

Good Bones: Zooarchaeological Data as Legal Evidence for the Shoalwater Bay Indian Tribe

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Abstract: Despite holding federal recognition, Washington State does not recognize the Shoalwater Bay Indian Tribe's right to hunt, fish, or gather on their traditional territory. The Shoalwater community sees this as the primary impediment to their food sovereignty and nothing short of bureaucratic cultural genocide. However, an understanding of the historical significance of traditional food sources can assist the tribe in reclaiming these rights. In this paper, we present archaeological investigations at the Nukaunlth Village site done with, for, and by the Shoalwater Bay Indian Tribe. Subsistence-related zooarchaeological data from Nukaunlth span the pre-contact and contact periods, contextualizing the historical documentation that Indigenous sovereignty claims rely on in the U.S. judiciary. We examine how and why these data may benefit future legal battles for culturally relevant food sources. We argue that using archaeological research to support Indigenous food sovereignty requires a holistic approach that blends western and traditional knowledge systems and incorporates oral historical, historical, and ethnographic sources. With such an approach, archaeologists can better support the communities they work with and advance the discipline through interdisciplinary research programs that can inform present and future food practices.

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Decolonizing Diet: Supporting Indigenous Food Sovereignty through Archaeology—Electronic Symposium

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Introduction

Throughout North America, Indigenous communities suffer from calorie and nutrient deficiencies, food insecurities, and diet-related diseases at far greater rates than non-Native populations (Anderson et al. 2016; Gracey and King 2009; Gundersen 2007). The health disparities that plague Native American communities are often a consequence of restricted access to local food sources, economic stresses, and “Indigenous-specific factors related to colonization, globalization, loss of language and culture, and disconnection from the land” (King et al. 2009:76). To remedy these health disparities and promote more sustainable and culturally harmonious lifeways, many Indigenous communities are participating in the food sovereignty movement (e.g., Coté 2016; Desmarais and Wittman 2014; Satterfield et al. 2014; Vernon 2015; Wesner 2013). This movement, started in 1996 by the peasant organization La Via Campesina, calls for the rights of all people to healthy, culturally appropriate food produced through self-determined, ecologically sound, and sustainable methods (Patel 2009).

The Shoalwater Bay Indian Tribe¹ of Willapa Bay, Washington is one such community. Although they are a federally recognized tribe, Washington State does not recognize their right to hunt, gather, and fish on their traditional territory. The Shoalwater see this as the primary impediment to their food sovereignty and nothing short of bureaucratic cultural genocide. However, we argue that archaeological research that elucidates past subsistence practices can contribute to an Indigenous rights-based approach to food sovereignty broadly, and to the Shoalwater’s efforts specifically. Archaeological data may be particularly well-suited to serve in Indigenous communities’ fight for rightful legal entitlements by contextualizing the historical documentation that sovereignty claims rely on in the U.S. judiciary.

Given past examples of Indigenous rights² and title³ litigations that successfully cite archaeological evidence, we stress that to do so requires a holistic approach that engages Western and traditional knowledge systems and incorporates oral historical, historical, and ethnographic sources. Elsewhere, we have discussed other aspects of mobilizing archaeological research to support Indigenous food sovereignty efforts, including best practices in building community-scholar partnerships and the integration of archaeological data into community cultural, health, and wellness initiatives (e.g., Antoniou 2021; Antoniou and Davis 2022; Sanchez et al. In Review). And, while we recognize that Indigenous food sovereignty is far more than legal rights, we focus on this aspect because the Shoalwater community sees it as the most pressing hindrance to their efforts.

In this paper, we begin by tracing the history of archaeological evidence in U.S. litigation of Indigenous rights and title and summarize what we see as the potentials and limitations of archaeology in this role, broadly. We then explore the possible avenues by which archaeological research may advance the Shoalwater’s food sovereignty efforts, specifically. We first introduce the Shoalwater community, their food sovereignty efforts, and specific legal circumstances. We

¹ Henceforth called the Shoalwater.

² I.e., legal action, most commonly usufructuary hunting, fishing, and gathering.

