

TRANSLATED NATION: WRITING DAKOTA KINSHIP
AND SOVEREIGNTY, 1862-1934

By

CHRISTOPHER J. PEXA

Dissertation

Submitted to the Faculty of the
Graduate School of Vanderbilt University
in partial fulfillment of the requirements

for the degree of

DOCTOR OF PHILOSOPHY

in

English

August, 2013

Nashville, Tennessee

Approved:

Professor Dana D. Nelson

Professor Colin Dayan

Professor Vera M. Kutzinski

Professor Daniel H. Usner, Jr.

Professor Robert F. Barsky

Professor Scott Manning Stevens

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In memory of Kenneth Morrison,
and for my parents, Donna And Dennis

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ACKNOWLEDGMENTS

I begin with an apology to the Dakota women whose voices form and inform the chapters in this book, a book that began in the old-time stories my grandma, Rachel Leah Charboneau (Young) told me at the kitchen table in her white and salmon, state-of-the-art Bluebird mobile home in Rapid City, South Dakota. The strange relationships between humans, animals, rocks, lightning, and other spirit persons in those stories led me back again and again to listen, and when, much later, as a freshman in college, I started asking her sister, my great auntie Grace Lambert, about some of these stories, some of the main lines of this book began to take shape. My apology is that it has taken me so long to write and say what they mean to me.

This is just to say that this book would not have happened if I had not been, as Vine Deloria teased (towards those who erroneously claim it) and heartfelt endorsement (because it is, in fact, “probably the nicest thing that could happen to a child”), the grandchild of “a real Indian grandmother.” I am sorry my grandfather, Harry Charboneau, who worked most of his life as a mechanic and handyman for the Indian Health Service, and from whom I have inherited a love for violin and barn dances, died before I was born, and would not get to see his grandson take such an interest in the century of his birth. Sorry too, that on my father’s side of the family, I did not ever meet my grandfather John Pexa, whose heart gave out when he was 39, but whose flair for storytelling lived on in my father and, in its own way, in me. More immediately now, I am grateful to my parents, Donna and Dennis, and to all my living relatives, on the reservation, off the reservation, or caught, as I am, as my maternal grandparents were, vexingly and wonderfully in-between.

My intellectual debts go beyond my family, of course, and I am proud to honor here my teachers and mentors, especially those at Vanderbilt who supported my work as dissertation committee members: Dana Nelson, for being the toughest, most responsive and caring co-chair and mentor I could have imagined or hoped for; Colin Dayan, for her kaleidoscopic, constellative intellect and concern for our animal others; Vera Kutzinski, for mentoring me through the first years of graduate school, and allowing me and our reading group the privilege of reading her works-in-progress; Daniel Usner, for introducing me to the rigors of historical research, as well as regaling me with stories about New Orleans; Robert Barsky, for friendship, coffee, Bakhtin, and introducing me to Quebec and its First Nations; Scott Stevens for once asking me the tough question, “So what makes you think this is a literature project, anyway?” and for his constant, and consistently disarming, wit. Thanks should also go to the members of my dissertation reading and writing group, Elizabeth Barnett, Mathew Duques, and Donika Ross, for their careful attention to early versions of some of these chapters. And thanks to Donna Caplan, for holding the world together. While at Vanderbilt, I completed much of my summer research at Spirit Lake with the support of Summer Research Awards. Thanks to the English Department for that support.

In the past year, I have had the privilege of getting feedback and support from the following members of the Mellon seminar, “The Native Subject,” at Cornell University: Gerard Aching, Leslie Adelson, Judith Byfield, Eric Cheyfitz, Naminata Diabate, Magnus Fiskesjo, Murad Idris, Oiyen Liu, Richard Miller, Sarah Murray, Thomas Patton, Rafael Santana, and Kavita Singh. While at Cornell I also received invaluable mentoring

and reading of chapter drafts by Mary Pat Brady and Eric Cheyfitz. They have my sincere thanks for making me feel at home in the Northeast.

This project has benefited greatly from my involvement in the National Consortium in American Indian Studies, especially to my participation in its summer seminar at the Newberry Library and in a spring workshop at Harvard's Peabody Museum. The Newberry's resources, and the seminar's constant stimulation, were key to drafting my second chapter, on conversions of Dakota prisoners in the prison camps at Fort Snelling, Minnesota, and at Camp Davenport, Iowa.

In the much longer term, I owe much of my critical temperament to my late friend and mentor, Kenneth Morrison. Ken's commitment to, as he liked to put it, understanding American Indian lives and religious practices on their own terms, shows up in part through his involvement with the Maine Indian Land Claims suit, in which Passamaquoddies and Penobscots claimed that land cessions to Massachusetts and Maine had violated the Indian Nonintercourse Act of 1790. More fundamentally, I was and remain inspired by Ken's conviction, one that came from his reading as a young man of Martin Buber's *I and Thou*, that all real living is meeting. The premium such a view places on dialogue as a form of ethical engagement was everywhere apparent in Ken's life, friendships, and intellectual work.

Many thanks also go to the school board of the *Mni Wakan Oyate* for permission to view and cite the video recordings that held some of these oral histories, with special gratitude to Pat Walking Eagle and Perry Kopp for their help, and to Tribal Chairperson Leander McDonald, for believing in the regenerative power of the Dakota language.

My biggest thanks go to those closest to me—my wife, Melissa, and daughter, Wren—with whom I am enfolded, inseparably and always.

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INTRODUCTION: KINSHIP'S CALL TO RELATION

1. Singular Translations

White people can't understand us or the strength and diversity of aboriginal people, and they don't even try. That's why there is such racism and misunderstanding. We have different attitudes toward one another. We honor each other. When they first encountered Native people, they tried to understand us because their very lives were dependent upon the relationships and trade for food and other items. But after they started obtaining the land, all they could think about is land as productive units. White people are more acquisitive and concerned with the individual, whereas our chiefs thought about everyone. They were warriors who also had to take care of the elderly, the children, widows, and children without parents.

Beatrice Medicine (Standing Rock Yanktonai), *Every Day is a Good Day*

The problem of capitalist modernity cannot any longer be seen simply as a sociological problem of historical transition (as in the famous "transition debates" in European history) but as a problem of translation as well.... What translation produces out of seeming "incommensurabilities" is neither an absence of relationship between dominant and dominating forms of knowledge nor equivalents that successfully mediate between differences, but precisely the partly opaque relationship we call "difference." To write narratives and analyses that produce this translucence—and not transparency—in the relation between non-Western histories and European thought and its analytical categories is what I seek to both propose and illustrate....

Dipesh Chakrabarty, *Provincializing Europe*

This dissertation is about possession—of lands, of communities, and of history itself—and the survival of the Dakota Oyate, or Dakota people, in the period of rapid consolidation of U.S. national space from the American Civil War until the passage of the Indian Reorganization Act in 1934. This period coincides roughly with what scholars of federal Indian law, following Clifford Lytle's and Vine Deloria, Jr.'s periodizations, have called "Allotment and Assimilation" (1887-1928). Marking the beginning of this temporal frame is the Dawes Severalty or Allotment Act whose stated aims were "to allot lands in severalty on the various Indian reservations" and "to extend the protection of the

laws of the United States and Territories over the Indians.”¹ Allotment promoted an ideology of bourgeois individualism and private property ownership, the latter organized within a heteronormative imaginary of reproduction where male “heads of households” would transmit property to “legitimate” biological heirs. In their confrontation with Dakota forms of family organization and communitarian notions of ownership, US allotment ideologies and policies may best be understood as acts of hegemonic translation writ large.

On the one hand, as a figure for processes of cultural contestation and change, translation describes juridical processes of transforming Dakota lands and persons into US national space and subjects, as was the case in the army concentration camps that held Dakota non-combatants following the U.S.-Dakota War. More broadly, but no less violently, it describes the struggle between communitarian Dakota politics and liberalism’s imagining of the bourgeois individual as the lead character in a national narrative fixated on the protection of rights and property.

On the other hand, a critical deployment of translation also stands to illuminate Dakota push-backs against state power, or how inter- and intra-tribal cultural logics and processes of decision-making mediated state authority by rendering alien concepts and practices into Dakota terms. As my epigraph from Dipesh Chakrabarty’s *Provincializing Europe* (2000) asserts about Bengali “translations” of “European thought and its analytical categories,” such mediations ultimately maintained, rather than blurred or erased, boundaries of difference. In a US-Dakota context, this view of cross-cultural translation and its historiography as being a matter of producing “translucence—and not transparency” forces a confrontation with forms of political action previously imagined

as non-political within Western political theory, and within that theory's application in US federal Indian law. It does so especially around the matters of Native nationhood and the nineteenth-century imagining—and convoluted appellations—of “Indian tribes” as less than fully sovereign, “domestic dependent nations” or “wards” of the state.

Even a cursory look at the early development of federal Indian law reveals it as a rich repository for colonial ideas about the ontological otherness of Indian peoples. The pivotal construction of Native peoples as “domestic dependent nations” whose relationships with the federal government “resembled that of a ward to a guardian”—as Chief Justice John Marshall, writing for the majority, described them in the 1831 Supreme Court case *Cherokee Nation v. Georgia*—is just one, yet crucial, example of a legal fiction that finds justification in an ontology of relative civilizational “maturity.” While I return to the issue of Indian wardship in my chapter on Charles Alexander Eastman, a few introductory remarks here may be useful in clarifying how Western political theory—of statehood in particular—shaped the Dakota experience of modernity through its translations and transformations of Native people.

Even in its dissenting opinions, the *Cherokee* case reveals strong moorings in a civilizational schema that frames what does and does not count as a state. Justice William Johnson, for instance, opined that “there are strong reasons for doubting the applicability of the epithet state, to a people so low in the grade of organized society as our Indian tribes generally are.” Averting that he “would not here be understood as speaking of the Cherokees under their present form of government,” since the Cherokees had for four years before the Court's decision possessed a constitution modeled on that of the US (“which certainly must be classed among the most approved forms of civil government”),

Johnson cites other kinds of lack as justification for his doubt. These forms of lack were both temporal and spatial. For one, the Cherokees and their constitution lacked the duration required of states: “Whether it [the present form of Cherokee government] can be yet said to have received the consistency which entitles that people to admission into the family of nation is, I conceive, yet to be determined by the executive of these states.” Johnson’s assessment of such a tenuous “consistency” is of course a phantasm, a legal fiction that obscures the Cherokee *longue durée* as a continually-existing people whose earliest treaty with a non-indigenous power, predated the establishment of the United States by over fifty years.²

But that phantasm and its temporality derives from other ontological presuppositions invoked by Johnson had a powerful way of transmuting space, and land, as well. The doctrine of *terra nullius*, or lands that were treated as legally vacant because of the impossibility of Natives holding title, and *terra nullius*’s corollary, the Doctrine of Discovery, intertwine with the Court’s invoking of a civilizational temporality. In Justice Johnson’s dissent, these twin doctrines stood as the “great difficulties hanging over the question” of whether Cherokee peoplehood and political power could adequately, if at all, be translated into the language and entitlement of states:

They never have been recognized as holding sovereignty over the territory they occupy. It is in vain now to inquire into the sufficiency of the principle, that discovery gave the right of dominion over the country discovered. When the populous and civilized nations beyond the Cape of Good Hope were visited, the right of discovery was made the ground of an exclusive right to their trade, and confined to that limit. When the eastern coast of this continent, and especially the part we inhabit, was discovered, finding it occupied by a race of hunters, connected in society by scarcely a semblance of organic government; the right was extended to the absolute appropriation of the territory, the annexation of it to the domain of the d’scoverer. It cannot be questioned that the right of sovereignty, as well as soil, was notoriously asserted and exercised by the European discoverers. From that source we derive our rights, and there is not an instance of

a cession of land from an Indian nation, in which the right of sovereignty is mentioned as a part of the matter ceded.

It may be suggested that they were uniformly cessions of land without inhabitants; and, therefore, words competent to make a cession of sovereignty were unnecessary. This, however, is not a full answer, since soil, as well as people, is the object of sovereign action, and may be ceded with or without the sovereignty, or may be ceded with the express stipulation that the inhabitants shall remove.³

Johnson's updating of *terra nullius* ("lands without inhabitants," but also, "devoid of human beings") here reads as an ideological maneuvering away from an older, more overt form of domination, regarding Indians less as absolutely other, and instead as infantilized subjects whose past treaties and land cessions reveal their dependence on a greater sovereign power.

Citing the 1785 Treaty of Hopewell, Johnson disputes the assertions in the case syllabus that "The Cherokees are a State" and have, as the numerous treaties with them suggest, "been uniformly treated as a State since the settlement of our country." Against these claims, Johnson argues that the US treaty commissioners' receiving of Cherokees "into the favour and protection of the United States" is "certainly the language of sovereigns and conquerors, and not the address of equals to equals." But Johnson's certitude in this fiction of dependence is, as I will show in my first chapter, a misreading of indigenous treaty language that creates mutual obligations of respect based on the model of kinship. His assumption of a necessity in the hierarchical relation between treaty participants is, to put the matter differently, symptomatic of what, from an indigenous perspective, is a clear ethical lack. Magnifying this lack is the fact that Johnson's dissent is undergirded by an *ex post facto* justification for conquest which effectively reifies a will to power. In that justification, a nation may be said to exist only by reason of its use of a particular kind of force, by its domination of others: "The pre-

emptive right, and exclusive right of conquest in case of war, was never questioned to exist in the states, which circumscribed the whole or any part of the Indian grounds or territory.”

So faced with legal erasures and evacuations of their presence, Cherokees and other Native nations engaged with an alien justice system in which Native lifeways and politics would always already be illegible, and so also readily convertible, into forms that fit the statist, imperial mold. While these read as singular translations of diverse Native peoples lives and lands, they were not unchallenged in their construal of Indians as being pre-political. Rather, they were met with Native counter-translations which affirmed indigenous philosophies and religions as constituting alternative rationalities and forms of political resistance. That is, indigenous philosophies which emphasize kinship as a theory and practice of not only familial conduct but also of diplomacy and of geopolitics, do so from their own unique ontological and epistemological assumptions. These assumptions, defining and proscribing not only political theory but ethics—a subject I will repeatedly return to—persist despite their colonial misapprehension and mistranslation through legal technologies, and this persistence is in part due to their latency in language. As Chakrabarty observes in a Bengali context, such thinking (the thinking from an ontological assumption) derives from and points back to the Bengali language, considered not generally but in its “singularities,” to what “does not belong to the structures of generalities,”⁴ and resistant to the generalizing impulse of the sociological imagination.

For instance, Chakrabarty’s discussion of how translations between Hindu and Muslim divinities (like, “the Hindu’s Ram is the same as the Muslim’s Rahim”) proceed

not from appeals to universals, or “some third category” that “expresses the attributes of Ram or Rahim better than either of these two terms”⁵ but instead from local aesthetics, as for instance from “alliteration, rhyming, and other rhetorical devices.” The theoretical promise of such singularities is that they may return us to local places and their unique forms of lived life, rather than assimilating the local to an abstract universal. Rather than boiling down to a species of essentialism, though, Chakrabarty’s commitment to magnifying the singularities of translation that colonial subjects have made across boundaries of difference foregrounds the complex mediations that constitute “the local.”

Such singular translations have inspired my approach to the Dakota authors I read in *Translated Nation*. I have thus foregrounded the Dakota language, its philosophical meanings and memories, as the key medium through which Dakota writers and intellectuals—Charles Alexander Eastman (1858-1939), Nicholas Black Elk (1863-1950), Ella Cara Deloria (1889-1971), and of oral histories gathered in the early 1990s from Dakota elders of the Mni Wakan Oyate (Spirit Lake Nation)—navigated the complex social, legal, and political demands of modernity.

2. Multiple Sovereignties

By producing a “translucent” account of the encounter between Dakotas and US law, my hope is not only to give a tribally-specific history, but also to mark an evolution in the existing theoretical formation around the term of Native American sovereignties as those (decidedly multiple, and distinctive) sovereignties have been inscribed, contested, and redefined in imaginative oral and written literatures. An emergent sovereignty discourse among Native North American critics has staked out a medial position that both

uses and refuses liberalism in its call for decolonization and greater self-determination. The medial nature of this discourse stems largely from the fact of Native Nations' ongoing relationship with federal governments in the United States and Canada; however, it is not accommodation, but self-determination, that is the goal. One approach to realizing self-determination has been through essentialist claims of indigeneity, a concept often linked to land tenure, language, and religion.⁶ These interrogations of the sovereignty concept have focused on the coloniality of the concept itself in order to argue for a separatism in Native political theory and practice.

One outspoken and emblematic representative of this approach is Taiaiake Alfred (Mohawk), who writes in his 2002 essay, "Sovereignty," that "any history of the concept of sovereignty in North America must trace the manipulation of the concept as it evolved to justify the elimination of indigenous peoples." Viewing sovereignty as a means to deny indigenous political power, Alfred gives an impassioned account of how sovereignty is, at best, of limited relevance to the task of decolonizing contemporary Native politics, and at worst, a means to reproduce colonial structures and introjected racism in the postcolony. "The great fear," he writes, "is that the postcolonial governments being designed today will be simple replicas of non-indigenous systems for smaller and racially defined constituencies: oppression becoming self-inflicted and more intense for its localization."⁷ Against this fear of a racist governmental structure modeled on the state, he asks rhetorically whether indigenous philosophies, by "restoring a regime of respect" may offer an alternative, since "true indigenous formulations are non-intrusive and build frameworks of respectful coexistence by acknowledging the integrity and autonomy of the various constituent elements of the relationship."⁸ In contrast to the

justice systems of liberal democracies, those “constituent elements” appear at the level of the community rather than the individual, a difference that Alfred sums up as paralleling the difference between liberal “tolerance” and indigenous “respect.”

My approach in *Translated Nation* takes seriously Alfred’s sense that indigenous philosophies can and should offer an alternative to the statist model, and that they do so as partial redress for the history of domination to which state sovereignty is inextricably bound. “Restoring a regime of respect” is certainly a worthy end goal for decolonization, and for the task of articulating post-imperial values more generally, a subject I return to in my afterword. Rather than seeing indigenous philosophies and languages as somehow hermetically insulated off from state structures, though, I see articulating alternatives to sovereignty not as a matter of abandonment or refusal, but rather of reinscription and reinvestment. While I follow Alfred’s call to historicize “the manipulation of the concept” in justificatory discourses, I also find, as Joanne Barker (Lenape) does in her book chapter “For Whom Sovereignty Matters,” that Native peoples have influenced the meanings of sovereignty in important ways, “changing what it means within international law and politics” through struggles for land and self-determination.⁹

Recent developments in the United Nations around indigenous peoples’ rights corroborate Barker’s statement. The 2007 adoption of the UN Declaration on the Rights of Indigenous Peoples signals an important, albeit deeply qualified, international acknowledgement of the importance of indigenous sovereignties. While its language recognizing the “rights” of indigenes as “peoples” rather than as “nations” would, on its face, suggest a decoupling from the privileges accorded to nation-states, the Declaration

makes clear that peoples are the bearers of political rights and authority through its emphasis on “treaties, agreements and other constructive arrangements.”¹⁰

Critical evaluations of the sovereignty concept as it has related to indigenous peoples have also become more of a commonplace. A 2010 preliminary report of the United Nations Economic and Social Council has linked one conceptual negation of indigenous sovereignty—the Doctrine of Discovery—with centuries of resource extraction from the traditional territories of indigenous peoples, and with the consequent dispossession and impoverishment of indigenous peoples. The interpretive framework of Discovery, writes Special Rapporteur Tonya Gonnella Frichner, “is the root problem facing indigenous peoples,” as it legitimates dehumanization and dominance through, in its first iteration in papal bulls dating back to the fifteenth century, the conflation of religion and race in the categories of Christian and heathen.¹¹ Frichner’s report focuses on the more recent invoking of Discovery in the 1823 Supreme Court ruling *Johnson v. M’Intosh*, which in its majority opinion—again penned by Chief Justice John Marshall—upholds the principle of discovery of American by “Christian peoples” despite the “occupancy of the natives, who are heathens.” Her report concludes that Discovery is still an active legal principle for twenty-first century US Supreme Court, as the 2005 case *City of Sherrill v. Oneida Indian Nation of New York* reveals in its contextualizing of Oneida sovereignty with respect to taxation over ancestral lands. Justice Ruth Bader Ginsberg, in her decision for the Court majority, wrote in a footnote there that “under the ‘Doctrine of Discovery,’ fee title to the lands occupied by Indians when the colonists arrived became vested in the sovereign—first the discovering European nation and later the original states and the United States.”¹² This citation of the Discovery Doctrine, Frichner argues,

places it “within the Framework of Dominance, dating back to the era of the Vatican papal bulls [*Romanus Pontifex*].”¹³

3. Intelligible Contradictions

This redrawing of sovereignty along lines that reveal and contest past and ongoing power dynamics of what the UN report rather demurely, but importantly, calls “The Framework of Dominance” is not only a task of Native nationalism, but ought to form a main thrust of Native literary criticism in the US and globally. In charting the literary representations of those struggles for Progressive Era Dakota writers, I seek to move a small step closer to what Robert Allen Warrior has called “a full-blown American Indian criticism,” since I trace how Dakota authors relocated and rewrote the Euramerican concept of sovereignty within a longstanding and continuous ethical discourse among Dakotas, in and through which Dakotas have evaluated and assessed non-Dakota notions of power, trust, and responsibility. These notions converge in Dakota kinship understandings that, as Yankton writer Ella Cara Deloria described them in *Speaking of Indians* (1944), were at the heart of a Dakota sense of being “civilized,” where “to be civilized was to keep the rules imposed by kinship for achieving civility, good manners, and a sense of responsibility toward every individual dealt with.” Kinship’s bonds of filiation are fed by more than blood alone. Its unique conceptualizations of virtue, as existing in and deriving from relations of mutual respect and responsibility, strongly informed how Dakota authors imagined their place within their own Dakota communities, as well as how they wrote themselves and other Dakotas as ambivalent yet

autonomous, amiable but nonetheless critical, political subjects, empowered to extend and receive kinship obligations and gifts to others.

What the ambivalences that run through the Dakota authors' examples reveal is that while the civilizational demand to renounce all traces of the "tribal," as well as the legal creation of Dakotas as US subjects, would cause cataclysm and suffering, US domination would also enable the creation of new communal forms and forces, as many Dakotas "played American" without necessarily abandoning long-standing social practices and philosophies. Troubled but not paralyzed by a dichotomous existence and by the beneficent oppression of the settler state, the Dakota authors I read in *Translated Nation* demonstrate that the central epistemological crisis presented by US colonialism lay in keeping alive the creatively ambivalent possibilities of the either-or which animated the central, false necessity of a liberal policy of assimilation.¹⁴

To tell the story of this ambivalence-in- (and for-) survival has thus demanded an improvisatory sensibility. The most apt figure for the historiography I have in mind is musical and many-voiced, aimed at polyphony and polylogue among multiple times and locations. For me, one historiographical alternative to the imperative and exclusive *can't* of Bea Medicine's "white people can't understand us" has been to privilege Dakota ethical, linguistic, and ontological commitments and concepts, keeping in view their encounter and entanglements with settler society's ontologies of race and individualism. These commitments, and their complement—the persistent sense of Dakota peoplehood despite separations across time and space, but also signaled by the difficult and conflicting claims to land that developed over the late nineteenth century into a

reservation system and mass dispossession of Dakota homelands—are nothing if not haunting for the US colonial imagination.

While I was at first tempted to discuss this haunting as a dialogue, it is may be more apt to call them parts of a complex and continuing polylogue between and, quite crucially, *within*, both indigenous and imperial epistemes. I foreground the internal debates and even contradictions within US civilizational and Dakota ethical formations in order to draw out the range of resistances to US imperialism, and the various meanings that “sovereignty” took on in and through those resistances, following the American Civil War. For instance, in order to write a tribally-specific literary and intellectual history, I frequently make reference not only to articulations of Dakota philosophy and peoplehood, but also to laws and policies affecting Dakotas specifically and to Indian Country more broadly. In doing so, I use “Indian Country” as a term that refers both ironically, in present usage, to US lands as being originally (and persistently) indigenous, but also to the discursive territory constituted through treaties between the United States and federally recognized Native nations. Put somewhat differently: to tell the story of any Native people in the context of US colonialism is necessarily also to tell the story of the logics and illogics of federal Indian law—a corpus that is, in Eric Cheyfitz’s phrasing, “a decidedly colonial body of law.”¹⁵

This view toward multiplicity has important implications for how we think about the validity of truth systems more generally as they emerge from colonial struggle. Hans Wimmer, in his essay “Is Intercultural Philosophy a New Branch or a New Orientation in Philosophy?” argues persuasively for a modified form of relativism in order to move beyond the historical framings of European (what he calls “the Occidental”) and non-

European philosophies. Although he does not directly name colonialism as an accomplice in such framings, his call for alternatives to a “One-Way History of Philosophy,” where non-Europeans are forced to define themselves in more or less “authentic” contrast to Europeans, accords with the work of anticolonial thinkers like Fanon and Césaire.

Wimmer’s approach refuses to privilege “the authentic” indigenous philosophy, however, in favor of an approach he terms as polylogical. Such an approach, he writes,

consists in a procedure, which is no longer merely comparative, or dia-logical, but rather polylogical. Questions of philosophy—questions concerning the fundamental structures of reality, the knowledgability, the validity of norms—have to be discussed in such a way that a solution is not propagated unless a polylogue between as many traditions as possible has taken place. This presupposes the relativity of concepts and methods, and it implies a non-centric view to the history of human thinking. At the very beginning there can be formulated a negative rule: *never accept a philosophical thesis from authors of a single cultural tradition to be well founded.*”¹⁶

Here, the negativity that Wimmer argues for opens up room for revising and reconsidering the boundaries of not only philosophy but of “culture,” too—a term that, among other reasons, warrants bracketing for its troubling entwinements with racial epistemes.¹⁷

In my own reading of Dakota texts, I read their depiction of the colonial encounter as a polylogical exchange. My sense of “polylogue” is somewhat different from contemporary uses of the term such as that which appears, quite lucidly and provocatively, in Arnold Krupat’s *Ethnocriticism* (1992). There, Krupat invokes Bakhtin’s concept of language as a thing always already heteroglossic and polyvocal, as lying “on the borderline between oneself and the other” so that “the word in language is half someone else’s.”¹⁸ As I use the term, though, polylogue does not indicate a hybridity where medial terms are magnified, but instead is a figure for the complex negotiations

and representations of “tradition” which Dakotas deployed under the colonialism of Allotment and Assimilation. In these representations, the middle term often falls out. These representations seem to refuse both purist *and* hybrid senses of Dakota peoplehood. They are marked less by one- or two-sidedness, by narratives of pure domination or resistance, and more by the shifty, nuanced power relations within and among different communities. They depict compromise and co-optation alongside their critiques of US imperialism. Their ambivalence is orchestrated, though, organized around core values, such as those deriving from kinship. These core values I describe as cosmological.

