – a piece of public property – without obtaining a permit favored the tribe by justifying their immunity from suit (Wells, *Vineyard Gazette*, 2/27/04). This ruling filled the local newspapers with editorials and articles about tense town meetings held to decide whether or not to file an appeal to the decision. On June 11th, 2003, a State Superior Court Judge interpreted a 1983 Land Settlement as giving the Tribe sovereign immunity from suit in the enforcement of zoning issues. If left unchanged, an article in the local papers read, “the only appeal in zoning disputes between the tribe and the town would be with the town council. The tribe would no longer be bound by local and state regulations” (Sigelman, *MV Times*, 12/4/03). According to Nelson Sigelman of the *MV Times*, the judge’s ruling gave the town the right to apply local zoning regulations on tribal lands but no legal means to enforce compliance (12/31/03). Furthermore, he argued, by creating a double standard between town and tribal zoning regulations, this decision essentially removed the legal
boundaries that protected both the tribe and non-tribal residents and enabled them to live cooperatively after the Wampanoag’s Federal Recognition in 1987.

In mid-December, 2003, the Aquinnah Town Selectmen met to decide whether or not to appeal the ruling, and their reluctance exposed tensions between the tribe and the town. The selectmen’s reasons for not pursuing an appeal requesting court enforcement of the zoning laws included the argument that negotiated agreements between the two parties are better than a court-enforced ruling. However, in one December 11th letter to the editor, a resident of Aquinnah reflected on the prevalent “native” claims made by long-time Wampanoag and non-Wampanoag and residents, calling local politics akin to “Tammany Hall.” Seeing a Wampanoag bias among the selectmen, the author said that “if the members of the tribe feel that Aquinnah only means Wampanoag, then there will most definitely be plenty of room for distrust, since everyone who lives here (whether it be called Aquinnah or Gay Head) feels it’s their home” (P. Valerius, 12/11/03). This dispute is far from resolved, especially with the recent decision by the state attorney general to become involved in its resolution. Furthermore, the question over what it means to be “native” on Martha’s Vineyard, particularly in Aquinnah, is important when examining the wide-ranging perspectives on Nomans Land.

Since the latter part of the twentieth century, the Wampanoag of Aquinnah have increasingly faced conflict in maintaining their cultural histories and artifacts. In a 1983 report to the Massachusetts Historical Commission, Bouck, Burt, and Richardson note four threats to the island’s prehistoric and historic cultural resources, including the development of vacation homes, coastal erosion, lack of a repository for artifacts, and “pot hunters.” Numerous news articles confirm that construction on Martha’s Vineyard
frequently runs into conflict with the Tribe, and in a statement made in the *Vineyard Gazette* in 1990, amidst a legislative drive to advance the rights of Native Americans, culminating in President George Bush Sr.'s signing of the Native American Graves Protection and Repatriation Act (NAGPRA) on November 23rd (Trope & Echo-Hawk), the tribe wrote:

"The Wampanoag People of Gay Head have occupied the Island of Martha's Vineyard since well before the coming of the white man... During the time that we have lived on the Island we have buried our dead with respect and the intention that they not be disturbed. Now certain developers have come to the Island, with the intent to clear land without regard for the Indian dead who may have been interred in that land for centuries. Our ancestors have become targets of amateur and professional archaeologists who hide behind scientific excuses to justify grave robbing" (Platt, *MV Gazette*, 2/16/1990).

As the Wampanoag continue to build and maintain a relationship with the town of Aquinnah and the rest of the island, issues of cultural preservation and the outcomes of negotiations with local and federal agencies become crucial. In recent years, these debates over sovereignty seem to have broadened a divide between the town's tribal and non-tribal members — island residents who have coexisted for many years through a common relationship to fishing and, in some cases, intermarriage.

The existence of crossover between tribal and non-tribal peoples through marriage and other forms of interrelations creates complex town dynamics, particularly in local politics. For example, in an important election on May 12th, 2004, resident Mike Herbert will be running for another term as selectman. He is married to a member of the tribe, and, speaking about his engagement to Aquinnah politics, he notes how "public service is one way to give back to a town which has accepted him as one of its members" (Sigelman, 5/6/04). Mr. Herbert voted against pursuing a lawsuit against the tribe on the zoning issue, arguing that a decision out of court would be preferable.
Prior to gaining federal recognition, reclaiming Nomans Land seems to have been a moot point, as there was no avenue for negotiation. One important question to raise is the extent to which federal recognition has acted as both an aid and a barrier to the Wampanoag efforts at expanding their sovereignty and at building a community in Aquinnah. Ultimately, it seems that the Wampanoag and non-Wampanoag residents of Aquinnah must learn to coexist and adapt to the changing power dynamics between Native American tribes and the United States government.
Nomans Land Cleanup Campaign
Historical Background

The current disputes over the future use of Nomans Land did not develop overnight. Rather, it is a conflict embedded in a web of historical circumstances. As David Silverman, a historian who looks at the conditions on Martha’s Vineyard that enabled the Wampanoag and European settlers to live a seemingly non-violent coexistence for so many years, notes in his dissertation, Conditions for Coexistence, Climates for Collapse, much of the history of the Wampanoag on Martha’s Vineyard is a “notable exception” (iii). Contrary to patterns of violent relations between European and Native peoples across North America, the story of English and Wampanoag coexistence on Martha’s Vineyard is one “where Wampanoag Indians and English Americans lived alongside one another without bloodshed from first settlement until present day” (iii). It is a narrative of non-physical conflict, and thus, in order to understand fully the nuances of the present negotiations over Nomans Land, one must track its many historical and mythological roots.

Before the arrival of Europeans, the small island on Nomans Land was inhabited seasonally by Wampanoag peoples and held a significant place in Wampanoag mythology, particularly in the creation story of their land. According to Wampanoag mythology, a Great Being by the name Moshup was “a benevolent being of gigantic proportions, responsible for forming the island of Martha’s Vineyard and the surrounding islands,” including Nomans Land (Manning, 19). Former Wampanoag education director, Helen Manning, writing in Moshup’s Footsteps, a small book designed to

3 pronounced like “Romans".
educate both tribal and non-tribal islanders about Wampanoag history and culture.

describes how Moshup, upon feeling his people threatened by outsiders, dug a trench
with his toe through the beach connecting the Vineyard to Nomans Land. This created a
body of water between them, and she writes, “he told his children that in order to find
refuge from harm, those who wished could be turned into killer whales, free to roam the
sea” (46). The motivation for this act varies considerably in different narratives, ranging
from Moshup’s desire to leave the island, being “tired of staying there,” to his increasing
apprehension to changes occurring in the region (Simmons, 177).

The connection to whaling in this myth, as well as the mention of an outside
threat, is significant, for Martha’s Vineyard is sometimes considered the “birthplace of
whaling” in the US, with the Wampanoag playing a major role in that enterprise
(Chamberlain, 5). According to Henry Norton, writing in Martha’s Vineyard: History-
Legends-Stories, Wampanoag in the early days of European settlement served on the
crews of European fishing boats, and “in many cases when [they] sold land they reserved
a certain whale right on all the whales that drifted ashore” (22).

William Simmons, writing in Spirit of the New England Tribes, describes one
narrative of Moshup told by Gay Head resident, Thomas Cooper to Benjamin Basset of
Chilmark. In this particular narrative, whose origins date back to 1643, Moshup’s
“feats provided explanations for the characteristics of killer whales, the shape of a
rock formation off Sakonnet Point on the Rhode Island Coast, the origin of the small
island known as Noman’s Land near Gay Head, and the colored soils and fossil
contents of the Gay Head cliffs” (176).

Throughout the history of relations between the Wampanoag tribe and Europeans on
Martha’s Vineyard, the narrative of Moshup and the creation of all the islands off the
coast of Cape Cod have undergone various transformations. In one telling, circa 1900,
which Simmons says probably originated among Europeans, Moshup is a more malevolent being. In this depiction, after being bitten by a crab while working barefoot in the water,

"the demonical nature was fully aroused...and a direful domestic desire followed. He tore off a Fragment of No[e]pe [the Wampanoag name for Martha's Vineyard] and hurled it away six miles into the sea, where it now remains as Noman's Land; then he cast his five children into the sea and tossed his wife over to Seaconnet Point, where she is still to be seen in the form of a shattered boulder, and then left for parts unknown" (192).

Simmons notes, citing Gloria Levitas, that as the Wampanoag community came into contact more frequently with European settlers, mythology surrounding Moshup shifted, and new representational motifs came into use. The Wampanoag's interaction with so-called "mainstream society" caused a change, and

"the earlier Moshup, once both kind and capricious, had divided into two figures, the benevolent Moshup and the evil Cheepi Unck...Factionalism had surfaced in Gay Head over the issue of incorporation, which pitted the foreign born and those with experience outside the district against others who were more locally oriented, and these factions grew in later years (Levitas)" (193).4

In a third such transformation, the mythology of Moshup was clearly influenced by Western lore, particularly the stories of Homer's *Odyssey*. Simmons writes how, in a collection published by Gladys Tantaquidgeon, Moshup

"had only one eye in the middle of [his] forehead, suggesting possible influence from the Cyclops of Homer's *Odyssey*, who also was a giant living in a den on a hillside above the sea...The island called Noman's Land off Gay Head also brings up the possible connection to Homer's Cyclops, but according to island tradition the name originated as a shortened form of Tequenoman, a local Indian sachem" (209).

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4 These two characters, however, vary greatly in their portrayal, depending on the source, for Henry Norton depicts Cheepii as a resource, teaching the Wampanoag how to make clay into pottery, whereas he portrays Moshup as "a harsh potentate [whose] chiefs revolted and drove him from the mainland," at which point he settled in Devil's Den (91).
Richard Scaglion also describes these mythological shifts, writing in an article for the *Dukes County Intelligencer* (1974) about how, in recent versions of the myth of Moshup, he is “credited with causing or creating several more of the natural phenomena” in the Wampanoag’s regional landscape (23). Furthermore, and perhaps more directly related to the tribe’s efforts to clean up Nomans Land, Scaglion comments that in the mid-seventies – amidst the early stages of the Wampanoag’s petition for Federal Recognition – “Moshup evidently is becoming the central figure of Aquinnah folklore...[a kind of] Culture Hero of the Aquinnah Indians” (24). With the increasing use of Moshup as a tribal symbol, and his connection to Nomans Land, clearly the mythological, political, and economic importance of the island is deeply relevant in today’s conflict over its cleanup, as is the role of history in its portrayal (or lack thereof) of the Wampanoag Tribe.

Made Invisible by History

Charles E. Banks wrote one of the earliest and possibly still widest-read historical narratives of Martha’s Vineyard in 1911. His three-volume account gives a thorough description of the development of government on Martha’s Vineyard after European settlement, yet it does very little to explain the relationship of the Wampanoag to Martha’s Vineyard and Nomans Land. One of Banks’s few descriptions of Bartholomew Gosnold’s landing on Nomans Land in May of 1602 includes an account of the day, calling the place a “disinhabited island.” The choice of “disinhabited” rather than “uninhabited” is interesting and probably reflects the island’s seasonal use by the Wampanoag (71-74). Another primary account from the same year also acknowledges the Wampanoag seasonal presence, saying
"we found it [Nomans Land] to be foure English miles in compassse, without house or inhabitant, saving a little, old house made of boughes, covered with barke, an old piece of weave of the Indians, to catch fish, and one or two places where they had made fires" (vol. 1, p. 62).

Banks does not elaborate on the relationship between the Europeans settling in what is now Martha’s Vineyard and the area’s native population, and, despite evidence of a substantial Wampanoag population, his account nearly neglects their presence. Helen Manning, a tribal elder, writes in the introduction to Dr. Jerome Segal’s recently published *Wampanoag Genealogical History of Martha’s Vineyard* that “Banks made it seem as though the European immigrants had found a barren wilderness” (Segal, 1).

Contrary to the narrative depicted by Banks and further represented in subsequent accounts, the first Europeans arrived in a region with around three thousand Wampanoag peoples – far more than the population that lives there today (Segal, 1). Manning notes that it is nearly inconceivable that Banks chose to barely include the Wampanoag in his three-volume account, especially since “these Native people were still quite visible at the time of the Banks publication” (Segal, 2).

**Early Wampanoag Political Structure**

The Wampanoag on Martha’s Vineyard originated as part of the Wampanoag Federation in New England, with the original tribes, or Sachemships, being the Takemmy, Nunpaug, Aquinnah, and Chappaquiddick (Travers, 182). However, Milton Travers notes in his book, *The Wampanoag Indian Federation*, that the Wampanoag of Gay Head (the European name for Aquinnah), like the Marshpees on the mainland, eventually absorbed the other Sachemships on the island (183). As a result, today the major concentration of Wampanoag on Martha’s Vineyard is in Aquinnah.
The political units for the Wampanoag of Martha’s Vineyard, or Noepe—“the land surrounded by bitter waters”—were four Sachemships named for the physical attributes of the land. Taakemmy, “place to grind corn,” is now West Tisbury; Nunne-pog—“when there is water there”—is now Edgartown; Tcheopiaquidenet—“the separate island”—kept its name, Chappaquiddick; Aquinnah—“land under the hill” or “end of the shoreline”—was named Gay Head up until recently, when it reclaimed its Wampanoag name. Furthermore, Manning notes that other places on Martha’s Vineyard were also named to signify a devotion to the use of the land. Nobnocket, now Tisbury, means “dry place,” Nashowau-Kommock (Chilmark) is the “place in the middle,” Seagekontacket (Oak Bluffs) is the “place where the brook flows into the river,” Tashmoo means “pure water,” Katama is a “crab fishing place,” and Menemshaunk (Menemsha) is the “place for whales” (9). These names reflect an emphasis placed on land stewardship, and in each case except Chappaquiddick, the original geographically-oriented Wampanoag name is replaced by a European name often pertaining to European geography. For example, Nomans Land, originally named Cappoaquit, meaning “refuge island,” could have been named by the Europeans in honor of Nomans Land, England, which happens to be twenty miles from Chilmark, England (Chilmark Tricentennial Video, 1994). In the history of how Nomans Land received its European name, one sees an emphasis on ownership as well as the impact of non-tribal islander communities in shaping the island’s symbolic representations (I will address this second point in the section on Multiple Perspectives).

