

‘Addressing the Data Gap on Missing and Murdered Native American Women and Girls in the USA’

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ABSTRACT:

This bachelor project investigates the systematic inequalities faced by Indigenous communities in the USA, specifically focusing on the crisis of missing and murdered Indigenous women and girls (MMIWG). Employing a methodological framework that integrates Tribal Critical Race Theory (TribalCrit) and Native Feminist Theory, the research utilizes qualitative document analysis to explore the socio-cultural and historical factors contributing to this issue. Key qualitative concepts such as self-reflexivity, context, and thick description guide the analysis, ensuring sensitivity to Indigenous perspectives. The findings reveal a profound data gap rooted in colonialism, systemic racism, and patriarchal structures, which marginalize Indigenous women and hinder their access to justice. Furthermore, the study highlights the lack of trust in law enforcement, jurisdictional complexities, and cultural dynamics that perpetuate the underreporting of violence against Native women. To address these challenges, the project advocates for enhanced data collection, community-based reporting mechanisms, and culturally competent legal practices. By drawing on successful strategies from other Indigenous contexts, the research aims to propose comprehensive solutions that prioritize Indigenous rights and perspectives. Ultimately, this project emphasizes the importance of empowering Indigenous communities in the pursuit of justice, healing, and equity for Native American women, thereby contributing to efforts aimed at closing the data gap and fostering resilience within these communities.

KEYWORDS:

Colonization, Native American, MMIW(G) and MMIP crises, systematic violence, discrimination, historical trauma, indigenous knowledge system, Native Feminist Theory, intersectionality, marginalization, tribal sovereignty, access to justice, TribalCrit

WORD COUNT: 12.401

*“Indigenous women disappear three times: first, when they go missing;
second, when the media does not report it;
and third, when the data are not reported”
(Margo Hill; 2022, p.4).*

Table of Contents

INTRODUCTION	6
RESEARCH PROBLEM AND QUESTION(S).....	7
RESEARCH PROBLEM.....	7
RESEARCH QUESTIONS.....	7
PREVIOUS RESEARCH.....	8
MMIP (MISSING AND MURDERED INDIGENOUS PEOPLE) CRISIS.....	8
MMIW(G) (MISSING AND MURDERED INDIGENOUS WOMEN (AND GIRLS) CRISIS	9
POTENTIAL CAUSES AND EFFECTS OF THE CRISIS OF MISSING AND MURDERED INDIGENOUS WOMEN AND GIRLS (MMIWG) ...	10
<i>Colonization</i>	<i>10</i>
<i>Legal and Law Enforcement Failures.....</i>	<i>10</i>
<i>Challenges in Reporting and Data Collection.....</i>	<i>10</i>
<i>Media Influence.....</i>	<i>10</i>
<i>Limited Funding and Education.....</i>	<i>11</i>
THE LIMITATIONS IN EXISTING LITERATURE THAT YOUR RESEARCH AIMS TO ADDRESS.	11
THEORY	13
TRIBAL CRITICAL RACE THEORY (TRIBALCRIT)	13
<i>Background of Critical Race Theory (CRT).....</i>	<i>13</i>
<i>The Relevance of TribalCrit Theory in Addressing the Issues of Native American People.....</i>	<i>15</i>
<i>The nine TribalCrit tenets</i>	<i>15</i>
<i>Limitations.....</i>	<i>20</i>
NATIVE FEMINIST THEORY	20
<i>The Relevance of the Native Feminist Theory in Addressing the Issues of Native American Women and Girls in the USA.....</i>	<i>22</i>
<i>Limitations.....</i>	<i>22</i>
METHOD.....	24
QUALITATIVE RESEARCH METHOD.....	24
<i>Self-reflexivity.....</i>	<i>24</i>
<i>Context</i>	<i>25</i>
<i>Thick description</i>	<i>25</i>
<i>Thick description</i>	<i>25</i>
CHOOSING A SUITABLE RESEARCH METHOD.....	26
DOCUMENT ANALYSIS DEFINITION	26
DATA SAMPLES	27
DATA ANALYSIS	28
LIMITATIONS AND CHALLENGES	28
<i>Challenges in Obtaining Interviews.....</i>	<i>28</i>
<i>Limitations of the document analysis method</i>	<i>29</i>
ANALYSIS.....	31
CURRENT STATE OF STATISTICS.....	31
FACTORS CONTRIBUTING TO DATA GAPS.....	32
<i>Colonialism and Its Enduring Effects</i>	<i>32</i>
<i>Systemic Racism, Imperialism, and White Supremacy.....</i>	<i>33</i>
<i>Tribal Sovereignty, Indentity, and Indigenous Autonomy.....</i>	<i>34</i>
<i>Intersectionality and the Marginalization of Indigenous Women.....</i>	<i>36</i>
<i>Devaluation of Indigenous Identity and Disregard for Indigenous Knowledge Systems.....</i>	<i>37</i>
<i>Conclusion of the analysis</i>	<i>38</i>
DISCUSSION	39
CONCLUSION	42

BIBLIOGRAPHY.....43

Introduction

The current focus of the thesis is on addressing the lack of attention towards the failure of data collection. It suggests giving priority to the safety and well-being of Native American women and girls in the United States. Native Americans are the indigenous individuals who first lived in the regions comprising the United States, such as American Indians, Alaska Natives, and Native Hawaiians and American Samoans. This topic centres on the issue of the neglect of cases related to the disappearance and death of the Native American women and girls in the United States. This study will discuss a present problem related to the Missing and Murdered Indigenous People (MMIP) crisis and specifically the data crisis regarding Missing and Murdered Indigenous Women and Girls (MMIWG), with emphasis on Native Americans. Due to discovered significant gaps in available data on missing and murdered individuals, including Native Americans, it indicates a challenge in delivering a full understanding of the issue. To comprehend the problem and reason for the discrepancy in the data on missing and murdered Native American women and girls, firstly, I must present an overview on already existing data on missing and murdered individuals; secondly, I need to identify why there is a data gap on missing and murdered Native American women and girls in the USA.

As mentioned earlier, indigenous peoples in the United States include mainly Native Americans and Alaska Natives. Approximately 6.6 million people (2%) of the total population identify themselves as Native American or Alaska Native in the United States.¹ The Organization of American States (OAS) in June 2016 has ratified the American Declaration on the Rights of Indigenous Peoples (ADRIP). A human rights instrument similar to the United Nations Declaration of the Rights of Indigenous Peoples (UNDRIP), that recognizes a set of human and civil rights for the First Peoples of the Americas.² The ADRIP highlights that: *'Indigenous women have the right to the recognition, protection, and enjoyment of all human rights and fundamental freedoms provided for international law, free from discrimination of any kind'* (ADRIP; Article 7, p.10). Regardless of the existing mechanisms for the protection and promotion of human rights, violations against Indigenous women and girls in the USA continue. The Inter-American Commission on Human Rights (IACHR) has received and

¹International Work Group for Indigenous Affairs (IWGIA), Indigenous Peoples in the USA, <https://www.iwgia.org/en/usa.html>

²United States Agency for International Development (USAID), Indigenous Peoples, <https://www.usaid.gov/indigenous-peoples-0#:~:text=While%20not%20endorsing%20the%20UNDRIP,agreed%20to%20support%20the%20Declaration.&text=In%20June%20of%202016%2C%20the,the%20Rights%20of%20Indigenous%20Peoples.>

reported continuous human rights violations faced specifically by Indigenous women across the USA. These violations range from acts of physical, psychological, and sexual violence to systemic discrimination that impedes Indigenous women's access to basic services and justice. The IACHR has noted how geographic, economic, and institutional obstacles further marginalize Indigenous women, compromising their personal integrity and cultural well-being (IACHR; 2017, p.9).

This research examines the disproportionately high rates of missing and murdered Indigenous women (MMIW). By using the theory of TribalCrit and the Native Feminist Theory as a foundation for investigation, five main factors have been identified that underlies this disparity in data of underreported cases related to Indigenous women. The findings contribute to a growing body of evidence that calls for stronger protections and greater accountability within legal frameworks and human rights mechanisms. This thesis, therefore, aims to shed light on these ongoing human rights abuses and advocate for improved responses at national and international levels to ensure the safety and dignity of Indigenous women.

Research problem and Question(s)

Research problem

The lack of comprehensive data on missing and murdered Native American women and girls in the United States limits the understanding and scope of the challenges faced by Native American communities. This research seeks to investigate the underlying reasons for the underreporting of cases involving missing and murdered Native American women and girls. By doing so, the study aims to explore why Native American individuals are at a significantly higher risk of becoming missing or murdered. Specifically, it addresses the question of why Native American women and girls are especially vulnerable in this ongoing crisis.

Research Questions

1. The current state of available data
2. What are the primary factors contributing to the lack of statistics on missing and murdered Native American women and girls in the USA?

Previous research

MMIP (Missing and Murdered Indigenous People) crisis

Even though Indigenous populations have been subjected to violence for centuries, beginning with colonization in 1492, the concern on MMIP crisis has emerged recently. And the reason for this is Indigenous people's increased advocacy to spread the message and create awareness of the ongoing crisis (Heather, et. al; 2021, pp. 47–48).