I take “the cosmological” to mean the generative unfolding, over time—but most rapidly, most violently, in response to colonial pressures—of core cultural categories like those that Marshall Sahlins describes in his account of British-Hawaiian relations, *Islands of History* (1982). There, he adopts a modified form of Saussurean structuralism, arguing that even the “most abstract representation” of cultural categories, “which is cosmology,” there is a more or less fluid unfolding: “the categories are set in motion.” He goes on to describe how cosmological categories, as they are “set in motion,” work to domesticate difference while remaining open to their own alteration:

The structure has an internal diachrony, consisting in the changing relations between general categories or, as I say, a ‘cultural life of the elementary forms.’ In this generative unfolding, common to the Polynesian and Indo-European schemes, the basic concepts are taken through successive strages of combination and recombination, along the way producing novel and synthetic terms. So in the constitution of kingship and the cultural order, the dynastic heroes, initially male and stranger-invaders, are neutralized and ‘feminized’ by the indigenous people.¹⁹

Sahlins gives a snapshot of a process in which a Hawaiian ritual polity neutralizes the British “stranger-invaders” by evaluating their actions against the metamorphic logic,

genderings, and ethical norms of the Hawaiian creation chant. What's most valuable, it seems to me, about this view of the simultaneous stability and alterability at the core of peoples, is Sahlins's further conclusion that "all *praxis* is theoretical." The theoretical moorings of US colonization in the case of Dakotas, for instance, which were based not only in objectivist ideas of race but of the law's greater rationality in the face of savage "custom," may usefully to be brought into conversation with Dakota theories of interpersonal relation, power, and reciprocity. The resulting polylogue stands to reveal that Dakota adoptions of both colonial and indigenous practices, rather than generating contradictions, instead produced new structures of thought, feeling, and being, and that these did not, as Sahlins concludes, resolve contradictions, but instead kept contradictions creatively in play.

4. Resistances Temporal and Unheroic

Viewing Dakota literary productions as a polylogue-for-preservation, for the sharpening of lines of difference, also allows for a clearer view of the slippages within and among the representations emerging from the colonial encounter. These internal slippages constitute, in my view, the translational heart of the colonial and anti-colonial moments this dissertation examines. My use of "translation" as a master trope that in part describes slippages within the social imaginary is meant to enliven further the anti-colonialism of figures like Fanon and Césaire by underscoring how elements usually glossed as being at the core of the "cultural"—and I am again thinking especially of cosmological, temporal, and ethical sensibilities that intersect in the ideas and practices of being kin—were written and reimagined because of and through the colonial encounter as

weapons of critique. Like Césaire's long poem *Cahier d'un Retour Au Pays Natal* (1939), I see Dakota authors who wrote during the Allotment and Assimilation eras asserting the epistemological grounds for a reclamation and recuperation of an ethnos that is based above all in common understandings of what it means to be kin. Unlike Césaire, though, these Dakota intellectuals were less interested in positing and positioning that ethnos as being ontologically separate from US settler society. Rather, they were more substantially engaged with writing themselves and other Dakotas as ambivalent critics of the colonial situation: as (often) US citizens *and* Dakota persons, well-poised to critique the either-or set in place by, for one, the renunciatory logic of Allotment, with its tragic displays of shooting a last arrow and placing one's (newly American, newly civilized) hands on the plow.

I make use of the term "ethics of kinship" as a shorthand for what I see as a complex core set of values that bound Dakotas to one another, as fellow Dakotas, in mutual obligations of respect, giving, and care-taking. This turn toward a non-biological account of kinship is not meant to posit an indigenous totality built upon a transparent, unified Dakota "culture," or to locate indigenous anti-imperial resistance in recourse to such a totality. Because kinship was and is itself a matter of complex and ongoing negotiation, rather than an ontologically fixed thing in the world, it is neither transparent nor unified. On the contrary, it is vulnerable, often opaque, and expansive, although its central aim is an always-provisional unity. Because the moral truths at the heart of Dakota life orient significantly around and, indeed, emerge from acts of mutuality and gift-giving, I sometimes use the term "ethic of the gift" as a proxy for a kinship ethic. This is more than a notational convenience, as I discuss in my first chapter on treaties

between the US and Dakota bands, who like many other Native peoples strongly linked treating with gift-giving and its ability to make kin out of strangers.

I describe this ethic as underpinning a “temporality of the pause,” where the “pause” is meant to notate a deliberate suspension of activity, as was observed formally during treaty negotiations, but also in many other contexts like that in traditional forms of storytelling observed during the winter months.²⁰ More than these sorts of literal pauses, though, I want to suggest also the ways that a temporality of pausing becomes an ethic of sufficiency, and most pointedly in relation to capitalistic accumulation, of economic sufficiency. The premium Dakotas placed on limiting hunting and fishing in order to maintain good relations with animal others appears in my reading of Charles Eastman’s story of a young Dakota girl’s relationship with a raccoon, “Wechah the Provider.” There, the raccoon Wechah persuades the girl, Wasula, to limit her trapping to a specific season and quantity of animals. This deliberate suspension disturbs a capitalist logic of accumulation that Eastman elsewhere criticizes by recalling the words of Sitting Bull after the illegal, mad rush for gold by white settlers on He Sapa, or the Black Hills: “We have now to deal with another people small and feeble when our forefathers first met with them, but now great and overbearing. Strangely enough, they have a mind to till the soil, and the love of possessions is a disease in them.”²¹

At the hinge between such competing systems of ethics—invented by the colonizer, appropriated and reinvented by the colonized—is a process of reinscription and critique, of cultural transactions and transformations that became physicalized and militarized in the resistances of Dakota leaders—first among the Eastern bands of the Wahpetonwan and Sissitonwan, led by Little Crow and, later, among the Tetonwans, or

Western bands of Dakota, led by Sitting Bull and Crazy Horse. But the heroic forms of resistance embodied by their military campaigns are only one of many forms that Dakota political action has taken. They are, as James C. Scott has put it, examples of the kind of “open political action” that “dominate accounts of political conflict.”²² The examples I will explore, by contrast, are all decidedly *unheroic* in their guise as anti-colonialists. I say they’re unheroic: but not in the sense that they employ less violent forms of political action, or even in Scott’s sense of “a quiet, piecemeal process” of negation, of aiming at “tacit, *de facto* gains” instead of at structural changes. Rather, I’m interested in a literature in and through which Dakota actors have done anti-colonial work under the guise of accommodation, even co-optation. My interest in the ostensibly compromised Native subject is in drawing out the texture of resistances that play out mainly for audiences in the know, where being in the know requires a view toward ethical discourses that have circulated, as the autochthonic phrase goes, *from time immemorial*, as the substrate of creation stories and their injunctions to go out into a chaotic world and make relatives (this is the story of the culture hero Slow Buffalo that I read in Chapter 3).

To track this continuity of a relational ethics and epistemology demands a temporal reorientation. Which is to say that a creation story, for instance, narrated in the twenty-first century, demands a unique form of historicization. So, while Scott’s work is a touchstone for reading political action that flies under the radar of the dominant culture, it doesn’t necessarily provide a way to read texts whose political difference lies both across time and space, as well as in “in the break” between cultures and their claims to wholeness. Indeed, in that space, when the legibility of resistance blurs, or even takes on the cast of co-optation and conformity, I hear a critical call to interrogate not only our

understandings of the culture concept, but of a vexed Enlightenment lexicon of rights, sovereignty, and citizenship. How to describe an indigenous sovereignty that is non- or often anti-disciplinary? How did Dakota authors and organic intellectuals, like the Oglala *wicasa wakan* Black Elk, articulate alternatives to exclusive notions of social belonging, drawing strength from sensual and ethical groundings in traditional homelands? What do animal stories, and the talking animals who populate them, say about white settlers, colonial capitalism, and the failures of civilization? My approach to these questions has been guided by the spirit—at once skeptical and honoring—of *Wodakota*, that word which maybe best captures the wide range of affective bonds and obligations tied to kinship.

5. Hearing, Writing Ancestors' Voices

As I begin this excursion, I am aware of traveling over grounds that have been consecrated by long dwelling, violence, and loss. Native genocide and dispossessions, like slavery, are historical traumas that constitute a haunting not only in the sense of past violence whose traces remain in the present, but also in their casting over the literary productions of non-Native writers in the nineteenth century a “shadow of the presence from which the text has fled.”²³ The labor that literary representations, as well as representational absences, do is meaningful especially as an alibi for the workings of colonial forms of power. In the opening of *Ghostly Matters: Haunting and the Sociological Imagination* (1997), for instance, Avery Gordon describes her methodology of writing about haunting by first problematizing the relationship between reality and its modes of production. Citing feminist and critical theorists who have sought to link the

epistemological and the social, Gordon argues that “coupling problems with representation to an ongoing and aggressive concern with representability, in the political sense, is what enables epistemology to be properly situated in the ensemble of social relations of power.”²⁴ In ways that historicism arguably does not, Gordon’s treatment of ghostly matters allows for confrontations with the “present and affective” (Williams’s phrase) “social content” and otherness of Native peoples: with lived lives that have been obscured by what Gerald Vizenor calls the “simulations” or images of a white, imperialist “literature of dominance.”²⁵

What I find useful about Gordon’s sense of the ghostly is its emphasis on the act and positionality of writing. Narrating what is ghostly or absent, as a form of critical negativity, becomes an act of safeguarding against false reconciliation or closure. The importance of evocation, rather than representation, is key to this negativity, since it keeps the past in motion, or “in solution” rather than precipitating it out in some reified form.²⁶ Her use of Walter Benjamin’s notion of the constellation overlays with Adorno’s radical skepticism to demonstrate how haunting, as a form of storytelling, plays a crucial role in creating the conditions for a recovery, in the first place, of personhood.

The evocation of the haunting’s unrepresented and the unrepresentable places us, rather than in the realm of either history or historicism, instead in relation to a constellation of events whose “associative path of correspondences” resist being written down in rational, linear, or discrete ways.²⁷ In my own work, this “path of correspondences” has invited the recollection of stories from a broad range of voices: those Native histories, performances, those “names, nicknames, and shadows of ancestors,”²⁸ in which unrepresented, and unrepresentable, pasts are re-membered²⁹ and

transformed into signs of cultural persistence. “The work and the power of the story,” writes Gordon, “lie in giving all the reasons why the reasons are never quite enough..., why haunting rather than “history” (or historicism) best captures the constellation of connections that charges any ‘time of the now’ with the debts of the past and the expense of the present.”³⁰ I see the work of “giving all the reasons why the reasons are never quite enough” to be a practice demanding serious epistemological critique; a practice that interrogates modernist rationalities not just to clear room for alternative ways of knowing, but to see more clearly those moments where reason has acted in the service of what’s most unreasonable and violent.

I have thus positioned myself in what follows as an interlocutor of various forms and texts of witnessing. Here, “witnessing” means several things at once, but most basically, it carries a moral weight not unlike that which Derrida discusses in relation to the Shoah, since the oral histories I document here as “interchapters” are artifacts of survivance, or what Gerald Vizenor, in his own reading of Derrida’s theory of presence, argues “is more than survival, more than endurance or mere response; the stories of survivance are an active presence.”³¹ In their making present and living the memories of individual ancestors while also holding the memories—and the forgetting—of entire communities, they reveal not only endurances but also resistances.

In the setting of my grandma’s trailer in Rapid City, South Dakota, and in her sister’s homes on the *Mni Wakan* [Spirit Lake] nation in North Dakota, I grew up hearing stories. There were stories about battles between the *Unktehi* [a water being or spirit] and *Wakinyan* [lightning being], battles that gave *Mni Wakan* its name. There were jokes about young lovers who froze to death in the back of their Buick while making out, and

who, when they were driven away by the ambulance driver, looked in the rearview mirror to be dancing, to have become hula dancers. There were boarding school recollections of pranks, truant officers, and more darkly, of abuse. These and countless others I heard from my grandma, Rachel Charboneau, her sister, Grace Lambert, and from my mother, Donna, in addition to the countless narrators I've run across at horsetracks, in bingo halls, churches, and bars. Often, almost always, really, the stories were collages of old and new. Maybe I just had some really inventive grandmas, but I found few stories corresponded in any sort of faithful way to traditional Dakota narrative genres. For instance, Grace Lambert, who liked to tease her sister, Rose, would modify what in Dakota are called *ehanna woyakapi*, where *ehanna* suggests "long ago," and *woyakapi* may be translated as "a telling." These are the stories that ethnologists and anthropologists have long called, according to a primitivist schema, "myths." In Grace's stories, motorcycles show up alongside "crazy buffaloes," drunk old men speak with the voice of *Tunkasida*, or God, at a place where Dakota would traditionally pray. And so on. And on.

The humor and imaginative working with traditional stories I heard from my relatives are the "refusals of the tragic" which preceded this dissertation and continue, I hope, to inspire its readings. The following chapters are shot through with oral histories from Dakota elders of the *Mni Wakan Oyate*, some of which I heard personally, others I encountered belatedly, through video recordings. These date back to the early 1990s, when the *Dakota Wounspe* program sought to record and translate Dakota language materials for reasons of cultural preservation and pedagogy. Some of the tapes hold the voice and image of my grandmothers, Lillian Chase and Grace Lambert, while others record other *Mni Wakan* elders responding to the interviewer, Eugene Hale, whose

questions focus for the most part on place names and *ehanna woyakapi*, or narrations of long ago. I've chosen not to include any stories from my biological grandmother, since I never recorded her anywhere except in my heart and mind, and wanted the oral accounts I do include here to offset my own narrative voice, to trouble the monologue, to be my disquieting muse of communal multiplicity.

In dialogue with the *Tate Topa* school board as well, I agreed to their request not to impose any interpretation on the full transcripts of the oral histories. I understand and respect their concern not to have elders relegated to a secondary position in an academic study like this, and I have tried to make use of this request in a way that honors a kind of autonomy in narrative voicing as well as invokes fragments of the oral histories to illuminate the written texts I examine. As the dialogue between state and non-state formations shaped Dakota lives, I feel the historical texture of those lives emerges most fully in a dialogue between the written and the oral. In positioning these oral histories as “interchapters,” I in no way mean to downplay their significance. On the contrary: they are the necessary counterpoint to the close readings of more conventional literary texts that I do in the regular chapters. And as with musical counterpoint, where multiple voices interweave in service to the development of a theme, trading turns at harmonic and melodic roles, these oral histories speak to the broad themes represented by Progressive era Dakota writers: language, land, and what it means to be a good relative, a good Dakota.

The voices presented in these interchapters have posed, for me, the ethical opportunity to confront demonized and silenced others by engaging with the widest possible range of historical subjectivities and epistemes opens up critical space to move

beyond the American nation and to turn instead to Dakota articulations – those that exist and those yet to be remembered – of home places cherished and lost. As I will emphasize over the course of my argument, and as Spivak underscores in her sense of ethics as being “not just a problem of knowledge but a call to a relationship,” attending to oppressed pasts demands not only that we turn and turn again to haunted places, but also to living voices and communities who, in re-membering what official histories have not, may likewise “engage us as witnesses, actors, and commentators” and not just as objective commentators.³²

Chapter 1 begins with an excursion into treaty language and understandings as they were inscribed by and in peace medals which circulated as a medium of diplomacy in the late 18th and early 19th centuries. In this chapter I elaborate some of the practices and implications of an ethical literary criticism by focusing especially on the 1851 Treaty of Traverse des Sioux and its differential translations of “peace.” This chapter sets the stage for the brief, terrible war that would follow between Dakotas and Minnesota militia and US Army forces a decade later.

My second chapter reads the religious, legal, and political contexts of that war and its concentration camps through the lens of missionary documents. The war constituted a historical rupture for Dakota, as it led to a campaign of ethnic cleansing and removal from Minnesota. My aim in this chapter is to examine and assess strategies of political resistance deployed by Dakota prisoners, and more broadly to theorize processes of cultural change. I examine those camps’ three main modes of subjection—dispossession, Christianity, and incarceration—in order to ask how conversion and the carceral might have intersected in the bodies and minds of Dakota prisoners, and how we might read

their responses to God and the chain for signs of cultural survival through adaptation, rather than accommodation or assimilation. On the one hand, conversion is a tool of domination, and includes those rituals of law that translate and transform Native ways of being and knowing – ontology and epistemology – into forms legible within the liberal imperial imaginary. On the other hand, conversion works as a way to resist state domination through a politics of withholding. Even when faced with literal confinement, as at the prison camps following the war, Dakota individuals were able to maintain crucial ethical ties to kin while at the same time appearing to be dutiful converts and, at least potentially, good citizens of the United States. Their translations, of themselves into Christian and liberalist forms, are examples of texts that strive “for disguise beneath the symbol, working to say without saying.”³³ Neither co-opted by God and radical individualism, nor essentially untouched or unchanged, they adopted and adapted the performances of colonial culture, filtering it through Dakota ontologies of power, personhood, and reciprocity. Since my hope in this chapter is to establish my methodology of reading for kinship- and reciprocity-based Dakota ethics, I offer a view of the historical polylogue between Natives and whites over the theories and practices, but also the resistances against, the conversion of cherished Dakota homelands into U.S. national space. In doing so, I build on Stuart Banner’s sense, in *How the Indians Lost Their Land: Law and Power on the Frontier* (2007) that legal institutions worked more powerfully than military means to enact Native dispossession.

My third chapter looks at the dispossessions of *Titunwans* (usually called Lakotas in contemporary common use), the Western kin of the Eastern Dakota whose subjection I read in Chapter 2, following the 1868 Treaty of Fort Laramie and discovery of gold in the

Black Hills. Chapter 3 reads closely the transcripts of interviews with Nicholas Black Elk, an Oglala healer, *wicasa wakan*, and Catholic catechist whose life story was famously transcribed, as an as-told-to autobiography, by John Neihardt in *Black Elk Speaks* (1932). While I examine Black Elk's ceremonial performances for tourists as part of Buffalo Bill's Wild West, at the heart of this chapter is a reading of the ethics of Black Elk's great vision, which he experienced as a nine-year-old boy. I focus on the ethical landscape of the great vision as a Lakota articulation of belonging and placemaking that challenges statist notions of territory, notions which sought to link an already limited (because juridically-construed) Lakota sovereignty with an ever-shrinking land base. My readings of the great vision also continue to develop Nelson Maldonado-Torres's notions of the "non-ethics of war" and "misanthropic skepticism," extending their application to Dakota ceremonial life and to its decolonizing gestures.

Dakota author, activist, and physician Charles Alexander Eastman is a prominent literary example of speaking back to white narratives of primacy and belonging,³⁴ and his reading of his own exile and return to homelands will form the basis for Chapters 4 and 5. Eastman once remarked that "After thirty years of exile from the land of my nativity and the home of my ancestors, I came back to Minnesota in 1893. My mother was born on the shores of Lake Harriet; my great-grandfather's village is now a part of the beautiful park system of the city of Minneapolis....". In his critique of the "improvements," villages become parks, and what's most intimate, homely, one's natal village, becomes a public space, ironically, for preserving wilderness. Less obviously, Eastman's Dakota people, a sovereign nation, had been rendered by both U.S. and state laws³⁵ into quasi-sovereign subjects. But despite Eastman's subdued sense of shock, his return to *Mnisota Makoce*³⁶

(Land Where the Waters Reflect the Skies) also shines a critical light on the alien landscape his homelands had become.

Rendering transparent not just the violent origins of Minneapolis and its “beautiful park system,” Eastman exposed the contradictions inherent within national ideologies of belonging. Struck by the differences between “Christian civilization” as it was preached and his experience of racism, poverty, and “the extremes of luxury and misery” in the post-Civil War U.S., Eastman became in his literary work an important critic of U.S. imperialism by articulating a suppressed Dakota history to white settler culture. In those roles, speaking as a Christian convert himself, he not only observed that “this nation is not Christian” but that Dakota values of reciprocity and kinship responsibility embodied a fulfillment of “the as yet unattained ideas of the white man.” As both Native and Christian, savage and civilized, Eastman embodied within himself and his writings the contest between colonized and colonizer. More importantly, his double-voicedness challenged such either/or constructions, refusing their politics of purity or what Kevin Bruyneel calls the “false choice” of a colonial logic.³⁷ In Chapter 4, I read Charles Eastman’s autobiography, *From the Deep Woods to Civilization* (1916) and *The Indian To-Day* (1915) for the variety of ways they which they resist liberalism’s universal thrust by asserting the political effectiveness of kinship-based ethics and Dakota relational epistemologies.³⁸ These ethics are more fully articulated in Eastman’s earlier writings for children, as well, and alongside the more explicitly political critique of *From the Deep Woods* I read in this chapter his much earlier work, *Red Hunters and Animal People* (1904).

A growing body of work by Native critics and historians engages with dispossession of Native lands (Meyer 1999; Hauptman 1999; Marks 1998; McDonnell 1991; Duval 2006) and Native concepts of land tenure. In *The Common Pot: The Recovery of Native Space in the Northeast* (2008), Lisa Brooks recounts Haudenosaunee responses to white settlement during and following the American Revolution. By deploying a Haudenosaunee notion of the commons, in which Native land tenure “was rooted in the interdependent relationship between a community and its territory,” she questions white historiographies that obscure dispossession of Native lands through a republican, incorporationist rhetoric. Robert Warrior’s *Tribal Secrets* (1998) likewise seeks to move past images of Native identity and authenticity and instead re-ground or replace discussion of Native American intellectual traditions in terms of Native peoples’ “thoughts on land and community.”³⁹

Although tribal ways of understanding land and belonging cannot be universalized across Native nations, these moves to approach Native lands and ways of belonging nonetheless stand to illuminate what have been under-theorized land issues within canonical white literature of the nineteenth century. My fifth chapter explores the philosophical basis of individualistic property concepts in Locke, sketching the ambivalent deployments of Lockean individualism in the Supreme Court case *Johnson v. M’Intosh*. Beside these legal and philosophical accounts of land and property I place Eastman’s most (seemingly) non-political writings for Boy Scouts and Campfire Girls, *Indian Scout Talks* (1914). Part of my hope is that through this juxtaposition I may respond to and elaborate on Mark Rifkin’s call, in *Manifesting America* (2009), to read Native traditions, including traditional practices of land tenure such as hunting and

fishing, as a “critical memory” that asserts persistent forms of tribal and trans-tribal consciousness.⁴⁰ More, I argue that the embodied practices which Eastman describes in *Indian Scout Talks* constitute what I call a “sensual citizenship,” through which past and present affective relationships with the land are made and remade.

In my sixth chapter, I read Ella Deloria’s novel, *Waterlily*, for its depictions of Dakota gender identities in a pre-Dawes Act world. Deloria’s novel was written shortly after passage of the 1934 Indian Reorganization Act (IRA), in the early years of the 1940s, and yet there have been few critical readings of it in the context of the IRA or Dawes Act, or of how its depictions of gender are framed by these two key moments in federal Indian law. Building on Mark Rifkin’s recent work in *When Did Indians Become Straight?* (2012), my reading of Deloria begins with an analysis of how Dakota gender norms and identities were remade through the property metaphors of the allotment act. However, my reading of *Waterlily* seeks to complicate Rifkin’s basic question—“how is the ‘self’ of ‘self-government’ in the IRA present haunted by the persistent dynamics of the allotment-saturated past?” by attending to female agency and forms of resistance to those structural features which Rifkin highlights. I argue that *Waterlily*’s depictions of a kinship-based ethics of gifting and mutual care occur within a matrix of gendered relations, and that traditional female (hetero-) gender roles and responsibilities for reproducing Dakota social life, and in particular its central ethics of gift-giving and care, survived structural suppression.

My hope throughout these chapters is that by putting into fluid but sometimes tense conversation a multiplicity of voices from diverse archives—written and oral, past and present, Dakota and non-Dakota—we may see how they interact and intersect to tell

a story about survival and resistance in the face of state violences which were both overwhelming but also insidious and subtle. The story that emerges among and between these voices highlights the nuanced internal politics among Dakotas themselves. Such a story stands to move against views of Native nations as homogenous entities, and more importantly, shows that the ethical relationships among Natives—those shared, disputed, and reworked among kin—may have been of equal or greater significance than Native-white relations in the lived lives of Native peoples. As such, it describes a model of sovereign relations that are both illegible within, and an important alternative to, the universality of statist sovereignty.

¹ Dawes General Allotment Act. 604 F.2d 42; 1977 U.S. App. LEXIS 10961. LexisNexis Academic. Web. Date Accessed: 2013/05/29.

² See Colin Calloway's *Pen and Ink Witchcraft: Treaties and Treaty Making in American Indian History* (New York: Oxford UP, 2013).

³ *Cherokee Nation v. Georgia*. 30 U.S. 1; 8 L. Ed. 25; 1831 U.S. LEXIS 337. LexisNexis Academic. Web. Date Accessed: 2013/07/06.

⁴ *Ibid.*, 87.

⁵ *Ibid.*, 85.

⁶ See especially Vine Deloria, Jr.'s Clifford Lytle's *The Nations Within: The Past and Future of American Indian Sovereignty* (Austin: U of Texas P, 1984); Robert Warrior's *Tribal Secrets: Recovering American Indian Intellectual Traditions* (Minneapolis: U Minnesota P, 1994); Elizabeth Cook-Lynn's "Who Stole Native American Studies?" *Wicazo Sa Review*, Vol. 12, No. 1 (Spring, 1997), 9-28; Taiaiake Alfred's *Peace, Power, Righteousness: An Indigenous Manifesto* (New York: Oxford UP, 1999).

⁷ Taiaiake Alfred, "Sovereignty," in *Sovereignty Matters: Locations for Contestation and Possibility in Indigenous Struggles for Self-Determination*, Joanne Barker, ed. (Lincoln: U Nebraska P, 2005), 41.

⁸ *Ibid.*, 46.

⁹ Joanne Barker, "For Whom Sovereignty Matters," in *Sovereignty Matters: Locations for Contestation and Possibility in Indigenous Struggles for Self-Determination*, Joanne Barker, ed. (Lincoln: U Nebraska P, 2005), 29, note 67.

¹⁰ "UN Declaration on the Rights of Indigenous Peoples," accessed online at http://www.un.org/esa/socdev/unpfi/documents/DRIPS_en.pdf

¹¹ Tonya Gonnella Frichner, "Preliminary Study Shows 'Doctrine of Discovery' Legal Construct Historical Root for Ongoing Violations of Indigenous Peoples' Rights, Permanent Forum Told," accessed online at <http://www.un.org/News/Press/docs/2010/hr5019.doc.htm> on July 4, 2013.

¹² *City of Sherrill v. Oneida Indian Nation of New York*. 544 U.S. 197; 125 S. Ct. 1478; 161 L. Ed. 2d 386; 2005 U.S. LEXIS 2927; 73 U.S.L.W. 4242; 35 ELR 20065; 18 Fla. L. Weekly Fed. S 199. LexisNexis Academic. Web. Date Accessed: 2013/07/07.

¹³ Frichner, "Preliminary Study."