Dr. Segal includes two other Sachemdoms in his study: Nashawakemuck North and Nashawakemuck South (pp. 77-86).
What's In a Name?

Though the first printing of the Wampanoag name for Nomans Land, Cappoaquit, is dated from a 1666 deed (Dukes County Deeds, I, 70), upon Gosnold’s “discovery” in May of 1602, the island was first named “Marthaes Vineyard.” Of course, that name quickly transferred over to the much-larger, currently inhabited island. Subsequently, Nomans Land Island took the name of other Dutch explorers who visited it, including “Hendrick Chritiansen’s Elyant” in 1616 and “Ile de Hendrick” in 1646 (Banks, vol. 2, 71-74). According to Banks, at one point around 1675, the island was peculiarly named “Dock Island;” however, he notes that “Dock Island” apparently only appears on one map. The name “Nomans Land,” also “Isle of Man,” became standard as early as 1666, when the land came under the jurisdiction of New York (Banks, 71-74). This name has seen a few variations in its spelling over the course of its history, including “No Man’s Land,” for its lack of an owner, and “Noman’s Land,” a possible corruption of the name Norman’s Land, reflecting the island’s Norman roots of discovery. Not surprisingly, “No Man’s Land” is the spelling occasionally used in documents advocating for keeping the island free from public visit, including visits by the tribe.

Banks, trying to determine the origin of the island’s current name, writes in his history that “there was a great Powwaw on the Vineyard called Tequeooman residing here when the English came, and it is possible that he had jurisdiction over, or ownership of, this small island which came to bear the last half of his name, (Teque)nomans Land” (71-74). However, Warner F. Gookin, a critic of Banks’s work, subsequently refuted this explanation, saying that, given the pronunciation of Tequenoman (Te-quin-o-man), the

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6 This name appears in the diary of John Brereton, a passenger and minor official on Bartholomew Gosnold’s voyage (Ritchie, 2).
island would have been named “Oman’s Land.” Gookin argues that the island’s European name is either a corruption of “Norman’s Land” or more likely a name to signify its ambiguous ownership (Scott, 1985, 23-24). In recent years, some tribal members have claimed that the name “Nomans Land” does in fact derive from Tequenoman, saying that he was the sachem of the region when Europeans settled. These disagreements over the naming of the island reflect diverging notions of ownership and stewardship and are frequently at the core of conflicts surrounding the island’s ownership and occupation.

Occupation and Power

Surrounded by excellent fishing waters, Nomans Land has historically been important for the Tribe’s economic livelihood. Banks notes that as early as European contact, the region was recognized for its good fishing waters, and Europeans “took great store of cod – as before at Cape Cod, but much better” (71). After the first record of formal Wampanoag ownership in 1674 (Banks), the island quickly came under white settlers’ control in colonial times, with the town of Chilmark claiming ownership from a 1686 deed. Just prior to this claim, Nomans Land was included in Mathew Mayhew’s declaration of the Manor of Martin’s Vineyard on April 25th, 1685.

“I do hereby erect, make, constitute the said Island called Martin’s Vineyard together with the aforementioned Islands called Nomans Land and Elizabeth Islands, and the above granted premised into one Lordship or Manor of Martin’s Vineyard” (Banks, v. 1, 174).

Furthermore, when Chilmark was formally made a township on October 30th, 1714, according to its annals, “an Island called No Mans Land” was included within the

7 “Tribe Stakes Claim To Tiny Nomans Island,” AP, 6/28/98.
town's corporate limits (Banks, 71-74). This act, like many other actions by white settlers, did not bode well for tribal peoples. Describing these early dealings between Europeans and the Wampanoag, Annie Woods, former island caretaker and author of Nomans Land, Isle of Romance, a romanticized vision of the island, writes, "the white men were the first aggressors and were not fair in their dealings...whenever the Indians were justly treated they responded in kind" (70). Stemming from these early interactions, Nomans Land has switched hands repeatedly, with Europeans imposing ideals of property ownership on Wampanoag land. These ideals took many forms, for as Dorothy Poole notes in "Vineyard Sampler" (1978), in the late 1800s, Nomans Land was "construed to include the right to build and occupy a shack for seasonal fishing" (114).

Describing the early European residents on Nomans Land, Banks writes that they "numbered twenty souls in 1750...They were probably engaged in fishing, as at that time the surrounding waters were considered the only certain places for fishing for cod [Sewall Diary, III, 397]" (Banks, 71-74).

The nature of the current conflict over the island's cleanup derives from the leasing of it to the United States Navy by Joshua Crane of Boston in 1942-43. This lease stated both that the island was to be used "as a radar triangulation point for Buzzard's Bay and Newport," and that it would be returned to the Crane Family in the condition it was in upon the signing of the lease. In contrast to these stipulations, the Navy used Nomans Land for bombing practice during World War II and subsequently took ownership of the island in 1952. Records indicate that the Crane Family was surprised at

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8 Joshua Crane purchased the land from Chilmark in 1913/14 (Poole 1978).
9 Source: Mass.gov "Nomans Island – Historical Information" (http://www.state.ma.us/dep/bwsc/files/RandR/NLI/nlihsry.htm)
the reality of what happened on Nomans Land during the war, for Henry E. Scott Jr. notes in the *Dukes Country Intelligencer*, that

"[i]n the summer of '45, the Crane Family...asked permission to visit the island...They were disturbed by some things: road[s] that had been bulldozed through old stonewall sheep fences; a house that had burned to a ruin..."\(^{10}\)

After the Navy continued to occupy and use the former Wampanoag lands for bombing practice, the Department of the Navy and the Department of Interior, in a complex Joint Management Agreement written in 1970, decided that

"the Navy and Interior do mutually agree to the use and management of Nomans Land to benefit migratory birds and other wildlife to the extent consistent with military requirements."

Despite the devastation on the island and the disruption to surrounding communities, periodic use continued through the Gulf War. Bombing officially ceased in 1996, with a permanent turnover to the US Fish and Wildlife Service (*Lovewell, MV Gazette*, 6/28/96). However, the Navy still plays a dominant role in the negotiations of the island's cleanup, a testimony to the permanence of networks of power. Prompted by the Wampanoag of Aquinnah gaining federal recognition in 1987, intense talks about the cleanup began between the Tribe, the federal government, and environmental organizations a few years after the island's turnover. Currently, the Wampanoag of Aquinnah are involved as part of a Public Involvement Plan (PIP) to make sure that the provisions of a Base Reallocation and Closure Act (BRAC) are followed through.\(^{11}\) Part of this plan involves a Department of Environmental Protection Technical Assistance Grant (TAG) program to help community organizations understand and educate others about the technical and scientific aspects of the cleanup. These grants run up to $10,000,

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\(^{10}\) Feb. 84, p. 129

\(^{11}\) [http://mass.gov/dep/bwsc/files/landr/nli/nlipip.htm](http://mass.gov/dep/bwsc/files/landr/nli/nlipip.htm)
and the Wampanoag Tribe was one of fourteen recipients. In 2001 they joined other municipal and community organizations to form a Nomans Land Cleanup Coalition, but recently the cleanup process has become quite contentious. While the Wampanoag Tribe, the Massachusetts Natural Heritage and Endangered Species Program - a division of the Department of Environmental Protection - and other agencies see the removal of all ordnance as an essential public health issue, the US Fish and Wildlife Service and Department of Defense argue that there is no risk posed and that more cleanup in not financially possible.¹²

The Road to Federal Recognition

In order to understand the tribe's motivations to become federally recognized, one must look at the Wampanoag's systematic loss of land to European settlers. After European contact, the tribe was both decimated¹³ and had its land renegotiated under European terms of ownership. As Silverman writes, "the choices each community made between 1680 and 1740 proved to be of a gravest consequence, since they largely determined whether Indian lands would emerge from the fray at least somewhat intact, or become dismantled with alarming speed" (222). Upon white settlement, the population of Wampanoag inhabitants on Martha's Vineyard were "of the Algonkian linguistic stock [and they] also occupied Nantucket Island and considerable portions of the mainland" (Ritchie, 3). This territory included Rhode Island east of Narragansett Bay, Bristol County, and Western Barnstable County, and in 1600, the Indian population on Martha's Vineyard numbered around 1500. The loss of land to white settlers on the island brought

¹² http://www.wampanoagtribe.net/news
¹³ By the early eighteenth century, there were only approximately 800 Wampanoags living in the region among 155 families (Manning, 52).
significant changes to the tribe, and as Kristin Mary Pados writes in *From Distinction to Extinction: The Mayhew Mission to the Indians of Martha's Vineyard*,

"The praying towns on the island experienced a severe crisis as they lost their hold on land. As Indian Lands decreased, native communities concentrated at Gay Head, Chappaquiddick, and Christiantown" (83-84).

Property ownership shifted repeatedly in the early 1700's with formal land transfers among Europeans, often leaving the Wampanoag "remaining as tenants of the soil once owned by their ancestors" (Attaquin, 25). Between 1727 and 1776, the Tribe gained legal deeds to the occupation of much of its land in Aquinnah, which was held in common. Recognizing the autonomy of the Tribe in 1799, the Commonwealth of Massachusetts obtained a conveyance of a small tract of land in Aquinnah to construct the Gay Head lighthouse (Manning, 52). However, the Commonwealth's acceptance of the Tribe as an autonomous unit fluctuated, and by 1814 it attempted to gain control of tribal lands by enacting "guardians" to seize lands for unpaid rent (Manning, 52).

When Gay Head officially became an incorporated town in 1870, the Wampanoag opposed the incorporating act, preferring to remain as an Indian district - a more autonomous unit, especially with regard to land rights. Upon incorporation, all common lands, funds, and rights held by the Indian district are transferred to the Town government, and, according to oral history, the Wampanoag "were afraid of losing territory - they weren't interested in private property - they were interested in sharing their lands" (Manning, 53). Incorporation introduced the notion of State taxation, thus imposing new ideas about property.
The Tribe’s efforts to become federally recognized began to take shape in 1972, when the Wampanoag Tribal Council of Gay Head Aquinnah Incorporated (WTCGHA) formed

“to promote self determination, to ensure preservation and continuation of Wampanoag history and culture, to achieve Federal Recognition for the Tribe and to seek to return Tribal Land to the Wampanoag people” (Manning, 54-55).

Prior to Federal Recognition, the WTCGHA functioned basically as a non-profit organization, but in 1974 the Tribe filed suit in Federal Court for the return of Common Lands that were taken away in the 1870 transfer of land to the Town of Gay Head. The Wampanoag claimed that the land transfer violated a 1790 Non-Intercourse Law, and in 1983 they formally petitioned for federal recognition, reaching an Indian Claim Settlement later that year, in which the State transferred 238 acres of public land to the Tribe as Common Lands. In addition, the Federal Government financed the purchase of 180 acres (Manning, 55).

In the last twenty years of the past century, it seems that often out of the effort to become federally recognized grew an impulse of Native American groups to preserve and return to so-called traditional customs. This condition was not unique to the Wampanoag; rather, it responded to a specific set of criteria established by the federal government to qualify a group for “tribal status.” As Holly Higinbotham of the Vineyard Gazette wrote in 1983, “because the Indians could do little to prevent government attempts to have them live as other US citizens did, they sought to maintain their tribal traditions along with their adopted lifestyle” (7/16/82). After several years of negotiation, the Wampanoag of Aquinnah were federally recognized by the Bureau of Indian Affairs on February 10th, 1987, ending a thirteen-year land claims dispute and
granting them nation-to-nation status with the US government. Congress authorized the appropriation of $2.2 million of Federal funds to the tribe for the purchase of the 238 acres\textsuperscript{14} of town Common lands as trust lands (Manning, 55). After obtaining federal recognition, the tribe constructed a Council building and affordable housing in the mid-nineties, enabling many relocated tribal members to return to Aquinnah. The Aquinnah Cultural Center, formed in 1998, oversees the education of tribal and non-tribal islanders in Wampanoag history through museum work and the creation of an island map that includes tribal names, landmarks, and anecdotes of tribal history and culture (Manning, 55).

One of the most advantageous reasons for a Native American tribe to seek federal recognition is to qualify for government funding for housing, health care, economic development, and employment (Lembo, \textit{MV Gazette}, 2/6/87). However, in order to gain federal recognition, the tribe must satisfy requirements by the federal government to qualify as a tribe. These criteria are bound up in notions of Native American identity, and, as James Clifford notes about the Mashpee on Cape Cod in \textit{The Predicament of Culture}, defining tribal identity is not an unproblematic matter. Writing about Richardson Jonas, a Mashpee Indian, Clifford observed that

\textit{“Jonas says that when he calls himself a Wampanoag Indian, he is referring to his Indian ancestry and not to any tribal affiliation. He does not know what a tribe is. When pressed he hazards a definition: “I would think that a tribe would be where you have a chief, and he’s the governmental factor over those who serve under him” (330).”}

\textsuperscript{14} Lembo, 2/6/87
One response by the US government to problems of defining Native American identity has been to create a formulaic definition of tribe, such as in Montoya v. United States (1901):

"a body of Indians of the same or similar race united in a community under one leadership or government and inhabiting a particular, though sometimes ill defined, territory" (334).

Of course, this definition implies a particular concept of "race" – a concept which anthropology has shown to be culturally constructed. Considering the extent to which tribal "territories" have formed as a result of US Governmental action, attributing tribal status to a Native American population living amongst a non-Indian population and, in some cases, intermarrying with them, is clearly a contradictory process with long lasting effects. This process visibly impacts negotiations between the people and organizations involved in the cleanup of Nomans Land.

The criteria for obtaining federal recognition include (1) that the tribe has been classified as American Indian throughout its history, (2) that a large portion of the tribe lives in a specific area or in a community viewed as American Indian, distinct from neighboring populations, and (3) that the group has had a continuous governmental authority to manage itself autonomously. Furthermore, the tribe must submit current governing documents including membership criteria and a list of known members, prove that tribal members are primarily not members of another Indian tribe, and show that the group's relationship with the US government was not previously terminated by legislation (Pevar, 310).