³ I.e., legal the ownership and possession of a property or territory.

then describe the three lines of evidence—zooarchaeological data, ethnographic & historical documentation, and oral traditions—that may contribute to their legal fight for food sovereignty. In doing so, we hope to spark a broader discussion of how archaeologists can serve as advocates and allies for Indigenous communities, and best mobilize their unique understanding of the past to advance Indigenous-led food sovereignty efforts.

Archaeological Evidence in Indigenous Sovereignty Litigation

Indigenous self-determination is more than a political and legal struggle. Many communities choose to emphasize responsibilities over rights (e.g., Coté 2016; Kealiikanakaoleohaililani and Giardina 2016; Martinez 2006) and generally agree that “the environment, community health/well-being, natural resources, sustainability, and the transmission of cultural practices to future generations [are] critical, interlocking features of an Indigenous self-determination process” (Corntassel 2008:116). However, reaffirming legal rights to land and/or resources is often critical to this process. This is commonly the case when revitalizing traditional foodways and establishing food sovereignty. Because these foodways are so deeply embedded in the landscape and entrenched in the notion of a reciprocal relationship with the natural world, it is nearly impossible to rebuild these foodways without access to these landscapes and resources. And attempting to access these spaces without legal rights puts communities at the very real risk of prosecution.

Before discussing the potentials and limitations of archaeological data in U.S. litigation, it is important to acknowledge the inherent bias embedded in this judiciary as a settler-colonial system grounded in a Western worldview, logic, and standards. Such orientations can result in definitions of cultural identity that are often at odds with Indigenous understandings, and the prioritization of evidence based in Western epistemologies to “prove” indigeneity.⁴ Such eurocentrism is a detriment to Indigenous self-determination and, we argue, a fundamental flaw in the current system. However, we also acknowledge that, whether just or not, this is the system that Indigenous communities must work within, and that such biases mean that archaeological data based in Western science may be particularly useful in U.S. litigation.

The use of archaeological evidence in Indigenous⁵ rights and title litigation has been more thoroughly discussed in the context of the Canadian legal system (Hogg and Welch 2020b, 2020a; Martindale 2014) and we struggled to find any scholarship that focuses on the topic. However, successful claims of Indigenous rights in the U.S. system hinges on proving that these rights are either explicitly or implicitly reserved in treaty, statutory agreements, or executive orders establishing reservations and that at the time these documents were created, the tribes engaged in the claimed activities or engaged in historical activities that are retrospectively related to present-day activities (Charlton 2015). Similarly, Indigenous title claims in the U.S.

⁴ See Asch 2000, Asch and Bell 1994, Hogg and Welch 2020, & Martindale 2014 for a discussion of these meta-issues within the Canadian legal system.

⁵ In U.S. legal scholarship, the term *Indian* is most often used. In Canadian legal scholarship, *Aboriginal* is most common. In this paper, we prefer the term Indigenous and use it throughout.

may cite aboriginal possession (Cohen et al. 1942:291). In doing so, claimants must prove exclusive, continuous possession of the land unless forcibly removed (Nelson 1994:555). Such continuous possession does not need to predate European “discovery” or assertion of sovereignty (Charlton 2015:76). Notably, in both the Canadian and U.S. systems, proof of Indigenous rights and titles hinges upon demonstrating *past* activities, occupation, or possession.

In the U.S.,⁶ at least seven Indigenous rights or title cases have referenced archaeological data as evidence of past activities or possession of land: *Pueblo De Zia v. United States* (1964), *Turtle Mountain Band of Chippewa Indians v. United States* (1974), *United States v. Michigan* (1979), *Paug-Vik, Inc. v. Wards Cove Packing Co.* (1981), *Zuni Tribe v. United States* (1987), *MASAYESVA v. ZAH* (1992), & *Pueblo of Jemez v. United States* (2020). Of these cases, five were successful in their use of archaeological data as legal evidence.

The potential of archaeological data in U.S. litigation of Indigenous rights is best exemplified by the fishing rights case, *United States v. Michigan* (1979). In the opinion written by Judge Noel Peter Fox, it states that while not every treaty grants reserved fishing rights,

“In order for the right to exist in the first instance, it must be shown that the Indians were in fact using the resource... Thus, the factual predicate for the reserved fishing right is the documented historic, ethno-historic, anthropologic and **archaeologic evidence** proving that commercial and subsistence fishing was of significance to the Indians during treaty times.” (*United States v. Michigan* 1979)

Judge Fox goes on to state that the claimant’s testimony overwhelmingly established this factual predicate. As such, their reserved right to subsistence and commercial fishing arises by implication “because of this resource’s importance to the Indian community at and before the time they entered into the treaty” (*United States v. Michigan* 1979).