Indigenous peoples (Native Americans, American Indians, and Alaska Natives) are known to be the most mistreated race. They also belong to the category of those who have been affected by the Missing and Murdered Indigenous Peoples crisis. MMIP is part of the 'sudden disappearance of Indigenous Peoples', namely individuals who died because of violence perpetrated by others (Fox, et al; 2024, pp. 1-3).

According to Sheena Gilbert and her co-authors (2023), the complexity of responding to crimes in Indian countries stems from the fact that Native American tribes are both sovereign and interdependent. The writers have discovered many reasons that could be causing Native Americans to go missing. For example, limited resources, poverty, and rurality. Furthermore, the authors state that historical trauma and the effects of colonization have a significant part in making Native Americans one of the most vulnerable groups. The lack of coordination in missing people investigations is related to jurisdictional complications. In most situations (70%), it is unclear whose agency is responsible for investigating a missing person's case. Importantly, due to historical trauma and oppression of Native people, 12% of respondents expressed a lack of trust, which creates a barrier to investigation. According to Sheena Gilbert and her co-authors (2023), the lack of trust extends to police' racism towards Native people. As a result, the next authors, Gordon Heather and Roberts Travis (2021), claimed in their research that to comprehend and address the contemporary MMIP crisis, we must first examine the historical context that has resulted in widespread victimization of Native people to this day. As previously indicated, authors Gordon Heather and Roberts Travis (2021) discussed interracial physical and cultural violence, both of which occurred because of Indigenous peoples' colonial oppression. Indigenous peoples have been kidnapped and murdered since European colonialism and during the 18th, 19th, and 20th centuries because of the United States' colonial practices. The United States' plans were carried out through wars, massacres, and forced removals of Indigenous peoples from their territories. Also, Natives, like any other race in the United States, face both interracial and intraracial violence (violence perpetrated by

Natives against Natives), while the writers underlined that most of the violence is interracial (committed by non-Natives against Natives).

MMIW(G) (Missing and Murdered Indigenous Women (and Girls) crisis

The crisis of Missing and Murdered Indigenous Women and Girls (MMIWG) started centuries ago. It is a form of violence that government institutions, as well as society, fail to recognize. To combat the MMIWG situation, Native communities united collectively and advocated for MMIWG. Ficklin Erica, et al. (2022) illustrate the function of these united communities, as well as how the writers present an account of MMIWG history to highlight the US government's lack of response. Furthermore, instead of utilizing an academic writing structure, the authors use pictures and storytelling to provide historical and academic data about MMIWG. They emphasized that storytelling is an honoured traditional means of sharing knowledge that also allows the narrator to express emotions. Since the reader can experience the feelings of those whose voices were suppressed and whose souls the government has refused to recognize (Ficklin E., et al. 2022).

According to A. Skylar Joseph's (2021) investigation concerning the Missing and Murdered Indigenous Women (MMIW) crisis, the US has neglected the MMIW issue, even though homicide is the third leading cause among women and girls between the ages of 10 and 24 for American Indians and Alaskan Natives, and the fifth leading reason among women between the ages of 25 and 35. It is noteworthy that there is only one study focused on MMIW issues in the US, carried out by the Urban Indian Health Institute (Lucchesi, et al.; 2018).

The issues of 71 urban cities are examined in this paper. Additionally, the Savanna's Act bill was presented in 2019 and passed into legislation on October 10th of that same year, 2020. The Savanna's Act addresses several aspects related to a certain core issues that contribute to the MMIW crisis. For example, Savanna's Act clarifies the roles that local, tribal, state, federal, and law enforcement organizations play in handling situations of murdered and missing Indians. Thus, expanding the data collection on Native Americans who have been murdered or gone missing. The author A. Skylar Joseph (2021) concludes by pointing out that fundamental systemic problems of racism and sexism towards Native American women and girls continue regardless the existence of Savanna's Act.

Potential Causes and Effects of the Crisis of Missing and Murdered Indigenous Women and Girls (MMIWG)

Colonization

Colonization is identified as a core cause of the crisis facing MMIWG. Clara M. Downey (n.d.) highlights that the European colonizers viewed Indigenous women as targets, leading to violence and victimization rooted in historical exploitation. Systemic bias perpetuates high levels of sexual violence, especially near resource extraction sites, while federal jurisdiction often fails to protect Indigenous women, exacerbating historical trauma (Downey; n.d., pp. 99-102). Gordon Heather and Travis Roberts (2021) stress the destructive impact of U.S. policies on Indigenous cultures, resulting in trauma that manifests in substance abuse, poverty, and violence, but they argue that engagement with traditional culture can help address these issues (Gordon & Roberts; 2021, p. 56).

Legal and Law Enforcement Failures

Peyton Cross (2022) reveals that many criminal cases in Indian Country fall under federal jurisdiction, leading to a high rejection rate for prosecutions due to insufficient evidence. Remote tribes often lack tribal law enforcement, increasing reliance on state and federal authorities, which can cause delays in serious crime responses (Cross; 2022, pp. 10-13). Dyer Tavniah (2020) criticizes the legal system's inability to effectively address violence against Native women, noting jurisdictional restrictions that limit tribal courts' ability to prosecute non-Native offenders (Tavniah; 2020, pp. 6-8).

Challenges in Reporting and Data Collection

Rothenberg (2019) points out significant underreporting of MMIWG cases in databases like NamUs, exacerbated by racial discrimination and a lack of trust in law enforcement. Gillbert et al. (2023) emphasize the need for tailored support measures in Native communities, while Margo Hill (2022) discusses the 'invisibility' of tribal people and challenges in accessing reliable data (Hill, 2022).

Media Influence

Media coverage of MMIW cases is often biased and employs harmful stereotypes, as highlighted by the Urban Indian Health Institute. Vogel Saige (2022) connects the fetishization of Native women to media representations, noting how narratives like 'Pocahontas' distort Indigenous women's identities (Vogel; 2022, pp. 26-27).

Limited Funding and Education

Gilbert et al. (2023) identified limited funding as a barrier to providing adequate services for missing persons. They also note a lack of training among professionals regarding the unique dynamics faced by Native individuals, advocating for better education and awareness in addressing MMIWG issues (Gilbert et al.; 2023, pp. 10348-10350). Isaacs and Young (2019) highlight the role of Native American students in raising awareness and contributing to social justice efforts (Isaacs & Young; 2019, pp. 1-2).

The limitations in existing literature that your research aims to address.

Several studies have pointed to significant limitations on MMIP and MMIWG. Hawes et al. (2023) identify limitations in their analysis of missing persons cases, such as the lack of comprehensive data in the NamUs database, the sole focus on U.S. cases, and the inability to make comparisons with MMIWG data in Canada. They suggest that future studies should explore the issue through alternative theoretical frameworks, such as social disorganization theory, which requires more extensive data collection.

Similarly, Fox et al. (2024) highlight the limitations in their research on Indigenous MMIP, particularly the lack of detailed data on circumstances of disappearances, causes of death, and perpetrators. These gaps result from jurisdictional complexities, limited law enforcement resources, and inconsistent data reporting. Additionally, their study is limited to the 10 state-level reports on MMIP available at the time, with more data expected to emerge from ongoing state efforts. Importantly, the evolving language and scope of state legislation, which originally focused on Indigenous women and girls, now also encompass other vulnerable groups such as Indigenous males, LGBTQ+, and Two-Spirit people, reflecting a growing awareness of the broader impacts of the MMIP crisis.

In conclusion, my research will build on previous studies by addressing both the covered and uncovered aspects of the challenges faced by Native American women and girls. Moreover, my research will provide a more nuanced understanding of the ongoing MMIP and MMIWG crises, aiming to fill the gaps in data, explore the broader societal impacts, and offer potential solutions for addressing this urgent issue.

While previous research has highlighted several contributed factors to the crisis on Missing and Murdered Indigenous Women and Girls (MMIWG), such as continuous effects of colonization, legal failures, challenges in reporting and data collection, my analysis will delve

deeper into these issues. I aim to explore how these factors interact in contemporary contexts, with a particular emphasis on the role of community-led efforts and the importance of cultural revitalization in addressing the crisis. By combining insights from current literature with new data and perspectives, I intend to contribute to a more complete understanding of the struggles faces by Indigenous communities.

Theory

Current section is going to present two theoretical frameworks and explain how the chosen frameworks can be used as a lens for the analysis. I will explain the choice of the frameworks and provide the detailed insight on how the chosen theories can guide in answering the research question.

The exploration of the data gap concerning missing and murdered Native American women and girls in the USA demands a comprehensive theoretical framework that not only illuminates the complexities of the issue but also centers Indigenous perspectives and experiences. In this chapter, I delve into two critical theoretical lenses—TribalCrit and Native Feminist theories—to provide a nuanced understanding of the structural inequalities, historical legacies, and intersecting oppressions that perpetuate the data gap within Indigenous communities.

Tribal Critical Race Theory (TribalCrit)

Background of Critical Race Theory (CRT)

In the middle of 1970s Critical Race Theory (CRT) emerged as a response to Critical Legal Studies (CLS), which is a left-leaning legal scholarship emphasizing how the law can be applied to specific groups in different circumstances. CSL exposes legal contradictions and highlights how laws perpetuate societal hierarchies. As an illustration, the case of MMIW can show how legal contradictions perpetuate the vulnerability of Native women. By way of example, when a Native woman goes missing, the response on that case can differ based on whether she was on tribal land or outside of it. Though existing laws aimed to protect individual from violence, legal frameworks can fail to provide consistent protection and justice.

