Is it Time for the Washington Redskins to Change Their Name?

Three weeks ago, the Supreme Court pronounced the 17-year lawsuit against the Washington Redskins dead. By declining to hear Harjo v. Pro Football, Inc., the justices offered the final verdict on a back-and-forth case against the team’s trademarks on "Redskins," "Skins," and "Redskinettes." This is not the end of the battle, but it is a significant victory for Redskins Owner Daniel Snyder and his franchise.

Suzan Shown Harjo filed the lawsuit with the Trademark Trial and Appeal Board in 1992. Although the suit only dealt with the team’s trademark, Harjo's goal was to convince the owners to change the name entirely. The suit alleged that the team violated the Lanham Act of 1946, which states that any trademark “which may disparage or falsely suggest a connection with persons, living or dead, institutions, beliefs, or national symbols, or bring them into contempt, or disrepute” shall be refused registration.

Owner George Preston Marshall claimed to have renamed his professional football team the Redskins in 1933 after his American Indian coach. Harjo says the term “redskin” originated in the 1600s and 1700s, when bounty hunters brought back redskins, the skin of dead Indians. However, Smithsonian Institute scholar Ives Goddard could not find evidence to defend Harjo’s claim. Goddard argues that the term was one of self-identification used by American Indians.

Longtime owner Jack Kent Cooke dismissed claims that the name was racist, derogatory, or demeaning to American Indians, although in 1991 the National Congress of American Indians endorsed a resolution urging organizations including the Redskins to “abandon caricatures of American Indians that promote negative images and racism.” The controversy attracted
national attention in 1992 when the team played in Super Bowl XXVI. Over 3,000 protestors stood outside the Metrodome on a sub-zero day, but many saw them as what former Redskins guard and current ESPN football analyst Mark Schlereth thought of as “a lunatic fringe.”

In 1999, Harjo won the case. The NFL appealed to the US District Court for the District of Columbia, who overturned the original ruling in four years later. The District Court cited laches, a doctrine that states that if plaintiffs wait beyond a reasonable length of time to file a lawsuit, it may be dismissed. Harjo did not sue until 25 years after the Redskins attained their trademark. The Court of Appeals affirmed the District Court’s decision in May.

The controversy over American Indian nicknames and mascots in sports is nothing new. In the early 1970s, several colleges abandoned nicknames that referenced American Indians, including the Eastern Washington Savages (who became Eagles), and the Stanford Indians (who became the Cardinal). The second wave hit in August 2005, following the enactment of a new NCAA rule that prevents schools “with Native American nicknames, mascots, or imagery from hosting NCAA championships” and “restricts them from wearing uniforms or other paraphernalia that depict nicknames or images while competing in NCAA championship events.”

This rule brought about a change at the University of Illinois that activist Charlene Teters had been fighting for since 1988, when she brought a sign that said “American Indians Are Human Beings, Not Mascots!” to a university basketball game. In 2007, the university’s Board of Trustees retired Chief Illiniwek, their controversial mascot, citing the new policy.

Florida State University is one institution that received an exemption from the NCAA for their Seminole mascot, because the university had the support of the Seminole tribe. The NCAA also granted FSU permission to continue a tradition in which Osceola, a Seminole warrior, rides out on a horse and throws a flaming lance at the start of each football game.
In professional sports, the Cleveland Indians and Atlanta Braves have both come under pressure to change their names and traditions. The Indians’ logo is a caricature of an American Indian named Chief Wahoo, but the team has reduced his role in recent years. Braves fans are infamous for their "tomahawk chop," when they chant and wave their arms in unison. The organization came under fire from Minnesota politicians during the 1991 World Series against the Twins, but there has been no steady pressure for change in Atlanta.

Keep the Name

The most common argument in favor of keeping the nickname is that polls show a majority of Native Americans do not feel that the name should be changed. The National Annenberg Election Survey conducted one such poll in 2004 as part of its nationwide survey. Adam Clymer, the Political Director for the NAES at the time, inserted a question for Native Americans respondents only, asking if the name “Redskins” bothered them.

Of the 768 Natives who responded, 90% said the name did not bother them, and 9% were offended by it. Will Allensworth, former editor of HogsHaven.com, a Redskins fan blog, believes that if a majority of American Indians are not offended, the team should keep its name. Acting on behalf of a group who is not offended is “paternalistic” and “absurd,” he says. Schlereth agrees that it is not his place to decide if the term is offensive.