In title cases, archaeological data showing occupation and/or exclusive use of land is entitled to weight in determining the issue of aboriginal possession. This is best exemplified in *Pueblo De Zia v. United States* (1964). In this case, three Indigenous communities sought review of an Indian Claims Commission decision finding that they failed to prove aboriginal possession of land. The court reversed the decision of the commission, stating that the oral tradition, historical documents, and archaeology presented by the communities proved exclusive occupation of the area and was wrongly disregarded by the commission.

Four out of these five successful litigations use archaeological data within a larger suite of evidence that also includes oral tradition, historical documents, and/or anthropological/ethnological reports. This breadth of evidence types is often mentioned favorably in court opinions. For example, in *Zuni Tribe v. United State*, “the court concludes that plaintiff’s proposals cite the most persuasive evidence and that the preponderance of the evidence (including the archeological, anthropological, ethnological, as well as historical and cultural evidence) supports plaintiff’s view and proposed Findings” (1987). Likewise, corroboration between sources is seen positively. In *Pueblo De Zia v. United States*, the opinion notes that the archaeological evidence introduced by the claimants “strongly confirmed the historical evidence

⁶ See Hogg and Welch 2020 for a summary of Canadian Aboriginal rights and title cases that cite archaeological data.

and testimony” (1964). By testimony, the opinion is referring to the oral tradition presented by the Indigenous community.

We have not found any court case where archaeological data was successfully used as the sole line of evidence to prove Indigenous rights or title. In that regard, there are significant limitations in the use of archaeological data in U.S. litigation. Instead, archaeological data prove useful when it is used as a bolstering technique and in conjunction with other ways of demonstrating past activities, occupation, or possession. For this reason, we stress that archaeologists wishing to mobilize their unique understanding of the past to support Indigenous self-determination through litigation must situate their research within a larger suite of evidence. For the rest of this paper, we detail this approach by discussing the Shoalwater’s fight to reclaim legal rights to traditional food sources.

The Shoalwater Bay Indian Tribe

The Shoalwater is a federally recognized community of people descendant from 35 families of predominantly Lower Chehalis and Chinookan ancestry. Seventy-five of the approximately 350 people enrolled live on a modest-sized reservation in Willapa Bay, Washington. The village of námsčac (nahms-chahts) is the heart of the Shoalwater Bay Indian Reservation. The Reservation itself was created around the village in 1866 by a one-paragraph Presidential executive order (**Figure 1**). The paragraph stated to set aside 334 acres of land for “Indian purposes.” The order tells us little to nothing of the area and does not describe the people living there.

When the Executive Order established the reservation the name of the bay was “Shoalwater.” Rather than consult the community when naming the reservation, the government simply labeled it “The reservation at Shoalwater Bay” or “The Shoalwater Bay Indian Reservation.” The Lower Chehalis and Chinook communities who lived there heavily intermarried, and people of the region often spoke both languages. The rich and deep cultures were and are still nearly identical. Despite this, their forefathers were reduced simply to “Shoalwater Bay Indians.”



Figure 1. Map by Giles Ford, 1866. Executive Order from President Andrew Johnson
Courtesy of the Shoalwater Bay Indian Tribe

The Shoalwater Bay Indian Tribe was granted federal recognition in 1971. At that time, the community still largely lived the way they always had; the fishing industry was still the chief occupation and people often hunted to augment the seafood diet. This came to a halt due to an oversight in the court case *United States v. Washington* (1974), commonly known as the Boldt Decision (Johansen and Pritzker 2008). The Boldt Decision reaffirmed the off-reservation fishing rights of 24 tribes with treaties in Washington state “at all the usual and accustomed grounds and stations...in common with all citizens of the territory” (U.S. v. Washington 1974) and specified that such tribes have rights to 50% share of fisheries (Goodman 2000; Johansen and Pritzker 2008). However, it gave no decision regarding the rights of the tribes in Washington State that achieved federal recognition through executive order, congressional act, or other legal mechanisms. When the Boldt Decision was enforced, it specifically allowed treaty tribes to fish but left the few executive order tribes without such rights. After thousands of years of living off what the bay provided, the Shoalwater were suddenly told that if they did not have a state license, they would be arrested for practicing their traditional foodways.