In the months leading up to recognition, the Wampanoag of Aquinnah initially faced a rejection by the Federal Bureau on the grounds that "a substantial portion of the
group's members does not maintain tribal relations" (Lembo, 2/6/87). Furthermore, there was speculation about the prominence of the tribe's governing authority from 1870 to 1972 (Lembo, 6/27/86). Ultimately, the Wampanoag of Aquinnah proved their existence as an intimate community, with "letters from members of the Vineyard as well as the scholarly community [having] much impact on the reversal of the decision. Records of Gay Head life over the years...also figured in the government's ruling" (Lembo, 2/6/87).

In this case, it seems likely that Aquinnah's continuous status as a town helped the Wampanoag gain legitimacy in the eyes of the federal government. The story of the Wampanoag of Aquinnah becoming a federally recognized tribe is a common narrative intertwined with notions of identity, sovereignty, ownership and stewardship of the land, and the perseverance to continue striving for justice within a bureaucracy that is often slow to act. The years after the Wampanoag gained federal recognition led to a growing interest of the tribe to be sovereign, causing significant rifts to develop between tribal and non-tribal residents of Aquinnah. These rifts are common among tribe-town relations in New England, and, when assessing public opinion surrounding the cleanup of Nomans Land and recent conflicts over local construction, it is necessary to recognize the multiple layers of these relations, which often have deep roots.
Aquinnah: The Development of a Town of Wampanoag and Non-Wampanoag Islanders

Permeating the relations between the Wampanoag of Aquinnah, the town of Chilmark, environmental groups, and the US government is a spectrum of attitudes constructed from historical narratives, contemporary circumstances, and perceptions of the truth. On one level, the effort to clean up Nomans Land is a common story of a Native American group wanting reparations for land as well as the cleanup of toxins that pose a health threat. On another level, however, the conflict is a dispute over notions of stewardship and ownership of land, bound in a history of changing relations between the tribe, the town of Aquinnah, and other parties involved in the conflict. When assessing the restoration efforts on Nomans Land from an anthropological perspective, it is important to understand the way the town of Aquinnah (formerly Gay Head) formed both as a non-tribal island community and as a Wampanoag community. The town’s positioning in Martha’s Vineyard’s tourist economy – site of the Gay Head cliffs – impacted its development, as did its existence as a home to both Wampanoag and non-Wampanoag peoples. In the town’s early history, the Wampanoag developed as a closed corporate community, achieving high degrees of autonomy and resistance to white rule. However, Aquinnah as a town has also historically faced influence from non-tribal governing powers, often causing a dependency on outside forces.

These outside forces have dramatically impacted the town as a whole. Gale Huntington, an island historian and fisherman, reflects in Vineyard Voices – a collection of oral histories compiled by Linsey Lee – how “at Lobsterville [a small Aquinnah fishing community], some of the fisherman used to live in their fish houses...that was a real house you know. That was a regular
village...Then when the power engines came, everybody moved to Menemsha. Lobsterville became a ghost village" (183). Aquinnah’s proximity to excellent fishing waters made it intimately affected by regional changes. Joseph Chase Allen wrote in the Vineyard Gazette in 1958 about how the original Lobsterville community functioned with every intention of being a permanent fishing village.

“It was satisfactory to both the occupant and the owner or owners of the land, and while the place existed as a fishing village, men planned everything for permanence, with never a thought that the fishing would cease, or that methods would greatly change with the passing of time” (5/9/58, 8).

Despite these outside influences on the town of Aquinnah, the Wampanoag throughout their history, particularly in the years leading up to federal recognition, have sought to establish themselves as an independent community existing within one community and among other island communities. Island communities in general are often unique in their intimacy and detachment from the mainland, and as Philip Morgan observes in Encounters Between British and Indigenous Peoples, they are “a catalogue of quirks and superlatives” (Silverman, xiv). In the interactions between people on Martha’s Vineyard, the relations between the Wampanoag tribe and non-tribal islanders appear to be no exception to this observation.

David Silverman, noticing wide variations in the responses by the island’s indigenous communities in the mid 1600s, writes how, “with so many weighty considerations, so many variables, no two Martha’s Vineyard communities addressed the intertwined issues of dwindling territory and political structure in the same way” (222). For the Wampanoag on Martha’s Vineyard, especially the population living in Aquinnah, the history of their attachment to their land, is a “story of constant upkeep and
adaptation" (457). Similarly, the recent efforts to clean up Nomans Land require from the tribe both an unwavering resolve to be patient throughout the ongoing years of negotiation as well as the ability to adapt to multiple bureaucratic procedures, such as those dictated by the Departments of Defense and Interior. An important historical development in the relations between English and Wampanoag residents of Martha's Vineyard is the impact of the Mayhew Mission in shifting the valuing of land. This change is particularly noteworthy when looking at the early ethnogenesis of Aquinnah as a Wampanoag and European town. Writing about this mission in From Distinction to Extinction, Kristin Mary Pados notes how "land grants and transactions undermined the Indians' traditional assumptions about nature...Before the arrival of the English, the natives engaged in seasonal migrations and relocations...[they] emphasized use rights, not ownership of land" (64-65). Facing possible loss of land, the Wampanoag of Aquinnah were perhaps the most active of all the original Sachemships on Martha's Vineyard in seeking to develop a concentrated and powerful community. Pados observes how, in contrast to patterns of missionary contact with other native populations, which often led to a loss of culture through assimilation, "because the Mayhew Mission focused initially on conversion and exhibited greater tolerance for native culture, the Vineyard Indians arguably did in fact retain greater cultural integrity during their adoption of Christianity" (13-14). Referring to the ways the Wampanoag tribe has sought to preserve and revitalize elements of its past history and culture, Pados notes how "the existence of Vineyard Indian legends indicate that native oral culture has endured despite the shift to literacy and the passage of centuries" (96).
Her dissertation goes on to argue that the missionary experience in Aquinnah was unique in its relative harmony and absence of warfare. In the context of this paper, I will expand on Pados's claim and suggest that the early ethnogenesis of Aquinnah as a Wampanoag and non-Wampanoag community amidst other island communities largely contributes to the development of multiple perspectives on Nomans Land and actions taken toward the island's cleanup. Furthermore, the existence of Aquinnah as a residence for both Wampanoag and non-Wampanoag peoples and as part of a larger community of up-island towns, which were "strictly rural, with a few village farms [and] isolated summer homes" (Labov, 4), complicated the town's development and relationship to the growing tourism industry of the last century, and contributed to the opposing views on how Aquinnah should be governed.

Aquinnah has existed as a full-fledged, politically-structured town with Wampanoag residents for most of its history. Political organizations of Native American groups in Massachusetts were a common occurrence in early colonial New England, for as Vine Deloria writes in *American Indians, American Justice*, "small groups of Indians...began to organize themselves according to the political system of that colony into small towns...These towns were called 'praying towns' because Indians had by and large adopted the white's religion" (90).

Aquinnah, however, seems unique in the relative degree of its autonomy. Historian Lloyd Hare, quoting from primary accounts of the period, describes in *Thomas Mayhew: Patriarch to the Indians*, that "in 1849 it was said of the Gay Headers that they were "in the main, a frugal, industrious, temperate and moral people"...12 years later, "they are generally kind and considerate toward each other"...it is still an Indian Town, for the white man has made no invasion there" (215).
The questions that immediately arise from this statement are, first, what it means for Aquinnah to be an “Indian Town,” and second, how has this status changed over time?

David Silverman and Kristin Mary Pados observe in their dissertations that the early encounters between the European settlers and the Wampanoag serve as deviations from patterns of interactions between tribes and Europeans in other parts of the Atlantic coast. Pados notes how Mathew Mayhew and his fellow missionaries “demonstrated great devotion toward the Vineyard Indians and used a more gradual and accommodating course of action in their missionary activity” (10). Furthermore, the “strongest indication of the harmonious relationship enjoyed by the English and Indians on Martha’s Vineyard was the absence of warfare...Trusted with the possession of ammunition, the Indians, in turn, resolved to assist the English cause if necessary. Peace ultimately prevailed on Martha’s Vineyard where Indians still outnumbered settlers” (48).

In Aquinnah, a town that both Wampanoag and non-tribal islanders claim as home, relations over the years have fluctuated, and in recent months, amidst the ongoing Nomans Land cleanup effort and the highly contentious zoning dispute, Aquinnah increasingly appears to be one town with a spectrum of opinions.

In her dissertation entitled No Boundary is a Boundary: Conflict & Change in a New England Indian Community, Gloria Levitas states her claim about tribal responses to conflict and change, arguing that the “alternation of the community’s social and economic structures and changes in interpersonal behavior are the consequences of the community’s changing relationships through history” (ii-iii). Among the contributing factors she lists for this development are Aquinnah’s location on the southwest corner of the island and its establishment as a closed community that often resisted white rule. Aquinnah’s existence within a growing tourist economy, home to the picturesque Gay
Head cliffs, impacted its development as a town. As a result, Aquinnah has historically faced challenges in maintaining its identity as an island town with a substantial Wampanoag population.

Tourism is one of the most important aspects of Martha’s Vineyard history to keep in mind when looking at the development of Aquinnah. Though many argue that Martha’s Vineyard tourism has its roots in the 1830s, when visitors in large numbers started to arrive (Hough), I will focus mostly on the acceleration of the tourist enterprise beginning in the 1920s and increasing during the post-war period. To place the early years of tourism in context, I would like to draw briefly from Henry Beetle Hough’s work, *Martha’s Vineyard: Summer Resort, 1835 – 1935*. Commenting on historic accounts of European wonderment at the Gay Head Cliffs, Hough writes that “if there had been nothing on Martha’s Vineyard but Gay Head, the Island must surely have become a resort” (29). Clearly, Wampanoag lands attracted the interest of white visitors, yet this interest expanded beyond Aquinnah’s scenic geography. Hough observes that “the fact of their being Indian was of greatest interest to travelers and, later, to summer visitors...To many visitors it was disappointing not to find tepees and feathers; there were none, although excursions for many years were to be advertised with circulars bearing pictures of conventional Indians in costume, at the door of a wigwam” (32).

Noting a difference in the kind of people who visited and settled in the up-island towns, including Aquinnah, Hough writes that, while the down-island communities offered an intimate social sphere, life up-island was defined by “solitary hills,” making its white residents and tourists “pioneers” of sorts (236). The geographic and social landscape of up-island towns was defined by hills, and Hough alludes to an arbitrary definition of
"Indianness" imposed by tourists and further reflected in perceptions about Wampanoag sacred land.

"The first Indian Hill, scene of old Indian rites, and site of the dancing field which antedated the missionary days, was difficult to reach by road, and the livery stable drivers fell into the custom of taking their patrons to a different hill, more to the west, which was easily accessible" (241).

In a more contemporary commentary on the impact of tourism (though still only from 1972), William Labov, writing in Sociolinguistic Patterns, describes the roles of "the very large number of summer residents, 42,000, who flood the island in June and July of every year" (6)15. Labov observes that during these months, seven out of every eight people are tourists (12), and with the Gay Head cliffs being one of the major tourist attractions, Aquinnah is undoubtedly affected by this annual influx of visitors. The most immediate impact of tourism on the island as a whole is economic, for an increasing dependence on the summer tourist season and on wealth coming from off-island in the form of investment has led some native islanders to fear their displacement. Labov writes that "the more far-seeing Vineyarders can envisage the day when they and their kind will be expropriated as surely as the Indians before them" (28), reflecting perhaps a common plight among the Wampanoag and non-tribal island natives. A comparison of census data from the mid-twentieth century to the beginning of the twenty-first suggests an influx of off-island residents bringing new wealth to the island (see appendix).

However, further study of the demographic differences in attitudes toward visitors would need to be taken to fully assess this statement.

The influx of tourism and newly-established residency by off-island families has caused a shift in perceptions about property. Commenting on a growing sense of

15 These are 1972 figures. The number is undoubtedly much larger now.
property ownership, Labov quotes a resident of Chilmark as saying that, due to off-island investment, “you can cross the island from one end to the other without stepping on anything but No Trespassing signs” (28). This development is further reflected in Vineyard Voices by Milton Jeffers, a Chappaquiddick blacksmith and a Wampanoag.

Reminiscing about how access to property used to be very fluid, almost communal in nature, he notes how this has changed, describing an excursion to pick some berries on Chappaquiddick:

“One of them told me one day – we were out trying to pick some beach plums – says, “This is private property. We pay big taxes and we don’t like to be disturbed” (26).

Tourism has led to shifts in attitudes and rules about property ownership, changes in taxation, and new zoning regulations. Alluding to these changes in the development of Aquinnah, Helen Manning writes in Moshup’s Footsteps that “Gay Head is not Gay Head anymore” (11). The social and economic geography has changed, for, in the past, “land was not at a premium like it is today” (15). In addition to the influx of new residents and new sources of wealth to Martha’s Vineyard, the relations between tribal and non-tribal peoples in Aquinnah after federal recognition probably also intensified attitudes toward private property, particularly with regard to opinions about zoning regulations. In other words, the Wampanoag’s change in status has brought with it questions over the right to construct things with or without a permit in Aquinnah.

In addition to changing attitudes about property, the social geography of Aquinnah in the early twentieth century reflected the development of a closed community. Leonard Vanderhoop, one of the patriarchs of the tribe, remembering life in Aquinnah/Gay Head at this time, says that “when you came up to Gay Head you always had to open and shut gates...They didn’t call it community then, but everyone planted
together large acres of corn” (Lee, 42). Articulating a similar sense of community, Alfred Vanderhoop, a Wampanoag fisherman and associate director of the Native American New England Wildlife & Fisheries Bureau, describes Aquinnah in the first decades of the twentieth century (it is unclear from his statement whether he is referring to both Wampanoag and non-Wampanoag):

“Spring of the year you’d have Field Day. All the men would go into the woods, cut fence posts, put up fences to keep the cattle on that south side...It was quite a community thing” (178).