CRT is described as ‘opposition scholarship’ and grew out of dissatisfaction with the perceived slow progress of CLS in critiquing and reforming legal and societal structures focused on race and racism. While CRT centers on race and racism, in the meantime it also examines other forms of oppression, including gender and class discrimination. Additionally, the experiential knowledge is a valuable way to inform thinking and research. Hence, narrative accounts and testimonies become the key source of data for the CRT researchers. *‘Listening seriously’* involves bridging traditional community values with those of larger institutions like courts and schools. Similarly, TribalCrit, derived from CRT, equally values narratives and stories as significant sources of information (Brayboy; 2005, p.428).

TribalCrit theory integrates the diverse epistemologies (ways of knowing) and ontologies (ways of being) that are inherent in Indigenous communities. Meaning, that this integration recognizes that Indigenous knowledge systems are both valid and crucial for understanding and addressing the unique challenges faced by Indigenous peoples. While these perspectives may vary across the time, space, tribal nation and individual, TribalCrit's focus on both commonalities and diversity highlights the complexity of Indigenous identities and the importance of respecting and integrating these different perspectives into discussions and policies, that affect Indigenous people (Brayboy; 2005, p.427).

TribalCrit by expanding the framework of Critical Race Theory, encompasses the unique experiences of Indigenous peoples within settler colonial contexts. Unlike CRT, that was originally addressing the Civil Rights issues of African American people, TribalCrit acknowledges liminality of American Indians as both legal/political and racialized entities and their experience of colonization. For instance, the land dispossession and the erasure of Indigenous sovereignty are one of the central themes in the experiences of Native Peoples, which CRT doesn't fully cover. Therefore, while CRT serves to highlight systematic racism in society, it may not fully address the specific need and complexities faces by Indigenous communities (Brayboy; 2005, p.428). For instance, while Latino Critical Race Theory (LatCrit) and Asian Critical Race Theory (AsianCrit) were developed to address the specific needs for those populations, TribalCrit focuses on decolonization and Indigenous sovereignty (Brayboy; 2005, p.430) and is guided by nine inter-related tenets:

1. Society is inherently shaped by colonization.
2. Imperialism, white supremacy, and material gain underpin U.S. policies towards Indigenous peoples.
3. Indigenous peoples occupy a transitional space which acknowledges the political and racial dimensions.
4. Indigenous communities are seeking to establish tribal sovereignty as well as tribal autonomy, self-determination, and self-identification.
5. Indigenous perspective provides the unique insight on the culture, knowledge, and power.
6. Governmental and educational policies towards Indigenous peoples are intertwined with the aim of assimilation.
7. Understanding Indigenous people's lives experiences requires attention to tribal philosophies, customs, and future aspirations, while also recognizing individual and group differences.

8. Stories are integral to theory and provide valid sources of data and perspective.
9. Scholars must actively pursue social change by bridging theory and practice (Brayboy 2005, p.429-430).

Additionally, as an analytical lens, TribalCrit offers a framework, that analyzes lives and experiences of tribal people since their encounter with Europeans over 5 centuries ago:

'This is central to the particularity of the space and place American Indians inhabit, both physically and intellectually, as well as to the unique, sovereign relationship between American Indians and the federal government' (Brayboy; 2005, p.430).

TribalCrit emphasizes that colonization is endemic to society, offering a lens to analyze the ongoing impacts of settler colonialism on Indigenous peoples:

'... TribalCrit provides a theoretical lens for addressing many of the issues facing American Indian communities today, including issues of language shift and language loss, natural resources management, the lack of students graduating from colleges and universities, the overrepresentation of American Indians in special education, and power struggles between federal, state, and tribal governments' (Brayboy; 2005, p.430).

The Relevance of TribalCrit Theory in Addressing the Issues of Native American People

Using TribalCrit as an analytical lens provides deeper insight into historical and contemporary context, that helps to identify factors contributing to the data gap on missing and murdered Native American women and girls in the United States. Since TribalCrit is a new and culturally nuanced perspective, that allows to make more comprehensive examination of the complexities faced by Indigenous communities, including the impact of colonization, ongoing struggles for sovereignty, and lastly, the interplay of power dynamics between different levels of government.

To answer the research question 'What are the primary factors contributing to the data gap on missing and murdered Native American women and girls in the USA?', I am going to use the relevant tenets of TribalCrit theory, developed by Bryan Brayboy. Each tenet provides a different perspective on the experiences and challenges faced by Indigenous peoples. However, while each principle delves into different aspects, many of them are closely related to each other.

The nine TribalCrit tenets

First.

The first principle of TribalCrit asserts that colonization pervades society, wherein European American ideologies and power structures dominate contemporary United States. Indigenous knowledge was disregarded by Eurocentric thinkers, deemed inadequate for modern productivity. Interaction between dominant U.S. society and American Indians historically aimed to mold them into the image of those in power, evident in policies like boarding schools and challenges to their legal and political status. This colonization has marginalized Indigenous experiences, replacing them with antiquated stereotypes. Even many Indigenous individuals unknowingly adopt colonialist ideas, regulating their identities to fit governmental interests, as the author explains. This pervasive colonization lies at the core of TribalCrit, influencing all related concepts (Brayboy; 2005, p.430-431).

Second.

TribalCrit acknowledges the pervasive nature of colonization in society and identifies U.S. policies toward American Indians as rooted in imperialism, White supremacy, and material gain. Moreover, U.S. policies justified land theft from Indigenous peoples. This contrasted Indigenous views of habitation versus ownership, leading to dispossession of both livelihoods and spiritual connections to the land. The U.S. justified Indigenous removals as beneficial, yet it exploited their lands for economic gain, notably through Manifest Destiny and the Norman Yoke doctrines. These doctrines, rooted in White supremacy, granted moral authority to seize Indigenous lands and resources:

'In this context White supremacy refers to the idea that the established, European or western way of doing things has both moral and intellectual superiority over those things non-western. White supremacy has a long history and is still pervasive in the U.S.' (Brayboy; 2005, p.432).

Additionally,

'White supremacy is viewed as natural and legitimate and it is precisely through this naturalization that White supremacy derives its hegemonic power.' (Brayboy; 2005, p.432).

White supremacy persists today, influencing academic canons and discourse, evident in attacks on affirmative action that favor people of color while benefiting other privileged groups (Brayboy; 2005, p.431-432).

Third.

The third principle of TribalCrit asserts that Indigenous peoples inhabit a liminal space, navigating both legal/political and racialized identities. Although American Indians are legally recognized entities, society often reduces them to racial stereotypes, overshadowing their legal and political status. This oversight is fueled by a lack of awareness regarding Indigenous peoples' multifaceted identities. While government policies acknowledge their legal and political standing, public discourse often undermines it, framing Indigenous peoples solely as a racial group.

'The racialized status of American Indians appears to be the main emphasis of most members of U.S. society; this status ignores the legal/political one, and is directly tied to notions of colonialism, because larger society is unaware of the multiple statuses of Indigenous peoples' (Brayboy; 2005, p.433).

Conservative groups, for instance, challenge federally funded programs for American Indians, disregarding their unique legal relationship with the federal government. This distinction is critical because it recognizes the sovereignty and self-determination of indigenous peoples. It is important to note that while some indigenous groups lack federal recognition, they still retain inherent sovereignty as pre-constitutional nations, and this fact is often overlooked in federal classifications (Brayboy; 2005, p.432-433).

Fourth.

TribalCrit underscores the pursuit of tribal sovereignty through autonomy, self-determination, and self-identification. Autonomy involves community control over land, resources, and national boundaries, facilitating interaction with the U.S. and other nations. Self-determination rejects dependency on the U.S. government, empowering Indigenous communities to define their own path. The TribalCrit framework offers insights into interactions between Indigenous students and institutions, potentially reshaping engagement strategies. Self-identification grants legitimacy to groups to define themselves, challenging stereotypes and prompting institutions to reevaluate identification processes. This necessitates more accurate record-keeping and recognition of Indigenous identities within institutional frameworks (Brayboy; 2005, p.433-434).

Fifth.

TribalCrit reexamines culture, knowledge, and power through an Indigenous perspective, diverging from Western views. Culture is viewed as both stable and fluid, rooted in land and ancestry but adaptable to change. Knowledge encompasses cultural, survival, and academic

aspects, harmonizing Indigenous and institutional learning. The power associated with sovereignty is based in community and intertwined with self-determination and adaptation.

'Survivance, which combines survival and resistance, calls for adaptation and strategic accommodation in order to survive and develop the processes that contribute to community growth' (Brayboy; 2005, p.435).

Power, stemming from knowledge and culture, shapes decisions regarding tribal sovereignty, reflecting both Indigenous and European influences. This dialogical relationship underscores the dynamic interplay between culture, knowledge, and power in Indigenous contexts (Brayboy; 2005, p.434-436).

Sixth.