¹⁴ On the notion of "false necessity," see Roberto Mangabeira Unger's *False necessity: anti-necessitarian social theory in the service of radical democracy: from Politics, a work in constructive social theory* (London: Verso, 2004).

¹⁵ Eric Cheyfitz, "Interview with Eric Cheyfitz, Editor of the *Columbia Guide to Native American Literatures of the United States since 1945*, May 2006," accessed online at <http://cup.columbia.edu/static/cheyfitz-interview> on January 13, 2013.

¹⁶ Hans Wimmer, "Is Intercultural Philosophy a New Branch or a New Orientation in Philosophy?" 15. First published in D'Souza, Gregory (ed.): *Interculturality of Philosophy and Religion* (Bangalore: National Biblical Catechetical and Liturgical Centre, 1996), 45-57.

¹⁷ See especially Michel-Rolph Trouillot's "Adieu Culture: A New Duty Arises," in *Global Transformations: Anthropology and the Modern World* (New York: Palgrave Macmillan, 2003), 97-116.

¹⁸ Arnold Krupat, *Ethnocriticism*, 237.

¹⁹ Marshall Sahlins, *Islands of History* (Chicago: U Chicago P, 1985), xv.

²⁰ While my sense of pausing here refers to Dakota storytelling, I am indebted to Mary Pat Brady for suggesting its use to describe a temporal orientation that is distinct from capitalism's temporal logic of limitless accumulation as an activity that need not—or cannot—be suspended.

²¹ Charles Alexander Eastman, *Indian Heroes and Great Chieftains* (Boston: Little, Brown, and Co., 1918), accessed online at <http://www.gutenberg.org/files/336/336-h/336-h.htm> on June 21, 2013.

²² James C. Scott, *Weapons of the Weak: Everyday Forms of Peasant Resistance* (New Haven: Yale UP, 1985), 33.

²³ Toni Morrison, "Unspeakable Things Unspoken: The Afro-American Presence in American Literature," Tanner Lecture on Human Values (Ann Arbor: U of Michigan, 1988), 137.

²⁴ Avery Gordon, *Ghostly Matters: Haunting and the Sociological Imagination* (Minneapolis: U Minnesota P, 2008), 11-12.

²⁵ Gerald Vizenor, *Manifest Manners: Narratives on Postindian Survivance* (U of Nebraska P, 1999), 11.

²⁶ *Ibid.*, 201.

²⁷ *Ibid.*, 66.

²⁸ Vizenor, 14.

²⁹ Lisa Brooks, in *The Common Pot: The Reclamation of Native Space in the Northeast* (Minneapolis: U Minnesota P, 2008), uses the term "re-membering" to describe Haudenosaunee reconstruction of their body politic in response to white encroachments on their lands.

³⁰ Gordon, 142.

³¹ See Gerald Vizenor, *Fugitive Poses: Native American Indian Scenes of Absence and Presence* (Lincoln: U Nebraska P, 2000), 15.

³² Michel-Rolph Trouillot, *Silencing the Past* (Boston: Beacon Press, 1997), 151.

³³ Edouard Glissant, *Poetics of Relation* (Ann Arbor: U Michigan P, 1997), 68.

³⁴ See Jean O'Brien, *Firsting and Lasting: Writing Indians Out of Existence in New England* (Minneapolis: U Minnesota P, 2010).

³⁵ The U.S. Supreme Court decision, *Cherokee Nation v Georgia* (1830) established the doctrine of Indian "wardship," with Chief Justice John Marshall asserting that "the relationship of the tribes to the United States resembles that of a ward to its guardian."

³⁶ Eastman's return was not just to ancestral homelands, but to the cosmic place of Dakota origin, as well. In the middle of the Twin Cities, at a place now called Mendota, is the place called *Maka Cokaya Kin*, or the Center of the Earth. Dakota scholar Waziyatawin Angela Wilson writes that "the actual creation of human occur[ed] in our homeland of *Minisota Makoce*... at *Bdote*, which means the joining or juncture of two bodies of water and in this instance refers to the area where the Minnesota River joins the Mississippi." See *What Does Justice Look Like?: The Struggle for Liberation in Dakota Homeland* (St. Paul: Living Justice Press, 2008), 20.

³⁷ Kevin Bruyneel, *The Third Space of Sovereignty: The Postcolonial Politics of U.S.-Indigenous Relations* (Minneapolis: U Minnesota P, 2007), 217.

³⁸ I use "ways of knowing" here throughout the dissertation as a description of both ontology and epistemology. However, I do not see these as abstract or disembodied systems, or reifications, but rather as being implicit in, and negotiated through, texts and performances such as rituals, origin stories, novels, poems, jokes, and other forms of social poetics.

³⁹ Literary scholars Joshua Bellin (2001) and Cheryl Walker (1997) both have written on white-Native relationships in the nineteenth century, understanding them in dialogical terms. However, land, and competing concepts of land ownership, is largely absent as a category of their studies. Foregrounding

cultural exchange over cultural difference, Bellin advocates for a relentlessly mediatory view of both Native and white identity, leaving little room within his argument for the existence of discrete, sovereign Native nations with real political, cultural, and religious investments in protecting land bases. Likewise, Cheryl Walker's *Indian Nation: Native American Literature and Nineteenth-Century Nationalisms* (1997) rehearses the rhetorical contributions of Native authors to American national myths and identities. So, Indian Removal becomes the backdrop for her discussion of John Rollin Ridge's *The Life and Adventures of Joaquin Murieta*, but only as a prelude for her discussion of Ridge's exilic "longing for law and homelands" (Walker 119). Walker, however, never discusses those homelands, let alone their status within Cherokee thinking.

⁴⁰ Mark Rifkin, *Manifesting America: The Imperial Construction of U.S. National Space* (New York: Oxford UP, 2009), 107.

CHAPTER 1

RESIDUES OF SOVEREIGNTY

The Sioux people were once a fully sovereign nation. They are not now and have not been for a long time. Whether they ever will be again is dependent upon actions of the Congress and the President of the United States and not of the courts. There is a residue of sovereignty, however, a part of which reserves for the Sioux partial criminal jurisdiction.

US v. Consolidated Wounded Knee Cases, 1975

1. Introduction

In the aftermath of the American Indian Movement's occupation of Wounded Knee in 1973, the defendants—comprising some sixty-five individuals—sought dismissal on the grounds that the US had no criminal jurisdiction based on the 1868 Fort Laramie Treaty's guarantee to provide to the "Sioux Nation" exclusive criminal jurisdiction for any crimes committed within their homeland. Judge Warren K. Urbom's decision to reject the defendants' claim reveals some reluctance. Urbom admits an imperial motive behind US Indian policy, which he describes as being "until the late 19th century...impelled by a resolute will to control substantial territory for its westward-moving people," and regarded any obstruction to that movement, "including the Indians," as something "to be—and was—shoved aside, dominated, or destroyed." This policy, he continues, gave rise to "wars, disease, treaties pocked by duplicity, and decimation of the buffalo by whites," all of which "drove the Sioux to reservations, shriveled their population and disembowelered their corporate body." He erroneously concludes that "they were left a people unwillingly dependent in fact upon the United States," adding

confessionally that “it is an ugly history. White Americans may retch at the recollection of it.”

Urbom’s magnifying of this “ugly history,” as well as his further assertions that “the Sioux... had a highly developed governmental system, a religion proclaiming the sacredness of all nature and life, and a disposition toward peacefulness” serve to distract from his invocation of the ideologically unshakeable logic of Native “quasi-sovereignty” that he invokes as decisive in the case.¹ The legal precedent he cites as determinative of this diminished form sovereignty is *US v. Kagama* (1886), which Urbom describes as giving federal courts “jurisdiction over certain crimes committed in Indian Country,” and as being “the predecessor to the present Major Crimes Act.” Especially with respect to crimes not delineated by the 1889 Major Crimes Act, he avers “there is a residue of sovereignty,...a part of which reserves for the Sioux partial criminal jurisdiction.” Within this logic, the defendants’ citation of the Fort Laramie Treaty is an anachronism and an irrelevance.

But this diminished afterlife of sovereignty nevertheless held the voices of ancestors: most of the testimony in the case came from oral histories of the 1868 Fort Laramie Treaty and its acknowledgement of certain inviolate territorial boundaries as well as Lakota jurisdiction over them. These histories troubled Urbom and the smooth functioning of the ideology of conquest he cites as compelling (quoting from Felix Cohen’s 1942 *Handbook of Federal Indian Law*, Urbom notes that “conquest renders the tribe subject to the legislative power of the United States and, in substance, terminates the external powers of sovereignty of the tribe”).² In his decision he asks: “Who speaks for the Sioux? Those traditional people who testified here? Those Sioux of a different mind

who did not testify? The officials elected by the Sioux on the eight reservations?” Like his potted history of US colonization of Dakota lands, these questions—born from a liberal anxiety about testimony as such, querying not only which individuals have authority to speak, but which institutions are capable of empowering those individuals to represent them—distract from the substance of the defendants’ histories of the treaty relationship as an inviolable fact.

In her testimony from the trial, Roxanne Dunbar Ortiz argued that Dakota peoples understood the treaty relationship as one occurring between equal nations. “The Sioux relationship with the United States,” she said, “was the only relationship the Sioux could have understood, that of two independent nations.” This relationship in turn had a particular historical lineage, and

was based upon their relationships with other Indian Nations. Those relationships were not ones of conquest or submission, of submerging other cultures, annihilating other peoples, forcing language or religion upon them. Conflict existed and agreements were made between Indian Nations. Sometimes diplomacy ended in war. But the mode of dealing or of interchange was one of mutual respect and agreements were binding, sacred, and could not be broken.³

Dunbar’s elucidation of nationhood as stemming from Native diplomacies which valued “mutual respect” and toleration, and which had no logics of conquest in their ethical frameworks, also emphasizes a cosmological fact: treaties were historically understood as irrevocable because they held within them, as a kind of continually available reminder *and* charter, the seed of moral relationship as such.

In the same trial, anthropologist Raymond DeMallie corroborates this description of diplomacy in his account of kinship as the relational schema through which treaties were understood. Addressing the common treaty language of being “under the protection of the United States,” he argued that “this does not indicate abrogation of sovereignty,”

where the great, white “Father” assumes controlling “care” of his native “children,” or “a subordinate position, a position in which the Indians were presumed not to be able to act for themselves.”⁴ Rather, it implied from a Lakota point of view “the moral relationship between parent and son or grandparent and grandson.” This relational framework is the framework of *Wohlakota*, the Lakota analogue to *Wodakota*, which Evelyn Gabe, in her account of Lakota oral history, describes as “a beautiful word in our language... which means peace, peace between the two nations, two sovereign nations, *Milanhanskan*, which means the United States and the sovereign Sioux Nation of our Lakota people.”⁵

What *US v. Consolidated Wounded Knee Cases* further suggests is that treaties, and the competing construals of them, remain compelling sites of not only political but also philosophical contests, revealing the often strong cleavages between Native peoples and the state about ideas of peace, power, and responsibility. This chapter examines several different diplomatic contexts, reading them for their articulations of a Dakota sovereignty grounded in kinship ethics that were and remain more than residual in the eyes of Dakotas, and that were all too often lost in translation and, as was the case with trader’s papers, in deliberate mistranslations. As an entrée into a dissertation whose major preoccupations lie at the crossroads of politics, cosmology, and ethics, this chapter’s aim is to place back into proper focus the ethical grounds for Dakota peoplehood, sovereignty, and treating.

2. A Sense of Stability, Remembered

Vine Deloria argues in his essay “Out of Chaos” that one of the conundrums facing Native people was that the realities of US policy often flatly contradicted claims to a greater or more “progressive” “civilization”:

The real exile of the tribes occurred with...the failure or inability of white society to offer a sensible and cohesive alternative to the traditions which Indians remembered....The new ways which they were expected to learn were in a constant state of change because they were not a cohesive view of the world but simply adjustments which whites were making to the technology they were inventing.

Had whites been able to maintain a sense of stability in their own society, which Indians had been admonished to imitate, the tribes might have been able to observe the integrity of the new way of life and make a successful transition to it. But the only alternative that white society had to offer was a chaotic and extreme individualism.⁶

Inverting the logic of assimilation, Deloria’s reading of the conflict between Native Americans and the United States asserts the persistence of Native values, or “the traditions which Indians remembered,” that indicate the presence of coherent and persistent community values. “White society,” however, had no such cohesiveness, but only an ever burgeoning field of gross technological production, which Deloria frames as individualistic, incessant tinkering, rather than as a substantive ethical *techne*. Deloria’s inversion of the savage and the civilized also points to another challenge in reading for forms of Dakota political action. That is, it’s difficult to explore Dakota politics *as such* when dominant historiography has not seen those politics as really having existed in the first place.

While the depoliticizing of Dakota literature and oral tradition has roots in the broader nationalist romance of the “Vanishing Indian,” other, less *direct* erasures of Dakota history, perhaps, are created and maintained through misreadings of Dakota life through a racist optic of abjection. An example from my process of writing this chapter

may serve to contextualize what I mean by elision through abjection here. At first, I wanted this chapter to serve as a prelude to the competing views about the 1862 US-Dakota War I write about in Chapter 2. At first I simply wanted to account for the history of diplomacy leading up to that war as a way of situating Dakota motives for going to war in the context of broken treaty promises, and their material and psychological consequences. I wanted to understand how Dakotas dealt with the psychological burden of an increasingly confined sense of movement, following from the shrinking of the Dakota land base as well as, in the first instance, a demarcating of territory according to a logic that bound sovereignty to particular lands. And I wanted to document how starvation and desperation drove Dakotas to declare war on white settlers and the United States. What began to occur on me, though, was not only the enduring importance of the material promises contained in the treaties made by Dakota bands before 1862, but the crucial matter of the *immaterial* in their negotiations: those promises of “friendship” and “peace” which might seem merely to be obligatory gestures in the making of any treaty.

For Dakota ambassadors, though, the initiation or renewal of alliances—understood in kinship idioms of parent to child and of brotherhood—entailed by and embodied in these terms was arguably not just the occasion for treating, but its underlying purpose. As Dakota historian Waziyatawin (Angela Wilson) describes it, kinship terms are pervasive in Dakota language and culture:

Kinship terms are used to discuss all of creation—terms of elder brother or elder sister may be used to describe the animals, the sun may be talked about as grandfather and the moon as grandmother. For those who grow up in a Dakota-speaking household, from the time of birth a different relationship with the universe and all of its beings is developed and then nurtured throughout a lifetime. For a student of the Dakota language, these references and understandings open doors to an entirely new set of values and move stated ideals about kinship from

mere rhetoric in an intellectual argument to one based solidly in language and worldview.⁷

What Wilson calls here a “set of values” that is more than “mere rhetoric,” being a lived and lived-as-spoken experience of kinship, informs what I want to call an ethics and politics of hospitality. This ethics was and remains grounded in the personalistic universe that Wilson describes, and that lives most fully, perhaps, in and through the Dakota language. The guarantee of *Wodakota* enshrined in the treaties, the guarantee of feeling affection for another, was a politics rooted in an ethics of kinship framed by but not limited to its interactions with the state, misappropriated and mistranslated in diplomatic encounters and by federal Indian law, but which survived more or less continuously across the nineteenth-century’s long history of US expansion into Indian Country.

One historical “text” whose meanings underscore the importance of the ethical for understanding Dakota responses to colonial pressures in modernity is the peace medal. Medals minted and distributed by British, French, and US governments are the earliest tokens through which a Euro-American domination masqueraded as a politics of hospitality. One typical speech accompanying the distribution of medals appears in Lewis and Clark’s journals of their North American voyage. In its enumerations of mutual expectations and responsibilities between the “great father” in Washington and his “red children,” it performs a version of the familial schema, and of the parent-child idiom of kinship in particular. In that version, paternal control and power are downplayed, while paternal care—by ensuring fair dealings with traders, as well providing gifts of sustenance or rations and military aid—are highlighted. An August 1804 speech “to the Oto Indians” shows Lewis and Clark attempting to describe the transfer of sovereignty entailed by the Louisiana Purchase:

Children. Commissioned and sent by the great Chief of the Seventeen great nations of America, we have come to inform you, as we go also to inform all the nations of red men who inhabit the borders of the Missouri that a great council was lately held between this great chief of the Seventeen great nations of America, and your old fathers the French and Spaniards; and that in this great council it was agreed that all the white men of Louisiana, inhabiting the waters of the Missouri and Mississippi should obey the commands of this great chief; he has accordingly adopted them as his children and they now form one common family with us.⁸

Folded into this new, “common family,” were not only Native peoples like the Otoes, their allies and enemies, but also traders with whom Natives had long histories. Here, the medal speech displays a basic contradiction when it introduces into the familial schema a note of subjection. The traders are “no longer the subjects of France or Spain, but have become the Citizens of the Seventeen great nations of America, and are bound to obey the commands of their great Chief the President who is now your only great father.”

Whether the vocabularies of subjecthood and citizenship would have come across to the Otoe audience as anything but condescending is hard to say. But the torsion of kinship terms here (and their exclusiveness, as a relationship to “your only great father”) into expressions of dominance rather than generous care is significant for understanding the differential ethics of the treaty process.

This basic contradiction, or perhaps incoherence, in the rhetoric accompanying the gift of the peace medal, taints the meanings of friendship, instrumentalizing the terms of “neighborhood” and “friendship” as central metaphors for a quasi-citizenship that was really subjection:

*Children...*Neither wage war against the *red men* your neighbours, for they are equally his [the great father’s] children and he is bound to protect them. Injure not the persons of any traders who may come among you, neither destroy nor take their property from them by force; more particularly those traders who visit you under the protection of your great fathers flag..., for by that signal you may know them to be good men, and that they do not intend to injure you; they are therefore

to be treated as friends, and as the common children of one great father, (the great chief of the Seventeen great nations of America.”

What this conferring of the peace medal entailed for the US diplomats, then, is the expectation of obedience to the great father. Of course the assertion of greater US sovereignty through the series of injunctions (“Neither wage war...,” “injure not,” and so on) would have been an affront to Otoes, as would the explicit threat of violence in retaliation for obstructing the “opening of the road,” or waterways, that was the *raison d’etre* of the US “expedition.” The threat of bringing “the displeasure of your great father..., who could consume you as the fire consumes the grass of the plains,” was at this point primarily a threat against any interferes with existing trade: “The mouths of all the rivers through which the traders bring goods to you are in his possession, and if you displease him he could at pleasure shut them up and prevent his traders from coming among you; and this would of course bring all the Calamities of want upon you.” To this Lewis and Clark added a belated balm: “But it is not the wish of your great father to injure you, on the contrary he is now pursuing the measures best Calculated to insure your happiness.”⁹ These affronts may have been somewhat ameliorated by the ceremony’s stipulations that there would be no loss of Native lands due to cessions. Or they may simply have been tolerated as the selfish actions of a bad family member. In any case, the United States’ ideological “measures best Calculated to insure your happiness” are inscribed quite literally on the earliest American medals, or “season medals,” which the Lewis and Clark commission still distributed (55 in number) on their voyage, along with the more contemporary Jefferson Indian medals. The season medals got their name not for depicting seasons as such, but for their images of, as the designer John Trumbull put it, “the first steps in agriculture”—a house surrounded by a low fence,

a man sowing grain on soil that is labeled, below its surface, “USA.” “This,” as Jefferson himself remarks, in *Notes on the State of Virginia*, “is what the Indians call making them women.”¹⁰

To give one more brief aside before moving on: it is clear that American diplomats did not *fail* to understand the complex inflections of meaning that kinship understandings, and their affective entailments, gave to these cross-cultural negotiations. Jefferson himself deftly deployed affect, based on his understanding of Native familial idioms, to gain political traction with Native peoples following the American Revolution. In a 1793 “short statement of facts” to US ambassadors to Spain, William Carmichael and William Short, Jefferson merges a rhetoric of Native savagery with one of domestic or fraternal expectation:

At the commencement of the late war the United States laid it down as a rule of their conduct to engage the Indian tribes within their neighborhood to remain strictly neutral. They accordingly pressed it on them, urging that it was a family quarrel with which they had nothing to do, and in which we wished [them] to take no part. And we strengthened these recommendations by doing every act of friendship and good neighbourhood in our power. With some these solicitations prevailed; but the greater part of them suffered themselves to be drawn into the war against us. They waged [war] in their usual cruel manner, murdering and scalping men, women and children indiscriminately, burning their houses, and desolating the country. They put us to vast expence, as well by the constant force we were obliged to keep up in that quarter, as by the expeditions of considerable magnitude which we were under the necessity of sending into their country from time to time....

Peace being at length concluded with England, we had it also to conclude with them. They had made war on us without the least provocation or pretence of injury. They had made war on us without the least provocation or pretence of injury. They had added greatly to the cost of that war; they had insulted our feelings by their savage cruelties, they were by our arms completely subdued and humbled.¹¹

Vascillating between war report and enjoinder, and between presumed white and Native audiences, Jefferson’s text is nonetheless not exactly ambivalent. Its construals of the

warfare of unnamed “Indian tribes” instrumentalizes a rhetoric of savagery in order to justify a “vast expence” in maintaining a “constant force” of military presence in “their country” during the Revolution. Jefferson goes on to describe the complex negotiations with the “Indian tribes” that followed through a tonal shift that might be described as fraternal; and seems deliberately couched in the vocabulary of treating: “Sincerely desirous of living in their peace, of cultivating it by every act of justice and friendship, and of rendering them better neighbours, by introducing among them some of the most useful arts, it was necessary to begin by a precise definition of boundary.” In his account, there is no bona fide understanding of the ethics of friendship, but only the pretense of it, expressed cynically, manipulatively, through shame (“they had insulted our feelings”), that was itself motivated by a racialized ideology of US dominance over Native forms of diplomacy. Jefferson lays bare his sense of US sovereignty most clearly by his expectation that Native peoples would simply abandon previous alliances with British in favor of their new sovereign, the United States, and would not only assume the “most useful arts” such as agriculture, textiling, and animal husbandry, but would redraw existing political geographies.

3. Indigenous Ethics are Trans-ontological

Rather than an ethics of friendship, Jefferson’s account to his envoys illustrates how coloniality, as a way of constituting people ontologically by virtue of race, works tautologically to construct racial others as constitutively inferior. And in doing so, it effectively bars the possibility of friendship or affection that is responsive to the needs of the other.¹² In his essay, “The Coloniality of Being,” Nelson Maldonado-Torres describes

this historical process of constituting racial others as an ethical exception arising in medieval Christian warfare. Because his reading of Heidegger's "Being" as a colonial ontology resonates with how I read Dakota forms of resistance and cultural continuity, I want to unpack it further before moving ahead to a historical instance of a mistranslation with quite serious consequences. Maldonado –Torres's term for the exception to a theory of just war is "the non-ethics of war," and this he argues "represented a sort of exception to the ethics that regulate normal conduct in Christian countries." The non-ethics of war becomes an apologetic or justificatory discourse, then, that reads backwards from a moment of conquest to rationalize not only domination, but slavery. Describing Sepulveda's justifications for Spanish enslavement of New World Natives, Maldonado-Torres finds that "human beings become slaves when they are vanquished in a war translates in the Americas to the suspicion that the conquered people, and then non-European peoples in general, are constitutively inferior and that therefore they should assume a position of slavery and serfdom."¹³ Maldonado-Torres identifies the root cause of this tautological process not in apologetics, however, but in the psychology of the "ego conquiro" and in its "unquestioned ideal of self" as a conqueror. The imperial subject, then, is an ontological subject, and his (in Maldonado's reading, the imperial subject is a violently, pathologically "phallogenic subject") appearance outside of Europe is a constitutively ontological event *par excellence*. Prior to his arrival on the "Indian" scene, though, the ego conquiro had laid the ground for the ego cogito, in that it provided a form of doubt. Its doubt, however, is not projected toward thinking itself, but towards the humanity of colonized peoples, a doubt that Maldonado-Torres gives the name "misanthropic skepticism." At the intersection of both ego constructs is a newness that

enters the world as a non-ethics of racial ontology: “The very relationship between colonizer and colonized provided a new model to understand the relationship between the soul or mind and the body; and likewise, modern articulations of the mind/body are used as models to conceive the colonizer/colonized relation, as well as the relation between man and woman, particularly the woman of color.” Slave bodies—and here we might recall the denial of legal personhood to American slaves, except as a groundwork for deciding legal culpability—become *only* body, the raw stuff of *res extensa*, while the colonial master alone enjoys the legal (and quite material) benefits accrued to the possessor of consciousness, of the *res cogitans*.

These ontologies pervade the colonial situation in Native North America, as well, and permeate federal Indian laws and policies from its inception with the Trade and Intercourse Act of 1790, as the manifold negations of Native sovereignty that began with that act’s regulating of the sale of “Indian” lands and in punishing crimes committed by “Indians” against whites. Eva Marie Garrouette corroborates the racial basis of the legal category of “the Indian” in her essay, “The Racial Formation of American Indians,” arguing that contemporary Natives in the US “differ from other twenty-first-century racial groups to the extent to which their racial formation is governed by *law*.”¹⁴ Most clearly, this paternalism towards Native Americans that is at the heart of misanthropic skepticism, or the imperial attitude, appears in the so-called Marshall trilogy of Supreme Court cases. The Marshall trilogy effectively made Native peoples into legal “wards” of the United States, where “wardship” is a function of a quasi-race status. Over the next fifty years, this status would be further articulated, often in intensive and intensively contradictory ways, by the US Supreme Court. Lumbee legal scholar David Wilkins dates

the construction of a distinct racial dimension, for example, to federal Indian policy and law to the 1846 Supreme Court decision, *United States v. Rogers*. In that case, William S. Rogers, who Chief Justice Taney described as “a white man,” was indicted for the murder of another white man, Jacob Nicholson, in the Indian Territory. Rogers’s defense argued that the US had no jurisdiction to try him based on his claimed identity as a Cherokee. Rogers claim to have married a Cherokee woman and been adopted into the Cherokee tribe, and also claimed that Nicholson had been adopted as a Cherokee. In his decision, Chief Justice Roger Taney effectively rebutted the logic of previous Supreme Court decisions that had upheld at least a minimal degree of Native sovereignty as nations, including Marshall’s infamous construction of Native tribes as “domestic dependent nations.” Taney employed a *terra nullius* [“land belonging to no one”], or doctrine of discovery, argument, in which he opined in the opening of his decision that

the native tribes who were found on this continent at the time of its discovery have *never been acknowledged or treated as independent nations* by the European governments, nor regarded as owners of the territories they respectively occupied. On the contrary, the *whole continent was divided and parceled out*, and granted by the governments of Europe as if it had been vacant and unoccupied land, and the Indians continually held to be, and treated as, *subject to their dominion and control* [Wilkins’s emphases].¹⁵

Wilkins’s flagging of “erroneous statements” with italics is meant to show the “fabrication of a new history which would justify deeper federal encroachments into tribal sovereignty.” What Taney effectively did was not only to annul previous Supreme Court decisions upholding Native sovereignty, but also the treaty relationship that had existed between the United States and Native governments since US treating began with Delawares in 1778. Unsurprisingly, perhaps, his disavowal of the treaty relationship goes hand in hand with his disavowal of Cherokee forms of reckoning citizenship via

adoption, in that both cases are tied to ethics of friendship that would be seen, if they were seen at all, as hostile to ontological difference that was construed along racial lines.