The 1960s and 70s in Aquinnah led to an advancement of this community mindset through education efforts. In Lee’s collection of personal testimonies, Helen Manning, a former teacher of the Aquinnah school, illustrates how in the latter half of the twentieth century, a "revived interest in Wampanoag culture started...when everybody was very conscious of what their heritage was...they used to think all they needed was to be Indian...Not in these days. You got to be something, do something” (212).

Displaying a strong sense of tribal identity through action increased with the push toward federal recognition, and coincidentally, an interest in educating non-tribal islanders about Wampanoag history and culture seems to spring from the tribe’s acquisition of this recognition in 1987. For example, the later decades of the twentieth century brought a greater interest among Martha’s Vineyard schools to preserve the island’s Wampanoag history. Reminiscing about changes in island education, Manning writes in Moshup’s Footsteps how “at my first island-wide school meeting, I mentioned that we were studying the Wampanoags.” Someone immediately questioned her, “won’t that interfere with you completing the social studies text?” These dynamics have changed, and Manning comments how, these days, “everyone wants a tribal member to come speak to
their classes” (21). This shift towards revitalizing an acknowledgment of Martha’s Vineyard’s Wampanoag past and present is also visible in Dr. Segal’s recently published *Wampanoag Genealogical History*, which attempts to provide a more “definitive” historical narrative than Banks’s three-volume work. However, this work is not universally acclaimed, for some members of the tribe view Segal’s research methods with skepticism. As I subsequently learned from conversations with islanders, tribal histories written by non-Wampanoag residents are often viewed critically as either “inaccurate” or as part of some “other agenda.”

This recent interest in raising awareness about Martha’s Vineyard’s Wampanoag history has taken form in the production of an island map produced by the Aquinnah Cultural Center, Inc. Entitled “Wampanoag Way: An Aquinnah Cultural Trail,” the map sits alongside maps for bikers and day-trippers, giving both the original names for places on the island as well as a brief historical overview of the Wampanoag and the legend of Moshup. Other recent endeavors to educate the public about the tribe include the Aquinnah Public Library, which has an extensive collection of Native American literature, and a summer Native American fiction writing contest, jointly sponsored by the library and the *Bunch of Grapes* bookstore. In these examples, particularly with the Cultural Trail Map, forms of educating the public and honoring diversity on Martha’s Vineyard are motivated both by the influx of summer tourists and by a continuously evolving relationship between the Wampanoag and the surrounding towns.

The tensions between tribal and town governments in Aquinnah seem to develop from the process by which the Wampanoag became a Federally Recognized Tribe in 1987 (Wampanoag Tribe of Gay Head, Inc. *Indian Claims Settlement Act - PL 100-95*).
Viewing the records of correspondences and official documents from the effort to gain federal recognition\textsuperscript{16}, one sees a narrative of negotiations stretched out over more than two decades. The Tribe filed suit in Federal Court in 1974 for the return of the Tribal Common Lands (Manning, 55). In this suit, the tribe claimed that an 1870 Act terminating Indian title and transferring the Common Lands to the town was in violation of the 1790 Non-Intercourse Law. The Gay Head zoning by-laws of 1983, the same year when the Wampanoag first petitioned for federal recognition, note certain areas as “Cultural and Historic Places in the Town of Gay Head.” Reflecting a shift toward preserving the multiple historical legacies still quite visible in Aquinnah, these properties began to be transferred back to the Wampanoag of Aquinnah in the late 80’s and early 90’s as trust lands.

Zoning regulations and construction on the island encounter constant conflict with the tribe’s efforts at cultural preservation, and as Bret Stearns of the Wampanoag Natural Resources Department said to me, when walking around Aquinnah and other up-island towns, one senses a dynamic “living history” in the dual presence of vibrant Wampanoag history and non-tribal island history. On Martha’s Vineyard, Wampanoag self-determination, combined with Aquinnah’s mixed population and the existence of tribal artifacts all over the island, sovereignty disputes arise frequently over the need for permission to build something. Politics in Aquinnah is a compromise between multiple factions, and the relationships between the tribe and local governments influence attitudes about the rightful future of Nomans Land. In order to understand the impact of these relationships on the cleanup of Nomans Land, it is necessary to examine the rifts that

\textsuperscript{16} On record at the Oak Bluffs Public Library
have been exposed through recent zoning disputes in Aquinnah. Looking at these conflicts, one begins to understand what Gloria Levitas means when she writes, 

"[i]n addition to the usual conflicts generated by processes of integration and articulation, modernization and change, this small town has been ripped apart by internal battles" (33).

In the media reports of town meetings and court proceedings over a controversial construction of a small shed on tribal lands without a permit from the town, one common sentiment of non-tribal residents of Aquinnah is the view of the Aquinnah/Gay Head Community Association Inc., quoted from Association President Larry Hohlt in a December 11th 2003 MV Times editorial. In this statement, he suggests the problematic nature of applying agreements made before the Wampanoag became federally recognized to the Wampanoag Tribe today.

"Some have lost sight of the fact that the core issues in this appeal relate to whether the terms, conditions and agreements struck among the town, the tribal council, the Commonwealth and the Gay Head Taxpayers Association in the 1983 Settlement Agreement are going to be enforced or whether a lower court’s decision that the now tribe didn’t waive its immunity to suit to enforce that agreement is correct [sic!]...A lower court decision by a sole judge on whether there was or was not a waiver of sovereign immunity to suit is one that ‘begs’ for an appeal.”

At the heart of the zoning conflict, which coincides with the restoration of Nomans Land, is a debate over who holds sovereignty within Aquinnah and in what arenas that sovereign power exists. It is a conflict over whether the 1983 Settlement Act gives the Tribe immunity from suit. The lands under the original agreement “shall be subject to all Federal, State, and local laws, including zoning bylaws, State and Federal conservation laws and the regulations of the Martha's Vineyard Commission” (Sigelman, 12/4/03, 4). One of the most frequently articulated concerns reflects a fear of the legal
precedent being set with this case, which is that Aquinnah would no longer have a legal recourse for responding to actions of the tribe.

In mid-December, when the Aquinnah Board of Selectmen decided not to appeal the court decision that favored the tribe, statements made in public hearings reflected a sense that what was at stake in this decision was more than just sovereignty issues; the outcome would impact future relations between Wampanoag and non-Wampanoag residents of Aquinnah and between the two governing authorities: the Aquinnah Board of Selectmen and the Tribal Council. Responding to the Selectmen’s decision, Larry Hohlt said

“we are very disappointed that the Selectmen of Aquinnah have chosen not to appeal, because such a decision represents the failure of government to take appropriate measures to uphold its interests and rights… and thus the interests of all of those who it serves” (Sigelman, 12/11/03).

Though the Selectmen defended their decision on the grounds that community negotiations are better than court enforcement, tensions mounted over the role of selectman Carl Widdis, also a member of the tribe. Responding to notions that his position on the tribe made him vote against a potential law suit, he said he “had always thought that any court decision would not be good for the community and the issue needed to be decided by the people of the town” (Sigelman).

This comment reflects an apprehension to decisions imposed from the outside, which Biolsi describes in his study, Deadliest Enemies:

“because they do not trust state police and courts, because they believe they will fare poorly under state jurisdiction, because they worry about termination, and – on the level of principle – because they believe state jurisdiction is fundamentally inconsistent with Indian treaty rights and tribal sovereignty” (137).
However, one distinction between Biolsi’s comment and the reality in Aquinnah is that Aquinnah can wield a kind of municipal authority. The debates between tribal and non-tribal residents revolve around the question over whether or not cooperative arrangements between the town and the Wampanoag Tribal Council can actually work. One example raised to show how past cooperative agreements have been poor is a 1995 decision in which the Town of Aquinnah agreed to provide public safety services, like police, fire, and medical services to the tribe for an annual rate. The town is currently arguing that the Tribe has not fully paid its dues for public safety.\footnote{Marjorie Spitz, the Aquinnah Town Accountant, says that there was no payment for the Tribe’s 1998 dues, and the last payment from the Tribe that the town received was $8,000 in 1999. Source: Sigelman. “Tribe, Aquinnah Set Zoning Talks.” \textit{MV Times}, 12/24/03.} In response, Chairperson Beverly Wright said she was “unaware of the lack of payments…but that according to the tribal comptroller no payments would be made if the tribe does not receive an invoice” (Sigelman, 12/24/03). The tribe, however, has not pointed blame at who may be at fault for failing to adhere to the terms of the 1995 agreement.

This zoning dispute has since been taken into new light with the decision in December 2003 by Massachusetts Attorney General, Thomas F. Reilly to intervene with the appeal on behalf of the Commonwealth.\footnote{Sigelman, Neilson. “Attorney General Will Intervene In Tribal Lawsuit.” \textit{MV Times}, 12/31/03.} According to Wampanoag Tribal Council vice chairman, Donald Widdis, Reilly’s action was a “necessary political stance,” as the state was party to the original settlement agreement. The timing of these actions by the Massachusetts government seems to respond indirectly to a ruling by Judge William E. Smith of the Federal District Court, which stated that Rhode Island “acted legally when it raided a tax-free smoke shop run by the Narragansett Indians” (Sigelman). According to the ruling, Rhode Island, which had a relationship to the tribe based on a 1978 settlement...
act, was justified in taxing sales of cigarettes on tribal land. This ruling throws into question the limitations of nation-to-nation status, further enforcing the idea that actions by state and national governments toward tribes cannot be analyzed in isolation from a broader network of power relations.

During these hearings and amidst the tribal-town sentiments they unearth, long-time residents are compelled to look back on a history of political and non-political relations between the Wampanoag of Aquinnah and the non-tribal residents. Maintaining and repairing a delicate balance of tribal and non-tribal sovereignty is a constant challenge, and as Beverly Wright spoke at a hearing on the zoning dispute, in Aquinnah’s recent past there was no division between town and tribe like there is today.19 Reflecting on this comment in a December 11th, 2003 letter to the editor, a resident of Aquinnah suggests that “perhaps things would be better if we stopped separating people into tribe and town and merely referred to one another as neighbors. Until that happens, if it ever does, I think I’ve had enough of Aquinnah politics.”

19 P. Valerius, “Tammany Hall of Aquinnah,” letter to the editor, MV Times, 12/11/03, p. 16
Cleaning Up Nomans Land: Multiple Perspectives

When speaking to tribal officers and residents of the various island towns about Nomans Land, I was struck by the spectrum of opinions about the island, the cleanup effort, and its possible outcomes. Fredrik Barth asserts in Balinese Worlds that developing an understanding of positionality is crucial to tracing the ways people express and negotiate various relationships, and this insight certainly holds true for a study of Nomans Land. Barth notes that

"the prevalence of one world construction as against another, the relevance of distinct traditions of knowledge in the interpretations of life's episodes, emerges from innumerable decisions and commentaries in small and shifting social circles" (323).

Given the impact of positionality on creating different and sometimes contradictory accounts of events and acts, one must attempt to gain a multidimensional understanding when analyzing a conflict such as the Nomans Land cleanup effort.

The Wampanoag have a phrase, iiotash, which means to "stand firm or take a stand." In an Environmental Handbook for Tribal Policy Makers, published by the Wampanoag Natural Resources Department, the concept of iiotash is used to refer to an attitude many tribes adopt to reclaim autonomous control over their natural resources. The handbook illustrates case studies of environmental initiatives by various tribes, including the Wampanoag-Waterworks Group Incorporated shellfish hatchery, which sought to use "community-based aquaculture" both to preserve the tribe's natural resources and encourage its economic development. The hatchery, the handbook states, was an "opportunity to share [the] newest industry technologies with local growers and shellfish managers" (27). Like many tribal initiatives across the country, the shellfish
hatchery faced mixed responses from the non-Wampanoag public. In the context of a press release about Nomans Land on the Wampanoag webpage, iootash refers to

"the Tribe's concern regarding the inadequate cleanup of hazardous materials ... for the health, safety, and economic livelihood of its tribal members and all island residents as well as other coastal Massachusetts communities. These concerns have spurred the tribe to iootash."

As the effort to clean up Nomans Land extends from months to years, tribal officers, members, and non-members speak of different reasons to rally around this and other Wampanoag issues.

The Natural Resources Department, one of the first tribal organizations I spoke with about Nomans Land, articulated a view of the troubled cleanup effort as a common story of tribal-governmental-military relations. Reflecting a kind of extra-territorial sovereignty, tribal authorities often find themselves lacking the power to gain reparations for destroyed and contaminated homeland; as one officer of Natural Resources told me, "what I would like to know is why the military feels it has the right to use and abuse land that it took from Native American groups and then not feel obligated to restore the land it no longer uses." To tribal rangers across the country, these relations between local, state, and national governmental institutions and Native American tribes are all too familiar.

As Winona LaDuke writes in the concluding pages to All Our Relations, the history of government relations with Native American tribes, particularly in the area of Constitutional law, is one in which "the common good has been redefined as maximum corporate production and profit" (199).

Offering a different perspective, Freddie Rundlet, the tribe's health director, sees Nomans Land as a fusion of three distinct narratives. In the first narrative, governmental notions of land ownership collide with tribal conceptions of land stewardship, and the
two parties fail to see an obligation to the island's restoration in the same way. Emphasizing land stewardship over land ownership, the Wampanoag view their attachment to Martha's Vineyard and the surrounding region differently from European-derived ideas of property rights. Silverman comments on the Wampanoag attachment to land, saying that

"for the Indians, Martha's Vineyard was not just land but the homeland. Therefore, despite often sharing Moshup's revulsion for the colonists and enduring...pressure from English men to follow him into exile, the natives were determined to remain in their natal territory" (457).