TribalCrit emphasizes the problematic history of governmental and educational policies aimed at assimilating Indigenous peoples. Despite the potential for self-education and self-determination, policies often focused on eradicating Indianness and promoting Anglo values. This assimilationist approach failed to recognize the importance of cultural integrity for academic success. TribalCrit rejects assimilation rhetoric, advocating instead for education that respects and integrates Indigenous identity. By combining Indigenous and western/European perspectives, education can empower Indigenous students to navigate both cultural worlds and actively engage in self-determination and tribal autonomy. Programs like the University of Utah's American Indian Teacher Training Program exemplify this approach, fostering Indigenous identity while preparing students for academic success (Brayboy; 2005, p.436-437).

Seventh.

The seventh principle of TribalCrit underscores the significance of tribal philosophies, customs, and visions for Indigenous peoples. These cultural foundations are crucial for understanding their educational experiences. Embracing Indigenous ways of knowing offers alternative perspectives that enrich our understanding of education. Additionally, TribalCrit acknowledges the importance of tribal values like community and cooperation in shaping the experiences of Indigenous peoples (Brayboy; 2005, pp.437-439).

Eighth.

The eighth principle of TribalCrit challenges the notion that only scientifically based research is valid, honoring oral stories and knowledge as equally legitimate forms of data. Stories should be taken seriously since they shape our theories and understanding of the world:

'As in the opening vignette, stories serve as a way to orient oneself and others toward the world and life.' (Brayboy; 2005, p. 439).

Oral traditions are foundational to Indigenous communities, transmitting culture and knowledge across generations. However, the value placed on academic language in educational institutions often marginalizes Indigenous students. TribalCrit emphasizes the importance of listening to and truly hearing these stories, recognizing their authority and nuance. Stories serve as guideposts for elders and policymakers, offering insights into structural barriers and weaknesses. Hearing stories involves attributing value to them and understanding their complexity. Ultimately, stories hold cumulative knowledge and reflections on power, requiring listeners to engage with empathy and understanding (Brayboy; 2005, pp.439-440).

Ninth.

The final aspect of TribalCrit emphasizes the importance of action or activism, bridging theory and practice in tangible ways. Inspired by Critical Race Theory, TribalCrit advocates for praxis, where theory informs active change in the examined context. In line with TribalCrit's emphasis on the importance of action or activism, my research bridges theory and practice by not only highlighting the systematic failures and intersecting forms of violence that sustain the crisis but also advocating for tangible solutions informed by Indigenous perspectives. By centring Indigenous voices, my work strives to inspire meaningful change in policy and institutional responses, turning theory into a tool for real-world impact, aligning with TribalCrit's call for praxis. Through this approach, I aim to contribute to both scholarly discourse and community-based activism. Scholars following this approach aim to uncover and dismantle structural inequalities and assimilation processes while creating solutions that address the immediate and future needs of tribal communities. TribalCrit insists that research involving Indigenous Peoples must be community-directed and focused on improving specific communities' circumstances. By prioritizing real-world impact, TribalCrit moves away from colonization and assimilation toward genuine self-determination and tribal sovereignty (Brayboy; 2005, pp.440-441).

Hence, by incorporating the TribalCrit theory and its nine tenets the research approach will offer a comprehensive and nuanced analysis of the factors contributing to the data gap on missing and murdered Native Americans. This theory provides a powerful lens, that guides in understanding the historical, social, and systematic dynamics at play, meantime it offers insights into the complex intersections of colonization, assimilation, and Indigenous identity. Nevertheless, while utilizing Tribal Critical Race Theory (TribalCrit) as a foundational

framework, I acknowledge Brayboy's (2005) own critique that TribalCrit must navigate the complexity of representing diverse Native experiences without generalization. Moreover, Brayboy emphasizes the challenge of integrating traditional Indigenous knowledge with academic theory, which I seek to address by carefully balancing Indigenous voices with institutional critiques. Additionally, TribalCrit's potential risk of essentializing Native identities is a consideration that I mitigate by ensuring the inclusion of varied Indigenous perspectives, allowing for a more nuanced exploration of intersecting forms of violence.

Limitations

Out of the nine tenets posited in TribalCrit's framework, only four of these have been selected as relevant to the analysis. These four include:

1. Colonization is endemic to society.
2. U.S. policies toward Indigenous peoples are rooted in imperialism, White supremacy, and a desire for material gain.
3. Indigenous peoples occupy a liminal space that accounts for both the political and racialized natures of our identities.
4. Indigenous peoples have a desire to obtain and forge tribal sovereignty, tribal autonomy, self-determination, and self-identification.

These tenets focus on the broader impacts of colonization, imperialism, and racial marginalization, which are central to understanding why these cases remain overlooked. Specifically:

- Tenets 1 and 2 highlight the deep-rooted societal and policy-based factors that marginalize Indigenous communities.
- Tenet 3 reflects the unique legal and racial challenges Indigenous people face.
- Tenet 4 emphasizes the importance of tribal sovereignty and autonomy, among key factors in addressing the issue.

The remaining five tenets, while important in other contexts, focus more on cultural, educational, and theoretical aspects that are less immediately tied to the systemic and structural barriers causing the data gap.

Native Feminist Theory

The main research question is dealing with the revealing and identifying factors, that contribute to the data gap on missing and murdered Native American Women and Girls in the USA. Therefore, in this research there should be incorporated a second analytical framework, that

will provide holistic, decolonized, and empowering perspective. Namely, Native Feminist theory, that addresses and underscores the unique experiences and struggles, particularly of Native American women and girls. A traditional feminist theory offers a critical perspective that challenges traditional feminist theories, focusing on the intersecting oppressions faced by Indigenous women. Moreover, it highlights the impact of colonial gender norms and heteronormativity on Indigenous communities, while addressing issues such as forced sterilization, sexual violence, and the removal of children from families. By emphasizing survivance, Native feminist theory underscores the resilience and resistance of Indigenous communities. Additionally, apart from critiquing white feminism, Native feminist theory examines the marginalization of Indigenous women within their communities and movements. It advocates for the recognition of gender diversity and the rights of Indigenous Individuals to define themselves. This theory gives the central importance to the gender justice in decolonization efforts (Sabzalian; 2018, p.364).

An American academic, activist, and feminist Andrea Lee Smith has been primarily focusing on issues of violence against women of color. In her book *'Conquest: Sexual Violence and American Indian Genocide'* she centers on advocacy, global mobilization, violence, reproduction rights, accountability, and reparations. Her research emphasizes on feminism, specifically concerning Native women. On how Native women are struggling within their own communities, where the struggle is directly linked to colonization, sexual violence, and dehumanization. Smith highlights how colonization, racism, and discrimination lead to the usage of sexual violence as a tool of oppression against Native American women. Through the Native Feminist perspective Smith demonstrates how historical trauma and systematic injustice continue to impact Native American communities today. Moreover, Smith claims that rape, according to historical evidence of rape, is used as a tool of control by white colonizers. Compared to white women, women of color are more likely, on a percentage basis, to be victims of sexual assault, sexual assault, human trafficking, and homicide (Sabzalian; 2018, p.353). Additionally, Smith's theoretical approach is critical towards criminal justice system and the way it effects the American Indian population. She explains, that though the Native American group has its own police, it does not prevent the Native population from abuse by Indian Reservation police officers. And since the local police does not have any jurisdiction over Native communities, women must defend themselves.

The colonization and settler colonialism are the reason of the ongoing MMIW crisis (Hawes, et.al.; 2023, p. 197). Namely, violence against AI/AN women is linked to historical and intergenerational trauma, that was caused by colonization and settlers. One of the aims, that

settler colonialism follows is erasure of the Native inhabitants and their culture. Since Indigenous women play the core role in the maintenance of Indigenous social and political order, hence they are subject to settler dominance and control (Hawes, et.al.; 2023, pp.186-187).

The Relevance of the Native Feminist Theory in Addressing the Issues of Native American Women and Girls in the USA

Native Feminist theory becomes a crucial analytical framework in identifying factors, that lead or contribute to the data gap on missing and murdered Native American women and girls. This theory suggests a lens, that will help me to examine different experiences and issues, that Native American women and girls have been facing for more than five hundred years. By incorporating Native Feminist theory, the aim is to provide a holistic understanding of the data gap on missing and murdered Native American women and girls. Moreover, this theoretical framework empowers to advocate for the gender justice within decolonization efforts and work towards addressing the root causes of violence within Indigenous communities and beyond.

Limitations and criticism of the Native Feminist Theory

Leilani Sabzalian references Stone-Mediatore to suggest that all knowledge is inherently partial, meaning no perspective can fully represent an object of study (Sabzalian; 2018, p.362). Instead of seeking how accurately a perspective represents reality, the more critical question becomes the political implications of those perspectives or partialities. This shifts the focus from seeking truth to understanding the consequences and motivations behind certain knowledge claims.

Author mentions another feminist scholars, who argue that feminist standpoint theory should reconsider its relationship to truth and be more assertive about its truth claims. Walby (2001) and Hekman (2004) suggest that rather than retreating into the notion of partial knowledge, feminist theory should more boldly assert what it claims to be true.

In response, theorists like Hartsock and Hill Collins argue that feminist standpoint theory is less about finding an absolute truth and more about understanding power relations and striving for justice. The focus is on analyzing how oppression functions and how to challenge it, rather than on providing a definitive "truth" (Sabzalian; 2018, p.362).