“Who am I to say if it is a derogatory term or not?” Schlereth asks. “I am not Native American.”

If American Indians did want to see the elimination of these team names and mascots, they should start on their own reservations. Many reservation schools have names like “Braves” and “Indians,” so it is hypocritical to call for change externally while allowing these names to
exist in their own areas.

Allensworth also takes issue with Harjo’s argument that “Redskins” is disparaging and directly hurts the American Indian population.

“If you could prove that the use of Redskins is lowering Native American income, that’s powerful,” Allensworth says. However, proving causation is a very difficult task.

The cost of changing a name would hurt the Redskins’ popularity with their fan base. Although Allensworth wouldn’t revolt if the team changed names, he cited the brand identity that fans have with the team name and logo. Casual fans might lose their allegiance altogether, but diehard fans probably wouldn’t stop flocking to FedEx Field.

“I don’t think there’d be a mass exodus if they became the Washington Care Bears tomorrow,” Allensworth says.

Financially, the team would take a hit when merchandise sales dropped as a result of a name change. Some fans would refuse to buy apparel with the new name and would attend fewer games. Those who see this as an issue of excessive political correctness might abandon the team altogether in protest.

Traditions become so ingrained in society that original stereotypical meanings lose their significance. When most Americans hear “redskin” they think of a football player, not of an American Indian. Thus, the word’s secondary meaning has become its primary meaning. iv

Lastly, naming teams after American Indians honors their tribes and traditions. This is the argument advanced by the franchise itself, according to Schlereth. As a player, he was told that “Redskins” is not a derogatory term, but rather a “term of endearment, honoring great warriors and Native American history.”

American Indian names and mascots keep a population that is often on the sidelines in
today’s society in our public consciousness. Remembering their warrior spirits by using their competitive nature to motivate today’s athletes is a practice that should be protected.

*Change the Name*

Try to think of another racial or ethnic group that serves as the mascot for a university or professional sports team. The Notre Dame Fighting Irish might come to mind, but try to think of one whose name is a derogatory term. Imagine a team called the Washington Blackskins, with a caricature of Dr. Martin Luther King, Jr. running around energizing the crowd.

Fans may be dedicated to a generations-old name, and may be oblivious to its meaning, but that is no excuse for keeping an offensive name. Lakota Mowrer, a Native American student at Washington University in St. Louis’ George Warren Brown School of Social Work, sees a similar discussion surrounding the Confederate flag, which its supporters claim represents brotherhood.

“I empathize and I understand that, but it does offend people,” Mowrer says.

Another part of the problem is that American Indians struggle for a place in our society. Amanda Blackhorse is a member of the Navajo tribe who recently graduated from the Brown School. She is the lead plaintiff in *Blackhorse v. Pro Football, Inc.*, a recent lawsuit with the same objective as the *Harjo* suit, but with younger plaintiffs who may be exempt from laches because they were too young to sue the team in the 1970s or 1980s.

“I think that American Indians in general in our society don’t have a voice,” Blackhorse says. “I don’t think that we are taken seriously. This is emphasized by the Supreme Court not even wanting to see or explore what’s before them,” she adds, referencing the *Harjo* case.

Mike Wise, a *Washington Post* sports columnist who has written several articles on the
Redskins controversy, also laments the absence of a strong Native American voice.

“Native American groups don’t have the economic or political clout of Al Sharpton or Jesse Jackson,” Wise says.

Mowrer sees this as a simple human rights issue. Her response to the NAES poll is that American Indians do not spend enough time off reservations and that they fall victim to internalized oppression. They are not exposed to the stereotypes and do not understand how American society views them. Blackhorse raises the issue that you cannot judge a community as vast and diverse as the American Indian population with a single poll.

Clymer, the New York Times veteran who conducted the poll, believes that proponents of keeping the name who use the poll as justification are misusing the data.

“Why would you do something that offended one person out of eleven?” Clymer asks.

“If you had a dozen guests to dinner, would you offend one of them?”

Looking at American Indians as historicized caricatures of warriors not only hurts their efforts to be a respected element of our society, but it also damages their youth who cannot understand where they fit in today. Blackhorse sees this lack of belonging as a contributing factor in the high American Indian youth suicide rate. Viewing American Indians as historical figures romanticizes a tragic history and ignores their presence today. In Dancing at Halftime, Carol Spindel writes about the disconnect between past and present at the University of Illinois.