Fishing for the Shoalwater is not just finding food, everything in their culture revolves around this. The language, stories, songs, and art are all heavily embodied in fishing. Recent generations have turned more to hunting game animals on the Reservation to try and offset this, but the people are left with a large void deep in their collective consciousness. First salmon ceremonies have not been held, and family gatherings where people process shellfish are largely relegated to memories. To the Shoalwater, food sovereignty means the ability to feed themselves with foods that surround them using their cultural understanding of these resources to promote the well-being of their community and the plants and animals they share their home with. They believe access to traditional foods, even in contemporary life, is more than a tradition; it is key to the health and prosperity of their people.

Legal Evidence for the Shoalwater

In 1996, the Shoalwater joined forces with the Confederated Tribes of the Chehalis Indian Reservation, to argue for their legal rights to off-reservation hunting, fishing, and gathering as implied by the Executive Orders creating their reservations (*Confederated Tribes v. Washington* 1996). The case went up to the United States Court of Appeals, Ninth Circuit, where the court upheld the district court’s denial of these rights and findings that the Tribes’ claims were not well-founded. In the opinion, the appellate court cites some evidence that suggests the Executive Order and preceding documents implied off-reservation fishing rights for the Shoalwater. Ultimately, however, they conclude that they are not “left with the definite and firm conviction that the district court made a mistake in its findings” (*Confederated Tribes v. Washington* 1996:343).

The Shoalwater believe that this ruling against them is because they lacked the resources to mount an adequate legal battle and provide sufficient evidence in the case. They feel that, with the proper research and preparation, they can appeal this decision and make a convincing argument of implied rights to traditional resources. Below, we describe the three lines of

evidence—zooarchaeology, historical & ethnographic documentation, and oral tradition—that we hope will establish the factual predicate necessary to do so.

Zooarchaeological Data

The Living off the Bay—Past & Present project uses archaeological data from Nukaunlth Village to help the Shoalwater Tribe establish food sovereignty through reviving locally sourced foodways, particularly fishing and shellfish harvesting, and reclaiming legal rights to culturally relevant resources. Archaeological data from Nukaunlth may be particularly useful due to the geographic and temporal location of the village. Nukaunlth is situated geographically very close to the modern Shoalwater Reservation (**Figure 2**), which makes the cultural connection between those who occupied Nukaunlth pre- and post-Contact and the modern Shoalwater community difficult to deny. Furthermore, the major occupation of Nukaunlth occurred relatively late in the precontact period and continued into the post-Contact era. The village was likely abandoned around 1858, only eight years before the Executive Order granting the Shoalwater their reservation.