Meanwhile, Sabzalian points out that a standpoint is not simply an individual's subjective view (or perspective). Rather, it is a collective identity or consciousness that oppressed groups

achieve through struggle. This collective standpoint helps marginalized groups understand and resist the systems that oppress them.

Criticism of essentialism

Feminist standpoint theory has faced criticism of essentialism, meaning that some critics have misunderstood it as a claim that there is a unique, universal female experience. In response, theorists such as Harding argue that standpoint theory does not define the universal experience of "*being a female*" but rather focuses on the general oppression and political struggles of marginalized groups (Sabzalian; 2018, p. 363).

Further, the author Sabzalian highlights how various feminist standpoints, such as black feminism, lesbian feminism, and Third World feminism, have expanded and enriched feminist standpoint theory by challenging universalist or Eurocentric assumptions.

These diverse perspectives bring intersectionality to the conversation, highlighting how different forms of oppression (race, gender, class, etc.) overlap and shape experiences of inequality.

Finally, Sabzalian argues that indigenous feminist theories can enrich this framework by drawing attention to issues that are often overlooked in feminist theory, such as the colonial logics embedded in many feminist discourses. Indigenous feminist theories bring new concepts such as land, relationships, and decolonization that are critical to understanding the experiences and struggles of Indigenous peoples (Sabzalian; 2018, pp.362-363).

This research acknowledges several limitations inherent in Native feminist theory as articulated by Leilani Sabzalian and other scholars. First, while aiming to address intersectionality, Native feminist frameworks may struggle to fully capture the complexities of intersecting identities and experiences, risking oversimplification. Second, the emphasis on cultural specificity may hinder the ability to generalize findings across diverse Indigenous communities. Additionally, the potential for misinterpretation of feminist standpoint theories could undermine the intended messages of this research. A predominant focus on power dynamics may inadvertently overshadow other vital aspects of Indigenous experiences, such as cultural practices and community resilience. Furthermore, engaging with diverse feminist perspectives may lead to fragmentation of Native feminist tenets, complicating the maintenance of a cohesive theoretical framework.

The emphasis on activism in TribalCrit may prioritize practical outcomes over theoretical depth, while navigating concerns of essentialism presents further challenges in analyzing

Native women's experiences. By recognizing these limitations, this research aims to develop a nuanced and contextually relevant approach that reflects the complexities inherent in Native feminist theory.

Method

Current research aims to address the systematic inequalities within Indigenous communities in the USA. Therefore, understanding the data gap on missing and murdered Native American women and girls and exploring contributing factors to this issue are crucial. Therefore, the methodological approach, in connection with TribalCrit and Native Feminist theories, aims to provide the analysis of existing data and shed the light on the issues, faced by Native American women and girls in the USA.

I begin the method chapter by justifying the selection of qualitative methods, particularly document analysis, as the most appropriate approach for this study. Drawing on the strengths of qualitative research in exploring complex social phenomena and centering Indigenous perspectives, document analysis offers a means to examine existing data sources comprehensively while aligning with the theoretical underpinnings of TribalCrit and Native Feminist theories. Further, I will mention the challenges and limitations while conducting the research.

Qualitative Research Method

Three qualitative concepts by Sarah Tracy: self-reflexivity, context, and thick description.

Self-reflexivity

Self-reflexivity is when individuals carefully consider how their experiences from the past and perspectives have the influence on their interactions or interpretations within a given context. Qualitative researchers, instead of disregarding this influence, acknowledge them. What shapes the researcher's approach is his own unique background, personal beliefs, and life experiences. Therefore, being self-reflexive means being aware of these influences by constant reevaluation of their impact on research (Tracy; 2019, p.2-3).

In researching the data gap on missing and murdered Native American women and girls in the USA, *self-reflexivity* requires acknowledging of the researcher's own background and biases, particularly concerning issues of race, culture, and power dynamics. Hence, I must critically reflect on how my own identity and perspective may influence the understanding on the

Missing and Murdered Indigenous Women and Girls (MMIWG) crisis. Since I am not a member of the Native American tribal community, this eliminates any biases while conducting the research, but ensures the sensitivity and respect towards Indigenous communities.

Context

The second qualitative concept is the **context**, that refers to the environment or setting in which qualitative research takes place. For instance, researchers immerse themselves settings, whether it is a company meeting, community even or interview, to understand it from a deeper perspective. Hence, by paying attention to small details, researchers can make sense of the context and draw larger conclusion on the subject matter. Compared to other scientific research that aims to isolate variables, qualitative research embraces the rich specificity of the context, recognizing that meaning is intertwined with the environment in which it occurs (Tracy; 2019, p.3).

Understanding the context of the MMIWG crisis involves examining the historical, social, and political factors that contribute to this issue. This includes exploring the legacy of colonization, systematic racism, and the jurisdictional complexities that limits access of Indigenous communities to justice and resources. By *contextualizing* the current research within the broader socio-cultural framework, I gained a deeper understanding of the root causes of the MMIWG crisis.

Thick description

Thick description is the last concept, that involves immersing oneself in a culture or setting to investigate its unique circumstances before drawing any broader conclusions or theories. This concept recognizes that meaning cannot be separated from the intricate details of a specific context. For instance, Sarah Tracy (2019) provides an example of the significance of a person's 'wink', that can vary depending on the context in which it occurs. Therefore, by providing a rich description of the background and circumstances surrounding the action, researchers can interpret its meaning better and predict future behavior (Tracy; 2019, p.3-4).

Thick description is essential for capturing the complexity of the MMIWG crisis and providing detailed narratives of the experiences and circumstances surrounding missing and murdered Native American women and girls. By utilizing qualitative methods, using the narratives and analyzing the relevant documents and governmental reports I can uncover the intersecting forms of violence and systematic failures within institutions that prolong the crisis.

In conclusion, by integrating three qualitative concepts by Sarah Tracy on missing and murdered Native American women and girls in the USA, it has developed a deeper understanding of the Missing and Murdered Indigenous Women and Girls (MMIWG) crisis.

Choosing a Suitable Research Method

It is essential to select an appropriate research method for in-depth research on complex social phenomena. Due to some faced limitations in obtaining in-depth interviews, qualitative document analysis was found to be the most appropriate method for identifying gaps in the data on missing and murdered Native American women and girls in the United States.

Document Analysis Definition

Document analysis is a systematic method used to review and evaluate various types of documents, including both printed and electronic materials. Like the other qualitative research approaches, document analysis involves examining and interpreting data to uncover meaning, deepen understanding, and develop empirical knowledge. Documents encompass text and images that are recorded without direct intervention from the researcher. This discussion focuses specifically on textual materials and excludes other forms of mute or trace evidence, such as cultural artifacts. Documents are considered "social facts," as they are created, shared, and utilized within social contexts (Bowen; 2009, p. 27).

While document analysis often complements other research methods, it can also stand alone, as seen in specialized qualitative research contexts. For instance, in historical research, content or policy analysis, case studies, literature review. Therefore, documents serve various important functions in the research procedures. Glenn Bowen identifies five specific roles that documentary materials play:

Contextual Insight: Documents offer valuable data on the context within which research participants operate, providing historical background and insight into past events. This information aids researchers in understanding the historical roots of specific issues and contextualizing data collected from interviews (Bowen; 2009, p. 29-30).

Question Generation: Information contained in documents can prompt new questions and guide observational activities during research. For instance, document analysis can help generate fresh interview questions, as demonstrated by Goldstein and Reiboldt (2004) in their ethnographic study of urban communities.

Supplementary Data: Documents provide additional research data that enriches the knowledge base. Researchers often utilize documents such as newspaper reports, policy documents, or

journal entries alongside interview data to gain comprehensive insights into their research topics.

Tracking Change: Documents serve as a means of tracking changes and developments over time. By comparing various drafts or examining periodic reports, researchers can identify subtle shifts or significant developments within organizations or programs.

Verification and Corroboration: Sociologists commonly use document analysis to verify and corroborate findings from other sources. When information from documents aligns with data from other sources, it enhances the credibility of research findings (Bowen; 2009, p. 30).

In summary, documents offer background context, generate new questions, provide supplementary data, track change, and verify findings. They are particularly valuable when events are no longer observable or when informants' recollection of details is limited. However, researchers must approach document analysis with caution, recognizing that documents are social artifacts and should be treated seriously for their intended purposes.

Data Samples

The data generation implies the selection of specific texts or documents for analysis, which constitutes a form of sampling (Krippendorff; 2019). When investigating the data gap regarding missing and murdered Native American women and girls in the United States, it is critical to build on previous research through document analysis. This approach enabled me, as the researcher, to delve into historical records, governmental reports, legal documents, and scholarly literature, disclosure of fundamental systemic factors and cultural dynamics contributing to the issue. By examining diverse documents, I have identified common challenges, cultural perspectives, and potential solutions across Indigenous communities. Document analysis finds relevance in qualitative case studies, where it offers rich descriptions of phenomena, events, organizations, or programs. Documents, ranging from reports to internal correspondence, provide valuable empirical data, aiding in understanding contexts and uncovering insights relevant to research problems (Bowen; 2009, p. 29).