Taney's decision is thus a double abrogation of an ethics of friendship based in the solidarity of kin, as well as an instance of the paranoid ego *conquiro* attacking discursive zones of defense for Native peoples. The treaty territories that constituted Indian Country were, from Taney's perspective, refuges from state power. Their refugees' identities might be created by and maintained through Native adoptions which, by their very nature, were trans-ontological and, so, subversive of state regulatory power. Rogers, in the paranoid optic of the state, became one of a class of men "who are most likely to become Indians by adoption, and who will generally be found the most mischievous and dangerous inhabitants of the Indian Country." There is much in this statement that resonates uncomfortably with contemporary disparagements of non-biological notions of belonging and citizenship, such as Elizabeth Cook-Lynn's, who writes that marrying outside of one's "tribal and/or racial group" is a "real dilemma because relationships based on blood have been a tenet of survival and identity in native enclaves from the beginning and continue to be."¹⁶ In invoking Cook-Lynn's arguments about blood again, I don't mean to make a strawman, or even to take sides. If anything, her aggressive stance toward filiation—as a function of "relationships based on blood"—stands as a provocation to further elaborations of what filiation has looked like historically, and what it might be imagined as now in non-biological ways as a rubric for forms of citizenship that are by no means futuristic. The Cherokee Nation, after all, has no blood quantum requirement for citizenship, although its citizenship politics have been significantly complicated by the 2007 disenrolling of descendants of the Cherokee

Freedman,¹⁷ raising questions about the ways in which blackness and whiteness are differently perceived in relation to indigeneity.

4. *Tiyospaye* Ethics

In order to think alternatives to either racially-based or otherwise exclusionary models of peoplehood, I have suggested that one central means by which Dakota assessed and often adapted liberal ideals is through an ethics of friendship, in which “friendship” is the affective result of a trans-ontological gesture of generosity and respect. Rather than a haunting or traumatic residue, though, or something like what Fred Moten calls a “wounded kinship” emergent from slavery, I would assert that Dakota ethics have been historically embodied through kinship relations, relations not conjoined to a marriage notion or to reproductive logics, but instead to the larger social grouping of the *tiyo paye*. While it is sometimes translated into English simply as “camp circle,” a better translation is given by Nicholas Black Elk: “*Ti* (where we live) *o paye* (apart but not separated completely). And while Black Elk gave this translation to elucidate the physical layout of the camp shared by members of the same band, it is an especially apt metaphor for the coherence and endurance that kinship, and the ethics it calls for, provide. Dakota (Yanktonai) anthropologist and author Ella Cara Deloria placed the *tiyospaye*, or extended family, at the core of Dakota peoplehood, and wrote in *Speaking of Indians* (1944) that

the ultimate aim of Dakota life, stripped of accessories, was quite simple: One must obey kinship rules; one must be a good relative. No Dakota who has participated in that life will dispute that. In the last analysis every other consideration was secondary—property, personal ambition, glory, good times, life itself. Without that aim and the constant struggle to attain it, the people would no longer be Dakotas in truth. They would no longer even be human. To be a good

Dakota, then, was to be humanized, civilized. And to be civilized was to keep the rules imposed by kinship for achieving civility, good manners, and a sense of responsibility toward every individual dealt with. Thus only was it possible to live communally with success; that is to say, with a minimum of friction and a maximum of good will.¹⁸

So far my defining of that ethics has been largely negative, or in opposition to the ontological constraints and constructs within which Native peoples have historically been placed. But Deloria's underscoring of the *tiyospaye* as a constitutive part of Dakota life, as well as my Introduction's epigraph from *Bea Medicine*, suggest a positive, and richly dense, formulation: "We honor each other." This honoring stands as a relational possibility historically not thought by the ethically impoverished state. But who is eligible for giving and receiving this honor? What do Dakota articulations of an ethics of friendship say about the ways in which peoplehood and kinship were defined and practiced?¹⁹ In what follows, I offer an elaboration of Deloria's and *Medicine's* definitions of Dakota ethics, as well as a methodology of reading for kinship through the negotiations of a critical moment in Dakota treaty history with the United States.

In a scene from Deloria's novel, *Waterlily*, which I explore in greater depth in Chapter 6, a band of Tetons (Dakota) and a neighboring Omaha (non-Dakota) band meet in an intertribal exchange that foregrounds ethical dependency on the other, promoting values of generosity, consent, and cooperation. The Omahas have travelled north to Teton territory for the purpose of a gift exchange and singing, and their imminent arrival sends the Tetons into a frenzy of preparations:

"They have already arrived! Yonder you may see them putting up their camp. They are preparing to sing. We all know how they can sing! This is an event. You men who are *men*, you who can give away your best without your pulse quickening, get ready to give as becomes you. According to their custom, the visitors are coming to 'sit down Omaha style.' Be prepared to meet them worthily!" In such phrases the announcer rallied the people.²⁰

While it stresses inter-tribal alliance, the scene is not meant to idealize Teton-Omaha relations as everywhere and always cordial, or as the friendly dissolving of one people into the other. Indeed, Deloria glosses the political history between Tetons and Omahas as one of conflict (Rainbow, Waterlily's husband, "had heard tell of their record in war with the southern Tetons") punctuated by "periodic meetings with them under truce, when they came with their families," for instance during the summer Sun Dance, during which Dakotas "received in friendship...all traditional enemies." And as I discussed in my sixth chapter, on heteronormative gender roles in *Waterlily*, the gift exchange with the Omahas is marked by clear discursive boundaries that mark off masculinity as a privileged site. The announcer's explicit linking of masculinity with selfless giving and moral worth is repeated by the narrator's pedagogical remark that "the men who were *men*, who prided themselves on being able to give their best unflinchingly, 'without their pulse quickening,' were spanned out in a front rank, holding one or more gift horses by ropes."²¹

In the meeting of the two peoples, communal and gender boundaries remain intact, but also in-tact, in touch, being made permeable first by an admiring kind of desire, then by the exchange of gifts or horses and singing: "Steadily and determinedly the two peoples drew toward each other in ceremony, out on the open prairie. But they did not meet." Standing "somewhat more than one hundred paces apart," both sides "stood arrayed facing each other." At this distance, two of the novel's female characters, Waterlily and Prairie Flower are able to take in the splendor of the Omahas's presence, whispering "breathlessly that never had they seen anything like it before. Tall, stalwart, and self-assured in their gorgeous costumes of costly white buckskin...truly the Omahas

were a breathtaking sight.” Apprehended and admired as other by virtue of ceremonial convention (we learn that the Dakotas are “all rather shabbily dressed...for that was the custom: the host must be plainly dressed so as not to shame the guest by seeming competition”), the Omahas and their gifts of horses and song nonetheless become the means by which the principle of generosity can be acted out in, as Deloria puts it, its “sublime height”:

When the last song died away, it was the Dakotas’ turn to act. Nor did they hesitate. The ceremonial give-away was fundamental to all plains life. For the Dakotas, it was their particular pride and glory. And now here it was to be elevated to its sublime height, in one concerted act. Not from person to person, as usual, but from tribe to tribe.²²

Gift-exchanges like this one between Tetons and Omahas enact a concept of the gift that is less motivated by reciprocity than by a circular form of exchange: one that also transgresses boundaries of difference (while not finally erasing them) to create relations I’ve called, after Nelson Maldonado-Torres, trans-ontological. What strikes me about the gift exchange at this moment in Deloria’s novel, and what perhaps inspires her to call it “sublime,” is this trans-ontological gesture, which (to make another gesture across) is something like what George Steiner describes when he writes in *Real Presences* (1991) about *cortesia* or courtesy. If we put aside Steiner’s theological overlay, the term has strong relevance for reading this inter-tribal encounter, especially in relation to what I have called an ethical techne, and indeed, to the concept of translation more broadly.

5. Translation, Kinship, Ethical Techne

The question of what it means to be a perfect host underwrites both the gift exchange and Steiner’s musings on courtesy, which he first likens to translation. Steiner’s

assertion that “a master translator can be defined as a perfect host” suggests an accord between the task of translating and philosophy’s analysis of “the conditions of awareness and of intelligibility between the ego and the other.”²³ This close attention to the conditions that enable and foreclose relation create the possibility of tact, “of the ways that we allow ourselves to touch or not to touch, to be touched or to be touched by the presence of the other....The issue is that of civility (a charged word whose former strength has largely left us) towards the inward savour of things.”²⁴ That the word “civility” is “charged” for Steiner is presumably because it encodes (in its “former strength”) the sort of tact that Steiner finds to be the basis of not only interpersonal relation but of the aesthetic encounter with works of art and music, as well, capturing the qualities of receptivity and generosity implied in one of its earlier recorded usages, William Shakespeare’s *Merry Wives of Windsor*: “Any madnesse...seem’d but tamenesse, ciuility, and patience, to this is distemper he is in now.”²⁵ But the term of civility of course bears the weight of its quite uncivil history of being instrumentalized for domination, as well, and it would be impossible to fully cordone off an existential reading of *cortesia* and *civilitas* from their historical imbrication. Still, I like the emphasis on embodied presence in Steiner’s use of *cortesia*, and especially his sense that there are techniques of respect and courtesy that mediate and indeed, enable, relation between self and other.

This focus on techniques of courtesy is shared in a somewhat different context by Gayatri Spivak, who, in her essay, “The Politics of Translation” remarks that the importance of translation as an ethical critical practice is partly enabled by a semantic opening that occurs in the gap between languages. Describing how she had translated

eighteenth-century Bengali poetry as a younger person, and how she had to resist what she “was taught in school” (“the highest mark for the most accurate collection of synonyms, strung together in the most promixate syntax,” and “the solemnity of chaste Victorian poetic prose and the forced simplicity of ‘plain English’”), Spivak concludes that “translation is the most intimate act of reading” in part because “language is not everything.” It is, rather, “only a vital clue to where the self loses its boundaries.” She writes that “in translation, where meaning hops into the spacy emptiness between two named historical languages, we get perilously close” to the possibility of such boundarylessness.²⁶ This is not, I don’t think, a denial that boundaries of various kinds don’t continue to exist; only that there is a between, a “spacy emptiness” beyond the boundary of what we typically think of as a finite language in which a relation of generosity becomes possible. In other words, this “spacy emptiness” between languages makes possible the sorts of cross-cultural translations, as well as the quite political assertions of boundaries of difference, that I have gathered together in the dissertation as instances of translation and counter-translation. In these translations, the “fraying” at the edges of the self that Spivak describes is not something to be avoided, but instead plays a pivotal role in the task of the translator, who Spivak describes as a facilitator of “this love between the original and its shadow, a love that permits fraying, holds the agency of the translator and the demands of her imagined or actual audience at bay.”

I find this description compelling in a couple of different ways as a way of thinking about my own readings of Dakota intellectuals and authors in this volume, many of whom saw their own authorship as a means of creating resistive counter-translations to US colonial discourses. For one, she is commenting on, but also participating in, a shift in

translation studies from a movement away from equivalence and toward difference. However, this privileging of difference does not foreclose the possibility of substantive relations across boundaries of unlikeness. Indeed, Spivak locates the practice of translation in the realm of ethical practice when she describes how unethical action is constituted in the *refusal* of rhetoric, and of rhetoricity itself. So we see the presence of a translational “love” in a situation of a lack of willfulness: when the translator “holds...at bay” the conventional key players of rhetoric, that is, the translator herself, and her audience, “imagined or actual.” Put somewhat differently, the translator’s “love” is potentially violent because it may do “violence to the translating medium” not just through a suspension of competing desires, but also by tearing that medium, that language and its rhetoricity—its collected history of human encounters, we might say—out of established semantic grooves and into new territories.

Finally, there seems to me a clear analogue to this description of translation in Dakota values of generosity, cooperation, and mutual respect, as well as in the core values of other Native peoples—values which, it bears asserting, made possible and were reinforced in inter-tribal acts of diplomacy like those between Dakotas and Omahas in Deloria’s novel. The work of Onkwahonwe (Mohawk) scholar and activist Taiaiake Alfred corroborates both this view of the interdependence and entanglements of indigenous collectivities, as well as the ethical *techne* through which inter-tribal relations have historically been negotiated. Indeed, Alfred explicitly links the goals of decolonization and increasing Native self-determination with the articulation of an indigenous “regime of respect.” Alfred’s 2005 essay, “Sovereignty,” begins with an assertion of how indigenous forms of social life and identification as matters of plurality

and inclusivity—such as the friendships or alliances brokered by treaty with Native and White alike, and clearly evident in the Haudenosaunee “Great Peace”—have been obscured, though not erased, by sovereignty’s long shadow, within which “the actual history of our plural existence” has fallen. Citing treaties that “all explicitly contained reference to the independent nationhood of indigenous peoples,” Alfred at first seems to be taking the usual tack of promoting an original and isolated Native sovereignty that has been consistently under attack within US federal Indian law. But his argument, more radical than a citation of Euramerican sovereignty would allow, instead asserts that such sovereignty is inherently a limitation on “the ways we are able to think,” not least of all because of its cordoning off of political activity within a clearly-bounded, territorially-defined entity.²⁷

While Alfred is more interested in asserting the need for a revival of indigenous politics for the achievement of Native self-governance, rather than, say, analyzing the historical inter-relations of Native peoples, and the values these relations required in order to continue, his sense that “there is a political universe of possibility when it comes to the embodiment of core values in the new systems [of self-government]” implicates the expansive and multi-communal forms of generosity, power-sharing, and friendship with which this dissertation has been preoccupied. So he writes that,

Indigenous perspectives offer alternatives, beginning with the restoration of a regime of respect. This ideal contrasts with the statist solution, still rooted in a classical notion of sovereignty that mandates a distributive rearrangement but with a basic maintenance of the superior posture of the state. True indigenous formulations are nonintrusive and build frameworks of respectful coexistence by acknowledging the integrity and autonomy of the various constituent elements of the relationship. They go far beyond even the most liberal Western conceptions of justice in promoting the achievement of peace, because they explicitly allow for difference while mandating the construction of sound relationships among autonomously powered elements.

For people committed to transcending the imperialism of state sovereignty, the challenge is to de-think the concept of sovereignty and replace it with a notion of power that has at its root a more appropriate premise. . . . Maintaining a political community on the premise of singularity is no more than intellectual imperialism. Justice demands a recognition (intellectual, legal, political) of the diversity of languages and knowledge that exists among people—indigenous peoples’ ideas about relationships and power holding the same credence as those formerly constituting the singular reality of the state. Creating a legitimate postcolonial relationship involves abandoning notions of European cultural superiority and adopting a mutually respectful posture. It is no longer possible to maintain the legitimacy of the premise that there is only one right way to see and do things.²⁸

The values that Alfred alludes to here are communitarian ones oriented toward mutualism and respect. Alfred’s more recent work (2005, 2009), has spelled out what those values look like for Onkwehonwe, for instance in his use of the *Wasase* concept of a warrior society, with its premium on what he calls an “ethics of courage” to illustrate one possible “post-sovereign” incarnation of Mohawk politics.²⁹ But I take one implication of his call to “de-think” sovereignty to be epistemological, demanding not only a multiplicity of conceptualizations of the political, and of political power, but also and in a related way demanding “a mutually respectful posture” that contains within itself the seeds, the possibility, of its own critique. Such a “mutually respectful posture” is also a critical posture, in other words, and is one that arises from a caring attending to the presence of the other. Steiner’s call for philosophy to track the “conditions of awareness and of intelligibility between the ego and the other” appears here, then, in stronger form as an indigenous demand for mutual respect between equals by way of refusing dogmatism of all kinds. It is a stronger form of diplomatic engagement because it goes beyond toleration, which is actually a form of hostility through which differences are maintained and highlighted.

In Alfred's work, there is maybe unsurprisingly little in the way of proscriptive knowledge that we might call a *techne*. In *Wasase*, for instance, he refuses to be programmatic about his "ethics of courage," writing that "everything has to be thought through, there are no moral absolutes or set rules for guiding human behaviours either in the personal or political realms." My sense of Dakota ethics constituting a *techne*, then, departs from but doesn't contradict the basic sense of courageous care that Alfred and Steiner (though they make odd bedfellows) share. For Alfred, after all, Onkwehonwe ceremonies possess "*part* of the knowledge we need to survive," and these knowledges "are simple...: interdependency, cycles of change, balance, struggle, and rootedness."³⁰ I see a further implication of these knowledges, though, that is fundamental to thinking post-imperial values, a project that Eastman, Deloria, and Black Elk all arguably were involved and invested in: namely, a knowledge or set of knowledge that is cosmopolitan in the sense of opening out onto others via fundamentally porous borders, borders whose porousness consists in their being essentially self-critical.

What I mean might be clarified by reference to Foucault's view of *techne* as a critical tool for interrogating any knowledge's claim to ontology. This view is elaborated from his observation that the self, the European self, has been the site of an inversion, which he summarizes as a stripping away of technologies of care: "In Greco-Roman culture knowledge of oneself appeared as the consequence of taking care of yourself. In the modern world, knowledge of oneself constitutes the fundamental principle." One sign of this inversion is that in modernity we inherit a secular tradition that respects external law as the basis for morality.³¹ Absent from this formulation is a "respect for the self." The epistemological risk that accompanies this shift or inversion is maybe what interests

me most, in that it relates to the possibilities of an indigenous ethics, a Dakota ethics, for thinking beyond a state sovereignty. And this risk is captured well by Frances Latchford in her essay, “If Truth Be Told of Techne: Techne as Ethical Knowledge,” where she sums up Foucault’s view of techne as critical knowledge:

In light of Foucault’s view, the only ethical means that begin to attend to the threat of knowledge, posing as Truth, is an approach wherein the self is practically, consciously, and infinitely open to choosing new knowledges as the dangers of old knowledges become apparent. For Foucault, therefore, techne alone serves this end of ethics because it is the only mode of knowledge that reassures the self of the possibility that knowledge can be learned and then, if need be, forgotten; it allows for a practical consciousness of the arbitrariness of origins that constitute knowledge.³²

While the emphasis here on the self as the site of knowledge production requires some major revision in order to begin to have relevance for a Dakota context, where the inter-subjective (or better yet, to use Tim Ingold’s coinage, the “inter-agentive”) or the relational is the basis of knowledge, I see good possibilities for theorizing of post-imperial values within this view of techne, as well as a useful extension of Alfred’s Onkwahonwe-centered model of ethics as the source of powerful political practice. There is nothing like an indication of “the arbitrariness of origins,” for example, in Eastman’s citations of origin stories, and yet there is, especially in the trickster tales of Inktomi, but also in the sense of ethical risk and perceptual ambiguity that runs through all the *hitunkapi* (one never knows when one is being evaluated, in this world, by a non-human presence, after all), something like a negative dialectics. And in their twin insistences—that knowledge is a matter of adaptation and openness, and survival as a people, a matter of acting like a good relative—they offer us all something urgently needed.

6. Indigenous Ethics are a Critical Supplement

A bit more needs to be said about what I mean by the term “ethics.” First, what I do *not* mean by it are traditional ethics (whether based in virtue, utility, or rules). This not-meaning is linked to the ways in which I want to read the colonial encounter; to, in other words, a supplemental methodology of reading. As Rey Chow writes in *Ethics after Idealism*, the linking of ethics with mores, or “with its cognates, *morality* and *moralism*,” is contrary to a “reading practice” that should “carry with it a willingness to take risks, a willingness to destroy the submission to widely accepted, predictable, and safe conclusions.” This is “not to confirm the attainment of an entirely independent critical direction, but rather to put into practice a supplementing imperative—to follow, to supplement idealism doggedly with non-benevolent readings, in all the dangers that supplementarity entails.” In a sense, Native American Studies (NAS) has been grounded, since its inception as an academic discipline in the 1970s, in this critical approach, directing “non-benevolent readings” to multiple sites where Native peoples continue to be marginalized, misappropriated, or mismanaged.

There are, of course, many idealisms confronting NAS scholars still, not least of which is the ongoing effort to characterize Native peoples in the United States as just another minority group. This form of idealism, however, where “the multicultural” is celebrated as an instantiation of democracy’s inclusiveness, manages to occlude the unique legal and political status created by the treaty relationship with the federal government. Elizabeth Cook-Lynn argues in *Anti-Indianism in Modern America* (2001) that

studies in multiculturalism or diversity, while not bad things, are limited in their ability to clarify the political status of Indian nations. None of the strategies used in multiculturalism defend or transform the indigenous nations of America as possessors of specific tribal and political rights, land, and culture. And their

regulatory strategies bind Indians into an awful historical context as non-participants.³³

If “ethnicity,” deployed as an ahistorical term to bolster a sense of national inclusiveness, works to minoritize Natives, making them just one more vegetable in the “salad bowl” of American democracy, then one form of critical supplementarity would be to insist on Native nationhood, where “nation” invokes the status of equality that Native peoples historically held in treating with Euro-American nations. This is certainly a justifiable and historically accurate claim, because of or despite the US Supreme Court’s continual attacks on Native sovereignty. One problem with nationalist arguments in Indian Country, and in Native American Studies, however, is the tendency toward essentialisms that problematically reproduce colonial logics. While Cook-Lynn’s approach to Native nationhood, for instance, would seem to point toward “specific tribal and political rights, land, and culture”—in other words, toward tribally-specific epistemologies, their representations, and the political entailments of those representations—her sense of Native nationhood elsewhere falls back on a bio-logic³⁴ of race. I borrow the term “bio-logic” from Eric Cheyfitz’s essay, “What is an Indian?” in which he contrasts biological notions of race emerging in the early nineteenth century with “cultural logics” like kinship. In her most recent volume, *New Indians, Old Wars* (2007), Cook-Lynn rejects ethnicity as an irredeemably hegemonic notion and quips that we should thank “ethnohistorians and other social scientists who study such groups [who study tribal organization] for directing the polemical, philosophical discourse concerning ethnicity toward assimilation, largely for convenience’s sake.”³⁵ When Cook-Lynn finds Native nationhood to inhere in “the major and essential blood/ancestor connection,” however, without any serious distinguishing between either term on either side of that “/,” the

colonial weight and history of “blood” becomes quite problematic. “Blood,” or blood quantum, because it is a racial category and is, by definition, alien to Native ways of reckoning communal membership, hegemonically displaces other measures for tribal belonging such as kinship, residency, and adoption, and has done so since at least 1705, when Virginia enacted a slave code that defined “who shall be accounted a mulatto” as “the child of an Indian, and the child, grandchild, or great grandchild of a negro shall be deemed, accounted, held, and taken to be a mulatto.”³⁶ It is not my intention to disparage Cook-Lynn’s work, since I am deeply indebted to her otherwise incisive critiques of a colonialism that in many areas of Native life is ongoing. I also find much to agree with in Cook-Lynn’s earlier “rights-land-culture” articulation of Native politics. But when “Native nationhood” itself becomes a site of “oppositional discourse” that has grown coercively polemical and exclusionary, especially when its practitioners invoke a colonial model of blood quantum, then an ethical critique would necessarily begin by refusing bio-logic in favor of other ways of reckoning community.

So, I approach Dakota nationhood in this dissertation through historical deployments of *peoplehood* as a flexible discourse of resistance. In his study of Cherokee literary history, *Our People Survive the Storm* (2006), literary critic Daniel Heath Justice invokes a Cherokee model of political resistance that has drawn historically on strategies of both violent separatism and adaptation, or what he calls, on the one hand, a “Chickamauga consciousness” that rhetorically rejects “literary, historical, and philosophical accommodation,” and on the other hand, a “white ‘Beloved Path’ reading “that places peace and cultural continuity above potentially self-destructive rebellion.”³⁷ Arguing that these coupled forms of “resistance [are] at the heart of many forms of

Cherokee revival,” Justice asserts that these rhetorical and representational strategies are “historically rooted extension of the shared red/white political structure that defined each Cherokee town before the governmental centralization.”³⁸ Justice attempts to recuperate longstanding Cherokee political formations, mapping them onto contemporary literary practices in an effort to demonstrate continuities between Cherokee pasts and presents. In so doing, his approach also highlights the ways that Cherokee kinship relationships, which in their entirety constitute Cherokee peoplehood, have survived colonial efforts to extinguish them. Ultimately, Justice is interested in drawing linkages between kinship, peoplehood, and nationhood. Drawing on the work of Cherokee anthropologist Robert K. Thomas, Justice writes,

...Peoplehood is the communitistic worldview within which the nation’s understanding of itself and its place in the cosmos is embedded. Applicable to most “enclave” communities, and perhaps universal to Indigenous peoples in North America and throughout the world, the ‘peoplehood matrix’ is composed of four interdependent elements: language, sacred history, ceremonial cycle, and place/territory. No element is distinct; they exist only in relationship with one another. Anything that injures or compromises one will be detrimental to all...Peoplehood is thus the dynamic and active participation in the relational reality of the tribal nation.³⁹

Here, Justice identifies peoplehood with the discursive result of kinship relationships living and dead, and as a corrective to approaches that privilege other markers of native identity.

“Peoplehood,” of course, is itself not without its ardent critics. Scott Richard Lyons argues in *X-Marks: Native Signatures of Assent* that what he sees as peoplehood’s cultural essentialism is every bit as problematic as claims of biological essence. He defines the “problematic peoplehood paradigm” as “an increasingly popular idea in Native studies” with “anthropological roots” in Edward Spicer’s 1962 regional study of

“enduring peoples,” *Cycles of Conquest: The Impact of Spain, Mexico, and the United States on the Indians of the Southwest, 1533-1960*. However, it is not the anthropological lineage of the peoplehood concept that bothers Lyons, but its use by Natives in dogmatic ways to exclude others from an *ethnie*: “If you do not conform to the model—land, religion, language, sacred history, ceremonial cycle, and so on—if you happen to live away from your homeland, speak English, practice Christianity, or know more songs by the Dave Matthews Band than by the ancestors, you effectively ‘cease to exist’ as one of the People.” For those who claim authority to declare who is “one of the People” or not, Lyons reserves the term, “culture cop,” and much of his work reads as a dedicated end-run around exclusivist modes of reckoning community by invoking a constructivist model of collective identity, in which “indigenous nations are produced by nationalists who turn ‘low’ local cultures into ‘high’ national cultures, and that as part of that effort they modernize the *ethnie*.” Or, more ascerbically: “require what you want to produce.” I find this constructivist approach a salutary enough way of avoiding toxic and ultimately counter-productive forms of cultural separatism. But it doesn’t provide much of a picture of the mechanisms of cultural change under the conditions of colonialism and decolonization. In “requir[ing] what you want to produce,” how, for example, do tribal council members respond to the demands of competing constituencies within the community? How do these demands and responses fit within a larger framework of ongoing federal paternalism, in BIA oversight, for one? More broadly, what *do* the entanglements between past traditions and their present reimaginings look like?