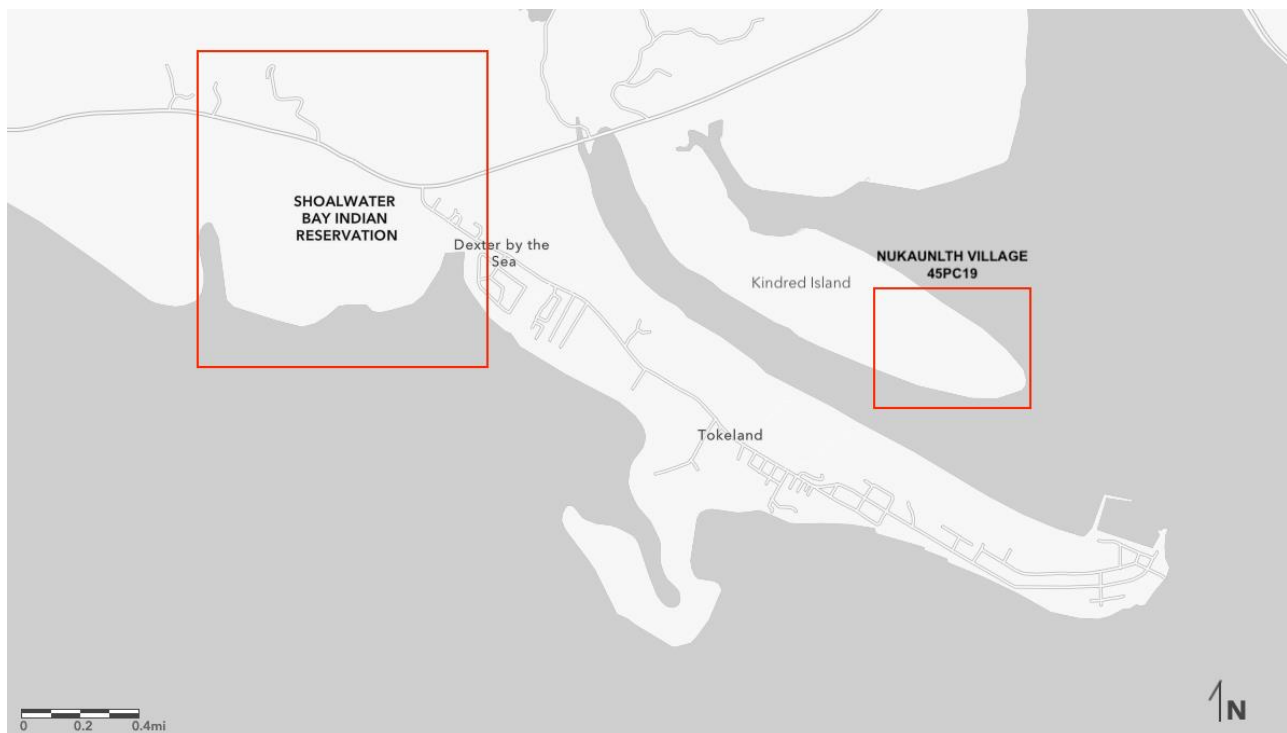


Figure 2. Location of Nukaunlth in relation to the Shoalwater Reservation

Investigations of Nukaunlth sought to ascertain (1) the makeup of the larger subsistence system within which past marine resource use was situated (2) the importance of marine resources among Chinook and Lower Chehalis peoples living at this small ancestral village. Targeted excavations revealed substantial shell midden deposits and at least one house structure with two periods of occupation: a small occupation dating to within two hundred years before the

January 26, 1700, Cascadia Tsunami (Atwater et al. 2016) followed by a florescence of post-tsunami occupation through the contact period.

Residents of Nukaunlth likely utilized many resources, such as plants, that are underrepresented in the archaeological record currently available. However, the zooarchaeological analysis demonstrates that marine resources—particularly shellfish (cockles, mussels, and various species of clam, in particular), marine mammal (specifically whale), and fish (salmon, flounder, and sturgeon, most notably)—were key food resources used by those living at Nukaunlth and arguably indispensable to their lifeways. By all measures, shellfish dominate the faunal assemblage and make up the largest portion of edible food reflected by the archaeological record at Nukaunlth (**Figure 3**). Overall, zooarchaeological analysis suggests that between 93% and 99% of the animal foods for those living at this ancestral village came from the marine/estuarine environment (Antoniou 2021).

Figure 3. Relative frequency of major foods (> 1%) at Nukaunlth by occupation

<i>Taxon</i>	<i>First Occupation</i>			<i>Second Occupation</i>		
	% NISP	% Weight	% Meat Yield	% NISP	% Weight	% Meat Yield
<i>Shellfish</i>						
<i>C. nuttallii</i> – cockle	57.43	55.68	36.42	45.15	50.60	35.09
<i>Mytilus</i> sp. – mussel	7.45	17.13	6.82	31.19	34.72	14.64
<i>S. gigantea</i> , <i>M. nasuta</i> , <i>Tresus</i> sp. – clams	18.70	17.24	19.47	14.51	10.49	12.56
<i>O. lurida</i> – native/Olympia oyster	<1.00	1.22	<1.00	<1.00	<1.00	<1.00
<i>N. lamellosa</i> – frilled dogwinkle	3.99	5.98	<1.00	<1.00	1.29	<1.00
Total	88.97	98.10	64.10	92.65	98.27	62.70
<i>Vertebrates</i>						
Fish	7.08	<1.00	15.99	4.86	<1.00	8.61
Marine Mammal	2.31	<1.00	10.78	1.04	<1.00	21.69
Terrestrial Mammal	1.39	<1.00	8.06	1.15	<1.00	2.62
Avian	<1.00	<1.00	1.07	<1.00	<1.00	4.38

