

November 25, 2004

Banned in Boston: American Indians, but Only for 329 Years

By KATIE ZEZIMA

BOSTON, Nov. 24 - It is a prejudicial, archaic concept that prohibited Native Americans from entering a city for fear members of their "barbarous crew" would cause residents to be "exposed to mischief."

But it is more than notions and phrases in Boston. A ban on Indians entering Boston has been the law since 1675.

Mayor Thomas M. Menino took a step toward repealing the ban on Wednesday, filing a home rule petition. Mr. Menino said a repeal would remove the last vestiges of discrimination from a vibrant, diverse city that is looking past old racial conflicts.

"This law has no place in Boston," Mr. Menino said. "Fortunately this act is no longer enforced. But as long as it remains on the books, this law will tarnish our image. Hatred and discrimination have no place in Boston. Tolerance, equality and respect - these are the attributes of our city."

Joanne Dunn, executive director of the Boston Native American Center, said she laughed a bit as she drove into Boston on Wednesday, realizing that she was, technically, breaking the law (being without benefit of the "two musketeers" required to escort American Indians with business in the city). "For us indigenous people it brings some closure," Ms. Dunn said. "You come into the City of Boston and it crosses your mind that you're not welcome here."

The Boston City Council, which in April 2003 unanimously passed a resolution calling for repeal, must now approve the petition to remove the ban. The repeal must then pass the legislature and be signed by Gov. Mitt Romney.

A spokeswoman for Robert E. Travaglini, the president of the State Senate, said Mr. Travaglini had not seen the petition and would allow the City Council to act before considering action. A spokeswoman for Mr. Romney, a Republican, said he had not seen the petition either and would be "happy to take a look at it" when it crossed his desk.

Felix Arroyo, a city councilman, said he expected the measure to pass unanimously at a council meeting

on Dec. 1. "I think all of us will look forward to voting yes on this," Mr. Arroyo said.

The Massachusetts General Court enacted the law, called the Indian Imprisonment Act, in 1675. The legislation came at the height of King Philip's War, a conflict between the Wampanoag tribe, led by Metacom, known as Philip, and settlers near Plymouth, Mass. The war began in 1675 with a raid on the town of Swansea and spread across Massachusetts, spilling north to New Hampshire and south to Connecticut. The war, one of the bloodiest on American soil, ended the next year.

The law rolled over when the state's Constitution was enacted in 1780 and has lingered for centuries, with no one taking the steps to repeal it. The Muhheconnew National Confederacy, a lobbying group based in Falmouth, Mass., started pushing for repeal in 1996 after working with the city to protect Indian burial grounds on the Boston Harbor islands. The group petitioned the legislature, then the city, and received the necessary resolution last year. It renewed the push in July, before the Democratic National Convention.

"It means a great thing," said Sam Sapiel, 73, a member of the Penobscot Nation of Maine who lives in Falmouth and worked with the Muhheconnew Confederacy on the repeal. "It's what we've been striving for."

It was little coincidence that Mr. Menino signed the petition the day before Thanksgiving. The podium at the news conference was decorated with a splash of crimson chrysanthemums, and the desk Mr. Menino used to sign the petition was festooned with a pumpkin and other gourds. An Indian leader also invoked the holiday.

"Being so close to Thanksgiving, this is a good day for native people," said Beverly Wright, a member of the Wampanoag tribe of Martha's Vineyard, the state's only federally recognized tribe. "It's been on the books for a long time."

Ms. Wright believes there might be other, similarly discriminatory laws. Mr. Menino said he would look into the possibility of repealing them.

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