My response to Lyon’s quite useful work is to privilege ethics as a relational framework that mediates between tribal pasts and futures. Dakota ethics, particularly the

ethics of making and maintaining kin, are always already at work in decolonizing ontologies of racial difference, and at creating continuities across breaks in time and space. I see the divisions between articulations of *ethnie* or kinship and “blood” are, at best, counter-productive to advancing Native claims to land, language, and survival. At worst, any strict division is specious, since the terms themselves form a dialectic—how can we understand treaty relationships, after all, without taking into account how diplomacy, from a Dakota point of view, proceeded in kinship terms? Likewise, how to understand the centrality of land to Dakotas, as with many (if not all) indigenous peoples, without recourse to the ethical and emotional attachments that originated among relatives, and then were mapped onto relations with places and the life worlds they contained? How may we understand the responses of Dakota people to the harsh and often alienating features of modernity, and to a colonial nation that claimed “civilization” for itself but that instead displayed the absence of ethical action, the negation of its gestures of generosity and care, through practices of predation, extraction, and domination? How to understand, without an ethical basis in the forms, practices, and affects of kinship, a contemporary assessment like Gerald Vizenor’s, who writes about the Lakota writer Luther Standing Bear, one of the first graduates of the Carlisle Indian School, that “he was curious and courageous in the presence of the other, and he was threatened by the absence of reverence, honor, and natural reason”⁴⁰?

7. Reading for “Peace”: The 1851 Treaty of Traverse des Sioux

As with the giving of peace medals, treaty journals of US agents’ relations with Dakota reveal the extent to which they instrumentalized the terms of friendship and

peace, filtering them through logics of property and bourgeois personhood in a process that enabled the national project of Indian removal. The translation of Native diplomacy into terms that suited US expansion is evident from a burgeoning travel literature that advertised the opening of the “Old Northwest” as a moment of national bounty. As Thomas Hughes recalls in his memoir of the treaty signing, the event transformed a limited, “ante-railroad” sense of US political space. He writes, “Prior to 1850, very little was known by the people generally about the Sioux country.”⁴¹ With the increasing use of steamboats for both commercial and touristic ventures, a new discursive frontier began to be mapped from the vantage of waterways: “The year 1850 was noted for a number of steamboat excursions up this river, which gave to the hundreds of people participating, and through them to the whole country, a practical demonstration both of its navigability and of the wonderful beauty and fertility of the country if drained.” And so on, Hughes account goes, cataloguing the extractable resources of this “rich country beyond the river.”

In the middle of summer in 1851, faced with a wave of settlers pouring into the new Territory of Minnesota, and saddled with trader debts and depleted numbers of game animals, Dakota leaders of the Sissitonwan and Wahpehtonwan bands met with U.S. Commissioner of Indian Affairs Luke Lea and Minnesota Territorial Governor Alexander Ramsey to negotiate a treaty at Traverse des Sioux, near what is now St. Peter. From a Dakota point-of-view, the negotiations would have centered around the failure of the United States to live up to its promises made in an earlier treaty. The treaty at Traverse des Sioux would be the fourth in a line of treaties dating back to 1805, when the army lieutenant Zebulon Pike brokered the purchase of an island at the mouth of the Minnesota

River, at the originary place, the place where the Dakota people were born, called *Bdote*. The next took place at Prairie du Chien in 1825, and purported to be a peace-keeping mission by the United States in response to ongoing wars between, on the one hand, Dakotas and their allies, and on the other, Anishinaabeg, Sac and Fox, and Ioway peoples. A Detroit newspaper reported that the object was “not to obtain cessions from the Indians, but solely for the purpose of forming a treaty, to establish the boundaries, and insure tranquility between the Sioux” and their rivals, and true to these purposes, William Clark negotiated the fixed delineation of Native boundaries, while also demanding that the tribes recognize the “controlling power” of the United States. The fixing of boundaries that had previously been mobile, adjusted by inter-tribal conflicts and accords, as well as by customary hunting and fishing territories, effectively created Native nations as land owners within a Euro-American imaginary of property. With these native lands properly converted into legally discursive objects subject to alienation, the United States’ carving up of the Old Northwest could begin in earnest. And did. In 1837 in Washington, D.C., a band of Dakota delegates had been invited by the president to negotiate a new treaty, this time for the cession of a vast territory in what is now called Wisconsin. The treaty would lead to the loss of what some Dakota chiefs described as their best lands, including the loss of hunting rights. An instance of either mistranslation or simply bad faith on the part of the US treaty commission, the loss of hunting and fishing rights was a fairly common consequence of treating, despite the declared hope that this would not be the case. Mahpiya Nazinhan (Standing Cloud), for instance, was clear about Dakota concerns for continued access to ceded lands, including islands in the Mississippi River where wood was traditionally gathered: “We never dreamt of selling

you our lands until your agent our Father invited us to come and visit our Great Father. The land that we give up to you is the best that we have. We hope you will allow us to hunt on it.”⁴² However, as Gwen Westerman and Bruce White note in their study of the Dakota treaties with the United States, requests like Standing Cloud’s were omitted from the treaty, and instead the 1837 treaty falsely state that “the chiefs and braves representing the parties having an interest therein cede to the United States all their lands East of the Mississippi River and all their islands in the Said river.” Westerman and White conclude that the final version of the treaty that the Dakota chiefs signed was, at best, in bad faith, if not fraudulent, arguing that “it is easy to conclude that the version presented for signing may not have been read or interpreted fully for the Dakota leaders.”

What troubles this moment is more, I think, than translational difficulties. Rather, the treaties between the United States and Dakota reveal again the workings of an ontology of racial difference, through which non-Dakotas understood their ethical obligations to Dakota to be minimal. The effect of this misanthropic skepticism bars the possibility of the non-Dakota diplomats, despite promises to the contrary, from anything like a commitment to either “friendship” or “peace.” In two of the only visual representations of the Traverse des Sioux treaty, something of this tension between the terms and actualities of treating appears. While the treaty commission waited for the Dakota diplomats to arrive, young Dakota men and women played games like lacrosse, with “everyone feasting on the government-supplied food.”⁴³ Rather than simply taking advantage of a bountiful situation, the Dakota present were likely responding to what they saw, in the feast-making, as the generosity of a powerful American president. Such demonstrative gifting would be perfectly usual for the affirming of a bond of enduring

kinship, as the treaty process would have entailed from their perspective. Some thirty years after the treaty was made, the painter Frank Blackwell Mayer captured the mood and socializing of the encamped Dakota. In his oil painting, “Indian Powwow at the Treaty of Traverse des Sioux” (figure 1) a Dakota man appears dancing before other Dakotas, who are encircled and reclining near their camp. The painting itself is oddly lethargic, though: the gesture of the dancer is more like a ballerina’s stiffly upright carriage than a fancydancer’s throttling nearness to the ground. This classical rigidity, in tandem with the dancer’s being framed by the blue sky and clouds, and so in harmony with the land, are tropes within the visual language through which Native men were typically represented early- and nineteenth-century- American art.⁴⁴

Closely related to these translations of gesture and movement into stasis is how Mayer depicted the signing of the treaty, which took place some days after his arrival by steamer, on July 25, 1851. That painting (figure 2), hanging today in the Minnesota Governor’s office, shows Dakotas gathered under a tall pole lodge, with the treaty table as the focal point.



(figure 1: "Indian Pow Wow at the Treaty of Traverse des Sioux," oil, 1897)



(figure 2: "The Treaty of Traverse des Sioux," oil, 1897)



(figure 3: “The Planting of the Colony of Maryland,” oil, 1893)

The treaty painting’s composition mirrors almost exactly another painting by Mayer, “The Planting of the Colony of Maryland” (1893, figure 3). It dramatically commemorates the arrival of the first settlers to Maryland in 1634, with their planting of a cross signaling religious freedom in the New World, but also the act of possession. Where sunlight fell on the treaty table, it now falls on the cross-bearers who process beneath a table seated with colonial magistrates and flag bearers. The suggestion that both events are foundational in similar ways to colonists and settlers seems obvious. But it is not a stretch to imagine more extensive equivalences: between the power of the state to treat with Native nations and the power of the cross to claim land as property under the doctrine of *terra nullius*, and by extension, the power of treaty and religion both to subject Native peoples in ways that were ethically hostile and alien. While at Traverse des Sioux, he described in grandiose terms his predictions for the Minnesota Territory:

It is the greatest event by far in the history of the Territory, since it was organized. It is the pillar of fire that lights us into a broad Canaan of fertile lands. We behold now, clearly, in no remote perspective, like an exhibition of dissolving views, the red savages, with their tepees, their horses, and their famished dogs, fading, vanishing, dissolving away; and in their places, a thousand farms, with their fences and white cottages, and waving wheat fields, and vast jungles of rustling maize, and villages and cities crowned with spires, and railroads with trains of cars rumbling afar off-and now nearer and nearer, the train comes thundering across the bridge into St. Paul, fifteen hours from St. Louis, on the way to Lake Superior.⁴⁵

What is noteworthy in this depiction, and in Mayer's paintings, is not only his instrumentalizing of Dakota land in the service of a Jeffersonian vision of an agrarian civilization tweaked toward greater and greater speed and mobility. Again, the failures of this translational procedure to comprehend the immaterial contexts of *tiyospaye* life which had made Dakota both romantically appealing to outsiders, and a primitivized, racialized object of condescension are perhaps more compelling than its successes. To what extent did these contexts, these ethics of friendship that both puzzled and inspired admiration in Jefferson also, constitute forms of sovereignty and politics that met, endured, and survived their translations into both "primitive" and, later, statist forms? How might we read "sovereignty" as a constellation of ethically-constituted practices that challenge the non-ethics of racialized state law, while being unrecognized and unrecognizable within those laws?

Another way to approach these questions of how ontological difference marked treaty negotiations, and continue to haunt US-Native relations, is to look into the meanings of key relational (that is, not instrumental) terms in the treaties. Methodologically, my juxtaposing of settler and Dakota narratives is an approach I use throughout the dissertation, as a way of evoking their entangled, but quite distinct, senses of history. The first article of the Traverse des Sioux treaty, for instance, makes a

founding gesture of an accord based in equality. In English, the opening reads: “It is stipulated and solemnly agreed that the peace and friendship now so happily existing between the United States and the aforesaid bands of Indians, shall be perpetual.” Here, the convention invocation of a Kantian perpetual peace and “friendship” assumes a certain comprehensibility, an equivocal intelligibility, maybe, but an intelligibility nonetheless, for everyone implicated in their gesture of accord. As the opening article of a political agreement, they potentiate the actions to come: namely, the “ceding” (this is itself a deeply problematic term to translate into Dakota, since cession presumes a Lockean concept of alienable property) of a vast territory to the United States. However, the Dakota version, translated from English and written by the Episcopalian missionary Stephen R. Riggs, inflects the notions of “peace” and “friendship” in culturally specific ways that are distinctly different from their English equivalents: “*Isantanka Oyate qa Dakota Warpetonwan qa Sisitonwan ewicakiyapi kin hena okiciciyapi qa odakonkiciyap kin ohinniyan detanhan cantekickiyzapi kta e nakaha awicakehan wakiconzap qa yuxtanpi.*”⁴⁶ One rendering of this in English would be, “The people of the United States and the Wahpeton and Sisseton Dakota people, those named, help each other and are allied with each other, earlier this day they purposefully resolved and concluded forever from this time to hold each other’s hearts.” What this version does is to replace an imagining of peace and friendship as the absence of conflict with a quite explicit ethic of care. The phrase “to hold each other’s hearts” [*cantekickiyzapi*] might have seemed to white audiences somewhat of a florid metaphor for alliance, and indeed can also be translated as “to love one another.” But the centrality of the heart in Dakota metaphors was even more pervasive, and differently so, than in nineteenth-century American

English, and implies a cosmological context. In that context, to “have good heart” is to be different from being simply *wašte*, or good, since the latter refers to reputation rather than to one’s actual character.

A story from anthropologist James. R. Walker’s late nineteenth- and early twentieth-century interviews with Lakota headmen and *wicasa wakan* (ritual specialists) is further suggestive here as a way of interpreting the significance of “holding each other’s heart,” and as a foray into Dakota concepts of alterity and ethics. In a story of the first *hunka*, an adoption ceremony through which relatives (usually in the sense of immediate family) are made, the Lakota headman No Flesh related how in a time before the Seven Council Fires [*Oceti Sakowin*] of the Dakota, “the head chief of all the Sioux [Dakota]” lost his four sons. “The chief mourned for his four sons,” says No Flesh, and in the traditional custom of mourning he “gave away everything he possessed, even his tipi and his clothing and his women’s clothing. Then he sought a vision [*hanbleceyapi*, lit. “crying for a vision”], going naked to the top of a high hill. The people camped about the hill, and all stayed in their tipis while the chief was on the hill.” The unnamed chief went to the hill in order to petition certain spirit beings for assistance. Because it is illustrative of not only the Dakota ethic of good heartedness, and of the central role that kinship—conceived of in social, rather than biological, terms—played among the Dakota, I will quote it at length:

The chief invoked *Tate* (The spirit of the Wind), and he sent his youngest son, *Yomni* (The spirit of the Whirlwind), which talked with the chief. It said to him, “Travel towards the pines [north] until you find a lone tipi. Go into the tipi, and what you find in it bring back with you.... He traveled towards the pines. On the fourth day he came to a lone tipi. He went into it and found a baby boy and a baby girl. He took them and brought them back to his camp and proclaimed to all the people that he took this boy and this girl for his son and his daughter.

Then the people made a great feast, and sang and danced, and played games and gave presents to the chief, and to his women, and to his son and daughter, so that he had more than he had before he gave away everything when mourning for his sons. He then called together the councilors and the keeper of the mysterious pipe and the shamans [*wicasa wakan*] and when they had feasted and smoked, he told them that they were called to choose a name for the boy and the girl.

They made a smoke with sage, and then with sweetgrass, and then they smoked willow bark in the pipe, and while they were smoking, a shaman said to the chief, "What was the last word *Yomn* said to you?"

The chief said, "The last word *Yomn* said was '*Hunka*.'"

Then the shaman said, "This boy and this girl are *Hunka*, and you are *Ate* [father]. So they will be forever. When they are a man and a woman, then we will know what to name them."⁴⁷

Here, there are several logics underlying the creation of what would become the *hunka* ceremony. The story's radical form of adoption enables the creation of kinship bonds as a way of healing ones that had been severed by death. It is a trans-ontological gesture, reaching across boundaries of difference to bring the (presumably) orphaned babies into the *tiyospaye* as kin. That these *hunka* are proxies for the chief's own lost children stands as something of a refutation of blood relation's primacy. What seems to matter more here, in other words, is the pledge of affection held within the reciprocal names, *Hunka* and *Ate*.

Ella Deloria's transcription of one Oglala informant's account describes the ceremonial conferral of obligations that go along with these originary namings. In front of all the members of the *tiyospaye*, as well as "the four winds, the Above and the earth" who are "invoked to bless and witness the act," there is a trans-ontological founding of the good:

Because the family have thus made themselves good, all in a day shall they throw off all evil, and from that time forth, they shall live honored lives, shall take pity and show kindness towards other people, and shall assume all the obligations of good acts and qualities whereby all Dakotas render themselves worthy. And it

shall be that they are hereby manifesting their intention to live according to the best as Dakotas understand it.⁴⁸

Following this act of mutual beholding—which involves the participation not only of the humans present, but also of the cosmological beings, the four winds or directions (*Waziyata*, or north; *Wiyohiyapata*, or east; *Itokaga*, or south; and *Wiyohpeyata*, or west), the “above” (*Wakatu*), and “earth” (*Maka*)—the “candidates” (adoptees) “render horses to the ones who act as ceremonial father and mother to them.” Deloria notes that at the end of each verse, or address to the directional powers, “the people said ‘Wahini!’ in unison, meaning thereby, ‘So be it!’ or,” as Deloria has added in her own handwriting at the bottom of the page, “‘Amen.’”⁴⁹ The significance of horses, as both a gift to the new parents, and as the vehicle by which the ceremony is performed (a horsehair wand is waved over the adoptees), is something I examine more fully in my fourth chapter, as part of discussion of Dakota concepts of power and the ethical imperative to share power. This give-away or gift-giving effectively finalizes the making of kin: “The especial meaning between the candidates and their ceremonial parents is that they shall be related thereafter as actual blood relations, as long as they live.” Thinking back to the language of the Traverse des Sioux treaty, which is another founding of relation between non-kin, it seems that the speech act performed by the treaty—“to hold one another’s heart”—has all the affective and enduring richness of the *hunka* commitment, implying much more than simple care. It founds a kinship relation between the *oyate* of the United States and the Dakota that is itself based in a particular linkages between power, being, and gift. These linkages may hardly be teased out here in all their fullness, but they do suggest a shorthand or maxim that I will examine in more depth later in the dissertation: namely, positive others who are powerful and who share are of good heart, as they contribute to

the solidarity and survival of the people, while negative, powerful others withhold. It is no accident, then, that the contemporary Dakota word for whites, *wasicu*, that once referred to a “guardian spirit,”⁵⁰ came to mean in popular usage, “the fat takers.”

¹ *US v. Consolidated Wounded Knee Cases*, 389 F. Supp. 235; 1975 U.S. Dist. LEXIS 14301. LexisNexis Academic. Web. Date Accessed: 2013/06/28.

² Felix Cohen, *Handbook of Federal Indian Law* (Washington, DC: US Government Printing Office, 1942), 123.

³ Roxanne Dunbar Ortiz, ed., *The Great Sioux Nation: Sitting in Judgement on America: Based on and Containing Testimony Heard at the ‘Sioux Treaty Hearing’ Held December, 1974, in Federal District Court, Lincoln, Nebraska* (New York, NY: American Indian Treaty Council Information Center, 1977), 102.

⁴ *Ibid.*, 112.

⁵ *Ibid.*, 135.

⁶ Vine Deloria, Jr., “Out of Chaos,” *Parabola* 10 (2, May 1985), 20.

⁷ Waziyatawin Angela Wilson, *Remember This!: Dakota Decolonization and the Eli Taylor Narratives* (Lincoln: U Nebraska P, 2005), 63.

⁸ Donald Dean Jackson, ed., *Letters of the Lewis and Clark Expedition: With Related Documents, 1783-1854* (U Illinois P, 1978), 204

⁹ *Ibid.*, 206.

¹⁰ Thomas Jefferson, *Notes on the State of Virginia* (London: John Stockwell, 1787), 352. Accessed online at

http://books.google.com/books?id=UO0OAAAQAAJ&printsec=frontcover&vq=national+body&source=gbs_ge_summary_r&cad=0#v=onepage&q&f=false. On February 5, 2013.

¹¹ Thomas Jefferson, “Messrs. Carmichael and Short to M. de Gardoqui. St Lorenzo, October 1, 1793,” in *State Papers and Publick Documents of the United States from the Accession of George Washington to the Presidency: Exhibiting a Complete View of our Foreign Relations Since That Time, Volume 16* (Boston: T.B. Wait and Sons, 1817), 374.

¹² In contrast, Ivy Schweitzer (2006) regards early American discourses of friendship as drawing upon an Aristotelian ideal of “perfect” friendship, where “friends choose each other on the basis of shared values according to the elemental principle that like attracts like. Thus, friendship typically implies parity, symmetry, spirituality, and self-affirmation through rational desire and free choice rather than hierarchy, physicality, and self-loos or self-dilution through irrational and uncontrollable passion or forced alliance” (9). Her work thus historicizes friendship as becoming over the course of the nineteenth century, however, increasingly removed from the public sphere of republican and democratic politics. See Schweitzer, *Perfecting Friendship: Politics and Affiliation in Early American Literature* (Greensboro, NC: U North Carolina P, 2007).

¹³ Nelson Maldonado-Torres, “On the Coloniality of Being,” *Cultural Studies*, Vol, 21, No. 2 (2007), 240-70.

¹⁴ Eva Marie Garrouette, “The Racial Formation of American Indians: Negotiating Legitimate Identities Within Tribal and Federal Law,” *American Indian Quarterly*, Vol. 25, No. 2, 224.

¹⁵ David E. Wilkins, *American Indian Sovereignty and the US Supreme Court: The Masking of Justice* (Austin: U Texas P, 1997), 43. See *US v. Rogers*. 45 U.S. 567; 11 L. Ed. 1105; 1846 U.S. LEXIS 413; 4 HOW 567. LexisNexis Academic. Web. Date Accessed: 2013/07/06.

¹⁶ Elizabeth Cook-Lynn, *New Indians, Old Wars*, 145.

¹⁷ See especially Circe Sturm’s excellent *Blood Politics: Race, Culture, and Identity in the Cherokee Nation of Oklahoma* (Berkeley: U California P, 2002).

¹⁸ Ella Cara Deloria, *Speaking of Indians* (Lincoln: U Nebraska P, 1944), 25.

¹⁹ A rich and growing literature examines the intersections of ethics with notions of friendship (Foucault 1979, 1981), (Bray 2003), kinship (Butler 2002), and sexuality (Rifkin 2012). While too numerous to discuss at any length here, there are certainly useful contrasts and comparisons to be made between these theorizations and indigenous critiques.

For instance, my approach to the Dakota context is in a couple of senses deconstructive, first, in that it is informed by the grammars of care embedded within treaty documents, as well as within the oral and literary texts I examine. Second, I am inspired by the deconstructive dismantling of hegemonic construals of affinity and affiliation. In an interview from 1997, conducted in English, following publication of his work, *The Politics of Friendship*, Jacques Derrida describes an approach to the notion of democracy beyond the schemas, especially those of “brotherhood” or “fraternal friendship,” provided thus far by the nation-state. In the course of the interview, Derrida poses a series of questions that are portable to the kinds of literary readings of Dakota political activity in this dissertation. “Is it possible,” he asks, “that beyond the nation-state the concept of democracy keep not only a meaning but a force of injunction? Can we think of a democracy beyond the limits of the classical political model, and the nation-state and its borders? Is it possible to think differently this double injunction of equality for everyone and respect for singularity beyond the limits of classical politics and classical friendship?” In the longer project of *The Politics of Friendship*, Derrida approaches these questions by presenting the history of Western democracy as the history of a certain conception of friendship. At the heart of this conception are the values of a familial and phallogocentric articulation of fraternity, and of a virtue based in a “virile homosexuality.” His inquiry is motivated by this double exclusion of femininity from the schema of democracy, an exclusion that is reproduced in the uneven application of international law, which creates “subjects without intersubjectivity”—non-relational subjects, in effect, like anyone who is excluded from participation in “Democracy” by its exclusionary vision of “Brotherhood.” And his critique is not to resort to metaphysics of another kind, by asserting a different scheme of friendship as the ontological ground of sociality, but instead takes a deconstructive approach which calls “for an altogether other language” about the political.

What’s maybe most compelling to me about this project is that Derrida approaches political arguments through what the marginal concept of friendship. In doing so, he turns away from the “old right of sovereignty” and towards a utopian theory of democracy as an ethics reimagined through schemas other than fraternal ones. My readings of Dakota literature begin from this turning away from statist sovereignty as a way of recovering forms of friendship that not only mobilized political resistance, but community survival.

²⁰ Ella Cara Deloria, *Waterlily* (Lincoln: U Nebraska P, 1988), 107.

²¹ *Ibid.*, 108.

²² *Ibid.*, 109.

²³ George Steiner, *Real Presences* (Chicago: U Chicago P, 1988), 146.

²⁴ *Ibid.*, 148.

²⁵ “Civility, *n.*” *Oxford English Dictionary*, 3rd ed. 2010. *OED Online*. Oxford UP. Accessed April 20, 2013.

²⁶ Gayatri Spivak, “The Politics of Translation,” in *Outside in the Teaching Machine* (New York: Routledge, 1993), 180.

²⁷ Taiaiake Alfred, “Sovereignty,” in *Sovereignty Matters* (Lincoln: U Nebraska P, 2005), 34.

²⁸ *Ibid.*, 46-47.

²⁹ See Alfred, *Wasase: Indigenous Pathways of Action and Freedom* (Peterborough: Broadview P, 2005); *Peace, Power, Righteousness: An Indigenous Manifesto*, 2nd ed (New York: Oxford UP, 2009).

³⁰ Alfred, *Wasase*, 250.

³¹ Michel Foucault, *Technologies of the Self* (Amherst: U Massachusetts P, 1988), 22.

³² Frances Latchford, “If the Truth Be Told of Techne: Techne as Ethical Knowledge,” *Essays in Philosophy*, Vol. 6, Issue 1, *The Philosophy of Technology*, Article 16, accessed online at <http://commons.pacificu.edu/cgi/viewcontent.cgi?article=1186&context=eip> on April 21, 2013.

³³ Elizabeth Cook-Lynn, *Anti-Indianism in Modern America: A Voice from Tatekeya’s Earth* (Urbana: U Illinois P, 2001), 182.

³⁴ See Cheyfitz, “‘What is an Indian?’: Identity Politics in Federal Indian Law and American Indian Literatures,” excerpted from “The (Post)Colonial Construction of Indian Country: U.S. American

Indian Literatures and Federal Indian Law,” in *The Columbia Guide to American Indian Literatures of the United States since 1945* (New York: Columbia UP, 2006).

³⁵ Elizabeth Cook-Lynn, *New Indians, Old Wars* (Urbana: U Illinois P, 2007), 124.

³⁶ For an excellent condensed genealogy of the “Indian” as a racialized subject, see Jack Forbes, “The Use of Racial and Ethnic Terms in America: Management by Manipulation,” *Wicazo Sa Review*, Vol. 11, No. 2 (Autumn, 1995), 53-65.

³⁷ Daniel Heath Justice, *Our Fire Survives the Storm: A Cherokee Literary History* (Minneapolis: U Minnesota P, 2006), 30.

³⁸ *Ibid.*, 31.

³⁹ *Ibid.*, 25.

⁴⁰ Gerald Vizenor, *Manifest Manners: Postindian Warriors of Survivance* (Wesleyan: UP of New England, 1994), 1.

⁴¹ Thomas Hughes, “The Treaty of Traverse des Sioux in 1851, Under Governor Alexander Ramsey, With Notes of the Former Treaty There, in 1841, Under Governor James D. Doty, of Wisconsin,” *Collections of the Minnesota Historical Society*, 102.

⁴² Gwen Westerman and Bruce White, eds., *Mni Sota Makoce: The Land of the Dakota* (St. Paul: Minnesota Historical Society P, 2012), 160.

⁴³ Anderson, Gary Clayton, *Little Crow: Spokesman for the Sioux*

⁴⁴ See Vivien Fryd’s *Art & Empire: The Politics of Ethnicity in the United States Capitol, 1815-1860* (Athens, OH: Ohio U P, 1992).

