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## Tribal leader seeks healing in Aquinnah

By ERICH LUENING  
CONTRIBUTING WRITER

AQUINNAH - Ask Donald Widdiss why he jumped back into tribal politics after enjoying a 13-year hiatus, and he'll tell you his mother made him do it.

Widdiss, chairman of the Aquinnah Wampanoag Tribal Council, says he would have stayed out of politics and made native carvings and jewelry to sell to tourists on Martha's Vineyard if not for the wishes of his 90-year-old mother, Gladys.

"The only reason I'm here is because my mother asked me to be here," said Widdiss, a tall and burly man with long, graying hair. "A couple of years ago, she asked me to get back in. She had always been involved in tribal services herself."

Now the seasoned tribal politician is back in his former position as council chairman after defeating incumbent Beverly Wright, 132-105, in November.

Widdiss, a U.S. Navy veteran, comes back to a tribe caught in the throws of a legal battle between the town of Aquinnah's building inspector, the state and local civic groups over the tribe's assertion that it is not subject to local enforcement of zoning regulations.

The dispute began in March 2001, when tribal members built a wooden shed and pier, not approved by the town, at the tribe's shellfish hatchery.

The hatchery is on the Cook Lands fronting Menemsha Pond in Aquinnah, one of four areas transferred from the town to the tribe under the terms of a 1983 settlement agreement that preceded federal recognition of the tribe.

The tribe's attorney, Douglas Luckerman, plans to file an appeal with the U.S. Supreme Court by July 1. In February, the state Supreme Judicial Court decided not to reconsider its earlier ruling that the tribe was exempt from local and state zoning regulations because it was granted sovereignty through federal recognition in 1987.

The legal battle is not the only thing on Widdiss' mind. He wants to heal the wounds caused by the divisive case and bring trust back to the relationships between the tribe, the town and the island community.

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## **Native family roots**

As a boy, Widdiss came to Aquinnah, then called Gay Head, during the summers to visit his mother's family. He grew up in Wayland. In 1976, after a stint in the Navy, he moved to Martha's Vineyard.

"I got involved in tribal politics and over the course of the years have done everything from travel planner to administrator, to eventually tribal chairman," he said. "I've done a little bit of everything."

Widdiss was chairman of the tribe in 1987 when it gained federal recognition.

Widdiss set his own roots on the island. He has two children, ages 33 and 26, along with a couple of grandchildren. They now all live off-island.

His mother was born in Aquinnah and still lives there. She makes pottery and the two of them often sell their work together at a local store above the fabled clay cliffs.

## **Love of tribe and land**

Widdiss speaks in starts and stops sometimes, but his meaning is always clear. His responsibility is to the tribe, and the tribe's responsibility is the land.

"This is where we live. People have to understand that it is our responsibility to take care of the land," he said. "It doesn't matter who owns it. This is our territory. We take care of it."

Widdiss explains that it is this responsibility to the land that makes up a large part of the tribe's identity.

The tribe's relationship to the land and its self-identity is at the crux of relations between the tribe and the town, for good or bad.

Widdiss explained that the relationship began with the town when it was established in 1870 over the objections of most of the town's residents who at the time were mainly Wampanoag.

"The state of Massachusetts decided we needed to incorporate a town, so they incorporated the town of Gay Head, MA, which at the time was run and controlled by the tribe," said Widdiss. "This was our case actually before the federal government in terms of our demand for federal recognition."

In order to make its case for federal recognition, the tribe had to prove a continuous social-political government within the tribe.

"We proved to them that we did," he said. The tribe "passed the test in terms of having our sovereignty recognized."

Although recognition by the federal government was a momentous occasion for the tribe, it has sparked friction over the years between the tribe, the town and now the state.

In the case now headed to the U.S. Supreme Court, town and state officials claim that the tribe had signed a land settlement agreement in 1983 that essentially makes the town zoning board the final authority in tribal land disputes.

However, Widdiss and tribal lawyers argue that subsequent federal recognition in 1987 made the tribe akin to a sovereign nation only obligated to federal law and tribal zoning laws.

"The one entity that has the ultimate say is Congress," said Widdiss. "That being said, the only instance there can be any uncertainty is in the case of the tribe having limited itself."

Lawyers for the town and state argue that the tribe did limit itself in the land settlement agreement. But lawyers for the tribe feel differently, arguing that the tribe did not intentionally limit itself in the 1983 agreement.

The case has further divided the tribe and the town of Aquinnah. Widdiss believes it is his role to close the divide between the town and the island community on the whole.

### **Wounds to heal**

No matter what the court decides, the relationship between the town and the tribe will have to be at least cooperative in order for both to have an amicable existence in Aquinnah. This is easier said than done.

"I think that the reality is that whoever the aggrieved party is, they will still try to have their way," Widdiss said. "From the town's point of view, if the Supreme Court grants [in our favor] in this case, there are people in town that are still going to fight that."

Widdiss blames a small group of wealthy property owners in Aquinnah who have fought the tribe's right to sovereignty since the beginning, insisting that the property owners, many of whom are seasonal residents, have the money to fight the tribe in court.

"These people reached a certain level of accomplishment in life and some take that seriously. They feel they have some dominion over the tribe. They do not," he said.

Despite the efforts in court by what he sees as a small minority in the town, he said town officials and other year-round residents are building a more cooperative relationship.

"The majority of selectmen and residents in the town I feel are in agreement with the tribe, in saying the tribe is certainly able to manage its own affairs and its resources and actually help the town out in a number of instances," he said.

He cites the town ambulance, for example, which was donated to the town by the tribe, and the shellfish hatchery and water-testing facility. He also said the tribe is looking into

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providing a generator to the town.

The road to better relationship with the town may be long and bumpy, but Widdiss feels that it will be traveled.

"We didn't lose the respect of the community all at once," he said. "For whatever reason, some people in the community don't trust the tribe. Whatever that reason is I hope to take it away."

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