“Real Indians in the heart of Illini territory make the fans uncomfortable,” Spindel writes. “When real Indians beat a drum and sing outside the stadium it is difficult to maintain the fiction that they are long gone and would want to be remembered as a football team.”

Blackhorse and Mowrer see the mascot controversy as evidence that American Indians are not taken seriously.
“I’m not running around wearing a headdress,” Mowrer says.

She adds that this controversy is unique because it lies at the intersection of two layers of American mythology: sports and American Indians. Portraying American Indians as warriors reduces them to a single activity, ignoring all other traditions and elements of their ways of life. vi

Advocates for a name change reject the argument that only American Indians can be offended by “Redskins.” Mowrer and Blackhorse feel that anyone can take offense to the term.

“I stand up when I see that something unjust is happening to another group of people,” Blackhorse says.

Wise believes that he has a right to be offended by a term that is not associated with his ethnic heritage, although he cannot file suit since he is not a member of the allegedly disparaged population.

“I’m white and I’m offended by the n-word,” Wise says. “The thought that you have to be a citizen of a certain tribe to be offended by this is jingo-istic.”

Why it is Time to Change the Name and Why the Name Will Not Change

I believe that now is the time to change the name. It will probably take years for the Blackhorse case to reach a verdict, although it does stand a better chance than the Harjo case because laches may not apply. However, for several reasons named above, Daniel Snyder should change the name regardless of the verdict.

The arguments about how American Indian mascots historicize and romanticize a population marginalized by our society are valid. The argument that a vast majority of American Indians is not bothered, so non-Natives should not promote a change is compelling. However, major American Indian organizations like the NCAI do oppose the use of “Redskins.” Having a
team name based on a term that hundreds of thousands of members of a population find offensive is simply inappropriate. A future poll should ask American Indian respondents if “Redskins” honors them, rather than if it bothers them, because this is the team’s main reason for retaining the name.

Realistically, Snyder’s chief goal is to run a profitable business, so aside from a victory by Blackhorse and her co-plaintiffs, only financial arguments could possibly persuade Snyder.

Naming controversies attract the most public attention when teams are successful. The Redskins issue surfaced on the public’s radar when the team made the 1992 Super Bowl, the Braves faced criticism during the 1991 World Series, and many in the sports world questioned Indians’ logo when they played in the 1995 World Series.

While public pressure increases during periods of success, this is also when teams are least likely to change their name or logo. Fans identify success with that name or logo, and they will not want to abandon something they associate with winning.

The Redskins are 3-9 this year. This is the time to reenergize a struggling franchise with a new name and logo. In 1996, Owner Abe Pollin renamed the NBA’s Washington Bullets the Washington Wizards. Pollin made the change because of rising gun violence in the city and because of the assassination of his good friend, Israeli Prime Minister Yitzhak Rabin. At the time of the announcement, the Bullets had finished below .500 in each of their previous eight seasons and had not made the playoffs since 1989.

When the Bullets rebranded as the Wizards, merchandise sales was actually a reason given in favor of a name change. Part of the reason for this could be that the economy was booming and merchandise sales were soaring. But, if the Redskins are genuinely concerned about losing money, changing their name during the current poor economic conditions when
people would be reluctant to spend money regardless makes sense.

Schlereth supports a compromise between the two sides, in which the team “gets the blessing of” American Indians to continue using Redskins. However, those offended want the name changed and likely will not settle for anything short of that, which is why Harjo and Blackhorse have sued the league to cancel the team’s trademarks.

Wise takes a more realistic approach and suggests that the ownership will never change its name for “reasons they feel are about political correctness” because it is a generations-old marketing tool. This seems most likely, since Snyder has stated his adamant opposition to a name change and shows no signs of wavering.

Sadly, the Redskins will likely keep their insensitive name for many more years. There has been no swell of outrage in the public arena during the last 17 years. Amanda Blackhorse and her fellow plaintiffs offer the best hope for a change down the road.

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i C. Richard King, and Charles F. Springwood, eds., Team Spirits: The Native American Mascots Controversy (New York: University of Nebraska, 2001), 141.
iv Spindel, Dancing at Halftime, 204.
v Spindel, Dancing at Halftime, 249.
vi King and Springwood, Team Spirits, 141.