The qualitative document analysis method will help to review and select relevant information from the journal articles, reports (NamUs)³ or any additional sources, that will be primarily focused on systematic issues faced my missing and murdered Native American women and girls in the USA.

³National Institute of Justice (NIJ), What is NamUs?, <https://namus.nij.ojp.gov/what-namus>

Data Analysis

While researchers usually incorporate previous literature into their studies, the list of analyzed documents often excludes previous studies. However, previous studies are valuable sources of data, necessitating researchers to rely on descriptions and interpretations of data rather than accessing raw data for analysis. The analytic process in document analysis involves several steps, including finding, selecting, appraising, and synthesizing data from documents. This process generates data in the form of excerpts, quotations, or passages, which are then organized into major themes, categories, and case examples using *content analysis* technique (Bowen; 2009, p. 28). Content analysis must confront initial inquiries about the origins of existing texts, their intended significance, their role in connecting past and present circumstances, and fundamentally, their capacity to provide accurate insights into their contexts. Therefore, the rationale behind content analysis methodologies is justified not solely by adherence to recognized principles of systematic data examination (such as efficiency and impartiality), but also by considering the contextual framework within which texts are examined (Krippendorff; 2019). According to Glenn Bowen, the process of content analysis is a way of organizing information into categories related to the central question of any study (Bowen; 2009, p. 32). In the case the research of missing and murdered Native American women and girls in the USA, understanding the historical, cultural, and socio-political context is crucial for the accurate interpretation of the findings. Moreover, it is also connected to the methodological approach of document analysis, which involves systematically examining documents to uncover insights to the factors contributing to the issue of missing and murdered Native American women and girls.

Limitations and Challenges

Challenges in Obtaining Interviews

For the transparency, it's important to acknowledge the challenges encountered in this research. Regardless of the chosen method, every study faces limitations. One significant challenge I faced was trying to interview community representatives, victims, and family members. Several factors made arranging interviews difficult. Time constraints, distance, and the busy schedules of organizations dealing with missing and murdered Indigenous people all played a role. Despite attempting interviews since October 2023, I have received no replies.

Fortunately, my relative in North Dakota has helped connect me and the founder of the Missing and Murdered Indigenous Women and Relatives (MMIWR) organization. We planned to

conduct interviews, but responses took a long time due to the organization's real-life commitments. Unfortunately, a personal loss experienced by the MMIWR founder further changed our plans.

Attempts to engage with other organizations via email, such as the Missing and Murdered Indigenous Women in the USA, Native Hope organization, and Missing and Murdered Indigenous Relatives Office, were unsuccessful.

The absence of interviews is a limitation of this study. Direct interactions with those affected by the issues would have provided valuable insights. Despite this setback, alternative data sources like document analysis have helped shed light on the factors contributing to the data gap on missing and murdered Native American women and girls in the USA.

Limitations of the document analysis method

The author Glenn Bowen argues that while document analysis offers not only several advantages, but it also has its limitations (Bowen; 2009, p. 31). Instead of calling those ‘major disadvantages’, he calls it ‘three potential *flaws*’, such as:

Limited perspective: Documents can be created for the purposes other than research and may lack sufficient detail to answer research questions adequately, therefore documents might not always provide a comprehensive view of the issues or phenomenon under the study.

Potential bias in document selection: The selection of documents for analysis may introduce bias since it can be unintentionally or intentionally chosen certain types of documents over the others.

Low Retrieval Ability: In some cases, it can be challenging to obtain documents, and sometimes efforts may deliberately be made to prevent access to them (Bowen; 2009, p. 31-32). For example, the MMIP database is query-based. Due to the privacy of Indigenous data, a request must be made to obtain the required data, after which access to the data will be approved or denied.⁴

Overall, while document analysis has its limitations, its efficiency and cost-effectiveness making it a valuable research method. Document analysis is less time-consuming as it involves data selection rather than collection, making it a more efficient method. Many documents, especially with the rise of the Internet, are easily accessible in the public domain without needing authors' permission, making them attractive for research. And given my research area

⁴Sovereign Bodies Institute, Request for Information on Missing and Murdered Indigenous Women and Girls, <https://www.sovereign-bodies.org/request>

and its limitations in accessing data or difficulty in contacting the representatives of Indigenous communities directly, having free access to the documentation is critical to research on missing and murdered Native American women and girls in the United States. Moreover, the documents provide broad coverage of long periods of time, events and conditions, offering a comprehensive view on the issue (Bowen; 2009, p. 31).

Analysis

Addressing data gaps is crucial for upholding human rights, as missing or incomplete data obscures the scale of issues such as violence, discrimination, and inequality. Without accurate information, marginalized groups—like Indigenous communities—remain invisible, hindering efforts to address their needs and protect their rights. In the following section I will briefly provide the insight on already existing data on missing and murdered Native American women and girls in the USA. Further, I will identify the possible factors contributing to the issue of data gap on missing and murdered Native American women and girls in the USA.

Current State of Statistics

According to the National Missing and Unidentified Persons System (NamUs), in the United States over 600,000 persons every year go missing. Despite the progress in solving cases, tens of thousands of people remain missing for more than a year. Currently, there are only two federal data bases that collect the demographic data on missing and murdered individuals within the United States (Hawes, et.al; 2023). The National Crime Information Center (NCIC)⁵, that provides summary statistics to the public since it belongs to an FBI and can be used only by law enforcement agencies. The National Missing and Unidentified Persons System (NamUs) can be used by anyone, but the sensitive data is only accessible to qualified and verified users.⁶ NamUs offers free database technology and investigative assistance to solve cases involving missing indigenous individuals, as well as cases of murdered indigenous individuals with unidentified identities. Moreover, NamUs helps with cases involving indigenous individuals who have not been identified, and whose cause of death is unknown or was not a result of homicide. Currently, NamUs is involved in outreach activities in tribal communities nationwide.⁷ According to the data from the National Crime Information Center, which only provides summary statistics to the public, there were nearly 563,389 entries for missing persons (NCIC; 2023).⁸ Where 5,801 are Native American women and girls. Despite the improvement of the possibility of reporting missing and murdered individuals in the United States, there are still some challenges in identifying the exact number of missing and murdered Indigenous people. While reporting on missing and murdered of the multiple races, very often

⁵Federal Bureau of Investigation (FBI), National Crime Information Center (NCIC), <https://le.fbi.gov/informational-tools/ncic>

⁶National Institute of Justice (NIJ), What is NamUs ,<https://namus.nij.ojp.gov/what-namus>

⁷National Institute of Justice (NIJ), <https://namus.nij.ojp.gov/frequently-asked-questions#17-0>

⁸Federal Bureau of Investigation (FBI), National Crime Information Center (NCIC), <https://le.fbi.gov/file-repository/2023-ncic-missing-person-and-unidentified-person-statistics.pdf/view>

occurs that the categories of races can be combined or mixed. Indigenous people can be grouped into ‘other’ categories, which sometimes makes it impossible to identify the exact number of missing or murdered Indigenous people. For instance, in the NCIC data there is a category, called ‘unknow race’, meaning that it can include misidentified Indigenous people (Wyoming; p.15).

Factors Contributing to Data Gaps

Colonialism and Its Enduring Effects

Indigenous communities were historically egalitarian, in contrast to European, where women were consider property and lacked basic rights:

“Indigenous communities were either matriarchal or matrilineal and, at the time when the Europeans came over, European women weren’t even considered human beings; they were the property of the men.” (Baskin; 2019).

When Europeans imposed their patriarchal structures, Indigenous gender systems were heavily transformed. The colonizers brought with them a worldview that subordinated women:

“[the colonizers], steeped in patriarchy, complained about the lack of male control over women and set out to change that.” (Fenton and Moore; 1969).

This shift reflects TribalCrit's first tenet, which argues that colonialism is endemic to society and continues to shape Indigenous lives; in this case some of that were the gender roles. The imposition of European patriarchy diminished Indigenous women’s roles, marginalizing them within their communities and embedding a patriarchal structure that persists today.

Native feminist theory further explores how colonialism specifically targeted Indigenous women and disrupted traditional gender roles. Before European contact, women were respected as leaders, decision-makers, and warriors:

“Women were the wisdom-keepers; they taught children about the qualities of a good leader and were responsible for resolving internal disputes and healing their communities.” (Baskin; 2019).

And, notably how:

“Women were not only leaders and teachers, but also, in many Indigenous societies, warriors.” (Baskin; 2019).

This is in stark contrast to the current view of NA women, who are seen as repressed and without their traditional power and autonomy. Therefore, this colonial legacy continues to affect NA women, where they now fear of being silenced by community pressures. These factors contribute to the underreporting of violence, abuse, and disappearances, resulting in a significant data gap that obscures the full extent of the challenges Native American women face.

Systemic Racism, Imperialism, and White Supremacy

The NA women's suffering of systemic racism, imperialism and white supremacy is deeply contextualized by TribalCrit's second tenet, which posits that U.S. policies toward Indigenous peoples are fundamentally rooted in imperialism, white supremacy, and the desire for material gain. Additionally, Native feminist theory emphasizes the devaluation of Indigenous women, both historically and in present time. Together, these frameworks illuminate the ways in which historical injustices persist and create barriers that contribute to the ongoing data gap in reported cases of violence against Native American women.

