

presentation of its own cultural heritage is easily overlooked and arrogantly disregarded by those who hold to this error.

### ***The “None Left Behind” Fallacy***

The “None Left Behind” fallacy is closely related to the fallacy of the “Last Indian,” and is based on many of the same erroneous assumptions. Whenever the claim is made along the eastern seaboard that all of the Indians who once lived in a state migrated to the west and that none were left behind, there is reason for doubt.<sup>56</sup> From about the early 1700’s, there was the systematic practice of “de-Indianization” in the east. This practice was often carried out by mere administrative reclassification.

By administratively redefining who was “Indian” and, therefore, who could make treaty claims, governments could disentangle themselves from old colonial treaties made with indigenous tribes. In some instances, a single Indian remaining on reserved tribal “treaty” land could block that land’s legal takeover by the increasing non-Indian citizenry. If there was a history of any large migration away from the state by the indigenous tribes, some states began to define what it meant to be legally “Indian” in a way that best suited the political and economic interests of their non-Indian citizens. In the minds of many Europeans, one could neither be “Christian” or “civilized” and still be called an “Indian.” In some states, Indians who converted to Christianity were reclassified as “mulattos” in the eyes of the law and society, which, during that era, was a term referring to a person who was neither white or black, and was used to refer to Indians. On the Delmarva, after the Christian Baptism of the John Puckham, in 1682, his previous Indian identity is reclassified as “mulatto.”<sup>57</sup> A Delaware law of 1740 implied that an Indian was, among other characteristics, a non-Christian person who depended upon wild meat for sustenance.<sup>58</sup> This essentially disallowed any Indian farmer, who principally ate pork or beef, from being counted as an Indian within the colony. A 1770 communication reflects a further definition of an Indian, not only as a person subsisting on wild meat, but as a person living far from Delaware, on the frontier.<sup>59</sup> Evidence of this reclassification appears in public records, as some individuals previously described as “Indian” on muster rolls, suddenly become “Free Persons of Color” in the census records and “Mulattos” in other records. Indians with some amount of non-Indian ancestry, would often be reclassified and no longer “count” as Indians in public records.<sup>60</sup> Another form of reclassification occurred on plantations in the south, where Indians were

occasionally enslaved alongside Africans, their identities being lost amid slave records and the assumption that accompanied being named in such a document.

There are those who maintain that all of New Jersey's Indians left in the early 1700's. Others have stated that when the residents of the Brotherton Reservation departed in 1801, there were none left behind. In both instances, we have clear evidence (as cited in the previous response to the fallacy of the "Last Indian") that remnant communities remained. The agreement of September 23<sup>rd</sup>, 1823, between the Muhheconnuck Tribe (Stockbridge Nation of Wisconsin) and the Brotherton Indians who took refuge among them, makes specific reference to the benefits of that agreement being bestowed upon them and any of their "scattered brethren in the state of New Jersey, to them and to their offspring stock and kindred forever..." indicating an awareness of the continuing presence of those Lenape who refused to leave the state.

In many instances, there is sufficient documentary evidence to overturn any assertion of the "None Left Behind" fallacy. Sadly, there is political pressure from non-Indians, and some Indians, to ignore this evidence and continue to perpetuate the fallacy. Scholars who have upheld this error on record, are at risk of negatively impacting their reputation if it is proven that they missed obvious proof of continuing indigenous communities in areas where they previously claimed none existed. Additionally, quite often for emotional, political and economic reasons, there is a desire to perpetuate sole claim to a tribal legacy among Indian groups that descend from those who migrated away from ancient tribal homelands. Because the descendants of the emigrants have frequently had more recent treaty contact with the federal government (because of that migration) they unjustly assume sole claim of the tribal heritage over the remnant communities that stayed in the homeland.

### ***The Fallacy of the "Federal Standard"***

Today, many assume that the only "real" Indians are those who are members of federally recognized tribes. The assumption is that if you were really a tribe, then you would be recognized by the federal government as such. Federal recognition indicates that a tribal government has a "government to government" relationship with the United States of America and that the tribe and its citizens are eligible for special federal benefits, privileges, protections, and even federally issued identification cards.