⁴⁵ Francis Blackwell Mayer, originally appeared in *Minnesota Pioneer*, July 31, 1851. Reprinted in *With Pen and Pencil on the Frontier in 1851: The Diary and Sketches of Frank Blackwell Mayer* (St. Paul: U Minnesota P, 1932), 224.

⁴⁶ “Treaty of Traverse des Sioux,” in Gwen Westerman and Bruce White, eds., *Mni Sota Makoce: The Land of the Dakota* (St. Paul: Minnesota Historical Society P, 2012), 176.

⁴⁷ James. R. Walker. Raymond J. DeMallie and Elaine A. Jahner, eds., *Lakota Belief and Ritual* (Lincoln: U Nebraska P, 1980), 193-94.

⁴⁸ Ella Deloria, archive, 60.

⁴⁹ *Ibid.*, 61

⁵⁰ See Stephen R. Riggs’ *Dakota Grammar, Texts, and Ethnography* which gives an etymology of “the terms for ‘white man’ I Siouan languages”: “The author’s [Riggs’s] supposition as to the eastern origin of wa i u as ‘nearly synonymous with waka ’ [mysterious] in the opinion of some persons. He appends the following Teton meanings: ‘A familiar spirit; some mysterious forces or beings which are supposed to communicate with men; mitawa i u he omakiyaka, my familiar spirit told me that.’ This phrase he gives as referring to the Taku kan kan, the Something-that-moves or the Wind powers,” (Washington, DC: Government Printing Office, 1893), xxx.

FIRST INTERCHAPTER

Grace Lambert, personal interview, Fort Totten, Spirit Lake Nation, 1998

Grace Lambert: So what do you want? [laughs]

Chris Pexa: Tell me about Tokio. I hear a lot about it

Rachel Charboneau [my grandmother, and Grace's sister]: Tokio, he wants to know...

GL: What do you want to know about Tokio?

CP: Well, I don't know. What's it like?

GL: A real toughie town.

RC: That's what they used to say...

CP: You know we just came from talking with Vern and he was telling us about the Peyote eaters

RC: Ya

GL: Oh yeah, that was way in 1919, I think it started.

CP: Are they still there?

GL: There's some. I don't know how many there is. Aint very many families, I think Gabe Young's family, and the Blueshields. Did you see Martin Blueshield's family?

CP: We didn't get a hold of them, no. We drove by his house , I think.

GL: I think they're all peyote. And Rose, member she died. What's her name? The Littleghosts. They're watchacall, peyote. I don't think Ambrose is...

CP: Oh he's not?

GL: Not Ambrose. Ambrose is in the real indian church. He don't go to that.

CP: Which church is that?

GL: There is no church. They just have their sweats and their prayers, you know, right there, you know. That's the way they do it.

DP: Vern [Grace's son] said he goes to Ambrose's sweats.

GL: Ya, uh huh.

CP: It's got a reputation as a tough place?

GL: So many things happened there, you know....

CP: What happened?

GL: A lot of crime. Well, at one time it might have been a good time. It started out all white people. It used to be a white people's town. Now and it's all Indian. I doubt it there are twenty white people there.

CP: It's part of the reservation, though?

RC: That's part of the reservation, isn't it?

GL: Ya, that's part of the reservation. See the reservation runs way to Warwick.

Donna Pexa [my mother, Rachel Charboneau's daughter, and Grace's niece]: Yeah, we went by there, didn't we yesterday?

RC: No, that was Wood Lake.

CP: What's Wood Lake?

RC: That lake right there.

GL: By Tokio. You have to go off the road to get down to the lake. And there's lot of private houses down there that the rich people own from town.

CP: From Devil's Lake?

GL: Ya, it's kind of a resort, like, you know.

CP: She was telling me about how the white farmers leased the land by Vernie's place.

DP: Out here, remember you were saying that was all reservation but most of it was leased to non-Indians?

CP: When did that start happening?

GL: Well, you know, anyway, our reservation is really not our reservation, I don't think, as far as reservations are concerned...

RC: Really...

GL: You know, like uh Pine Ridge reservation, Rose Bud reservation, them are really truly pure reservations. There's no white man locked in there, somewhere, who owns land. Here, this farmer up here, he own all this land in there, that's his

DP: You mean it was sold?

GL: Sure! They sold em to em. You know, they were, what would you call them now, my dad had one, too. Eeee, that's my big problem, I always can't remember things. You remember they gave up their rights as Indian and now were going to live like a white man and work like a white man, pay taxes and everything. So they were given this land to farm. And my dad had one. He lived out there at Crow Hill, you know.

RC: Mm hm.

GL: What *did* they call that thing? But anyway, they made them shoot an arrow. You know all these Indians that wanted to be like that, that were given these... homestead...

CP:...Homestead Act...

GL: Ya, that's what they called it I think, homestead or something. They were supposed give up their Indian rights, they were never gonna pick up the indian way again. And so, they put them on these farms. But see they never, ever trained them to farm and to learn about the use of money, and how they should, that they are to pay taxes for this land, and all the property they had they had to pay taxes for that. They never showed them these things. So the indian just went along and farmed, and when his crops came in and everything, why, they sold them and then they used the money themselves and never paid the taxes, so that land was taken away from them, right now, and given to a white man. And so the white man got in, in a certain year. I can't remember what it is. Maybe Vern told you.

CP: He gave me a big photocopy packet, a history.

GL: Ya, it probably tells in there what year the homesteads were all taken back and they were given, kind of like a rush. Like the gold rush. You

remember they let all these white people rush to the place, and they stake out different places...

DP: And they sold it to them?...

GL: ...They didn't sell it to them, they gave it to them under homestead law. See, the homestead law was that you work this farm and after you have made it into a thriving farm, why then after so many years, it'll be your own, see, and under that ruling, these homesteads were given out to the white people. So you know they just cheated the Indians like a little old, I don't know what, even a mouse I think has more chance...

RC: Ya.

DP: How could they allow that on the reservation?

GL: Because the Indian didn't know a thing then,

RC: Yeah.

GL: ...at that time. They had no education, they never knew of any kind of farming or anything. So, you know, whatever, they presented it to them, they thought it would work alright, but when they tried it then it would be difficult, because they didn't know how. And nobody else ever came and taught 'em anything. They had a box farmer. He went around and taught the Indians, of course, but that was later. That was *way* later.

CP: A lot of non-Indians on the reservation now, then?

GL: Mhm. Yah. Our reservation is just a big checkerboard, just like Sisseton. Sisseton is the same thing. And now they're trying to say they have no boundary lines anymore at all, because there are so many white people that are on their reservation in Sisseton. But, you know, they're tough. They're demanding that the original land that they had given them is the line.... And so they I guess you know there's enough of them with educatin that they can override them. So they just give them what they can. Otherwise they are considered white, and then trying to tax them and all that. Really lose the land then. But now they're giving them the same chances that they give us. So we can buy these lands back, now that they're worthless, you know.

[laughter]

CP: Do you know a lot of white people?

GL: A lot of them are leaving because of you know, no crops and all that. Right now there's gonna be no crops because of how dry it is. So it's really bad, the way the Indian has been treated. When I think of it, it makes me sad.

CP: Do they get along, the different populations, the whites and Indians, for the most part?

GL: Well, I don't know how it would be...

CP:...except in Tokio?

[laughter]

GL: He's really stuck on Tokio, enit?

[laughter]

RC: Well, that's where they told him to go...

CP: Well, it's just, you always talk about it too, Gram.

[laughter]

GL: Well, Tokio, you know. Last winter, all the crimes that happened happned then. First, it might have been in August, I think, yeah, I think it was in August.... First of all, this one boy went out and these four kids were raising hell outside I guess, you know, and doing something, and this guy went out, and he told 'em to cut it out. And he never came back in. And the kids, you know, they kind of went away so everybody thought everything was okay, and that the man, the guy had gone home or something. Next morning, here they found him by the side of the road. They had drug him there. They killed him you know, then they drug him over there. They just dropped him on the side of the road. So that's where they found him. And these four kids killed that man, that boy. He's a young man, about 20 I guess. And these are all fourteen, I think the oldest was fourteen, and twelve, I think, and I think the youngest was nine. Mind you. Can you believe that?

CP: So what happened at Crow Hill, anyway?

GL: Well, Crow Hill—didn't I send you the story? I wrote it down on a paper.

RC: I never got it. Who did you send it to?

GL: I sent it in that paper. Member when you guys wrapped me a big bag, you know? Oh no, I gave it to you, I think, to take all them things in.

DP: I don't remember seeing that one, though. There was a record in there...

CP: ...Vern said that they Sundanced there.

GL: Ya, they had a Sundance there last summer. Last summer, that John Chaske or somebody made there. Some people from Pine Ridge or even Rosebud came up and directed them. Showed them how it was done, you know....

CP: ...Oh really, they had never done one before?

GL:...Ya, they had done one before by Devil's Heart [*Mni Wakan Cante*]

CP: Oh really?

GL: Ya, they had one there

CP: Same people run it, from Pine Ridge?

GL: I don't know who ran it. I think some people from Canada ran that one. And then this one here was run by people from Rosebud.

CP: So a fight happened at Crow Hill?

GL: Yah, that's how come that got the name of Crow Hill...

RC: Yah, Crows.

GL: ...because Crow Indians got killed up (RC: Mmm hmm) on top of that hill. When they came there, you know, and down below it's a valley, a great big valley, and that's where the village was, the Indian village was down there. I guess them Crows came, they were scouts, they came to scout, you know, and I suppose to steal their horses or something, that's all they did, they were always stealing from each other, you know. And I've often just said that too, you know, I said, just think the Indians, there's lot of things you know that they held with honor, not crimes, like stealing you know. IF they stole a horse from the enemy they gained a feather for that as an act of bravery. And which is really true, you know. And so I said, we sure had to change a lot of ways, we really had to change a lot of our rules and things that, who we honored and respected before. That seems kind of funny. I always kinda notice these things, you

know. I suppose because I go to church a lot, I always compare them. But anyway, these Crows went up there and they were scouting, I guess, and they were trying to see how many horses they could steal from these Sioux people that were camped down there in that village, you know, and here, there was some other Sioux that were scouts that were up there too, and they found them. And so they came dashing back down to the camp and told, they have a herald you know, so that guy heralds, you know, goes around and tells everything, so he told, so all the warriors got together, they went up and fought 'em. There was about thirty eight of them. Thirty eight of them and they killed all of them, so that's where they're buried. And that's how come they call it Crow Hill. *Kangi Paha*.

RC: *Kangi Pa*

GL: *Kangi* is a crow, *Paha* is a hill.

CP: what about Devil's Heart?

GL: They call it *Mni Wakan Cante*. Ya.

DP: Who named it that, the Indians?

GL: It must have been named by Indians. I'm sure no white man came along and named it that [all laugh]. See, that means that that's the heart of the lake. Ya, that's what it means. See, the *Mni Wakan* is this one [this lake], *Mni Wakan Bde*. But then they call that *Mni Wakan Cante*, so the heart belongs to the *Mni Wakan*. Then later years they had Devil's Back and everything else (RC: Ya, Devil's Tooth) and Devil's Tooth, that's that little rock, you know. Then there's a little joke about that. Oh, they say it's true, though you know. This one little old lady, she came to the store and she bought a whole bunch of stuff. And the Indians honored the stone, which is no more than right, because I always read in my Bible about the rock being God. You know, and they honored the rock as, as a kind of, a god, you know. And they made sacrifices, they offered their little offerings to it, you know, and all that when they go there and pray. Well, this old lady came to the store and she bought a whole bunch of stuff and she was going back and she stopped by the Devil's Tooth and I guess she bought a little piece of red cloth and she—that's what usually they use is red cloth, too, for all kind of sacred occasions, ceremonies—and here, she covered the little rock with the red cloth and she took out her Bull Durham, cause they always used tobacco as a gift, you know. So she took the Bull Durham and she opened it up and took some out and she says *Tunkasina, candi cišahe*, you know, Grandfather, I brought you tobacco as a gift, you

know, and she put it on the little red rock. Suddenly in back of the rock, you know, a drunk was laying there, "I'm sleeping," you know and he just woke up when she said, "Grandfather, I brought you some tobacco," I guess he got right up and said "Hau" and she grabbed her bundle and the rest of her stuff and flew down the road. She was giving a gift to somebody. Got caught. Oh, dear. They always tell that.

RC: How 'bout that alcoholic, coming home, the one you told?

DP: The one, the woman whose husband was an alcoholic or a drunk, went to see the priest?

GL: The one that told her to wear a devil's suit? Oh ya! Oh ya she was married to an alcoholic you know, and they lived a little ways from the town, so he walked in every day and stayed in the bar, I suppose til it closed up, and then he'd be coming back. He'd be singing, and you know, staggering along, coming back home. She got just sick of him. I guess she tried everything, you know. But she couldn't make him stop, so finally she went to her minister, whoever he was, and she told him, "You know, I've tried everything. But nothing phases him. He won't stop drinking," she said. "I wonder what I should do. What would you suggest." And he said, "Well, I don't know," he said, "I don't know what to say either," he said, "but, I know what. You try something," he said, "maybe this might help," he said. He said, "I have a devil suit," he said, "you know, that they used in a play. I'll give that to you," he said, "and you can put it on." And you know, at the corner of where they live, why, there was a little clump of trees. And so he said, "At that little corner where the clump of trees are, you could hide there," he said, "and wait for him when you hear him coming. And when he comes right by, you know, you can jump up and say Boo to him, you know, scare him." "I'll try it," she said, "I've tried everything, I may as well try it," so she said, she took the devil suit home, you know, and she waited, and finally he went again, so she put the suit on when she heard him, coming then, she went over to the little clump of trees and she was hiding back there. Pretty soon he got close, and he was singing and staggering close by, and she jumped out from the clump of trees and grabbed him and said Boo! And he said, "Who the hell are you?" She said, "I'm the devil." "Oh," he said, "put 'er here! I married your sister!" [laughter] That was even her. Oh, that crazy... well, that's a drunk for you, enit?

You know, Grandpa used to always tell this one about these Indians, long time ago, they really were dedicated Christians, even the Presbyterians and

the Catholics, everybody, they were really dedicated people. And here they had a revival or something, I guess, and this minister, you know, he was having his service early in the morning, so he was talking about the Last, what do you call it, Passion, you know, where they had taken him before Pilate, and they were slapping him and spitting in his face and everything, and then finally they said they took him and put a crown of thorns on his head, you know, and they put a purple robe on him and they were bowing to him and saying, you know, you Christ, you're king, king of the Jews. They were saying all that. Well, all this time, I guess, this drunk came in, you know, and he was sitting way in the back row and he was listening to all this and pretty soon, why, it ended, and he [the preacher] said, "They crucified him, you know, and they killed him, at the end, they even tied him to the tree, and he died." Well then, that was the end. And he said, "Now we'll have dinner." So he said, "We'll all go the meeting hall, and we'll have dinner over there." So they all went down and got to the meeting hall, and they were sitting there, and the ladies got the table all prepared and usually they always called the men first, I don't know why, but the men were first to sit down and eat, you know, they honored the men. And the men had to come and eat, they said, so the men all went and sat down. That drunk, too. He was kind of a little bit sober, he was sobering up, and he sat down, too. Of all things, the minister called on him to say the grace. So finally he got up, he stood up and he said, "You know," he said, "Jesus, you were a good man. You did everything for everybody," he said, "you even brought people to life, and you healed the sick, and made the lame walk, and the dumb talk, and those that couldn't hear," he said, "and yet they just tortured you and slapped you, and spit on," he said, "and then they put a crown of thorns on your head. Then finally they just nailed you to the cross and made you die on there. God damn it," he said, "if I was alive at that time..." [laughter] I don't know what he thought he'd do. But everyone had to laugh. He got himself mad. Well, at least it hit him right....

DP: He got carried away with himself....

GL: ... Ya. At least the story hit him right. Oh dear, my dad used to always tell us that. And he used to always tell us too about obedience, you know. He'd say, "No matter what you say," he said, "you got to be obedient. But, he said, There's always a temptation there to bother this little obedience. This minister was getting ready for his service Sunday morning, he had his desk all full of paper, you know, and he was standing there. Pretty soon his friend came in. "Well, good morning, preacher," he said, and he was

talking with him. He said, "What's that little box there doing," he said, and the preacher said, "Oh, that's my sermon," he said, "That's my sermon for today," he said. So he said, "Don't open it," he said, "I'm going over to the church," he said, "to get things ready," he said, "I'll be right back, and I'll get it, and I'll see what, we'll have our service then." So he went, and this man was standing there, and he kept looking at that little box and thinking, "I wonder what it is that he has in there that he don't want nobody to open it," you know, "well I think I'll open it." So he went and he opened it and here it was a mouse he jumped out and it ran. So he started chasing it, you know, and he knocked all the papers all over the floor, but he was still crawling around, and just then the minister came in. "What you doing there on the floor, what are you? And what is all this?" He said, "I told you," he said, "I wanted to know what was in that box," he said, "I opened it, and that little mouse got away." "See," he said, "that was my preaching," he said, "obedience," he said, "I told you, obedience. You always cannot obey, you know, you just had to go and open it."

DP: Caught him, huh?

GL: Ya. But that's true, enit? When they tell you not to do something, that's just when you go and do it. And sometimes you get yourself in some terrible trouble, too.

CP: What's that story about your grandma on the hill?

RC: What? Oh, the one that got killed by lightning?

CP: What was that, what happened?

DP: Were you [Grace] there then?

RC: Uh huh, she was there. And Lily was there, too. I was a baby then.

GL: Ya.

CP: Where was that?

GL: At that homestead. That's how my dad quit that homestead, mind you. Of all things. I've always felt bad. But it must have struck him, you know, hard. That was his mother, you know. And she had just lost his sister, that spring. And then this was in August. I always remember Grandma in mourning. A long time ago the women never combed their hair, they always just wore it like that, when they mourned, you know.

Some of them chopped it off with a knife, too. And here, she was in bed, we all slept on the floor all the time 'cause not so many beds in them days, nobody had that much money to be buying fancy beds and everything, and I doubt if they even had them too, to sell, maybe, you know. Well, so we, my grandma slept on the floor with my brother Gabe and...

RC: ...Lydia...

GL: ...my sister Lydia, and two Brown girls, Louisa Brown and Esther Brown. Them were her grandchildren. These were her grandchildren from that daughter that died. These were her daughters and they were grandma's grandchildren, and they were there. And here there was a big bed here and that's where me and Lily [Lillian Chase, Grace Lambert's and Rachel Charboneau's sister, whose interview also appears as the "Fifth Interchapter"] slept, on that bed. And there was a stove right in the middle of the room. A cook stove, with four little legs, you know, and it had little doors on each side. And old time... And then my dad and my mother slept on the side. That night there was a big storm, that's how come they moved in with us, they had a frame house, but I think they were scared because there was no foundation on it, and probably they were scared it might blow over. So they came over to the log house and they stayed with all of us. Here it must have been six o'clock in the morning, I think, it was early in the morning I know, this was on August sixth, I think, or August fourth, I can't remember. Anyway, I woke up and here it was, there was a big bang, you know, like a clap, you know, just loud. Woke me up, so I woke up, and I was laying behind Lily, Lily was laying in front, she was pregnant, she was going to have Brownie that time, she was laying in front, I was laying in the back, I sat up in bed and here, right, this little stove here, with the chimney, you know, it just stove piped, and it went up, there was no chimney like you have now, like this one here, it's got a chimney, it just goes in and goes out. But it was just stovepipe, you know. I saw this blue flame just go up like that. That was that electricity that was going up. And then the room was just full of soot, just flying all over, mind you, little black soot, and then just a smell like gunpowder, you know how you shoot a gun and there's that smell? That's just the way it smelled. It was smoky. But my dad jumped up and I heard him, he said, "Must be the dog," *Sunka hed* ... He went out, and I was sitting up, you know, I was sitting up and I could see my grandma and them down here on the floor, you know, and here it was grandma, "Ohhhh," she said, and she raised her hand like that. So I just called my dad, "Papa," I said, "it's grandma," *Kunsi*... He came back in, you know,

and he grabbed her hand, he said, “*Ina*” About the second time he said it, “*Ina*” he said, she said “*Han*” but just soft, “*Han*,” she said, and then next time he called her she didn’t answer no more. She had died. So they went, he went out, he told mama, he said, “You move her outside,” and then me and Louisa, Louisa Brown, we had to run across the field, you know, and papa’s field it was, oh, it was just high, too, just ready to watchacall, almost, almost ready to crop? But just ready to, watchacallit, grain? And here, we just ran across, we were just soaking wet by the time we got across that field, that was about forty acres, I think, we went through that, got soaking wet. Went to Joe Brown’s and they were eating, and the old lady said *Oh, takozá toka*, she said, so I told her, I said, “Grandma got killed,” and she started to cry. He said, “I’ll get the team,” he said, you know the old man, and he got up. So a team must have been close by, because in no time, why, he drove up. The old lady fed us and gave us some tea, you know, and some bread. So we ate that and were driving in the wagon with them and came back to the house. By that time ma had the tent, you know, a regular tent, she had it up, and they had my grandma in there. Auntie Lily said that she helped her put the tent up, and then she helped her put the tent up and she said we drug grandma out on a blanket, she laid out on a blanket so they pulled her, drug her over there. Here, I always remember she was just all matted-like, just to her skull, and then a great big pug here, that was all her hair that was long, you know, all in a great big pug. Mama said she couldn’t get nothing out of her hair, it was so matted, you know, that she couldn’t the comb through it or anything, so she had to leave her like that. But she put a scarf on her. But she didn’t put a scarf on her right away because I always remember, gee, the people just came in no time, mind you, the neighbors, you know? They were all coming in wagons. The old man, that was his sister-in-law, she used to be married to his brother, and that’s how come she raised Charlie Blackbird, that was Charlie Blackbird’s dad, that she used to be married to, but she died. And then Charlie Blackbird’s dad, his name was *Zitkana Sapa* [Black Bird] you know and that was the brother to this Gray Hawk, and here he came in, he just looked at her, and he just, you know, I think there must be signs about these, the way they fixed her hair, like that, and electricity, what it does, because I always remember that old man, *He he he*, he said...”It wasn’t hard to do,” he said. You know, I heard that. It stayed in my mind, but I never, ever said a word about it until way late years after, I think I had children even. I asked my mother one time, “You know when grandma got killed,” I said, “that old man came in here. I heard him say that. What did he mean by that,” I said, saying you know

that you made a mistake, that was as good as what he said, you know when he said... "It's easy to do," he said. But he meant, why didn't you do it. And here, my ma said, "She was told to kill one of the grandchildren." But she didn't want to. She thought literally she had to. But see she didn't have to, that's what the old man meant, when he said "It was easy to do." I said, "Well what would she have had to do?" And here my ma said, he told them later, you know, I suppose after I wasn't around, maybe, when he explained that to them, I guess he said she could have taken one of the kid's clothes, like hers or Lydia's or my brother Gabe, one of their coats, went over the hill and filled it with grass, and stabbed it or killed it, you know.

CP: Who told her to kill?

RC: *Wakinyan*.

GL: *Wakinyan*, the thunder. See, they were the ones who told things to the people, what they were to do.

RC: Ya, they believed in that.

GL: See they had to. That's why they were afraid of thunder storms, that's why they all revered the thunder as a god, you know. So she could have easily done that, and here ma said that old man told them that even then, you know, when she had a knife and she stabbed that little cloth with the weeds in it, why, she said they'd scream, too. And she said blood would kind of trickle out. But that was it, you know, but see, she had finished the word. And I always think about when the Lord asks Abraham to kill Isaac, remember? And here then next, when he was going to do it, he told him not to touch him, but he saw this ram, so he killed the ram instead, remember? So I always think you know, I put these things together with the Bible, and they really lived by a good law, because these are all creations of God. God created the thunder and the lightning, you know. They had power, too. Just like us, we have the power to do what we want to do. That's our will. You can even be bad, or if I wanted to, I could kill you [laughs].

DP: You had a story you were telling us last time we were here about the thunder, lightning, too, coming back...

GL: Oh, that's how come, they always said they call this *Mni Wakan*. Because there's supposed to be a great spirit in there. My dad used to tell us that. I often wonder what hill that was these scouts were sitting on. But

this was many, many years before any white people were around here I guess. See these guys, there's always scouts looking for different places where there's other Indians, you know, where they could steal from them, you know, food or whatever, you know. And I guess these scouts were sitting on some hill, but I always think maybe it's the one right behind where mama and them lived, remember? Because that's about the highest one. And I think from there you can see *Mni Wakan*...

RC: Ya, you can...

GL: ...and you can see way over here. But my dad said that, and then over there,... at what they called *He Skana*, that's "Little White Mountain," they call it, *He* means "mountain," and *Ska* means "white," so "White Mountain" they call it, but that was an island at one time, the water was all around it, and here, my dad said that this thing surfaced, this great big object surfaced, and these scouts up on that hill, sitting up there, saw it, this thing surfaced and it started going on the lake here, and it was looking around, and they said you could see its eyes were just yellow, you know, just shiny, you know, and the sun I suppose was down, but there was a big storm coming up, and it was coming, and here, that storm just came and started to fight with this object that was on the lake, and he would fight back by throwing you know red flames from its mouth. And isn't that funny how they make cartoons like that, too, now? [laughs] And he heard these things were told many years ago, too, you know. That's really something sometimes when you think about these things. But the thunder, the lightning would strike you know, strike at him, and he'd fight back with his big flame. Kept on going and going and going until he got to that white hill, that white mountain island. When he got there, well, that was the end of it, the lightning struck, and he never fought back no more, and there was nothing to it and the storm just went off. And that was the end of it, and I guess he said that's why the water is called *wakan*, sacred, because they figured that thing that was fighting the lightning was a god too, you know, a water god. They call them *unktehi*. I gave you that, enit?

CP: Oh, I don't know, I've just, I've heard that name.

GL: Oh, you've read about it. *Unktehi* they call them.

CP: So why is *Mni Wakan Cante* the heart of it?

GL: Well, because it was used as, like, when you go vision-seeking, you go on that hill and you do it.

CP: Oh.

GL: And I suppose they considered it sacred because lot of things happened on there, too, you know, like this man and his two ladies who were going to participate with him. I think he was trying to make a ceremony, they call it the Horse Dance, they make the horses dance, so that they can get water, I guess, or something. Well, they do all these things for a purpose, you know, like Sundance, too, which is for water too, when it's real dry and they need water, they have them. And usually it rains, they say, you know and water starts trickling down that little tree, they say the clouds start coming out. God answers them, I guess. And so it was with that hill, I guess, they used to go up there and this old man and his two women that were to hold things for him while he was making the horses dance, you know, why, they were up there with him, and they had to be stark naked. Gee, someone must have been just watching them, enit? [all laugh]

DP: Someone got an eyeful, huh?

GL: Ya. Because they were all just stark naked and this great big storm just came up and it was just thundering and striking all over the place where they were, but it didn't strike them, it would just strike behind them and on the side of them, and then it was just pouring. But when they had started I guess they had, you always braid these sweetgrass, you remember, you braid them, well, they had that kind, and they lit them and they dug holes in the ground and they stuck them in there, so they were standing up and burning like a candle. And they said them two braids of sweetgrass never went out with all that rain that just poured. They stayed and stayed and stayed until they say the thunder went on.