In another narrative, Nomans Land is a valuable resource that has changed hands throughout its history. Excellent fishing waters and a high mythological significance made the island economically and culturally important for the Wampanoag, and as Annie Wood notes, well before 1700, "the Indians of Martha's Vineyard were using Noman's Land as a summer camping ground, calling it Cappoaquit, meaning refuge island." The seasonal occupation of Nomans Land rather than a year-round occupation may have complicated Wampanoag claims as "stewards," and, over time, land transfers separated Nomans Land further away from the tribe. Banks comments on the changes on Nomans Land that occurred as control shifted from the Wampanoag to white people. He says,

"it is difficult for us to conceive of Noman's Land, which is now as innocent of any foliage as an infant's poll, once supporting great forests and a thicket of undergrowth; yet in two centuries the whites, without thought or wisdom, had despoiled it of its verdant growth and rendered it an unproductive, barren isle."21

As control of the island became important for the military, the Wampanoag gradually lost claims to the island as a cultural center, at least in the eyes of the United States government. Had Nomans Land been closer in proximity to a large white

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21 Banks, cited in Wood, Bertrand. p. 3.
population center and not associated with the Wampanoag tribe, one can only speculate the leverage the military could wield to use the land. At the heart of the island’s complex history of shifting land use and occupation, as well as Wampanoag and non-Wampanoag claims of ownership/stewardship, is a dynamic set of power relations between local, state, and national institutions and Native American tribes.

Mr. Rundlet added that this narrative is underscored by a Federal Surplus Law, which states that if the government owns land that it no longer uses in close proximity to a Native American tribe, the land is supposed to be returned to the tribe. Nomans Land’s uninhabitable state and the potential risk it poses to the region complicates the situation, and in a letter from the tribe to the Massachusetts Director of Environmental Health, Chairperson Beverly Wright notes that “figures between 1987 and 1994 show that Gay Head residents had a 43% higher rate of cancer than the state average” (11/16/00). Though the connection between the unexploded ordnance on Nomans Land and in its waters has not been proven to be the cause of Aquinnah and Chilmark’s high cancer rates, officials in the tribe see a potential health threat being covered over by bureaucratic procedure.

The final piece of narrative in Mr. Rundlet’s analysis is one closely tied to the creation of public opinion. Moving among the different communities on Martha’s Vineyard, especially in the up-island towns that live in close proximity to the tribe, the tensions between Wampanoag and non-tribal islanders are often palpable. In the meetings and correspondences between the tribe, environmental groups, the Navy and Department of Interior, and the Town of Chilmark, contrasting claims to island identity

22 A cancer incidence study released from the Massachusetts Department of Public Health reported cancer incidence rates in Aquinnah at 93% above the state average (http://www.wampanoagtribe.net/news/).
and heritage, as well as a fear of one party monopolizing the negotiation process, are sources of tension.

From the tribe’s perspective, articulated to me by Beverly Wright, the politics surrounding Nomans Land are essentially driven by economics. As Wright said frankly, “relations between the Feds and tribes are ultimately about money.” Since it would cost millions of dollars to restore Nomans Land to how it was before World War II, the Interior and Defense departments are reluctant to engage in an extensive cleanup, and bureaucratic procedure often serves to stall and evade the health and cultural resource preservation issues raised by the tribe. Bud Olivera, the manager of the US Fish & Wildlife Service Great Meadows/Nomans Land Island National Wildlife Refuge, said that the slow progress of more extensive cleanup activities is due both to an “inadequate budget to effectuate the clean-up and [to] the possible detriment to the important wildlife and plant species on Nomans Island.” In light of these comments, the economic explanation of the conflict is certainly valid.

Wright’s direct assessment of Nomans Land came to me after weeks of analyzing documentation and speaking with people in Natural Resources, Education, Health, as well as non-tribal islanders, who suggested other causes of the conflict. While economics is at the heart of Nomans Land’s cleanup effort, as it is with most relationships between Native American tribes and the US government, the conflict seems also to be a clash of ideologies, driven by underlying apprehensions to give the Wampanoag of Aquinnah jurisdiction over a wider span of land. Furthermore, it is a clash of tribal and military

23 http://www.wampanoagtribe.net/news
notions of sovereignty and risk, and as Nan Doty, the tribe's education director with
whom I communicated frequently, suggests,

"in the military mindset, there are necessary risks of War, and potential health threats
like this don't seem to have top priority."

The slow progress of cleaning up Nomans Land and the reluctance by state and federal
institutions to making it inhabitable through a more extensive cleanup reflect a power
structure, which often seems to give less priority to public health issues than to the
interests of those in power.

In the simplest terms, the Wampanoag Tribe of Aquinnah would like to regain
access to a portion of sacred ground that has been denied them for centuries. The
Wampanoag continue to be forbidden access by law and threatened by the existence of
hazardous unexploded ordnance, and, as Beverly Wright said, "we'd settle for even just a
couple of acres to use for cultural ceremonies." In a letter written in the late 1990's to
Faith Roessle, Special Assistant to the Secretary of the US Department of Interior, she
writes that it is the

"intent of the Wampanoag Tribe of Gay Head/Aquinnah to seek claim to property,
plant, and equipment from the South Weymouth Naval Air Station...under the 1995
round of the (BRAC) Base Closure and Realignment Act."

There is numerous evidence of individual trespassers heading out in fishing
vessels to dock on Nomans Land, but the Wampanoag as a tribe cannot set foot on the
island. As the Department of Interior advocates for Nomans Land's sole existence as a
Wildlife Refuge, and debris remains on and around the island, tribal occupation continues
to be impossible. Beverly ended our discussion by saying that "when dealing with the
Federal Government, tribes learn to be patient," and I realized how, years after

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Source: Chilmark Town Hall, Nomans Land Island Repository Records
negotiations commenced, the tribe is still campaigning for a satisfactory cleanup. And this is only one of several tribal issues being negotiated.

When assessing the politics of the Wampanoag Tribe of Aquinnah, one needs to avoid perceiving issues as separate cases, for at any given moment, the Tribal Council faces numerous, interrelated matters. The cleanup of Nomans Land is intimately affected by a network of relations and zoning laws, and disputes ranging from small disagreements to high-profile court proceedings need to be evaluated as to their impact on other tribal issues. Often, the local media focuses its reporting on a single conflict, as has been the case with the latest zoning disagreement. In the presence of this kind of media attention, one must ask why certain things are reported over other items. How does it indirectly comment on issues not addressed? Furthermore, how is the Wampanoag and non-Wampanoag public informed, and how does the level of information affect their involvement?

When I asked Beverly Wright about the extent of public involvement in the cleanup campaign, she said that the tribe has “taken all avenues available.” A Public Involvement Program (PIP) designed to educate the public about the technical aspects of the cleanup and facilitate the flow of information is one of the most important infrastructures in place for negotiations to continue effectively. In her letter written to Bud Olivera on March 23rd, 2000, she sets out the tribal expectations of a Public Involvement Program, with an underlying premise that the Wampanoag Tribe be included in all aspects of the cleanup. The PIP asks for:

1) Designation of Aquinnah Town and Tribal libraries to be repositories
2) A Site Mailing list
3) Public comments to all reports of the cleanup phases
4) Periodic Hearings
5) Written responses by the publishers of the reports to the public’s comments
6) Oral progress updates to PIP Coordinator
7) Disclosure of all public documents
8) Complete list of risks
9) Current status of response actions
10) Progress reports in *Environmental Monitor*

Despite the Public Involvement Plan, comments from the Draft Scope of Work Supplemental Environmental Baseline Survey (4/25/03) suggest that full support of tribal involvement is lacking. In one comment by the Bureau of Indian Affairs regarding the US Fish and Wildlife Service’s classification of an “Authorized Visitor,” the Bureau writes that “consideration should be given for the tribe to visit remaining burial sites without being considered trespassers.” Interestingly, though the tribe has been denied access because of perceived risk to human visitors, Foster Wheeler’s studies assert the island’s non-toxic state. Horsley & Witten, the Wampanoag’s environmental contractor, commenting on one of those studies, “concludes that the Navy’s finding from the Phase II Comprehensive Assessment Report (March 2001) of *no significant risk* to human health and public welfare are flawed” (5/14/03).

In the print media and the published responses to the cleanup reports conducted by Foster Wheeler, opinions expressed on the issue reflect widely-varying concerns. For example, prior to the Baseline Survey, in a 1998 *Vineyard Gazette* article, Mark Alan Lovewell comments on the military’s plans for land transfer, saying that “[Aquinnah] Selectman David Vanderhoop... favors the transfer of the property... but he wants to make sure the Wampanoag tribe can play a part in the future management of the
island.”25 Reflecting the opposite opinion, Lovewell notes that “Mr. Olivera...wants a core of Island naturalists involved.” Immediately after the Navy gave up some of its control over Nomans Land, the conflict grew into a rift between environmentalists and the tribe, exposing diverging ideas about the island’s rightful stewardship and occupation.

The nature of these disparate views and their idealized outcome derives from a long history of tribal relations with the federal government. These relations are structured around economic policies, Nomans Land’s cultural significance, its current desolation, the potential health threats posed by unexploded ordnance, and a desire since gaining federal recognition to reclaim elements of tribal identity. The comments from tribal members and close friends articulate an argument for cleaning up the island sufficiently to allow for human inhabitation, however, the movement to act by the Navy and the overarching bureaucratic system has been slow. In an email sent by the tribe to the repositories of records, entitled a “Nomans Island Trespassers Scenario,” the Wampanoag illustrate the numerous ways the island poses a threat to the surrounding area if it is not cleaned more thoroughly. Among the scenario’s “methods for exposure” to toxic materials on Nomans Land are sustenance food acquisition, cranberry harvesting, waterfowl hunting and fishing, recreational boating (possibly the hardest to regulate), collection of antiques and artifacts, removal of ordinances for souvenirs, overnight camping, ceremonial activities, fire building, and research by US Fish and Wildlife Service personnel. As Jackie Grey, a graduate student working on a dissertation in Anthropology, comments on one of Foster Wheeler’s reports, “there is no way to prevent

all human access to the island, be it the Coast Guard, ecologists, fisherman, or tourists. The island should be rendered safe for all human beings.°

Views opposing the Tribe reflect tribal-town relations as well as the influence of representations of Nomans Land by non-tribal islanders throughout its history. Conversing with older non-tribal islanders, I noticed that they sometimes attribute a different point of origin to the history of Nomans Land. Rather than speaking of it in connection to Wampanoag culture, non-tribal island natives sometime speak of Nomans Land in terms of its connection to Leif Erickson and the site of the landing of Bartholomew Gosnold, the European ultimately credited with the “discovery” of Martha’s Vineyard. This seems to reflect both a fluctuating relationship between the tribe and the rest of the island population as well as the influence of texts and images used to portray Nomans Land to white audiences.

Marshall Sahlins asserts in Islands of History that because “history is culturally ordered” (vii), developing an understanding of systems and structures does not account fully for the interconnected histories that cause structural change. Demonstrating how history is culturally constructed, he says that the anthropologist’s task is to study events. Furthermore, he writes in response to Geertz, an “event is a relation between a happening and a structure (or structures): an encompassment of the phenomenon-in-itself as a meaningful value, from which follows a specific historical efficacy” (xiv).

Applying Sahlins’s ideas to the range of opinions about the Nomans Land conflict, one sees how notions of stewardship by the Wampanoag reflect their history of using and caring for the land. On the other hand, the European conception of ownership

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as regulated by law impacts a non-tribal islander's different interpretation of historical events. Interpretations of history influence views about the island as something pristine and possibly even fantastical, and this contrasts with notions of Nomans Land as an island in need of restoration, to be returned to its original stewards for political, cultural, and economic purposes. These notions are reflected in both literary and non-literary formats.

Though the literature about Nomans Land is minimal, among some of the most influential texts are ones written early in the twentieth century, including Annie Wood's 1931 *Isle of Romance*. In a kind of eulogy to the island in the final pages of this text, she says

"we revel in the peace and quiet of our island home and enjoy...the natural beauties of the little spot on God's earth, called Noman's Land" (151).

In this passage, Wood evokes just one of many imaginative narratives of Nomans Land depicting the land with religious or fantastical beauty. Similarly, reminiscing about the island's troubled history, Bertrand Wood reflects in 1978 how

"we were, the only persons, on the island that day, and it gave one an eerie feeling, as if ghosts of the past were present, as we tramped over the rough hills and vales toward the cliffs along the southern shores..." (113).

Peter Iseman, a resident of Martha's Vineyard, used similar imagery, writing in *New England Monthly* how

"as a child with a bedroom window on a Vineyard bluff by the ocean, I had peopled uninhabited Nomans Land with beings of fantasy – a race of giants, then dwarfs, a lost tribe of Indians" (38).

The fantastical imagery surrounding Nomans Land that mixes myth with history appears not to be unique among the non-tribal islander population and is often associated with the portrayal of Nomans Land as pristine. This image resonates in comments made by Coco
Adams, chairperson of the Chilmark Historical Commission, to one of Foster Wheeler’s reports. Arguing on whether or not to allow human access to Nomans Land, she writes, “it is one of the few places left “untouched by builders” on the East Coast...The “health” issues of the Wampanoags are a problem for study...Please leave the island just as its name implies. Noman’s Land.” (italics added for emphasis)

Similarly, environmental advocacy groups often use images of the island’s pristine state to make a case for prohibiting human inhabitation. Gus Ben David of Martha’s Vineyard’s Felix Neck Wildlife Sanctuary depicts the island in this way when he reflects in an article for the Vineyard Gazette.

“I sat and reflected on the incredible beauty that is around and then imagined what would happen if there was no way to control public visitation” (Delbonis, 6/8/90)

In some instances, this idea of Nomans Land as a kind of island paradise is exploited to the point of verging on the absurd, as in the case of a “No Mans Land Colony” Real Estate Development Brochure from 1946. In this leaflet, besides having no mention of the island’s Wampanoag roots, the developers sought to create a fishing and recreational resort, complete with a golf course, arguing its convenience in already having “a landing field...made by the government in their four-year occupation.” Furthermore, the brochure states that “the cost of membership will be $5000 with no dues, and each member will have title to a building site.”