Analysis of the seasonal distribution and habitat requirements of the species found at Nukaunlth suggests that many of the food sources used by those living at Nukaunlth could have been procured nearby. The tidal flats around the village may have been particularly rich in the most recovered shellfish species at Nukaunlth, cockles (*C. nuttallii*), as a study of the local environment and the habitat requirements of shellfish suggests this area of Willapa Bay is highly suitable for *C. nuttallii* populations (Lewis et al. 2019). Other resources found at Nukaunlth—sturgeon, spiny dogfish, skates, and gray whale—suggest that those at Nukaunlth likely traveled westward towards the mouth of the bay or coastal beaches to access some food sources. In all cases, evidence at Nukaunlth suggests an emphasis on locally available marine resources. The picture that is painted by this archaeological investigation of Chinookan and Lower Chehalis foodways at Nukaunlth is one of a community that was deeply connected to their local

environment. There is a community that relied upon and lived in harmony with locally available marine resources.

Historical and Ethnographic Documentation

The ethnographic and historical documentation demonstrates two important points pertinent to the Shoalwater's legal fight for food sovereignty: (1) that the establishment and placement of the Reservation were linked to traditional food sources, specifically fish and other marine resources, and the community's ability to access these resources, and (2) the overall importance of these resources at and before the Executive Order. The historical documentation best addresses this first point, and the ethnographic documentation best addresses the second. A detailed account of the abundant ethnographic evidence attesting to this second point is beyond the scope of this paper. We will, instead, focus our attention on the historical documentation and the links between the Executive Order, the Reservation, and traditional food sources.

On May 2, 1866, Giles Ford reported to the superintendent W. H. Waterman that he had visited the place that the Indigenous communities wished reserved for them on Willapa Bay. He confirmed that it was a suitable place for the local Indigenous communities to call their own, specifically because it was close to traditional food sources, "being situated in close proximity to fishing, hunting, and grazing grounds" (Ford 1866) and advised that this spot be immediately reserved from sale. He included a map of the area suggested for Indian use, demarcating around the post-Contact village, námsčac (**Figure 1**).

Superintendent Waterman forwarded that letter to the Department of Interior Secretary with a letter of his own. In it, he recommended that the designated tract of land "be reserved for the use of the Indians," because they wished to continue their traditional lifestyle and foodways, stating:

"These Indians said to consist of some 30 to 40 families have always lived upon the beach and subsisted upon fish, clams, oysters, and sea animals. They are unwilling to abandon their former habits of life and turn their attention to agriculture. They desire a place upon the shore where they can fix their homes, without being exposed to or supplanted and driven off by white men" (Waterman 1866).

The Commissioner of Indian Affairs agreed with this recommendation and asked the president to reserve this land for "certain Indians upon Shoalwater Bay" (Cooley 1866). At this request, on September 22, 1866, President Johnson created the reservation by signing the Executive Order which he inscribed on a copy of Ford's map (Figure 1) (Johnson 1866). Neither the Executive Order nor the correspondence leading up to the Executive Order stipulates a specific tribe or community that the Reservation was intended for. However, federal authorities, including the Indian Claims Commission concluded that this small reservation was intended to serve Lower Chehalis and Chinook groups living in Willapa and the surrounding areas (Beckham 1987:13; Hajda 1990:514–15; Indian Claims Commission 1958; Johnson 2013; Marino 1990:171).

Oral Traditions

The historical documents described above textually trace the relationship between the Executive Order, the Reservation, and traditional food sources from the perspective of Western settler-colonialists. Oral traditions can provide important information from the communities themselves. Oral traditions can attest to Indigenous understandings of the treaties and other statutory agreements reached between the communities and the U.S. government. They can also describe the importance of claimed activities at and before the time they entered into the agreement. For The Shoalwater, oral traditions do both.

In 1855, Governor Isaac Stevens attempted to negotiate a treaty with seven Indigenous communities in western Washington. Discussions broke down when plans were revealed to relocate all communities to the proposed Quinault Reservation. Oral tradition states that Chinook and Lower Chehalis leaders from Willapa Bay responded to this plan by saying, *Take the land and do what you wish. Let us continue to fish and be buried with our dead. We do not wish to leave to become something else.* To this day, Shoalwater members feel the same. They wish to live where their people have always lived and fish the waters they have always fished.