The legacy of colonialism has fundamentally altered the social fabric of Indigenous communities, particularly for women:

“As a Native woman, you always know that you will be viewed as a woman of color, hence your politics will be race-based, your analysis marginalized, and your experience seen as limited” (Baxter; 2013).

This observation highlights the intersection of race and gender, emphasizing that Native women are often placed within a context that limits their agency and distorts their experiences. The systemic racism faced by Native women is not merely a social ill; it is embedded within the structures of power that govern their lives, as noted

“Racism and oppression have... become a ‘part of the social fabric’” (Smith; 2005, p. 8).

This systemic nature means that Native American women are often dehumanized and marginalized in both public and private spheres. In turn, this makes their problems forgotten in the public and invisible in daily life.

The historical context of imperialism and its impacts on Native communities cannot be overlooked. Imperialism is characterized by the domination and exploitation of marginalized groups, and Native American women have been particularly affected:

“U.S. colonizers view the subjugation of women of the Native nations as critical to the success of the economic, cultural, and political colonization” (Smith; 2005, p. 15).

The sexual violence inflicted upon Indigenous women serves as a tool of control, creating a narrative of dehumanization that facilitates broader acts of violence against Indigenous communities. This narrative is compounded by stereotypes that paint Native people as inherently violent or dysfunctional:

“Native peoples are portrayed by the dominant culture as inherently violent, self-destructive, and dysfunctional” (Smith; 2005, p. 13).

These representations contribute to a societal indifference toward the majority of Native women, framing their suffering as a reflection of their identity rather than a consequence of systemic oppression.

The culmination of these factors leads to a significant data gap in reported cases of violence against Native American women. When systemic racism, imperialism, and white supremacy intertwine, they create an environment where Indigenous women are hesitant to report crimes due to fear of disbelief or retribution. As explained,

“Native peoples are a permanent ‘present absence’ in the U.S. colonial imagination, an ‘absence’ that reinforces at every turn the conviction that Native people are indeed vanishing” (Smith; 2005, p. 9).

This perception perpetuates the idea that Native women’s experiences are less valuable or worthy of attention, thereby fostering a culture of silence around their suffering.

As such, the absence of comprehensive and culturally competent support systems contributes to underreporting. When systemic barriers exist, it becomes increasingly difficult for Indigenous women to seek justice or report abuse, creating an alarming lack of visibility regarding their struggles. The result is an incomplete understanding of the prevalence of violence against Native American women, reinforcing the data gap that obscures the true scale of the issue.

Tribal Sovereignty, Indentity, and Indigenous Autonomy

TribalCrit’s third tenet emphasizes how *Indigenous peoples occupy a liminal space that accounts for both the political and racialized natures of our identities*, while its fourth tenet highlights *that indigenous peoples have a desire to obtain and forge tribal sovereignty, tribal autonomy, self-determination, and self-identification (Brayboy; 2005, pp. 429)*. These tenets are interconnected and illustrate the cultural and systemic challenges that contribute to the data gap regarding violence against Native American women.

Many Indigenous women experience a deep distrust of law enforcement, rooted in historical and ongoing experiences of marginalization and discrimination. As noted:

“... some respondents mentioned that victims might distrust law enforcement, either due to past personal experiences and/or from others’ experiences (e.g., family, close friends).” This lack of trust leads victims to hesitate in reporting abuse, further exacerbating the already significant data gap. Jane’s observation that she has “seen extreme cases not be believed because it ‘seems too extreme to have happened’” (Gilbert., et.al;2023).

This illustrates how Indigenous women’s experiences have often been dismissed and as such, it has perpetuated a culture of silence and underreporting.

The complexities of jurisdiction also contribute to this gap, as many offenses may fall under different court systems. In many instances,

“in many tribal territories, NA and non-Native offenses go to different court systems.” (Jock, et.al; 2022, p.10).

This jurisdictional confusion complicates the reporting and prosecution of crimes, often leaving Indigenous women without adequate legal recourse. The separation of legal jurisdictions undermines the authority of tribal courts, further marginalizing Indigenous voices and limiting their access to justice. It can be inferred that this legal fragmentation increases the likelihood of underreported cases.

In many tribal communities, the inadequacy of law enforcement resources creates further challenges. One significant outcome is that

“tribal communities without a tribal police force are left unprotected by local law enforcement due to slow or inadequate responses.” Even in communities with tribal police, there are often issues of being “undertrained and underpaid,” (Jock, et.al; 2022, p.10).

The lack of resources, combined with

“inadequate communication systems and geographic isolation,” (Jock, et.al; 2022, p.10)

can result in slow responses when Indigenous women call for help, further compounding the challenges they face in reporting abuse or seeking assistance.

The systemic failures in law enforcement, combined with a history of marginalization and racism, contribute to the underreporting of violence against Native American women. As a result, the data gap regarding their experiences remains significant, obscuring the realities of their suffering and hindering efforts to address these issues within broader societal contexts.

Intersectionality and the Marginalization of Indigenous Women

Native Feminist theory emphasizes the interconnectedness of race, gender, and cultural identity, illustrating how these factors compound the marginalization and oppression of Indigenous women. The experiences of Native women cannot be understood through a single lens; instead, they must be viewed within the broader context of systemic inequalities that intersect in their lives.

For many Indigenous women, complex family dynamics complicate their ability to seek help when facing abuse. As noted,

“Complex family relationships with abusers sometimes left survivors lacking essential support. Participants described the fear of being ostracized from their family for speaking out about abuse. Some participants reported that it was even more difficult for victims to speak up when violence was common in the community and that they risk becoming the ‘black sheep’ of the family for speaking up against their partners. Others mentioned the influence of family reputation and not wanting the abuse to reflect badly on the family. Interviewees particularly highlighted concerns that their families would defend the abuser.” (Jock, et.al; 2022, p.9).

This highlights the intricate web of familial ties that can both provide and hinder support. The fear of being ostracized from their family for speaking out about abuse creates an environment where silence is often prioritized over seeking justice or healing. Many women fear becoming the “*black sheep*” of the family for speaking up against their partners, as described by the participants (Jock, et.al; 2022, p.9). This fear is compounded in communities where violence may be prevalent, leading to a culture of silence that discourages victims from coming forward.

Additionally, spiritual practices and cultural coping mechanisms play a vital role in how Indigenous women navigate their experiences of trauma and violence. One participant remarked,

“When I’m havin’ a hard time, sometimes I would pray in [my Native language] and hope that they would understand me better and just help me on those days where I’m havin’ a hard time.” (Jock, et. al; 2022, p.13).

This highlights the reliance on cultural spirituality as a means of coping rather than seeking help from formal systems. While spiritual practices can provide comfort and a sense of community, they may also contribute to the underreporting of abuse, as women may turn to cultural practices rather than legal or institutional support.

In essence, Native feminist theory's focus on intersectionality underscores how the unique experiences of Indigenous women are shaped by cultural, familial, and societal pressures. These intersections not only marginalize Native women but also create significant barriers to reporting violence and accessing justice. The cumulative effect of these factors contributes to the data gap regarding violence against Native American women, as the complexities of their lived experiences are often overlooked or misunderstood within broader societal frameworks.

Devaluation of Indigenous Identity and Disregard for Indigenous Knowledge Systems

Native Feminist theory highlights the devaluation of Indigenous women as a fundamental aspect of broader colonial narratives that continue to shape their lived experiences and the systemic barriers they face. This theory emphasizes how historical and contemporary representations have marginalized Indigenous women, perpetuating stereotypes and reinforcing societal biases. It is noted that

"biased understandings of how contemporary Native Americans look, sound, and behave permeate U.S. society,"(Eason, et. al; 2018, p.71)

resulting in a

"recursive cycle of low expectations, prejudice, and discrimination" (Eason, et.al; 2018, p.71)

that undermines the well-being of Native peoples, particularly women.

The disregard for Indigenous knowledge systems, also highlighted by Native feminist theory, further exacerbates this situation. The marginalization of Indigenous women within feminist movements illustrates how their voices are often sidelined. It is observed that

"even within feminist circles, the colonial logic prevails that women of color, indigenous women, and women from Global South countries are only victims of oppression rather than organizers in their own right" (Smith; 2005, p. 25).

This framing reduces Native women to mere statistics of victimhood, stripping them of their agency and resilience, and further perpetuating the idea that they do not have the capacity to advocate for themselves.

Indigenous women often bear the brunt of these negative representations, which depict them as *"uncivilized"* and deny their agency and contributions to their communities (Eason, et.al; 2018, p.72.) It is observed that

"the institution most responsible for creating and transmitting biased representations is the media" (Eason, et.al; 2018, p.74).

This lack of positive, contemporary representations further entrenches stereotypes that devalue Indigenous women and their roles within both their communities and society at large. Such portrayals obscure the diversity and richness of Indigenous cultures and perpetuate the notion that Native women are less capable of leadership, governance, and self-determination.

Furthermore, the systemic devaluation of Indigenous women significantly contributes to the data gap surrounding their experiences and needs. It is discussed how

"interactions between Native Americans and the legal system not only perpetuate distrust but also promote racial disparities that undermine Native peoples' well-being and livelihood."