Comments from the enlisted men on Nomans Land during the war years reflect one possible military view of the land. Understanding their time on the island may help to construct the Navy’s relationship to the island and its reasons for not feeling obliged to complete its restoration. As Henry Scott, a navy lieutenant, writes,

“On that three-mile-long island, four miles south of Gay Head, some 36 enlisted men under an old-time Navy chief were quartered to tend two targets – Meat-Ball and
Excelsior – one at the East end of Nomans’s and the other at the West end... The men, many from Texas and the Midwest, called Nomans’s the end of the earth” (126-7).

From this quote, it seems that even during occupation, the Navy did not perceive Nomans Land as something worthy of care, and, in contrast to Wampanoag notions of stewardship, the military merely saw itself as owners.

In opposition to views suggesting that allowing tribal access is impossible, some non-Indian island residents hold an opinion of Nomans Land that is more sympathetic to the Wampanoag claim. In the same article quoting Mr. Ben David, Paula Delbonis notes how, despite the control of the process by environmental groups and the US Fish and Wildlife Service,

“some Chilmark homeowners have led efforts in the past trying to bar the bombing of Nomans Land, but Wildlife experts have found no damage to the island because of the military exercises.”

Furthermore, in one of the comments to reports published by Foster Wheeler, a non-tribal islander responds to the push for only a minimal restoration of Nomans Land, articulating the sense that the island’s lengthy history has been destroyed:

“Want to see more cleanup – The Island existed for 10,000 years, and the Navy destroys it in 50 years and now says it will only clean up for non human inhabitants – please clean up!”

Negotiations between Federally Recognized tribes, local, and national authorities involve dynamic relationships that can shift on the slightest impact from a variety of sources. These negotiations can be temperamental like the negotiations between nations, and in that sense, Federally Recognized Tribes are in a nation-to-nation relationship, implying equality with the United States government. A ruling for or against another tribe in another part of the country can legitimize or delegitimize the reasons behind the Wampanoag’s negotiations with the Feds, and, combined with public pressures from
tribal and non-tribal sources as well as the influence of multiple island histories, the effort to restore Nomans Land is one in which perspective and power are key factors.
Bureaucratic Power: Monopoly of the Negotiations over Nomans Land

Having addressed the roles of perspective and community development in shaping individual and group reactions to the cleanup of Nomans Land, I would now like to assess the importance of a second factor, perhaps most visible in the negotiations between conflicting parties: the use of power. Anthropologists have written extensively over the last few decades on the subject of power, focusing on symbolic power, state and non-state modes of domination, and the relationship of power to other cultural constructions. Michel Foucault, writing in *Power/Knowledge*, speaks about the relationship between truth and power, arguing that "truth isn’t outside power...Each society has its regime of truth, its general politics of truth: that is the types of discourse which it accepts and makes function as true" (131). This connection between truth and power is noteworthy, for the negotiations over Nomans Land often seem to revolve over disputed notions of the truth: the *true* owner of Nomans Land, the *true* extent of damage caused by the Navy’s repeated bombing, the nature of the health threat posed to the tribe, the perception that scientific studies on Nomans Land produces infallible results, as well as an ongoing discourse over who is truly sovereign in tribal-state-nation disputes.

Power and authority on Nomans Land are established often in symbolic terms, under the guise of bureaucratic procedure. Meetings between disputing parties pass smoothly over controversial issues by masking the risk Nomans Land poses for the tribe and neighboring island towns. As David Kertzer writes in *Ritual, Politics, and Power*, "through symbolism we recognize who are the powerful and who are the weak, and through the manipulation of symbols the powerful reinforce their authority" (5). Military
authority is perpetuated symbolically and verbally in the language used and actions taken by the Department of Interior, the Navy, and Foster Wheeler. Interestingly, however, this language seems to range from the highly technical to the extremely subjective. For example, in a letter written by Horsley & Witten to David Barney of the United States Navy, H&W criticizes the Navy's incomplete use of its "Conceptual Site Model for the Human Health Risk Characterization" – a system for accurately measuring risks posed to neighboring populations. One paragraph earlier, H&W criticizes the Navy's use of the vague quantifier, "many mussels," in a study intended to measure the level of potentially contaminated run-off. The United States military establishment, through its control of the language of bureaucracy, seems to strategically use technical-sounding terminology to assert its authority, yet the existence of ambiguous language suggests that this authority is wielded both under the guise of "objective science" and subjective distortion of the facts.

Meetings and other kinds of "officialization strategies," to use Pierre Bourdieu's term ("The Work of Time," 108-110), act as a kind of ritual that seems to legitimize a process and create a sense of "truth." Bourdieu writes in The Logic Of Practice that "politics is the arena par excellence of officialization strategies" (109), and in the case of Nomans Land, it is the politics of bureaucracy that seems to mask the Wampanoag's claims to sovereignty and risks posed by Nomans Land the most. In a similar discussion of the power of ritual, David Kertzer describes ritual as communicating "not only the authority of the head of the state or organization; it is also important in making claims to positions of political importance within that state" (29). In the bureaucratic procedure to clean up Nomans Land, power over perceptions of the truth is wielded by state and
federal organizations – neighboring towns, environmental groups, and the United States government – over a federally recognized tribe.

Through the manipulation of bureaucratic procedure, the United States government asserts its authority by controlling perceptions about the truth of the conflict. One arena where power is wielded both openly and subtly is in the public meetings between the tribe, neighboring townspeople, and organizations siding either in favor of or in opposition to the Wampanoag. In these meetings, personal anecdotes reveal the prevalence of discursive games of power, in which the language of bureaucracy masks the uneven power dynamics of negotiations. Describing the way negotiations can work to silence the voices of experience from longtime island residents, Nan Doty, the Education director of the tribe, herself a resident of Chilmark, said

“They’re quite smooth, eerily smooth. Most of the people there don’t know the history, so when the Navy says the impact was minimal, they accept it as fact. I know having grown up here that even in Chilmark, one could feel the explosions. At one meeting, I raised this issue, but as soon as they figured out I was with the Tribe, they dismissed it as biased.”

Looking at these meetings as a form of social interaction led me to consider their role in creating a power structure based around control over procedure. Though I was on Martha’s Vineyard for three months and continually kept an eye on local news for eight months afterwards, meetings about Nomans Land during that time were a rarity. This seems in part due to an ongoing study conducted by Foster Wheeler on Nomans Land over July and August of 2003, but clearly the schedule of meetings and procedures set a pace for the progress of negotiations, reflecting how power can be wielded simply by controlling the rhythm and avenues for change.
Bourdieu notes in “From Rules to Strategies” how choice and constraint influence social actors. In the actions of participants in the Nomans land conflict, strategy and linguistic “games of power” significantly impact relations between parties, and, in formal correspondences and meetings, the Navy strives to use “officialization strategies” to assert and legitimize its relative power. In The Logic of Practice, Bourdieu notes that the role of official representations is to “institute the principles of a practical relation to the natural and social world in words, objects, practices, and especially in collective public events” (108). The Navy and the Department of Interior throughout this conflict have used a monopolization of official language and protocol – shown here by their ability to define what is biased and what is not – to legitimize their authority, beginning perhaps with the drafting of their Joint Management Agreement.

Language used in the 1970 Agreement established a hierarchy of organizations that are able to affect changes on Nomans Land, with the Department of Defense at the top. This document, declaring that both the Navy and the Department of Interior agree to manage Nomans Land “to benefit migratory birds and other wildlife to the extent consistent with military requirements” (italics added for emphasis), sets down explicit rules by which the military will always be central to change on the Island. These requirements included that:

1) Improvement to the wildlife environment will be performed by military personnel, with technical assistance provided by the Bureau of Sport Fisheries & Wildlife,
2) Only official visits by military and Bureau personnel will be permitted after a clearance by Commander Fleet Air Quonset,
3) The general public will not be permitted,
4) The agreement can be terminated at any time by the Secretary of the Navy, “in the interest of National Defense.”
There is no mention of the Wampanoag Tribe in the agreement, inviting broad interpretation and sweeping military control. Even though control over Nomans Land shifted toward the US Fish & Wildlife Service in 1996, the agreed timetable for change on Nomans Land included “no plans for changing Noman’s Land’s present isolation” (Lovewell, Vineyard Gazette, 6/28/96).

From the earliest discussions over the future of Nomans Land, the Navy has promoted a lexicon to describe its activity on the island during the war years. For example, when the Navy asserts that only “dummy bombs” were dropped on Nomans Land, (Reston, 5/1/70) this terminology distorts the reality of what actually happened on the island and establishes sole military authority in understanding the specifics of bombing training runs. The implication is that “dummy bombs,” in contrast to real bombs, incur no explosive impact on land, therefore posing no threat. In opposition to this assumption, the Massachusetts Department of Environmental Protection observe that “there is anecdotal evidence that destroyers based out of Newport, RI occasionally conducted target practice at Nomans Land Island by firing training ordnance with ship-mounted artillery.” Despite evidence of high degrees of impact on Nomans Land and the surrounding region, the Navy’s assertions hold weight over anecdotes that speak to the contrary. As Beverly Wright said to me and other descriptions confirm,

“The navy’s statements about only dropping “dummy bombs” make no sense because I can recall growing up with that place [Nomans Land] on fire. You could both hear and see the impact.”

27 Letter from Horsley & Witten to David Barney, Caretaker site office, May 7th, 2003, p. 4.
In a description of similar mayhem occurring during bombing runs, written for the *Dukes County Intelligencer* (Feb. '84, v. 25, no. 3), Henry Scott, a Navy Lieutenant stationed on Nomans Land in 1994, writes how

"of course, there was an occasional lapse, as when a flight from a mainland base, not properly briefed, was fooled by the name Noman's...and "shot up" the place, much to the consternation of the men there....the rockets used in practice were not explosive and simply tore up the ground" (126).

The term "dummy bombs" and other, more technical phrases mask a reality and promote the military's version of the truth over that of the tribe, non-tribal Vineyarders, and even people who were stationed on Nomans Land at the time.

Besides using language to mask realities, the Navy, Interior, and Foster Wheeler's reports monopolize negotiations by manipulating language to suppress claims that problems are being neglected on Nomans Land. Documents from the Department of Defense promote rhetoric of the mission of the military, showing that perhaps health risks and unresolved sovereignty issues are justifiable in the name of defense. In a "Munitions Response Site Prioritization Protocol Fact Sheet," designed in February of 2002, a document reflecting the way federal language works to sanitize the realities of high-impact military activities, the Department of Defense writes that,

"To ensure their readiness to protect and defend our nation, our Military forces conduct live-fire training and testing with weapons systems at ranges throughout the United States. As a result, some properties...have been found or are suspected to contain unexploded ordnance."

The fact sheet goes on to explain the goals behind a plan in which, "in consultation with representatives of the States and Indian Tribes," the Defense Department will establish a protocol "for assigning to each defense site a relative priority for munitions-response activities." From this brief fact sheet, one again senses an
emphasis on procedure over results, and though the document pertains to a protocol involving relations between the Defense Department and Native American tribes, the protocol uses only official military jargon.

Throughout negotiations over the cleanup of Nomans Land, advocates of the tribe’s position have repeatedly challenged the use of language that masks or limits a full understanding of the risks posed by unexploded ordnance. For example, in a letter to the Caretaker Site Office of the former South Weymouth Naval Air Station (5/7/03), Horsley & Witten agrees with a comment from the Bureau of Indian Affairs, written February 7th, 2003, that addresses “unidentified magnetic anomalies” discovered on the surface and shore of the island. The two organizations, responding to the suppression of studies by the Navy, question why “many magnetic anomalies were prematurely dismissed when no historical line of evidence could be found to support the presence of past military activity at any particular anomaly’s location.” H&W criticizes the Navy’s assertion that direct causation between military activity and the current state of debris on the island needs to be made to justify further study. They write that

“It seems reasonable to assume that, over the years, some munitions fired at the Island would be off-target” and land in areas not designed for military activity... H&W concurs with MA DEP in that a more comprehensive characterization of magnetic anomalies would help to fully determine the types of ordnance deployed, support the assessment of ecological risk posed by remaining ordnance and associated residues, and provide a concurrent opportunity to sample subsurface soils for potential leachate.”

These two different views on the importance of magnetic anomalies as evidence of UXOs reflects a possible conceptual division of the term “cleanup.” This term is loaded with so-called objective technical meaning for the Department of Defense and Interior as well as environmental groups. However, it is also an emotionally-loaded term
for residents of the area who see the island’s cleanup as necessary for the removal of a threat to public health and the resolution of a troubled history. Phrases, such as “no historical line of evidence,” “no significant risk,” and the designation of a “no-action” site reflect the use of terminology present in negotiations, effectively constraining progress.

Furthermore, the Environmental Protection Agency, commenting on surface studies produced by Foster Wheeler, questions Foster Wheeler’s assessment of risk posed to the regions surrounding a minimally restored Nomans Land (the EPA’s approach interestingly differs from the position of other environmental groups, such as Felix Neck Wildlife Sanctuary, who do not see Nomans Land as ever being populated again).

Arguing against Foster Wheeler’s category of “no risk,” the EPA writes that

“the report claimed no risk to public welfare; however, limitations of public use of public lands and its associated resources due to hazardous material is considered a risk of harm to public welfare under the MCP (Massachusetts Contingency Plan).”

Responding to the same classification of risk as the Navy defines the term, Horsley & Witten notes that the

“Navy’s assessment of risk at Nomans Island has been a piecemeal approach...It appears from the Navy’s documents that no further human health risk assessment is planned that incorporates the new data.”

The Wampanoag Tribe of Aquinnah have also addressed the ways the Navy and Foster Wheeler use science and procedure to portray a distorted version of the level of contamination and risk on Nomans Land. Beverly Wright asks for future studies of the consumption of fish and shellfish from the island’s coastal waters to “utilize the average

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28 Annotated responses to public review comments, Draft Phase II: Comprehensive Site Assessment, November 29th, 2000.
fish and shellfish consumption rate for the Wampanoag Tribe [5.6 grams/person/day] to calculate risk of consuming contaminated fish and shell fish. In other words, the Wampanoag and their allies have asked that the risks of contamination on Nomans Land be assessed with a model that mimics reality, rather than one that perpetuates a hierarchy of bureaucratic power.

