

## **VAWA 2018 and the Legacy of the Tribal Grassroots Movement**

It appears the questions of the day for advocates and tribal leaders are: What tribal reforms will the movement rally to support for VAWA 2018? How will the groundswell across tribal nations build to move Congress to do the right thing?

Movement efforts during past reauthorizations of VAWA 2000, 2005, and 2013 have represented major steps forward in the struggle to increase safety for Native women. Opponents to tribal sovereignty, and even some supporters, said these amendments to federal law would never happen: the creation of a tribal coalition grant program under VAWA 2000, the inclusion of a tribal title under VAWA 2005, and the return of criminal jurisdiction over non-Indians in cases of domestic violence in 2013, to name highlights of past victories by the national movement. Big wins!

Will the movement continue winning legislative victories? The answer to this question, most definitely, will come after a legislative battle, and hours of hard work on the phone, Internet, and by stomping the halls of Congress. But even 24/7 efforts do not always win at the end of the day or the vote count of the House or the Senate. Then what is the direction forward? A good starting point for VAWA 2018 is looking at the past. How did the movement win these victories? What was the foundation—the strategy, framework, and guiding principles—of the movement's efforts?

### **Organizing a Tribal Legislative Framework, Strategy, and Principles**

The national movement to increase safety for Native women was blessed by the strong leadership of Native women as grassroots can literally be. These women, the leadership core, recognized the movement—not the federal government—would provide the path to increase safety for Native women. They met intentionally to discuss strategy and principles for organizing to overcome legal barriers to the safety of Native women. These principles guided policy and legislative development and grew out of the life experiences of battered women from their view as tribal women of Indian nations. What were these principles? How did they come about?

Retreats of tribal women who centered the leadership of the movement were organized and convened at the Martin Luther King Center for Civil Rights in South Carolina in the late 90's, Salmon Lake in Montana in 2004, and the Madonna Center in New Mexico in 2007, to name a few. These meetings produced principles that formed a legislative framework capable of leading the tribal grassroots movement beyond mainstream discussions. This framework was crucial for the reauthorizations of VAWA, as well as the FVPSA reauthorization in 2010. These same principles cast discussions of the Victim of Crime Act (VOCA) in a new light posing the looming question: Why are Indian tribes not included under the VOCA?

### **The Strategy of Sovereignty and Safety**

Colonization and violence—hand in glove, foot in boot—changed the destiny of billions of indigenous peoples throughout the world. Similarly, the safety of Native women, including Native Hawaiians, as a population is tied to the politics of the Administration, Congress, and the Supreme Court.

Safety is not individualized but bound to looming federal laws that separate Native women from all other women and must be addressed on a national level to create the changes needed to protect women in their homes and in public, on tribal lands, and off tribal Editor's Note lands. A strategy provides the broad direction forward and the strategy of sovereignty and safety linked violence against Native women to the colonization of Indian Nations. It also linked increasing, or restoring, safety of Indian women to strengthening the sovereignty of Indian Nations to protect women. The movement linked restoration of safety of Native women to the strengthening of the legal

authority of Indian tribes to protect women, the restoration of sovereignty. While reforms to increase, for example, the federal response were supported, these reforms were not the central focus to rally the movement.

In addition, two foundational principles provided a lens to view legislative changes: reform and restoration, and parallel development. The first, reform and restoration, separated lifesaving legislative reforms to the western justice system from the restoration of traditional protections and lifeways of American Indian and Alaska Native peoples. Reform of current law while important could not be the sole approach to increasing the safety of Native women. The two approaches required balance. The second, parallel development, provided a standard for the movement to recognize and support Indian tribes as distinct nations. It offered the standard that tribal and non-tribal programs be recognized and resourced equally so that they each developed according to their separate needs as parallel movements.

## **VAWA 2018 and Future Legislative Reforms**

Discussions of theory and practice are often absent from our hectic daily agendas, but such discussions helped shape past VAWA reauthorizations. Meetings and retreats were organized to discuss strategies and national platforms for change. From these gatherings, since the mid-1990s, tribal efforts to reauthorize VAWA have followed a strategy of linking the safety of Native women to the increased recognition of the sovereignty of Indian nations to protect Native women. This strategy is reflected in the name of this publication *Restoration of Native Sovereignty and Safety for Native Women*. This principle guided the movement to focus past VAWA amendments, or passage of new federal law, on strengthening the tribal response in terms of sovereignty and increase resources to exercise tribal authority.

Guiding principles will continue to be essential for legislative reforms—VAWA, FVPSA, TLOA, and VOCA—to continue to be relevant to the lives of Native women. National movement leaders such as Tillie Black Bear and Ellen Pence were visionaries and political strategists keen to the truth that laboring 24/7 while translating to services for individual women in life and death circumstances would not bring about the foundational changes needed to eliminate the violence from our lives. Tillie’s wise words continue to provide guidance for our movement: “Just because VAWA has given us the money we cannot stop. We must move beyond the trenches, move beyond the shelter doors.” With the passing and transitions of past leadership of the grassroots movement and the expansion of new leadership and growth of the movement due to new VAWA resources, review of these principles and how they developed are important.

The 2018 reauthorization of VAWA will, as in the past, be shaped by certain truths and political dynamics, separating it from other federal laws. The formidable foundation of VAWA is the grassroots movement that tirelessly works to create a political climate for passage and each reauthorization of the Act. Specific to the tribal provisions, the politically directed survivors, advocates, tribal coalitions, women, and dedicated tribal leaders are those who on a daily basis breathe life into the VAWA. And the steady progress of VAWA is linked to the broad political foresight—demonstrated by articulation of political analysis such as safety and sovereignty, reform and restoration, and parallel development—of indigenous peoples who are survivors of genocide.

The levels of violence are well known, statistics reported by the U.S. Department of Justice are undisputed, so in short, change is tied to more than education. It must be directed by clear strategic political framework and principles to move beyond the current conditions endangering our lives—and future generations of indigenous women of sovereign nations.

**Jacqueline “Jax” Agtuca**, Editor, *Restoration*

*Restoration of Native Sovereignty and Safety For Native Women* magazine excerpt

October 2017; Vol. 14, Issue 3; publication of the National Indigenous Women’s Resource Center