(Eason, et.al;2018, p.72).

This disconnect between the realities faced by Native women and the perceptions held by institutions results in insufficient data collection, funding, and support services tailored to their specific needs. For instance, the historical removal of Native children from their families and the biases that underlie such policies have roots in the misrepresentation of Native family structures and communal childrearing practices. The removal of Native children was fueled by cultural bias against Native ways of being, reflecting a broader misunderstanding of Indigenous family dynamics.

In summary, Native Feminist theory underscores the intersectionality of Indigenous women as a critical factor in understanding the intersection of race, gender and identity. It reveals how biased representations and systemic neglect contribute to a significant data gap regarding the experiences and needs of Native American women.

Conclusion of the analysis

The confluence of colonialism, systemic racism, imperialism, and patriarchal structures has created a profound data gap regarding missing and unreported cases of violence against Native American women. Historical injustices have destabilized traditional gender roles, marginalizing Indigenous women and stripping them of their social and political power. This marginalization is compounded by the intersecting effects of systemic racism and white supremacy, which dehumanize Native women and render their experiences invisible within both societal and legal frameworks.

The lack of trust in law enforcement, rooted in a history of discrimination and ineffective responses to violence, exacerbates the underreporting of crimes against Native women. Jurisdictional complexities further complicate their ability to seek justice, often leaving them without adequate legal recourse. Additionally, familial and community dynamics create

significant barriers to reporting abuse, as fear of ostracization and concern for family reputation deter victims from coming forward.

Cultural practices and spiritual coping mechanisms, while providing comfort, may also contribute to the reluctance to engage with formal systems of support. The negative stereotypes and devaluation of Indigenous identity perpetuated by mainstream media and societal biases further undermine the visibility and recognition of Indigenous women's struggles. Together, these factors create a cycle of silence and neglect, obscuring the true scale of violence against Native American women and hindering efforts to address their needs effectively.

Discussion

The profound data gap regarding violence against Native American women can be addressed through a multifaceted policy approach that considers the historical, social, and cultural contexts of Indigenous communities. One key area of focus is enhancing data collection and reporting mechanisms. The lack of nuanced and accurate data about Native American women affects policy-making and resource allocation while reinforcing the idea that their experiences and challenges are less significant or worthy of attention. It is asserted that

"creating more accurate representations—and thus understandings—of Native students paved the way for their success," (Eason, et.al;2018, p.76).

suggesting that similar approaches could significantly impact the recognition and support of Indigenous women.

Therefore, establishing standardized data protocols across federal, state, and tribal agencies is essential to ensure that cases involving Native American women are systematically recorded. Moreover, empowering tribal nations to take ownership of their data collection processes would allow for more accurate and culturally relevant data to be gathered. This ownership is crucial not only for the credibility of the data but also for fostering trust between Indigenous communities and governmental bodies.

According to the IACHR (Inter-American Commission on Human Rights):

"Effective access to justice for indigenous women can only be achieved if two major obligations are fulfilled by the State: firstly, respect for the standard of due diligence, which requires the prevention, investigation, punishment, and redress of human rights violations

against indigenous women; and secondly, the implementation of intercultural, gender-based, and multidisciplinary perspectives in the judicial system.”(IACHR, 2017, p.94).⁹

Focusing on these two obligations not only enhances the accessibility of justice for Indigenous women but also contributes to the broader goals of human rights protection and empowerment.

Another critical element is the development of community-based reporting systems. By creating anonymous reporting options, victims can come forward without fear of ostracization or stigma, which has historically deterred individuals from seeking help. Outreach programs aimed at educating communities about reporting options and available resources can further encourage individuals to engage with these systems. In conjunction with these initiatives, law enforcement training that emphasizes cultural competency and the historical context of colonialism and systemic racism is essential. Such training would facilitate a more respectful and effective response to reports of violence, helping to rebuild the trust that has been severely undermined by past injustices.

Addressing jurisdictional complexities is another vital aspect of improving the situation for Native American women. Reforming laws to clarify these complexities can help streamline cooperation between tribal, state, and federal law enforcement agencies, ensuring that victims have clearer avenues for seeking justice. Furthermore, providing legal support services tailored to Native American women can empower them to navigate the legal system more effectively, ensuring that they are aware of their rights and the resources available to them.

In addition to these legal and procedural reforms, culturally relevant support programs must be developed. By integrating cultural practices and spiritual coping mechanisms into formal support services, policymakers can acknowledge and respect the unique needs of Indigenous women. Community healing initiatives that promote dialogue and sharing among victims and their families can also foster resilience and support networks, which are crucial for recovery.

Looking at analogous policies implemented for other indigenous tribes around the world provides valuable insights. For instance, Canada's National Inquiry into Missing and Murdered Indigenous Women and Girls (MMIWG) emphasized comprehensive data collection, accountability, and the importance of culturally appropriate services.¹⁰ Recommendations from

⁹ Inter-American Commission on Human Rights (ACHR), *Indigenous Women and Their Human Rights in the Americas*, OEA/Ser.L/V/II. Doc.44/17, <http://www.oas.org/en/iachr/reports/pdfs/indigenouswomen.pdf>

¹⁰ Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC), *Indigenous Peoples and Treaties*, <https://www.rcaanc-cirnac.gc.ca/eng/1717103903695/1717103981609#>

this inquiry, such as improved policing practices and community engagement, can serve as a model for addressing similar issues in the United States.

Moreover, drawing on an analogous example of the handling of Indigenous tribes in New Zealand, the Māori Health Strategy, known as He Korowai Oranga, emphasizes culturally appropriate services and community empowerment.¹¹ This approach highlights the significance of tailoring health and safety services to Indigenous populations, which could be beneficial for Native American communities as well. Australia's Close the Gap Campaign further illustrates the importance of improving health and wellbeing outcomes for Aboriginal and Torres Strait Islander peoples through better data collection and community involvement.¹²

Incorporating international human rights frameworks, such as the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)¹³, can also advocate for Indigenous rights, including self-determination and data sovereignty. Such frameworks stress the need for Indigenous perspectives to shape policies affecting their communities, reinforcing the importance of their agency in these discussions.

Lastly, examining the Alaska Native Claims Settlement Act (ANCSA) reveals how granting land and resources to Alaska Natives promoted self-governance and economic development.¹⁴ Policies that support similar rights for Native American tribes can enhance their autonomy and capacity to address violence within their communities effectively.

In conclusion, a comprehensive and culturally sensitive approach is essential to minimizing the data gap surrounding violence against Native American women. By implementing strategies that draw from successful policies employed in other indigenous contexts, it is possible to create a framework that not only addresses immediate concerns but also empowers Native American communities to reclaim their narratives and enhance their safety and well-being.

¹¹Ministry of Health, New Zealand, He Korowai Oranga: Māori Health Strategy, <https://www.health.govt.nz/publications/he-korowai-oranga-maori-health-strategy>

¹²Australian Government, Closing the Gap, <https://www.closingthegap.gov.au>

¹³United States Agency for International Development (USAID), Indigenous Peoples, <https://www.usaid.gov/indigenous-peoples-0#:~:text=While%20not%20endorsing%20the%20UNDRIP,agreed%20to%20support%20the%20Declaration.&text=In%20June%20of%202016%2C%20the,the%20Rights%20of%20Indigenous%20Peoples>

¹⁴Bureau of Indian Affairs (BIA), Alaska Native Claims Settlement Act (ANCSA) Program, <https://www.bia.gov/regional-offices/alaska/ancsa-program>

Conclusion

The research on missing and murdered Indigenous women and girls (MMIWG) in the USA highlights a critical data gap rooted in systemic inequalities exacerbated by historical injustices, colonialism, and intersecting forms of oppression. Utilizing a methodological framework that combines TribalCrit and Native Feminist Theory, the study effectively illuminates the socio-cultural and historical contexts that underpin this crisis. By employing qualitative document analysis, the research captures the nuances of Indigenous experiences and perspectives, ensuring that the voices of affected communities are central to the analysis.

The insights gained from the analysis reveal the profound impact of colonial legacies and systemic racism on the reporting and documentation of violence against Native American women. These factors contribute to a cycle of silence and neglect, which hinders the visibility of Indigenous women's struggles within societal and legal frameworks. Moreover, the challenges posed by jurisdictional complexities and the lack of trust in law enforcement further complicate the pursuit of justice, creating barriers that deter victims from seeking help.

In light of these findings, the discussion emphasizes the importance of implementing culturally relevant strategies to address the data gap. Future implications call for a multifaceted approach that prioritizes community engagement, enhances data collection methods, and fosters trust between Indigenous communities and law enforcement agencies. By empowering tribal nations to control their data and by integrating cultural practices into support services, policymakers can develop more effective and accessible systems for reporting and addressing violence against Native American women.

Ultimately, bridging the data gap surrounding MMIWG requires a commitment to justice, healing, and empowerment for Indigenous communities. By drawing on successful models from other Indigenous contexts and centering Indigenous perspectives in policy development, there is a significant opportunity to rectify historical injustices and pave the way for a more equitable future. This research not only highlights the urgent need for action but also serves as a call to recognize and validate the lived experiences of Native American women, ensuring that their voices are heard and valued in the ongoing struggle for safety and justice.

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