Unfortunately, efforts to make the Navy and Interior accountable to Aquinnah and surrounding towns have occasionally been hurt by environmental conservation initiatives beginning in the 1970s. Peter Iseman notes the ironic twist in how “demands to make the Navy return Nomans Land to civilians were undermined by Senator Kennedy’s well-intentioned efforts to pass the Comprehensive Nantucket Sound Islands Trust Bill” (42).

Describing Aquinnah’s reaction to the Kennedy Conservation Bill, Gloria Levitas notes that they “acted predictably. They were outraged at the idea of outsiders demanding control of their lands — and particularly incensed because town common lands as well as private property were involved” (539).

Reactions to conservation legislation reflect a division of priorities between conserving the environment and protecting native populations and their lands. More recently than the 70’s and 80’s bills to which Levitas and Iseman refer, conflict between conservation and tribal sovereignty is further demonstrated in Senator Kennedy’s letter to the Secretary of the Navy, written January 26th, 1998.

“I am confident that the Navy, as responsible stewards of federal land, will see that the removal of this unexploded ordnance is a necessity in order for this island to be included in the National Wildlife Refuge System.”

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* Beverly Wright, Draft comments for Nomans Land Island Review Draft Phase IIA, 7/24/2002
By classifying the Navy as "stewards of federal land," Kennedy’s letter reasserts the Defense Department’s authority over the Wampanoag, thus not accounting for the tribe’s claims to the land or for their interest in the total removal of unexploded ordnance and other hazardous materials. On April 28th, 1998, when the Navy contracted Foster Wheeler to perform a surface clearance of unexploded ordnance (UXO) on Nomans Land Island, gaining permission from the Chilmark Conservation Commission, a procedure began, which, regardless of intent, did not give the Wampanoag Tribe of Aquinnah equal share of power in deciding the level of cleanup conducted on the island. Though this narrative is both common and heartbreaking, as we see from examining parallel cases, the Wampanoag Tribe of Aquinnah can potentially create policy changes in their favor.

31 “1998 Cleanup Efforts” brief, on record at the Wampanoag Natural Resources Dept.
A Common Narrative: Nomans Land in the Context of Tribal-State-Federal Relations

Wampanoag efforts to stimulate a total cleanup of Nomans Land are part of a long global history of relations between Native American tribes and state, local, and national governments. Similar sovereignty issues facing the James Bay Cree, the Native populations of Hawaii, and the Innu of Goose Bay offer insights into analyzing the Wampanoag campaign for Nomans Land on a broader scale. All three case studies reflect a common native relationship to the land, which Ronald Niezen writes about in Defending the Land: Sovereignty and Forest Life in James Bay Cree Society.

"The Cree, like other egalitarian foraging societies, place more emphasis on adaptability to the land rather than accumulation" (17).

Contrasting views of property ownership and land stewardship often form the foundation of many disputes over sovereignty, so it is important to note the similarities and differences among such disputes and see if any insights can be gained for possible actions on Nomans Land.

The James Bay Cree of Quebec in the 1970's, like the Wampanoag of Aquinnah, sought regional autonomy, resisted cultural homogenization, and reacted against the intervening bureaucracy (Niezen, 2-3). Furthermore, the experience of the James Bay Cree illustrates the way negotiations in a highly state-controlled process can work to suppress certain points of view. Niezen looks at developments in Cree society around 1972, when the Quebec government's Premier Bourassa announced plans for the construction of a $6 billion project on the La Grande River, territory to which the Cree claimed ancestral ties. Having not been consulted on this massive construction project, the Cree mobilized into a union of leaders seeking to place a moratorium on construction
until claims to native land could be resolved. After a series of court cases and appeals, the provincial government of Quebec and the federal government along with Cree and Inuit representatives negotiated the *James Bay and Northern Quebec Agreement*. This policy essentially gave the Quebec government jurisdiction over land considered for the construction, while the Cree and Inuit representatives gained inclusion in the provincial system. The Cree also negotiated as part of the agreement a plan to gain regional autonomy over education, health care, and an Income Security Program designed to guarantee steady incomes for the families of hunters (3).

Though the details of the dispute between the Canadian and Quebec governments and the James Bay Cree differ from the conflict over Nomans Land, there are two developments in James Bay worth noting. First, as Niezen writes, when establishing relations between Native American groups and the Canadian government, "native regional autonomy was found to be a two-edged sword" (4). Niezen analyzes how autonomy worked in two directions for the Quebec government; though it strengthened the province’s legitimacy by showing its ability to address internal conflicts, it also decreased stability as the relationship between provincial and native leaders faltered.

In the case of Nomans Land, it’s important to look at the ways the Wampanoag Tribe sought autonomy in seeking to gain access to the island and at how federal recognition both helps and hinders the tribe’s progress in negotiations. The history of the Wampanoag’s ability to address sovereignty issues with the federal government reflects the powerful ways gaining federal recognition changes relations between tribes, local, state, and national governments, and other advocacy organizations. Considering how this newly acquired status seems to require the Wampanoag to follow specified avenues for
change - avenues that are part of the power dynamics of an overarching bureaucracy -
federal recognition appears to make more subversive avenues less of an option.

Niezen defines relations between native and non-native governments in Canada to be governed by "the politics of embarrassment," referring to tribal tactics aimed at exposing contradictions and unequal treatment in governmental policy. He writes how the tribe's "struggle against their possible inclusion in a sovereign Quebec shows that wider issues of national and international significance can come under the purview of relatively small indigenous populations" (5). The history of sovereignty among tribes in Canada differs from the United States in how the governments have chosen to recognize Native American self-determination. In the case of the Cree and other groups in the region, Canada's policy of not granting its native populations the status of "peoples" with respect to international law - which would entitle indigenous groups to certain rights - became an issue of protest at the United Nations. In a policy shift of the Canadian government, Niezen writes,

"Indigenous delegates to the fifty-third session of the Working Group on the Draft Declaration on the Rights of Indigenous Peoples [October 31st, 1996] were surprised by a formal statement by the representatives of Canada which included, "the Government of Canada accepts a right of self-determination for indigenous peoples which respects the political, constitutional and territorial integrity of democratic states"" (114).

Among the Wampanoag, a federally recognized tribe, autonomy gained from even the most symbolic victory in the cleanup of Nomans Land alters the dynamic relationships between tribal, local, state, and national organizations, but one must remember that autonomy is not a one-sided term.

As Niezen and others argue, granting tribal autonomy is simply a new method federal governments use to deal with native populations. He defines regional autonomy
for the Cree as "the newest, and most effective form of cultural assimilation" (6).

Similarly, Thomas Biolsi, writing in Deadliest Enemies, places tribal "self-
determination" in a historical framework, saying that

"the last century of Indian policy in the United States is commonly divided into the
following rough sequence: the "civilization" period, 1880-1934 (uniformity/
asimilation); the Indian New Deal, 1934-1950 (uniqueness/separatism); the
"termination period", 1950-1968 (uniformity/assimilation); and the "self-
determination" period, 1968-the present (uniqueness/separatism)" (4).

As an autonomous unit, the Wampanoag Tribe of Aquinnah negotiate a daily relationship
with non-Wampanoag residents, always reassessing their relative position regarding
sovereignty disputes at the local, regional, and national level and maintaining a
centralized state-like political organization.

Another dynamic of the James Bay Cree conflict that bears comparison with
Nomans Land is the role of public opinion in creating a narrative on what Niezen calls
"the local response to social crisis" (11). Discussing the negotiations that contributed to
the James Bay agreement, Niezen describes how tribal perceptions about what testimony
the Cree should give were not met by the questions asked of the tribe. He writes that

"[the Cree] probably imagined they would be asked to talk about the kind of life they
had on the land...the fears they had about losing their way of life to bulldozers and
rising waters...James O'Reilly, a lawyer for the Cree and Inuit plaintiffs complained,
"the cross-examiners were wanting the Indian witnesses to be like computers, to
produce all sorts of figures and documents that should more properly be sought
elsewhere" (68-69).

Similar to the meetings between the Wampanoag and federal and state authorities,
examinations of local Cree reflect the ways bureaucratic procedure, in trying to be
"systematic" and "scientific," ultimately prevents the surfacing of certain points of view.
Whoever controls the process decides both what is considered "biased commentary" and
what is not as well as the scope of narrative testimony. In looking at the impact of these
controls on native populations, Niezen shows the problems procedural questioning has in obtaining testimony from tribal elders.

"Narrative testimony can cover an extremely wide range of topics. Elders in particular tend not to be pinned down by specific questions but let their remarks range over their entire life experience" (90).

In the case of Nomans Land, the narratives that seem to be suppressed most are those from people who, despite being in a position to provide anecdotes about the extent of damage done to the island during the war years, and despite expertise in the fields of public health and risk assessment, have been labeled as "biased" due to their involvement with the tribe.

In contrast to James Bay, one aspect of Nomans Land that differentiates itself is the dominant role of the military in negotiations. In this respect, Hawaii provides an interesting counterexample. The experience of indigenous groups on Hawaii share similarities with the Wampanoag, for "the livelihood of traditional Hawaiians is based on a complicated set of relations in a powerful environment of land and sea" (LaDuke, 171).

Winona LaDuke, writing in All Our Relations, quotes the attitudes one fishing family expressed about the land. Evoking ideas of stewardship, rather than ownership in Hawaii, they said

"We know we don't own it, but we know that we belong to it...we don't own the land...but we take care of it...We believe God owns the land, not people" (171).

Unfortunately, Hawaii has been the site of the US military's Pacific Command (PACOM) since World War II, thus leading to patterns of militarization on native land throughout the island system. LaDuke describes "The Militarization of the Pacific" as environmentally devastating, citing the Environmental Protection Agency's claim that "there are more federal hazardous waste sites in Hawaii—31—than in any other US
state. Many of these sites were contaminated by military activities” (173). In this respect, Hawaii is similar to Nomans Land, though on a much larger scale. However, unlike Nomans Land, change in Hawaii in the late seventies through to the mid-nineties came steadily. LaDuke describes the motivating factors for military action, writing that “When [the military] takes action, it is usually the result of prodding by outside groups or mandates by outside agencies. Even then, the military’s protectiveness seems directed toward itself rather than the environment” (174).

Unlike native populations in Hawaii, which benefited from the Protect Kaho’olawe Ohana (PKO)-Navy decree – the result of a 1976 civil suit in federal court that “mandated that the Navy scale back their operations, begin economic restoration, and clear surface ordnance” (LaDuke, 175) – progress in Martha’s Vineyard has thus far moved at the slow pace set by the Navy and more recently by the Department of Interior. Perhaps it is only a matter of time before the Wampanoag reach an amenable agreement with federal agencies, such as the 1994 Trust for Hawaiian Sovereign Nation. However, it is important to note differences in the two cases, such as Nomans Land’s uninhabited state versus Hawaii’s populated condition.

A third case for comparison is with the disputes waged in Goose Bay, part of Labrador Quebec (northeast Canada), where, beginning in World War II and continuing through the 1970s, the Innu and other native populations faced threats from Dutch, German, and British Air Forces vying for control of the air space. The Canadian Military claimed Goose Bay in 1941 in its determination to have a base linking North America and Europe. By 1952, the US Air Force signed a 20-year lease to the base, ultimately expanding it into a NATO operation. The Innu were most concerned in the

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1980s by the use of the region for low-flying training operations, arguing the harmful effects on the land. As LaDuke describes them,

"[t]he sound of low-level flights overhead is the specter that returns day in and day out to the Innu...Many of those flights are between 75 and 100 meters above ground...the power of the shock wave at close range can lift the water off the lake and tip a canoe and can drive animals insane: foxes have been known to eat their kits, geese to drop their eggs mid-flight, as a consequence of the sonic boom" (54-55).

The efforts by the Innu against these military operations reflect a kind of determination that comes from being stewards of the land. In a documentary on the Innu's actions to end the flight training runs, Innu women say that they "used to be afraid" but now felt "real power." Over time, it seems the Innu came to recognize the need to actively protest governmental and military actions, arguing that "the government wants to own us." In a hearing featured in the documentary, one Innu representative expresses commonly-held native sentiments to the Canadian Minister of Indian Affairs, saying that "we are rich in resources, we are rich in humanity...and we are real." As of yet, there is no image in the Wampanoag Tribe's efforts to clean up Nomans Land like the 1987 protest LaDuke describes in "Shutting Down the Runway."

"There is an image I cannot get out of my mind. It is of an 80-year-old couple shutting down the runway...That image symbolizes the intensity of the commitment of the Innu and the story of their resistance to the military" (57).

Despite this difference in the images of the intensity of the struggle, the Wampanoag Tribe of Aquinnah seem no less committed to their cause than the Innu. Like the Wampanoag, the Innu also faced their greatest barriers in overcoming perceived notions of "science" as a determining factor of truth and authority. Before the Innu finally achieved small victories in their disputes, their testimony "of massive disturbance and damage was dismissed as "unscientific," even though the Department of National
Defense (DND) had already been forced to compensate people for the damage the flights had caused" (LaDuke, 56). An important distinction to be assessed between the Innu and the Wampanoag is why, in the case of the Innu, the response has been activism to disrupt the day-to-day activities of the State, whereas the Wampanoag have engaged in peaceful, procedural activism.

Differences in their responses perhaps result from differences in the power structure through which the Wampanoag must work. Being a Federally Recognized Tribe in the US poses different constraints on action than the forms of tribal recognition in the Canadian system. Furthermore, as I have tried to show in the preceding chapters, the Wampanoag Tribe of Aquinnah, as part of a close network of island communities and as part of a town with tribal and non-tribal residents, are impacted by many forces. In order to understand the cleanup efforts on Nomans Land, one must evaluate the roles of these institutions as well as the points of view they help create.
Where Should I Go From Here?: Nomans Land In My Perspective

The effort to clean up Nomans Land raises important and troubling questions about the relationship between sovereign tribal nations and state and federal governments. These relationships, as I have illustrated in the preceding chapters, are formed and maintained through perceptions of history and mythology, Aquinnah’s development as both a tribal and non-tribal island community, networks of power resulting from Martha’s Vineyard’s increasing dependency on a tourist economy, and bureaucratic processes that set the pace of negotiations and establish “legitimate” avenues for action. Furthermore, this conflict raises questions about the role of public health concerns with regard to issues of tribal versus federal sovereignty.

