

# **The Taste of Sovereignty: Tribal Nations, Cultural Technology, and the Need to Protect Tribal Food Systems**

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Currently, the Federal Drug Administration (FDA) is proposing food safety regulations (proposed produce safety rules) on food businesses that will have chilling and devastating effects on tribal food businesses. The FDA has not provided transparent and meaningful tribal input, yet these proposed produce safety regulations will directly impact the economic and political health of tribes, tribal communities, and tribal producers.

Tribes have traditionally fed themselves safely for centuries. Tribal food systems embody the connections by uniting social, cultural, political, legal, and economic institutions within a tribal community. Tribal food systems have been carefully developed in balanced and technical ways that consider the needs of people and the births (re-births) of resources connected to the land.

Throughout modern American history, there have been extensive disruptions to the ecological balance between food, environment, and tribal communities and tribal producers. Unfortunately, these disruptions result in an unbalanced focus on separate and distinct parts of the ways tribal people eat. All too often, federal policy, federal administrations, and regulations do not consider tribal food systems which measure consequences in a collective perspective. For example, the effects of food choices on healthy lifestyles is widely documented in diabetes and obesity rates, but minimal focus is put on the role of the decline of traditionally farmed, harvested, and processed foods.

In light of recent concerns over the safety of America's food supply and industry, tribes and the FDA will have to consider the impact of safety regulations, whether mandated or not, as tribal food businesses and economies begin to expand. The consequences of tribes and tribal producers ignoring the proposed FDA food safety regulations and food safety plans can place all tribal food businesses and tribal economic ventures in vulnerable and unmarketable positions.

Tribes have had the cultural technology and understanding of harvesting and processing foods for generations, but such knowledge is rarely understood outside the confines of tribal community. The affirmation of food as a "sacred" principle is too easily misunderstood. Some people attempt to easily dismiss the "sacredness of food" as "spiritual" or "religious" dogma that has little relevance in the sphere of food science. However, the essential idea of "sacred food" infers meaning to food items, guarantees consistent balanced behaviors and systematic procedures of food processing, handling, and consumption.

The customary cultural procedures and processes that are often associated with certain foods are a tribe's and community's way of codifying food safety among other important values related to food. The very specific time frames and seasonal considerations within a community for harvesting and processing exemplify a gradually acquired and

technologically advanced knowledge that has grown from generations of trial and error and careful consideration of environmental factors. For example, the Pueblos of New Mexico created a traditional process of drying corn that kept away pests and ensured long term storage, as explained by George Toya, the director of the Nambe Farming Program located in Nambe Pueblo. He says,

“We roast and smoke our fresh sweet corn underground to dry and make chicos. Once dried and smoked the bugs won’t bother it and it will keep for a few years. The corn can then be rehydrated in stews or it can be ground up to make a drink. The ground corn was carried by hunters and warriors back in the day. All they had to do was mix a little with water and it was enough to sustain them and was easy and light to carry.”

Pueblos not only found ways to inhibit pests, but also incorporated the best technology of handling of the food.

Similarly, there were existing safety protocols in meat processing. Pati Martinson of the Taos Economic Development Corporation (TCEDC) carefully explains the importance of traditional meat processing and how procedural reverence that includes prayer and community socialization demands respectful as well as safe meat handling processes. These processes are only now being explored through industry discussions about “humanely raised” labels. She says,

“Principles include giving thanks to the animals as well as insuring that each animal is individually put down and processed individually... Respect is paid to the animals by ensuring that each remains singular even through the cut and wrap. Even with buffalo hunts, tribal members (usually the women) came to the site and immediately insured the quick evisceration and segregation of polluting parts so as to assure safety of the meat.”

The management and control of food was incorporated culturally in tribal food systems through a deep rooted respect for the food. This respect led to the development of food processes that ensured safe handling processes. It is these food systems that must be considered by tribes and tribal communities as the forthcoming FDA proposed regulations are being considered.

While US food safety standard regulations and laws may change, and have changed, over time to incorporate newly discovered science-based knowledge and to accommodate the sheer rate of food production, for many American Indian communities the idea of food as sacred rarely changes. Although many American Indian community food practices are seen as un-changing or even un-refined, it should be noted that food safety regulations created in 1905 remained relatively unchanged until the early 1990’s and only then changed in response to large breakouts of food illness. It is seemingly much easier to change cultural practices than US law, unless some tragic event provides a reason to do so, and even then the laws are an overly broad response that consider food producers, processors, and growers as an after-thought. The customs, culture, and practices may

change over time, as most culture does, but the idea that food must be respected from the time of growth to the processing to the handling has remained constant and even overlaid on non-traditional foods.

An illustrative phenomenon can be witnessed at traditional Pueblo throw days when food items are thrown into the crowd in celebration. The items thrown were once crops grown such as corn, to chili, to homeland tortillas, but now the food items are bagged chips, soda pop, and canned vegetables. Yet, the values and cultural behaviors are still the same. Participants are expected to leave no food item behind and cherish the items caught. Contemporary society and FDA regulatory authorities may need to be educated about these food systems and reverence and the impact of regulations on tribes, tribal communities, and tribal food producers.

In this light, as the farm-based food items have been replaced by highly-processed, highly-marketed food, the separate food value systems clash. Ideally, the legal concept of *lexi loci*, the law of the place, would apply because the institutions of food are land and environment specific, but the dominance of the American marketing tactics in the mainstream food system is overwhelming and ultimately changes the legal food landscape. While tribal nations and tribal communities still respect food, the many large scale food businesses whose primary purpose is to produce as much food at low costs for high profit are having very harmful health and economic effects on tribal members. Yet, tribes highly value the cheap food they produce.

While food scientists and writers of proposed food regulations without tribal input may give little deference to cultural food practices or think of them as even irrelevant to food safety or at worse, unsafe, tribal nations and tribal food producers should not be intimidated by food safety regulations and food safety laws proposed through Federal agencies. Tribal nations and tribal people have always known food safety and in many ways created a food safety system that has transcended generations. Tribal nations and tribal food producers have to be patient and allow mainstream food scientists time to catch up, while diligently defending cultural food practices and institutions.

Tribes can actively do this by starting with the following actions:

1. Passing official tribal resolutions and food codes articulating jurisdiction over food systems, food resources, and food businesses (agribusinesses).
2. Begin community discussions about the direction and growth of tribal food systems that include food producers, farmers, community members, and tribal officials.
3. Conduct community food assessments to understand tribal food community profiles.

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