CP: And that was all at the Heart?

GL: Ya, that was at the *Mni Wakan Cante*. And then years later, why I guess when the priests first started coming, of course right now these were all pagan doings, you know, and one thing or another, and this one priest I guess he made a cross, he made a cross and he drug it up there, and he put it up, on top of the hill. That night a big thunderstorm came and they said that the lightning struck it and just splintered it to nothing. So that was telling the priest that they shouldn't do that, maybe, that that was a sacred place. That's how come they call it *Mni Wakan Cante*. I think I wrote that down, too, mind you. And then I think I wrote down about how they moved that little church there at Crow Hill, that little church, they made it

at St. Michaels, and then this was all winter time, it was ice, you know, so, lot of them say it was hauled by team, but you know my ma said that it was hauled by oxen. And she said they were given oxen at that time as there first, whatchucall, what do you call it, what you journey in, their first vehicle...

DP: Transportation?

GL: Transportation, that's it, their first transportation, ya, were the oxen. And then she said later they were given horses, but she said they were given nothing but wild horses, and they were in payment for a lease of this Camp Grafton, and that was a lease that was signed by these tribal heads at that time, whoever they were. Of course they couldn't sign but I suppose they put their thumbmark, you know, somebody probably witnessed for them. They leased that Camp Grafton for 99 years, and 99 years went by quite a while ago, in '71 I think, when I worked there, when I first started working as a culture, for this Indian culture in Lake Region College, you know? Well, that time, the guy that taught us how to go about, you know, doing it, why, he, I was telling him about it, and way about a month later, he said, "I've investigated in the Clerk of Court in Minnewakan and I've investigated in the Clerk of Court in Devil's Lake. There is no lease of any kind there," he said, "they've got records for years and years back, there's none," he said, "that says Camp Grafton was ever leased by the Indian people." I said, "Sure, they destroyed them! What the heck, that's easy to do," I said, "especially in them days," I said, "there was no Indian around there to say that they ever did," I said. "They done all kinds of dirty work, they sure can do that too," I said. "Well, I bet you're right," he said, "but there's no record, mind you."

CP: What about all those stories, Gram, you used to tell...

RC: About what?

CP: About the lake itself and the thing rising...

RC: Maybe that's the one she told...

CP: Oh is that the one, too. And the black dog, and the black man?

RC: Oh, that's up at the fort they used to see that big, black dog, and a man all dressed in black. Mama used to tell that, when the soldiers were here, they used to see things like that.

GL: Oh, really?

RC: That's what she said.

GL: Ohh.

CP: What would they see? What would they do?

RC: They do nothing. They just go around the square, she said, and they tried to catch them, the soldiers. They couldn't catch them. The next night, she said, it'd be a big black dog go around there.

CP: And then the man in black?

RC: Ya, the man in black. Ya, she used to tell this stuff. She said she used to wash for the soldiers.

GL: Uh huh. Lot of them did, you know. That's how come there's so many white people, half breeds. I was telling that to Father, you know, I said, what about that Father? "That was no sin for them," he said, "because they did it for a cause," he said. They were starving, so they used to have to go and do the laundry for these soldiers that were here, you know. These soldiers had families out East, but they couldn't bring them cause there was no place to put them. And so they had to be there by themselves so they were allowed to just have, you know, take these women in with them, and then they gave them extra rations and stuff. And that's how come so many of our Indian women have..., like Charlie White, and all them....

RC: Oh, he's one of them. Luke McCay?

GL: Ya. Well, Luke McCay was white from way back when they first started to run over here. Remember where Lily's grandmother picked them up and, that's how come they, they came alive, because their mother dropped them and left. And she ran on into Canada and never, ever came back to even see them, him and his little sister. But see she had been living with a white man in Minnesota when they had this 1862 "massacre" they always keep calling it, well, I don't know about that... Well, anyway, that's when they started all running, because the soldiers were after them after they had just cleaned up that town where they kept the rations. They said they had lot of rations but they weren't even giving it to them, poor things, and they were just starving. So they just went, but my dad used to always tell us about how, he said that they, it was started over an egg, he said...

RC: Ya, he always tells that...

GL: You remember that? He said that these two boys, you know, they were Indian boys, they were going along in this little town here, somewhere in there was the building where the rations was kept for the village, you know, and the Indian village is over here somewhere, and its all woods around Fort Snelling. And these two teenage boys, they're about thirteen, fourteen years old, one of them belonged to one of the chiefs, you know there's always a chief for all the, several, there's several fires, you remember? Even the Oglalas have that, too. Sicangu and Spotted Tail and all them, you remember? Well, them over here too, they have that, and so they have these chiefs. Anyway, there must have been a couple of chiefs in that camp maybe, cause these camps weren't all together, because there's too many of them. Somewhere there's another camp, and somewhere there's another area. Well, anyway, these two, one of these kids belonged to the chief, that was the chief's son, and they were going and here, they went in a chicken coop, they found an egg in there, you know, and they took it, you know, they came out and, right now, the farmer that owned the chickens and that place was his farm, why, he was watching out for them kids and when they got in sight I suppose, right away, he was watching them, and he came outside and he was standing with his shotgun set on the porch, on his little porch, to see what them kids were going to do. Soon they came out with the egg, and the other kid said, "I dare you to break it," and the crazy kid I guess he just dropped it so it broke, and he just shot him. And they said that's what started that war. So this kid, the other kid, here he took off and ran but the other one was shot, he got killed right there, you know, that was a shotgun. And the kid who got back to the camp and he told them that the boy was dead, you know, that guy shot him. So that's how come the uprising came up. All the warriors got together and they went into the town and boy they destroyed everything, cleaned that place just flat. That's how come they call it the massacre. And that was close to Fort Snelling, so right now somebody ran over to Fort Snelling and told them, so the soldiers start coming and that's when the Indians broke camp and they ran each, every direction. Some ran towards the river, and some ran towards the open, this way. There was no towns and all these places, they weren't there then. Some went right into Canada. That's how come they have Sioux Valley, that's one of those places. And that's when the party that was running through the open area was Lily's grandmother, my sister Lily said her grandma was seventeen years old at that time. And her sister had these two kids, but she had been living with a white man. But see when these Indians were starving to death, well already they were kind of in an uproar, they were undecided

about what they should do, but they were telling their people that all these people that were married to white men, they were going to kill them, you know, the men and their children, but they were going to let the woman live. They were planning on that already then, so that Lily's grandmother's sister told her husband, or the man that she was living with, I don't suppose that they were married, you know, at that time, well, she told him to go because they were going to kill him, you know. So I guess he went, so she was alone with her two little kids, and that was Luke McCay and his sister, Nancy Straight, them two, they're brother and sister. And so she had them two, so they started running right away because the soldiers, they were just a little ways, you know, so they started running right away. They must've left their camps and everything, enit? They were just running every which way, you know, grab whatever they could eat, you know, and that's all they ran with. And she was running with them, but Auntie Lily was telling me that her grandma said that they could just feel the shells falling on them when they were shooting above them. They weren't shooting at them, at least, the soldiers, but they were shooting above them, but all the pellets were just falling on them like rain. Must've been scary, uh? So they were just running and I guess Lily's grandma said, "I was young at that time and I was really swift, you know, and fast, and always used to run at races and win all the time, so I was really running real way ahead of everything," but her sister was really keeping up with her, too, but she had this one kid on her back, and then she had one, you know, and I suppose she was carrying the stuff maybe, you know, for them. She looked, she said she didn't see her no more, so she looked and soon she went by here, and she didn't even have her kids, her sister, you know, she just ran by her and she said she looked back and here she said she saw the poor little kids laying on the ground way in the back. She just dropped them and left them. So she just ran, ran back. She said, I ran for a little ways, but she said I just couldn't, couldn't do it, so, I just... You know, they always say kanakana, that means you kind of give a hoot or what, I don't know what. She ran back, and she put one on her back and carried the other one, she never had any children before so I imagine she could really run, and she just ran. But she said she never saw her sister again. She just ran right on.

And you know Mrs. Yankton? She was a good friend of mine, too, she would talk to me all the time, and she was telling me about her mother, was a baby, too, and they dropped her, too. Her mother dropped her too, and she said there was a whole bunch of them, and she said they all got caught over here somewhere, you know, and that's how come this was a

fort, they were just now beginning to make this, this was a fort made for relay mail. You know, Pony express. See, that's what they were making these forts for, so the mail would go...

DP: So it was a fort before it was a reservation?

GL: Ya! Uh huh. That's why the soldiers were here. Ya, this was a fort, and it was supposed to be a pony express stop, see where they could change horses, and ride a different horse to the next post. The next one would probably have been Fort Buford, and then maybe up into Fort Peck. See all these... anyway, they got caught here, close here, anyway, they weren't exactly here you know but they got caught further back, Fort Abercrombie? What do they call it? Something, anyway, I can't never say that. Anyway, there, I guess they picked up all the little babies, you know, the soldiers did, came along in wagons you know, and they picked up all these babies, and this is the story that Mrs. Yankton is telling me, and she said that her ma said that, her mother told her when they got over here, why, they just examined all of them to see who all were nursing babies. You know, I suppose they show, you're milk runs off when you're nursing a baby so I guess they found out. Put all the nursing mamas in a wagon and they took them back, and that's where they took them, to that Fort Abercrombie or whatever you call it, they took em there, and here there was a great big room, big building you know, it was just no partitions or anything, it was the whole, solid room. And they took us in there, her grandma told her mother, "They took us in there, and here," she said, "we went in and there was all you poor little babies, you were all sitting in a row. Each one had a slab of bacon, they were sucking on bacon [laughter]. So that's how we learned to give our kids a slab of bacon," she says. That's where they learned that. Wasn't that cute, huh? So they all found their little babies, you know, and see that woman could have found her babies. But see Lily's grandma kept them and brought them up. She just kept them and brought em up?

CP: So when did they...

DP: Make this a reservation?

GL: Later!

CP: Well, I was going to ask when they put a fence around the fort. Who controls that now?

DP: Is that the state or the city that took over control?

GL: It's a state historic place. Ya, see it was turned back to the tribe, the whole thing belonged to us. That was one good thing Louie Goodhouse did. He said we will never be able to keep it up. That will be a lot of expense. It will be a torn and broken down place, just like the old hospital and that old school at St. Michaels. It will be like that, he knew. And so he said we'll give it to the historic, the North Dakota historic. He probably got some money out of it, maybe. But maybe he put it in for the tribe, too. But maybe it's never recorded, or maybe it is, too, we don't know. Nobody has ever checked in on it, I guess, I don't know. But see, that's what he did, and he turned that into the Bismarck Historical Society. So they it over and that's how it's kept up, that's why it's kept up. It's a historic place.

CP: Did you both go to school there?

RC: Mmhm. I went to school there when it was a boarding school.

GL: I didn't. The sister school was over here.

RC: I went over there, too.

CP: You [Rachel] went to both?

RC: Ya.

GL: Ya, it burned down. It burned down in '25, huh, 1925 or '26.

RC: '26.

GL: I know I was in Flandreau then, and you must have been in Bismarck maybe, or you were here?

RC: Here.

GL: Oh....

CP: The Gray Nuns ran both of those?

GL: No no no...

RC: No no. Just that one. But when that burned down they all came over here, the Gray Nuns, they kept them...

GL: And taught... taught their own students that they got from over there. Because they were too many when they crowded them here.

DP: You know I wanted to ask you before we forget, Vernie gave me this list, you know, the old census? of Louie Longie you know being the father, and then Rosalie Adele and the rest, you know, Joseph, Antoine.... Who is the mother? There's no mother listed on here.

RC: Ya, our grandmother, who was she?

GL: My mom used to always call her Susanna.

RC: Ha?

GL: Susanna. I suppose Susan or something, Susanna, but...

RC: No last name?

GL: I don't know what her last name would be. Ah, what's her name, you know, that Cap Cavanaugh's daughter. She lives in Warwick. She came here, you know, and she had a great big family tree. And she has the Indian name, but I can't remember. It's something about Maka...

CP: Yeah, that's what Vern said.

GL: Makamani or something... *Walks the Earth* or something. I don't know now. Don't write it down because maybe...

RC: Maybe that's not the one.

GL:...might be someone else's name and here we'd be accused of stealing it [all laugh]. No? You should see her. I wonder where you could see her.

DP: Who is that now?

GL: Kelly. Her name is Kelly. I don't know her last name, but she is Cap Cavanaugh's daughter. She had the family tree, you know, the, the, it's a great big one, kind of like a map, you know, it's got all the watchacall... And she has that name, because they come from Rosalie.

DP: is she around here?

GL: Mmhhh. Well, Kelly lives over here, at Warwick. But I really don't know her last name, so I wouldn't know whereabouts you'd find her, but, she lives over there anyway. But you know what? Her mother, I don't think she's very interested in things like that but I think she's...

RC: Who's her mother?

GL: Marianne Green

RC: Ohhh.

GL: Marianne. You remember mama's...

RC: Cousin?

GL: Cousin, but she became her sister because our old grandpa married her grandmother.

RC: Ohhh.

GL: See Marianne Green...

RC: Isabel?

GL: Ya, Isabelle. Isabelle is Marianne Green and them's grandmother. But see their father's name was Francis Longie, and that was supposed to be our grandpa's brother. So our grandpa married his sister-in-law.

DP: Hmm.

GL: It's about earth, so you could write "earth" anyway, but I don't know what else. Don't put the "Mani" on there because maybe it might not be right! [laughs] So many nowadays are just really concerned about names. "They stole our name!" And oh my, how do they know! Oh dear. Ya well you can write maybe "Marianne." She's supposed to work at the Blue Building [government offices] but she's never there. See, they own that store by the...

RC: Ya.

GL: But it's gone to pot now.

RC: That Pearly Lang's?

GL: Pearly Lang and them is another sister of our grandpa. Her mother's name was Marianne, no, Mary Jane, Mary Jane Longie. She's the mother, she married this, a Lang. No. Pearly Lang? Ya, Pearly Lang was her real maiden name, enit?

RC: Ya.

GL: So it would be Lang, wouldn't it?

RC: Grace Lang.

GL: Mmhhh. And Fred Lang. Them are brother and sister. And that's her daughter that runs the Mission Bay Store. And she goes to Arizona every winter. She lives down there. She got a house down there, they said, somewhere.

DP: Whereabouts?

GL: I really don't know. But that's in Arizona anyway. Some reservation, I guess. Or something, ya, I'm sure. But they go down there every winter. They go about in September and never come back until April.

DP: What are they doing to the church [Seven Dolores Catholic Church]? Are they fixing the basement, or?

GL: They're building a ramp. They're going to put a ramp there, instead, you know because we have so many wheelchairs and I guess everybody...

RC: Oh ya, that's good.

GL: ...just says, you know, we're in a wheelchair, we can't go to Mass, we can't climb them steps. So they're putting on a ramp.

DP: Who's the priest there now?

GL: What is it, Chuck? Lute?

RC: He used to be in Pine Ridge, uh?

GL: Yah, he was at Pine Ridge for sixteen years. They say he talks fluent Lakota.

RC: ...He knows everybody.

DP: Father Lute?

GL: Huh? Yah.

RC: Father Chuch.

GL: Ya, we always call him Father Chuck. You know, he's supposed to be part Indian, on his father's side. But he's Sac and Fox, from Iowa, I can't remember where. But I remember that time when he was first ordered to come, you know they told us, he's part Indian, they said, and I guess somebody went and asked Tony McDowell. "Tony, do you know the name of that guy? Do you know what tribe he belongs to, that guy that's

supposed to be coming?” “Ya, I guess he’s a sexy fox.” [all laugh] “Isn’t he sexy?”

RC: Sexy fox...

GL: He’s Sac and Fox and here he said, Ya, he’s a sexy fox. Crazy Tony. Are you just hungry now?

CP: I’m getting really hungry, yeah.

GL: Oh dear, I wish I had something to feed you. You know that guy said you wanted to roast a chicken, and I said, No, I said, we’ll roast them to death! [all laugh]

DP: I think I’m the only one that’s roasting here.

GL: But you know what? This guy down the store here, what time is it? Is it before six, I think...

RC: It’s quarter, quarter to five.

GL: Oh well that’s open. You could buy whatyoucalls down there. You can buy chicken, and stuff, put it in the, what do you call these little ovens?

DP: Microwaves.

GL: Ya. They’re right there. You can heat them all and everything. You’re gonna have a good meal.

CP: Good!

GL: There’s a restaurant there, but I don’t know if it’s open all day.

DP: Oh ya, at that little mall?

CP: Luis Cafe?

GL: Ya! He serves real good meals, too.

RC: Who is he?

GL: He’s a Mexican. He’s a Mexican but his wife is part Indian. She’s, uh, remember Susie Black Fox? That’s her daughter. You remember Ambrose, Ambrose Little Ghost? That’s his sister’s daughter, that girl. But see, when she had her, she gave her up for adoption, so she said I was adopted by white people, you know, white people brought me up, but she

said, I want to know about my Indian side. She is white, you know, her father must be white. But her mother was Indian. She came from Susie Black Fox there.

DP: Changing the subject but, is it Auntie Grace's tape that's all in Sioux? Have they put any subtitles on your video, do you know, yet?

CP: The ones they did for the college, the video?

DP: For the school up here? Eugene Hale?

GL: Huh?

DP: Member when they videotaped you and Auntie Lily?

GL: Uh huh. What about it?

DP: Yours is all in Indian. But in Auntie Lily's, they put subtitles underneath so they put it all in English underneath. Have they done that with yours yet?

GL: I wouldn't know. I wouldn't know. I never go over there. I never bother myself about them.

DP: 'Cause we have them.

RC: Ya, she's got the tapes.

DP: I bought a copy of each one last time I was here, and they said, as soon as we get the subtitles made for yours they were gonna let me know, they were gonna send me one.

GL: Ohh...

DP: We're gonna go over there and see them too, if they're still there.

RC: Well it's almost five, they won't be there.

DP: Oh they won't be there right now, so maybe tomorrow. You want to get together with Auntie Grace again?

CP: Yeah, I would like to.

RC: She'll get tired of you pretty soon. [laughs]

GL: You know, that's gotta live on. If somebody's interested, I think it's worthwhile to let them know.

DP: To get it down, yeah.

GL: Mmhm. Because I tell these things to my grandchildren, I doubt if they remember it the next minute [all laugh]. It's probably gone out of their heads, they're ready for something else instead, you know. But him [CP], he's got it in his mind that he wants to...

DP: And he's recording it....

GL: Ya,...

DP: ...so if he gets something down in black and white, he'll give you a copy, too. So you'll have something to hand down, too.

GL: Ya, that's good.

RC: Okay, let's go feed that boy.

GL: Feed that hungry boy!

CHAPTER 2

LAND, GOD, AND THE CHAIN: CONCENTRATION CAMP CONVERSIONS AS A FORM OF POLITICAL RESISTANCE AFTER THE U.S.- DAKOTA WAR

The best way to civilize Indians is to imprison them.
Major Thaddeus Bradley of the 7th Minnesota Infantry

1. Introduction: Tracking the Unthinkable

In his book, *Silencing the Past: Power and the Production of History*, historian Michel Trouillot describes the “erasure and banalization” that characterize historiography of the Haitian Revolution. In the chapter titled, “An Unthinkable History,” he observes how the tropes of modern history-writing are identical in form to figures of discourse in the late eighteenth-century, arguing persuasively that these historiographical tropes take two forms: on the one hand, “some narratives cancel what happened through direct erasure of facts or their relevance,” while on the other hand, some “narratives sweeten the horror or banalize the uniqueness of a situation by focusing on details.”¹ The combined effect of these tropes or formulas is “a powerful silencing” of non-dominant narratives, one that renders them, and questions about them, “unthinkable.” An analogous erasure surrounds the aftermath of the U.S.-Dakota War between United States and Minnesota militia and Dakota warriors led by the Mdewakanton chief, Little Crow.² The war is itself a little-known event in the history of U.S. colonization, despite white Minnesotans at the time having called it a “second Civil War,” and despite contemporary Dakotas’ sense of it having been a campaign of “ethnic cleansing” and “genocide” against Minnesota’s First Nations.³

Although a handful of recent works have addressed the cultural amnesia surrounding the 1862 U.S.-Dakota War generally,⁴ none have engaged their complex history of confinement, or explored how Dakota prisoners experienced and resisted confinement in the concentration camps that were created immediately after the defeat of Little Crow's army on September 22, 1862. To call the stockades at Mankato and Fort Snelling "concentration camps" is, of course, a kind of provocation. But it is one shared by Dakota scholars like Waziyatawin Wilson, and even by the Minnesota Parks Service, which recently has labeled its memorial outside of Fort Snelling using the term "concentration camp." The stakes of this label highlight the power wielded and abused by U.S. agents in the service of cleansing the fledgling state of Minnesota of its Native peoples.⁵ In this chapter I examine those camps' three dominant modes of subjection—land loss, Christianity, and chain—in order to ask how conversion and the carceral might have intersected in the bodies and minds of Dakota prisoners, and how we might read their responses to God and the chain for signs of cultural survival and agency. In answering these questions, I am interested in confronting and reconstructing what remains to a great extent an unreconstructed, and unreconstructible, past. Despite the difficulty, or even impossibility, of a full accounting, this paper seeks to read past the historiographical silences surrounding that aftermath, in order to evoke or "express the unthinkable" that Trouillot alerts us is always under threat.

The impulse to do so is born as much out of a sense of recovering what has been lost as it is about re-examining present critical attitudes about sovereignty, anti-colonial resistance, and concepts of nationhood. First Nations' responses to the pressures of colonialism are still poorly understood in mainstream American culture. And even within

academia, scholars often gloss Native adaptations of traditional lifeways and values to the pressures of modernity under the rubric of syncretism as a kind of cultural “bridging.” Prominent ethnohistorian Neal Salisbury, for instance, relies in his study of seventeenth-century missionization in Southern New England, *Manitou and Providence* (1984) on a generalized sense of religious syncretism as cultural “mixing” in order to explain cross-cultural negotiations of religious life.⁶ Richard White’s “middle ground” concept likewise depends on “accommodation” and “the search for common meaning,” rather than underscoring how difference can and does prevail even during the most generous acts of cultural dialogue. Other ethnohistorians like James Axtell, in his 1984 essay “Some Thoughts on the Ethnohistory of Missions,” argue against viewing religious syncretism as a mixing of cultures, and offer a more pragmatic view of conversion. They suggest instead that we ask what, from natives’ perspectives, did conversion or resistance to conversion “do *to* and *for* the social and cultural continuity of their lives?”⁷

I see syncretism as potentially reproducing liberal ideals of cultural inclusivism as well as teleologies of social progress and national belonging (i.e., the “melting pot” or assimilationist ideal). Latent in “bridging” metaphors of cultural change is a masking of colonial violence as well as the denial of native sovereignty. Rather than reading for cultural bridging, I build on Axtell’s approach by suggesting, in the second half of this paper, a model of cultural translation that is neither separatist nor inclusivist, but that allows us to see how Dakota, in their historical relationships with missionaries, demonstrated a flexible handling of cultural differences while maintaining also core Dakota practices and values. In effect, I argue for a politics of translation that emphasizes

sovereignty over accommodation, and autonomy over integration, while still allowing for the adoption of outside cultural elements.

The flip side of “bridging” models of cultural change is a dichotomous one where cultures exist autonomously of, and are fundamentally in tension with, one another. Missionaries as well as white settlers of Minnesota depended on rhetorics of absolute difference between native and white, savage and civilized, to authorize the conversion of souls and of land. Presbyterian missionaries for the American Board of Commissioners for Foreign Missions (ABCFM) describe in their journals and letters about the camps a sense of catastrophic breaks between identities: of “superstition” that conversion has “dashed to pieces,” or of “savages” who become productive, land-owning “Americans.”⁸ But this colonial, either/or logic is inadequate for understanding the full range of Dakota responses to colonization. More supple procedures for mediating between cultures existed in the camps, and these procedures show up rather clearly in missionary documents produced during and before Dakota incarceration.

In sketching further the range of sources that speak to the conditions within the concentration camps, there is, on the one hand, an absence of what might be called “high” literary productions. About the U.S.-Dakota War and its subsequent diaspora,⁹ only one minor poem was written—Myron Coloney’s long poem or “rhythmical romance,” *Manomin* (1866)—which the *Atlantic Monthly* panned, asserting that “it is scarcely a good sign, we fear, in a new author, if his purpose and himself interest you more than the work.”¹⁰ Coloney’s marriage plot, uniting mixed-blood natives and white settlers, was not tenable as a solution to the “Indian problem,” given the heightened racism and rage of settlers in response to killings by Dakota. This rage is most evident in a profusion of anti-

Indian literature that generated by individuals, newspapers, and small presses. Prior to the camps, pamphleteering constituted one form of popular literature through which white settlers like the lawyer, James Wickes Taylor, registered their emotional outrage over what they perceived as Dakota war atrocities.¹¹ Echoing Minnesota Governor Alexander Ramsey's call for "the Sioux Indians of Minnesota" to be "exterminated or driven forever beyond the borders of the state," Taylor advocated for an offensive "war of extermination" against Minnesota Indians, including Dakota and "Chippewa," or Anishinaabe, whose "warriors" were "a 'wild beast or a maniac' to be either exterminated or imprisoned."^{12,13} Captivity narratives make up the rest of the bulk of imaginative literature in and around the U.S.-Dakota War, and focus on the period of Dakota resistance rather than on the war's aftermath.¹⁴ Running through these examples is the ubiquity of white voice and point-of-view. By casting white frontier life in heroically epic terms, white authors furnished the rhetorical material to legitimate Indian difference and dispossession. And as was the case with Coloney's amateur poem, there is a kind of silence about the camps.