Writing this concluding chapter to an honors thesis I began researching nearly eleven months ago, I am left wondering how this paper can move beyond an undergraduate academic setting and work to advance the cleanup efforts on Nomans Land. After all, isn’t one of the messages we hear at Commencement to take our skills out into the “real world” and start making waves for positive change? Once at dinner in the middle of my writing, I was lamenting about how I hoped this paper would not simply sit on a shelf after being read, not serving any larger purpose. A friend turned to me and commented that a thesis is an end in itself; it’s not intended to be built upon and used at a later date. Is that why we choose to write one in our senior year – simply to gain credit and recognition in our major? That seems contradictory to the mission of liberal arts education. Many contemporary anthropological articles, especially the work of Vine Deloria Jr., suggest that gained knowledge is not enough for the anthropologist
working in this increasingly troubling world. Is my year-long attempt to understand the cleanup of Nomans Land in all its layers simply an academic undertaking, or can it amount to something of greater value?

Midway through the summer, after meeting with Beverly Wright about her perspective on the cleanup effort, we spoke briefly about how I should keep in touch with the tribe after leaving the island in late August, 2003. Nan Doty, the tribe’s education director, who was basically my first point of contact, was leaving her position at the end of August, around the same time I’d be returning to Colby. Wright said that Jeff Day, the tribal ranger, would probably be the best person to contact with any additional questions I had over the winter months, and she also asked that I send her a copy of the finished paper. Over the course of my summer, several people and organizations expressed interest in reading the end product of my thesis, including the tribe, the Bunch of Grapes bookstore (where I worked to fund my time on the island), and the relatives with whom I stayed.

Thinking about this paper as an “end product,” I’ve realized that my experience researching this conflict was in many respects very personal. Most of my mother’s family lives on the island, and while none are direct descendants of the Wampanoag, her aunt Connie, the one with whom I lived, has personal connections to both the Wampanoag tribe and to Aquinnah. Interviewed in Vineyard Voices, Connie Leonard reminisces about how, when she was

“fairly young, probably five, six, seven, years old, my uncle, Crosby Crocker, was keeper of the Gay Head light... My mother and I used to go up there and visit...I had a really good time playing with the Vanderhoop girls, and I had a really good time up there” (47).
Most days when I returned from work or research, she would ask me about my day. Connie always has a story to tell about her more than ninety years on Martha’s Vineyard, and while I sometimes heard the same story several times over the course of the summer, there was always something new to be gained. As I researched the numerous images of Nomans Land throughout its history, I found that my opinions were shaped both from the stories of relatives and from a childhood of visits to the island. Martha’s Vineyard is one of my family’s favorite spots for renting a cottage for one or two weeks during the summer, and at various moments during my research, I realized that I had a personal attachment to the island’s fate and the changing relationships between the Wampanoag Tribe and the other island communities. In some of my earliest memories of vacationing on Martha’s Vineyard, I recall hearing about Nomans Land as this mysterious bombing range neighboring a popular summer vacation spot. To a child, the name “Nomans Land” invites the imagination (I thought it was spelled and pronounced “No Man’s Land” until I began research), and like others, I too romanticized Nomans Land because of its shroud of unknowns.

Over the course of the summer, my research and my work at a bookstore sympathetic to the tribe, as well as my time spent living with relatives, blurred into one continuous experience. I began to see the ways the smooth bureaucratic processes mask certain realities and came to understand the cleanup of Nomans Land as a tragic, but all-too-common story. The health risks posed to the region by repeated bombings and the subsequent stalled efforts to fully clean up Nomans Land are part of what Ruth Behar would call in The Vulnerable Observer, a “truly heart breaking” story. If this paper is the “end product” of my summer of research and winter and spring of writing, I hope it to be
an end only with respect to my undergraduate education. Simply researching and writing about the complex dimensions of the Nomans Land conflict without expanding it into post-undergraduate action seems to fall under common criticisms of anthropology as a discipline of inaction. Raising and exploring questions about stewardship, sovereignty, and the broad network of power affecting relations between tribes (both federally recognized and unrecognized), local, state, and national governments, and other organizations is only a beginning; the remaining question is how one moves from analyzing issues of sovereignty to helping reform the policies that perpetuate conflicts over sovereignty. Maybe the first place to start is by enabling more situations removed from procedure-oriented bureaucratic spaces to encourage open dialogue and discussion.

The effort to clean up Nomans Land is a process that has extended from months to years, and even in my one-year relationship to the effort, I’ve been struck by its staggeringly slow pace. Though the reports of an island study had just been published shortly before I arrived, negotiations have not proceeded much further in the past year. Looking at possible remedies for the system of tribal/state/federal negotiations, one potential area for change is in the federal government’s monopoly over the tempo of action. There seems to be a double standard of punctuality, for the government can always extend the process, stretching out studies for months at a time, whereas tribes often have little leeway in changing the pace. Furthermore, as the relationship of nation-to-nation status between tribes and the federal government evolves, contradictions between Native American sovereignty and constraint by federal and state powers need to be resolved.
What makes Nomans Land such an interesting issue for anthropology is that one cannot look to a single area to answer the question of why the restoration of Nomans Land is so contentious. Perhaps, as Beverly Wright suggested, it is essentially an economic issue, and the United States government is simply unwilling to commit millions of dollars to Nomans Land rather than other initiatives. Economics certainly cannot be ignored. However, the perceived health risk, when one looks at statistics of cancer in Aquinnah compared to the rest of New England, is quite convincing and affects more than just the tribe. Advocates for a more extensive cleanup range in opinions from addressing the health problem posed by existing debris to desiring Nomans Land’s restoration to a habitable state. Looking at the multiple perspectives on the future of Nomans Land and the actions of the tribe, environmental, and governmental organizations reveals both a regional dilemma of environmental preservation and public health and a complicated case of contested sovereignty.

Ultimately, the question of sovereignty comes down to a debate over who has responsibility and obligation over the island’s future. Does the Department of Interior, as the last organization to control Nomans Land, have the right to decide the extent of its cleanup, or, considering the island’s history, does the town of Chilmark or the Crane Family Trust (if any part of it still exists) have a claim to a stake in the outcome as previous owners? Most important, what claim do the Wampanoag Tribe of Aquinnah have as a Federally Recognized Tribe with a right to both seek security from health risks and to cultural preservation? Furthermore, what kind of leverage can any social actors in the negotiations have over the bureaucratic process? Nomans Land represents the ways procedure can mask realities and impede on progress. As a student of anthropology
trying to understand all levels of the conflict, perhaps the answer to where I should go from here is to strive for ways to reform a process that currently does not reflect the realities of the dynamic relationships tribes and a surrounding network of institutions of power form and maintain every day.
Appendix

Events in the Nomans Land Clean-Up Conflict (information from Banks's History)

1602: Gosnold, a European, "discovers" Nomans Land. His records include descriptions of encounters with tribal peoples.

April 25th, 1625: Mathew Mayhew declares the Manor of Martin’s Vineyard, which includes Nomans Land.

1653: Beginning of Martha’s Vineyard government structure.

1674: first record of Indian ownership by Sachem Cascanabin.

1685: Governor Dongan invested Matthew Mayhew of lordship of Martha’s Vineyard, including Nomans Land.

1686: Deed involving the sale of half of Cappoaquit (Wampanoag name for Nomans Land) from Sachem Cascanabin to his brother, Tackquabin.

1689: Island came under possession of William Nichols of Islip, Long Island.

1714: Nomans Land officially annexed to Chilmark.

1715: Nichols sells land to Jacob Norton, then of Newport RI (important Vineyard family). Nomans Land changes ownership numerous times in the 18th and 19th centuries.

1913/14: Joshua Crane of Boston acquires Nomans Land from its previous owners, who were from Chilmark.

1931: Annie Wood publishes Noman’s Land: Isle Of Romance

Sept. 8th, 1952: Navy purchases property from Joshua Crane of Boston for $70,000. The Navy had leased it from them since 1943.

May 1970: Joint Management Agreement signed between Department of Interior and Department of Defense over the control and use of Nomans Land.


1996-1997: Environmental Baseline Survey (EBS) conducted by Foster Wheeler to identify the conditions on Nomans Land. Supplemental EBS (SEBS) includes info from public interviews and historical records.

Ongoing since '98: Comprehensive Site Assessments by Foster Wheeler followed by recorded responses from the public, tribal officials, community members, environmental groups, and Horsley & Witten: Phase I Limited Site Investigation, Phase II Comprehensive Site Assessment, Phase IIIA Supplement Comp. Site Assessment

SEBS Schedule:
Issue draft SEBS report for review: 1/10/03
Close Technical Review Committee (TRC) comment period: 2/14/03
Final SEBS report: 2/28/03
Draft SEBS Scope of Work (SOW): 3/10/03
9th TRC Meeting, Draft SEBS SOW: 3/03
Issue Final SEBS SOW: 5/10/03
Conduct SEBS SOW field program: 6-7/03

Comparative Demographic Data:

1960 Census:
Gay Head total population: 103 (mostly Wampanoag)

Source: US Census Bureau, Census 1960 (printed in Labov)

2000 Census:
Aquinnah total population: 344
One Race
White: 184
Black or African American: 1
American Indian or Alaskan Native: 126
Two or more races: 30

Race alone or in combination with others:
White: 207
Black or African American: 17
American Indian and Alaskan Native: 148

Source: US Census Bureau, Census 2000
Map of Cape Cod and the southern coastline of Massachusetts. Includes Martha’s Vineyard, Nantucket, and Nomans Land (approximately 2.7 miles southwest of Martha’s Vineyard).

Aerial photograph of Nomans Land from 1971, showing the landing strip, bombing targets, and other military structures. To the south of the island, in restricted waters, is the wake of a small power boat.
The south shore of Nomans Land, showing its sand and clay cliffs.
Nomans Land is officially closed to public visits; however, the Navy and the US Fish and Wildlife Service confirm accounts from Martha's Vineyard residents of frequent trespassing.

UXO's found during 1998 surface cleanup:

Over 11,000 pieces of ordnance and debris were removed during the 1998 island surface cleanup by the Navy. At this point, the Navy declared UXO removal complete to the extent required for the island's use as a wildlife refuge restricted from public use. Inaccessible and sensitive wetland areas were not cleared, and shallow near-shore waters, frequently trespassed, were only visually inspected.
The image above and left is from the 1998 surface cleanup, where crews gathered UXO's on the beach to be removed. The item above and right is an image of spent ordnance that may or may not have been unexploded.

The Department of Environmental Protection is continuously working with the Navy and the Department of Interior to determine the risk ordnance, like the ones pictured above.

*All photos and facts obtained from the MA DEP: BWSC Nomans Land Island Waste Site Cleanup webpage: http://www.state.ma.us/dep/bwsc/files/RandR/NLI/nuixo.htm*
Bibliography:

Attaquin, Helen Avis Alyce. A Brief History of Gay Head, or "Aquinnih" Ch. 12, "Events Leading Up To Gay Head's Incorporation as a Town," 1970.

Banks, Charles Edward. The History of Martha's Vineyard Dukes County Mass. in 3 volumes, Boston: 1911.


Bouck, Jill et a1. "Prehistoric Cultural Resources and Site Locations, Martha’s Vineyard." Report to Massachusetts Historical Commission, 8/111983.


Chilmark Tricentennial Video, Sept. 1994, in the personal records of the Chilmark Public Library.


Letter to Faith Roessel, Special Assistant to the Secretary of the US Dept. of Interior, From Beverly Wright, Chairperson of the Wampanoag Tribe of Aquinnah, (ca. 1997)


Pember, John E. “Tragic Mystery of No Man’s Land: Geo. Cook’s Strange Disappearance Still Remains Unsolved,” 2/24/1924 (in Boston publication)


Scott Jr., Henry E. "Navy Combat Pilots Train At the Island Air Base." Feb. 84, v. 25, no. 3, *Dukes County Intelligencer*.

Scott Jr. "Noman’s Land Island: Its History And Legends" Aug. 85, v. 27 no. 1


INFORMATION AT THE REGISTRY OF DEEDS:

Grantor/Grantee – Description – Bk/Pg – Date
Cascanaban/ Tackquabin – half of Cappoquit – 1/70 – May 1st, 1686
John Phillip/ M. Mayhew – Nomsans Land – 1/282 – Aug. 5th, 1692
ADDITIONAL RESOURCES

Tribal Profile, "Economic Development Projects" (6/89)
WTGH(A) pamphlet, 1992

Articles in Gazette:

Poole, Virginia. "Vineyarders Gather in Public Forum to Discuss Improved Protections For Historic Indian Sites" 3/16/90
Platt, W.C. "Tribe in Gay Head Seeks Protection for the Cliffs" 4/6/90
Gay, Jason. "Wampanoags Vow To Protect Sacred Heritage Against Desecration" 4/21/95
Guzman. "Indians Strive To Keep History of Tribe Alive" 7/28/95
Guzman, Yvonne. "Helen Manning Pursues Historic Lore of Her Tribe, Keeping Memories Alive" 3/22/96
Lembo. "Federal Bureau Denies Recognition to Wampanoag Tribe of Gay Head" 6/27/86
Lembo. "1987 Was Watershed Year of Recognition for Wampanoag Indian Tribe" 1/1/88
Wells, Julia. "Top State Court to Hear Case...," 2/27/04

Articles in MV Times:

Editorial "An Important Question," 12/11/03
Sigelman, Nelson. "Attorney General Will Intervene In Tribal Lawsuit," 12/31/03
Valerius, P. "Tammany Hall Of Aquinnah," 12/11/03

Other articles:

"Tribe Stakes Claim To Tiny Nomans Island," AP 6/28/98