The Shoalwater's first collective memories as a people revolve around fishing. Their creation story, which is ancient in its origin, starts with Old Man South Wind being taught how to fish with a net by Quotsshoui the Ogress. XeniXeni, known as the transformer, came around to all the villages when people didn't know how to survive and taught them how to fish at each unique location.

The ocean as a source of food is so deeply rooted in Shoalwater culture that words in Chinookan and Lower Chehalis languages often exemplify this connection. For example, one name for the Chum salmon in Thlawaltmish (Lower Chehalis) is see-lth which translates to "food" or "eat". The Thlawaltmish word for beach has been translated as "found meat" referencing when whales would wash up on ocean beaches during their migrations and ancestral communities would salvage the meat. The importance of traditional foods to the ancestral communities of Willapa Bay is similarly encoded in the Chinookan lexicon. In Chinookan, the names of the months refer to the local foods most available during that specific time of year. These include words that translate to "salmonberry month, salal berry month, and smelt month."

Salmon is so important to Willapa Bay Indigenous communities that oral traditions refer to salmon as a race of people that live deep in the sea. When the first salmon return for the year, there are strict taboos concerning the first salmon caught. These vary from village to village, but the overall theme is to present the fish to the people and welcome it. It is then processed in a certain manner and cooked in a certain way. The bones and head are left intact on the carcass which is carefully returned to the waters. The fish is treated with the utmost respect and told, *go tell your people how well we treated you so that many will return.*

These traditions are more than old superstitions concerning salmon runs. When these practices are allowed to flourish, they spill into people's everyday lives. They highlight a concern for the health of the environment and all the connected species. They remind the people to not only be respectful to each other but to be respectful to traditions and the world.

Conclusions

Indigenous food sovereignty explicitly recognizes that the loss of traditional territories and the destruction of the relationships supporting the hunting, gathering, and fishing of traditional foods needs to be redressed because Indigenous communities, like all communities, have the right to healthy, culturally appropriate foods. In this paper, we have explored one of the many ways that archaeology may be particularly well-suited to serve Indigenous food sovereignty efforts. By delving deeper into the potentials and limitations of archaeological evidence in U.S. litigation of Indigenous title and rights, we hope to equip other archaeologists with the knowledge they need to best mobilize their unique understanding of the past to support Indigenous-led food sovereignty efforts. It is important to stress that archaeologists must serve as advocates and allies in these projects. To be successful, this support must be situated within a collaborative approach that recognizes the cultural expertise of the community and Indigenous authority to use their ancestral cultures to creatively assert their modern identities.

In examining prior successes in using archaeological data as legal evidence in U.S. litigation, we urge archaeologists to consider their data as part of a larger corpus of evidence that includes ethnographic/anthropological reports, historical documents, and oral tradition. In previous court cases, archaeological data is most favorably viewed when it corroborates and bolsters these other lines of evidence. This is not unique in U.S. litigation and is more thoroughly demonstrated in the Canadian legal system (Hogg & Welch 2020). For the Shoalwater, the alignment of these multiple lines of evidence is particularly important because their case likely hinges on establishing that the historical documentation that led to their Reservation implied the continued use of traditional resources. We suspect that each line of evidence that we detailed above must be independently robust, yet unequivocally linked. While we recognize that this is no easy feat, we will continue to build this body of evidence because the Shoalwater see legal rights as the primary impediment to their food sovereignty.

We conclude by allowing the Shoalwater to express what food sovereignty means to them. Davis summarizes their sentiments:

Traditional food and access to said foods is the thread that forms the tapestry of us as a people. Pulling on that single thread will ultimately lead to the complete unraveling of our existence as people. At present that thread is long, and the tapestry is looking small. With some understanding and compassion from our non-Native relatives, we can still repair what has been done. Ultimately it would be in the interest of both parties, as our traditional knowledge of this bay and its natural inhabitants could help a great deal in ensuring that it is healthy and productive. We must stop viewing this as a competition for limited resources and start viewing this from the perspective of how we can work together to return the bay and the oceans to their former glory so that there is more than enough for everyone.

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