Contemporary silences run just as deep, it seems, with most histories of mid-nineteenth century American colonialism, and in particular of the 1862 war, either omitting the camps from the narrative of the war or else relegating it to an endnote or a photo caption. Diaspora becomes, in this literature of dominance, merely "migration" or "exodus,"¹⁵ and the history of General Pope's 8000-man army that hunted Dakota west out of Minnesota in the spring after the mass hangings overshadows the history of forcible removals by "law."¹⁶ Within the past ten years, however, critiques of these erasures and trivializations in the U.S.-Dakota War, often but not always written by

native scholars, have begun to emerge. The most direct treatment of the camps is Corinne Monjeau-Marz's history, *The Dakota Indian Internment at Fort Snelling, 1862-1864* (2006), a raw assemblage of excerpts from primary documents gathered from the year of the camps' existences. Gary Anderson's collection, *Through Dakota Eyes* (1988), is a valuable starting point for considering native points of view about the war and its aftermath, as it culls transcriptions of oral histories from survivors of the war, camps, and relocations. Angela Wilson's *In the Footsteps of our Ancestors* (2010) likewise is an anthology, but of contemporary native authors, scholars, and community members, who recount stories about the "Dakota Death March of November 1862," from Camp Release to Fort Snelling. Another project, one that is still in progress, collects and translates letters written in the Dakota language by prisoners while in Fort McClellan, outside Davenport, Iowa. This project, headed by Sisseton Wahpeton Dakota elder and professor of religious studies Clifford Canku, promises to give a wholly unique perspective on the conditions of this particular camp, as well as speculations on the fate of prisoners after learning of Lincoln's assassination.¹⁷

Apart from this recent turn in scholarship, the living memories in oral histories about the concentration camps stand to interrupt the silence surrounding them. Dakota today remember with great poignancy the camps and the diaspora that followed. Indeed, these traumatic events serve as the basis for any remembering of origins. In the opening of the tribal documentary of the Mni Wakan Oyate (Spirit Lake Nation), tribal chairperson Myra Pearson is seated on a couch while her grandson, Terry "T" Morgan, kneels on a rug at her feet, questioning her about Dakota history. As prologue to the tribe's history on the Spirit Lake Reservation in North Dakota, Pearson says, "I believe

it's now time to pass some of these stories and memories [from 150 years ago] onto you...but some of our memories are hard to speak of. My great-grandfather's brother was among the 38, the 38 who died at the place called Mankato." To which her grandson replies, "Is that why we live here at Spirit Lake? To get away from the people who hung great-grandpa's brother?" "Well, I guess you could say that. Sometime we'll have to visit again and I can tell you the whole story."¹⁸ Although this conversation serves to introduce the documentary history that follows, the hesitation here is significant. The pause may be just to spare the young boy the memory of a terrible event. But the narrative that follows elaborates on this hesitation, enlarging it into a lacuna, or space where traumatic memories are essentially passed over in silence. Even in this tribal documentary there is, in what may well be a form of self-protection, a withholding of traumatic knowledge that is still too difficult to share.

Given the difficulties, the hesitation, of engaging with oral histories about the camps themselves, I have chosen to focus on missionary texts from the ABCFM, not only because they are readily accessible, but also because they implicate both Dakota and non-Dakota worldviews. Religion also provides an important key to what Edouard Glissant has termed a literature of "delusion" that, "possessed of a real need to justify the system" of colonial violence, endorsed Indian removal, or what would become the Dakota diaspora, and legitimated land dispossessions beyond their moment of ideological acceptability.¹⁹ Nationalist discourses of individuality and property rights will provide another key. The intersection of God and land in Christian missionary documents will provide the exhibits for reading against a colonial literature that "fantasizes legitimacy" for white settlement of the American plains. However, it would be difficult to evoke the

camps from missionary texts produced during the camps alone, as they are few in number, thin on ethnographic observations, and thick in religious fervor. I place them alongside Presbyterian missionaries' journals and letters from the earlier period of the Dakota Mission until the U.S.-Dakota War (1830-1862). Through this pairing, I seek to understand the extent to which imprisoned Dakota successfully resisted colonial forces by translating and adapting their powerful rhetorics to suit their own purposes. In doing so, I resituate the historiography of the war and its aftermath in terms that allow us more clearly to see Dakota responses to colonial pressures as means for both cultural survival and political resistance.²⁰

What follows is a brief sketch of the concentration camps that interned several thousand Dakota following the U.S.-Dakota War of 1862. I begin with a summary, since knowing what took place, knowing the level of basic facts leading up to and in those camps is itself a vexed, and largely unanswered, question.

2. "This Dismal Fenced Enclosure"

After the defeat and surrender of the Dakota under Taoyateduta (Little Crow) at Wood Lake, Minnesota on September 23, 1862, 1700 non-combatant Dakota and some Métis, mostly women, children, and elderly, were forcibly marched from their temporary detention by the U.S. Army in Camp Release.²¹ For six days in early November, they were forced to walk in a three-mile long chain of bodies to be imprisoned at a camp within sight of Fort Snelling, near St. Paul. Oral accounts of the forced march recall acts of tremendous violence committed by white audiences who inserted themselves into the spectacle of punishment in bloody ways:

When they passed through towns the people brought poles, pitchforks and axes and hit some of the women and children in the wagons....A boy was driving an ox cart and the white people knocked him down. Some Indians died from the beatings they received.²²

Other Dakota oral histories remember a Dakota infant who was taken from his mother's arms and killed in front of her. She placed him in the crook of a tree, so that his body could not be further defiled by animals. Episodes of rage such as these owed in part to the killings of some 500 whites during the initial Dakota raids on white settlements, which were only viewed through the lens of savagery rather than of retribution for dishonest treaty dealings, failure to deliver on what treaty promises had been made, and the subsequent creation of famine conditions for Dakota. As I describe in my Introduction, though, the war's root cause was the perception, among Dakota, that whites were fundamentally an unethical people, and that the only way to stave off mass starvation was military action.

Upon his first visit to Fort Snelling in November, General Henry Hastings Sibley, leader of the Minnesota militia during the war, described the camp as "this dismal fenced enclosure," even before deaths from starvation, exposure, and epidemic—including measles, diphtheria, and typhoid—would run riot in the coldest months of early 1863 and kill more than a hundred Dakota. State authorities would call those imprisoned at Fort Snelling "captives," as they were not charged with committing war crimes during the military campaign of the previous six weeks. The remaining Dakota, 417 in all, who had surrendered to General Sibley's forces and were bound for sentencing or execution were marched off to Camp Lincoln, near Mankato. There, 393 Dakota warriors were tried by a five-man military tribunal, where the average hearing was no more than ten minutes in length. At first, the tribunal sought the death penalty only in cases of rape, which

according to many white accounts, were numerous. After finding only two cases worthy of hanging, though, the tribunal expanded its criteria to include killing of any kind, and treated even the killing of state and federal militia as acts of insurrection. 391 Dakota were then sentenced to death, but Lincoln, afraid that so many executions would be perceived as its own kind of massacre, reduced the total number of condemned to 38. The hanging, held the day after Christmas in 1862, remains the largest mass execution ever performed in the United States.²³

The tribunal and hangings are perhaps the most visible and well-known aspects of what became the beginnings of the Dakota diaspora, which began with the forced marches and camps, and has received far less critical attention than the Dakota sentencings and executions. Indeed, the significance of the executions should not be downplayed, as they devastated the exiled family members of the dead, themselves confined in military stockades and deeply unsure of their own survival. Tiwakan (Holy Lodge), or Gabriel Renville, was a mixed-blood Dakota who was “not implicated in any of the outrages against the whites” during the war, and was “given the privilege of being outside of the Indian camp, coming and going as he pleased.”²⁴ From his position of relative freedom and mobility, Renville recalled that in the midst of an epidemic, when “children were dying day and night,” the news of the Mankato hangings turned an already arduous situation into a brutal trial, making “a person...doubtful” whether “they would be alive in the morning.”²⁵

But the tribunal and hangings were only two parts of a judicial and legislative set of procedures for removing Dakota, and should be contextualized accordingly. Standing against such contextualization, though, are the ways in which the hangings, in particular,

still have a powerful discursive draw as a cultural location for reconciliation and healing of one kind or another. One form such “healing” has taken is the official or state apology. A New York Times article of December 13, 2010 discussed the potential for a presidential pardon for one of the hanged prisoners, Chaske, because he had been wrongly hanged. Former Minnesota Congressman James Oberstar was among those who supported a presidential pardon on the 150 year anniversary of the executions, stating simply that, “A wrong should be righted.” The urge to right a wrong, however, is complicated in this case by what stands to be forgotten in such an act of redress; namely, the unremembered history of state-sponsored incarceration and program for ridding Minnesota of its “Indian problem.” Official apologies, in other words, may serve as catalysts for cultural forgetting, for “getting over” injustices done in the past, rather than for a closer engagement with that past’s disturbing content.

In 1862, the law provided another means by which the camps could remain, at least among non-Dakota, silenced and forgotten. Part of the camps’ lack of visibility within existing theoretical frameworks for reading resistance, lies in an evasive legal nomenclature. While in the camp at Fort Snelling, Dakota were subject to an extra-legal status, being neither prisoners-of-war nor criminals of any kind, but rather were merely “in captivity,” as the captions of military photographer Benjamin F. Upton note.²⁶ In effect, the 1700 prisoners endured a kind of civil death. Within this indeterminate legal identity, they were not seen or seeable by state authorities as real agents of resistance. They were not even victims, but rather, wards. Indeed, the official, government narrative of both Camp Lincoln at Mankato and Fort Snelling’s stockade was one of protecting vulnerable native bodies. In his letter dated December 6, 1862, whose purpose was to list

those warriors to be executed at Mankato, Lincoln wrote to General Henry H. Sibley that the remaining prisoners would be “held, subject to further orders, taking care that they neither escape nor are subjected to any unlawful violence.”²⁷ His sense that “unlawful violence” would be done by white settlers to Dakota who had surrendered is borne out by Dakota accounts of enraged whites killing Dakota infants and women as they marched, in chain, for many miles to the camp at Fort Snelling.²⁸ Maybe just as striking, ethically if not legally, as this form of legal erasure, is the fact that the camps remained in use for several months after Lincoln delivered his final Emancipation Proclamation on January 1, 1863. By May of 1863, when the remaining “prisoners” of Mankato were forcibly removed to Camp McClellan in Davenport, Iowa, to remain there in durance vile, and the surviving “captives” of Fort Snelling were removed by steamer boats to Crow Creek Reservation in South Dakota, they remained in forms of bondage that had become anachronistic but “necessary.”

Despite capitalizing on a novel form of legal indeterminacy, the concentration camps were quite visible to Americans at that time as spectacles of punishment for “rebellion” against the United States. The material culture generated by the camps, their ephemera of newspaper advertisements, postcards, and stereograms, show a particularly ugly form of dominance that blinded Minnesotans to the real violence of the camps, even when they witnessed it with their own eyes. Prior to their removal, captives at Mankato and Fort Snelling were regularly visited by civilian outsiders. Among these were commercial photographers from St. Paul and Minneapolis, engaged in creating a profitable economy of postcards, or *cartes de visites*, many of which depicted sentimental images of lone, stoic “captives.” Newspaper ads in Minnesota newspapers featured

advertisements, trumpeting that some of these photos “had reached collections in Europe” and were selling in St. Paul galleries “at New York prices.”²⁹ Less voyeuristically, perhaps, Presbyterian and Catholic missionaries also worked in the camps, delivering God’s word and the English language in literacy classes. They brought news of the outside world to their shackled flocks, while also transporting prisoners’ first-ever letters to family members being held in other camps. The story of chain became the story of a spectacle that triumphed in the production of banalities and amnesia, while at the same time opening up opportunities for real resistance and critiques through new native writings.

3. “How Can We Get Lands and Have Homes Again”

While the ad hoc legal machinery of the tribunals got the process of dispossession underway, the concentration camps were the most immediate means to remove Dakota from Minnesota. First-hand accounts like Tiwakan’s reveal an anxious, and prescient, awareness of the specter of land loss. “How can we get lands and have homes again,” he asked, after news of the Mankato hangings reached Fort Snelling, adding that these “were the questions which troubled many thinking minds, and were hard questions to answer.”³⁰ This process of dispossession had, of course, begun long before 1862. Charles Eastman, a Dakota physician and author who was separated from his father, Wak-anhdi Ota (Many Lightnings), during the war, wrote that the situation of Dakota was one of “virtual imprisonment” long before the literal walls and chain at Fort Snelling. Having treated away all but “a tract of land twenty miles by thirty,” they found themselves unable also to

access hunting and fishing grounds, and grew more and more dependent on government annuities, and traders' supplies, for their survival. On entering the "new life" promised them by treaty, though, Eastman writes that "the resources so rosily described to them failed to materialize. Many families faced starvation every winter, their only support the store of the Indian trader, who was baiting his trap for their destruction."³¹

Anthropologist Thomas Biolsi has applied a Foucauldian analysis of power to a Lakota context, arguing that administrative technologies "comprised an integrated system for the surveillance and control of the everyday lives of Lakota people."³² Although Biolsi's argument places the beginning of the construction of the modern Lakota individual in the reservation period (post-1878), the colonial introduction of a modern subject began in earnest among the Sioux tribes as early as 1830, when the ABCFM established their Dakota Mission at Lac qui Parle. This mode of domination continued, in a far more radical form, in the concentration camps. Within the camps themselves, a discursive attack on native lands supplemented the literal dispossessions, and appeared in the guise of missionaries' emphasis on individualism and individual land ownership. With the aim of supplanting traditional kinship ties and communal responsibilities among Dakota, as well as breaking up community land holdings, missionaries preached salvation along with ideals of national citizenship and individual property ownership. When Stephen Riggs described the mass conversions in the concentration camps with Thomas Jefferson's phrase, as "a nation born in a day," we might say that nationalist and religious discourses of individuality intersected powerfully in the incarcerated bodies of converted Dakota.

Riggs's enthusiastic observation about the successes of God and nation were, by the time of the camps, not a new story. Long before the 1887 Dawes Act prescribed the individualizing of tribal land ownership, allotting acreage to every "enrolled" tribal member, Christian missionaries brought with them a progressive rhetoric that wed Jesus with the plow. This emphasis on individual labor and ownership of land was wed to the unique disciplines and practices of conversion among the ABCFM. According to Presbyterian tradition, full conversion required a thorough, multi-part theological examination and assessment of one's faith. Presbyterian assessments of faith, as well as the literacy and English-language training they required, were indeed examples of what Foucault calls a "micro focus of power" on the individual.³³ Stephen Riggs described the Mankato prison in March of 1863 as "one great school," adding that the inmates' desire for learning "is a perfect *mania*." He described how reading circles, overseen by "those who had been taught in our mission schools," were successfully transforming the Dakota into "civilized people." In closing his remarks on education in this letter, Riggs suggests that the only way to account for the "progress...made by the Indians at Mankato and Fort Snelling, during the present winter," was that prison proved to be a crucible for the civilizing mission: "Major Bradley..., who by the way was one of the Military Commission, proposes as a theory, *that 'the best way to civilize Indians is to imprison them.'*"³⁴

Far less subtle, but equally powerful in their advocacy for land dispossession, are the writings of James W. Taylor, who proved influential in lobbying Congress to pass a Dakota removal act. In his pamphlets, "The Sioux War & The Sioux Question," Taylor composed jeremiads urging white settlers to punish and expel the Dakota from Minnesota

territory. Donning the prophet's mantle and fire-and-blood rhetoric, Taylor repeated an argument made by Governor Ramsey that Dakota violence during the uprising constituted an abrogation of the 1851 Treaty of Traverse des Sioux. That treaty, between the U.S. government and Sisseton and Wahpeton bands of Dakota, effectively ceded all Dakota territory in Minnesota except for two 150 mile strips of land along the north and south sides of the Minnesota River³⁵. "In the first place," he wrote, "the Sioux war has relieved the Government from all treaty obligations." This insistence on treaties, or more importantly on alleged treaty-breaking, served to legitimate Walker's argument for Dakota expulsion. This argument, repeated by other Minnesotans, led Minnesota Senator Morton S. Wilkinson and Congressman William Windom to introduce bills for the removal of both Dakota and Winnebagos. The Winnebago act became law on February 21, 1863, and the Dakota act on March 3, and provided for removals to unoccupied lands "well adapted for agricultural purposes" but beyond the limits of any state.³⁶

4. Translation and/as Sovereignty

The central question of this chapter might now be restated in this way: were the Dakota, in learning to write and read English, and in taking on the identity of farmers, simply assimilating to nationalist discourses of citizenship? Did they compromise their personal and collective sovereignties by deferring to the cultural program of a more powerful sovereign? I suspect not. In following down that suspicion, I find it useful to read for layers of political consciousness and resistance rather than for stark subjectivities. That is, in teasing out political sensibilities that may not appear on our cognitive map, it is helpful to view such transactions as performances of cultural

translation. In her work on Langston Hughes, literary critic Vera Kutzinski characterizes such translation as a procedure by which differences are not overcome, but maintained. Viewing translation as a “bridging” across essentially different domains is problematic because that “act of bridging linguistic and cultural differences, then, may well end up reinforcing those differences.” Kutzinski continues: “As Steven Ungar has described it in relation to the work of the Maghrebian writer Abdelkebir Khatibi, [translation] is ‘less...a process leading to transparency in the target language than...a confrontation in which multiple languages square off against each other and *meet without merging... without a reconciling osmosis or synthesis.*’”³⁷

Although Kutzinski and Ungar are concerned specifically with literary translation, I suggest that translation is also a useful term for understanding the kinds of cross-cultural negotiations that Dakota undertook both in the concentration camps and outside of them. It can and does include the oral, the embodied, and the everyday as well as the written, textual, and elevated registers usually associated with the “literary.” Indeed, the translations that occurred—from the oral to the literate, and from an indigenous to a colonizer’s language—when Dakota prisoners learned to read and write in English, should be viewed as an ongoing process of selective adoption, refusals, and withholdings. Accordingly, I suggest revising certain contemporary arguments about translation and sovereignty among First Nations.

Anishinaabe scholar Scott Richard Lyon, writing about English language-learning in Indian boarding schools, argues for a “replacement” model of cultural translation. Asking “What do Indians want from writing?” Lyons answers that “rhetorical sovereignty,” or the “inherent right and ability of *peoples* to determine their own

communicative needs and desires in this pursuit, to decide for themselves the goals, modes, styles, and languages of public discourse³⁸.” It is not my intention to dispute Lyons’s claim that sovereignty, as a matter of rhetoric that shows up in all aspects of native life, is not important. But it is important to see that his linguistic sense of sovereignty, as something separate and entirely distinct from English, and from written English especially, would not be possible without a discrete sense of culture, and cultural identity, itself. Lyons’s sense of distinctness, or separation, between cultures, is inadequate for understanding how native persons, even in boarding school, and even, for that matter, in a concentration camp, responded to violent coercion, and it is inadequate for the reasons that Ungar and Kutzinski point out: namely, that the outcome of even a forced cultural bridging may be a “meet[ing] without merging.” In other words, Dakota prisoners retained core cultural values *while also* adopting Christian and agricultural practices and technologies. They were *both Dakota and* Christian, and through this both/and, ensured their personal and cultural survival while not compromising their cultural sovereignty.

But a view of culture as discrete is also inadequate, and counterproductive, because such a view forms part of the conceptual baggage of assimilation, a language I would note, that Lyons deploys uncritically, and that leads him to an untenable either/or. Lyons writes that “this forceful replacement of one identity for another, a cultural violence enabled in part through acts of physical violence, was in so many ways located at the scene of writing.” But by insisting on an either/or model of identity, Lyons tacitly upholds the same logic that was used by white missionaries against natives. In this model, identities are like car parts: they can be swapped out, replaced “one...for another.” More,

they are subject to drastic reinvention, to rebirths that wipe out any vestige or trace of earlier identities. To recall Riggs, again, one's "superstition" can be "dashed to pieces." What's problematic here is not only the objectification of identity, but the ways that this objectification prevents us from seeing real political engagement, and real political resistance, where it happens.

5. "The Whole Field of Their *Fear* and Their *Worship*"

The fact that Lyons, a Native scholar who is concerned with contemporary issues of tribal sovereignty and self-determination, reiterates a conversion model of personal identity even while disparaging white assimilation of native peoples, underscores the dangers of such tropes to historiography and to decolonization efforts in the present. Lyons' separatist argument finds a strange bedfellow in the kinds of texts produced by early missionaries to the Dakota. But in reading against a separatist concept of culture, we stand to see how in translating across lines of religious difference, Dakotas were able to maintain crucial ethical ties to kin while at the same time appearing to be dutiful converts and good citizens of the United States. Their translations are examples of what Edouard Glissant calls a "detour," or texts that strive "for disguise beneath the symbol, working to say without saying."³⁹ Neither co-opted by God and radical individualism, nor essentially untouched or unchanged, they adopted and adapted the performances of colonial culture, filtering it through Dakota ontologies of power, personhood, and reciprocity.

Although ABCFM missionaries were the first and most numerous missionary delegation within the concentration camps, having established their first mission station

at Lac qui Parle in Minnesota in June of 1836, other Christian denominations were also represented.⁴⁰ The Catholic priest Augustin Ravoux, from the diocese of St. Paul, ministered to Dakota prisoners. Another frequent visitor to the camp at Fort Snelling was the Episcopalian bishop, Henry Benjamin Whipple. Whipple was an outspoken advocate for setting the prisoners free, arguing for their status as prisoners of war and for habeas corpus rights, even lobbying President Lincoln personally for reform of “the Indian system” and widespread graft among Indian agents.⁴¹

Fusing both religious and secular individualism, missionaries tended to make sense of Dakota religiosity, including their conversions in the concentration camps, within what Religious Studies scholar David Shorter has called a starkly “binaristic” paradigm, relying on an ontological difference between the “natural” and “supernatural” to assess, and disparage as savage “superstition,” Dakota religious truth claims.⁴² I would suggest binaristic thinking is important for how we read the encounters between Presbyterian missionaries and Dakota during the thirty years of their relationship after the founding of the Dakota Mission at Lac qui Parle and through the establishment of the concentration camps. It allows a view of how Dakota converts may have practiced a Christianity whose ontological and ethical assumptions remained Dakota, but were not legible to the Presbyterian missionaries, or within the civilizing framework of agricultural industriousness.

Like young ABCFM missionaries working in other tribal contexts,⁴³ Riggs’s early letters and accounts of Dakota life are rich with ethnographic observations that lead to perplexed and sometimes anxious commentary. In his early accounts, we see Riggs trying to make sense of Dakota actions in supernaturalistic terms. One letter from February of

1846, titled “Born two days ago,” narrates Riggs’s encounter with an old Dakota man named Tokaheya.⁴⁴ The title of the letter does not refer to a Christian rebirth; instead, for Riggs, it captures the old man’s retrospective sense of life’s briefness, which Riggs compares to the biblical Jacob’s pessimistic declaration that “few and evil have the days of the years of my life been.” Moved by illness, Tokaheya comes to Riggs to ask for a “small piece of cotton cloth,” that he wants “to offer as a sacrifice” that may cure him. This statement leads Riggs to a theological commentary where he pronounces that the cloth would not be offered “to the true God” but instead to one of the sundry Dakota “gods.” After Tokaheya describes a tortoise as the cause of his sickness, Riggs wryly comments that “the cotton cloth he wanted to sacrifice to his Aesculapius” before sermonizing to Tokaheya that Christ was in fact “the great atoning sacrifice, which made all others unnecessary.” The old man’s response is simple, but hardly straightforward: “Well, don’t give it to me.”

Whether Tokaheya meant his reply as an outright refusal of Riggs’ preaching and Christian theory of sacrifice, or as a more conciliatory reply, is not clear. What is discernible, though, is Riggs’s ignorance of Dakota ideas about disease causation and healing, or how tortoises within Dakota thinking can be beings capable of acting intentionally and responding ethically to other beings. Viewing Dakota religiosity as supernaturalistic and polytheistic, rather than based in relations of mutual responsibility between human and non-human beings, Riggs assumed an either/or mentality where one monolithic “belief system” replaces another. Since Dakota religious practices had been understood from the get-go by Presbyterian missionaries in theistic terms, the conversion effort was cast in militaristic terms as a battle between “gods” and the “great God.” Like

his fellow ABCFM missionaries, Thomas Williamson and Gideon Pond, Riggs saw the Yahwist call for renunciation of false “gods” and “idols” as being at the heart of what conversion was and how it was done.

Looking closely at Presbyterian ideas of Dakota as being both supernaturalistic and polytheistic reveals a great deal about the misapprehension of Dakota ethical concepts of reciprocity and, consequently, of Dakota religiosity. Thomas Williamson’s early writings from his time at the Lac qui Parle mission (1835-1846) provide one of the earliest missionary sources for understanding Dakota religious practices. Reflecting on “Indian Hospitality,” the young Williamson writes to S.B. Treat in the winter of 1842 about the treatment that white missionaries received before and after the introduction of the Gospel. Writing ten years later, he described a relationship of mutual sharing, as “the Indians... mostly gave us three meals a day and always the best they had. When they were deficient in an important article of diet, as several times happened in regard to flour and sugar, we supplied the deficiency.”⁴⁵

Williamson contrasted this version of generosity with a pre-Christian one “before Christianity had made any progress among them” and within which, ethically, “the state of things was very different.” He remembered,

On arriving my baggage was carried in to one of the tents where I slept during my stay; but the owners of the lodge seemed to think affording a place to sleep in was their full share, and during my stay on only one occasion in that tent was I offered food, and that I understood was furnished by persons who were like myself only temporary lodgers there. During the first evening I was invited out to three feasts. Subsequently to one or two a day. These feasts in every case consisted of a single dish, mostly boiled meat, or boiled corn, or hasty pudding seasoned with salt, and on another dried cherries and water...”

In this early mission setting, what Williamson did not grasp was the importance of feasting as an ethical practice of kin-making where Dakota feasted both tribal and white

neighbors in order to extend networks of reciprocal social obligations.⁴⁶ And, in turn, those who were feasted could expect to be obligated to provide support in times of need. His objections are in part aesthetic (“hasty pudding seasoned with salt”) but more later become moralistic, judging the practice of feasting to be evidence of Native profligacy. Despite the continuities in Dakota customs of generosity, Williamson concludes that “the knowledge of and confidence in their old religion or superstitions is fast passing away.”⁴⁷ He does this by separating out “religion” from ostensibly “secular” practices like feasting. Ironically, though, Williamson’s account shows less evidence of Dakota Christianization than it does of missionary indigenization. By engaging in mutual obligations for feeding community members, Williamson’s later account demonstrates that in “suppl[y]ing the deficiency” of food in lean times, he must have seemed to be acting like a good Dakota in the eyes of his hosts.

Thomas Williamson’s descriptions of Dakota fears attending baptism also illustrate Dakota concepts of kinship and his failure to grasp what might be called horizontal, rather than vertical, relationships among Dakota. In a letter from the Mankato concentration camp in 1862, just before the mass execution, he discussed the misgivings of his potential converts. “One of these [men],” writes Williamson, “seemed grateful for my instructions told me he likes them well but that he had two wives both of them good women and several children who had gone to the Spirit land, and he wished to be with [them].”⁴⁸ Williamson concludes by relating the prisoner’s fear, “though he did not say it,” that “he evidently thought his baptism might separate him from them. Such I believe is the general feeling of heathen.”

Fear of an alien heaven was more pronounced among the prisoners not slated for execution, writes Williamson, as “men who have often taken medicine from me have declined doing to when they thought they would die soon, assigning as a reason that they did not wish to be separated from their relatives in the other world. But such was not the prevalent feeling among those executed.” In the case of radical coercion, as in the imminent threat of hangings, Williamson found the conversions of the thirty-eight condemned men to be “authentic,” and untainted by attachments to relatives or to their own notion of a “Spirit land.” But many of the conversion letters at Mankato reveal, instead, a striving “beneath the symbol” to speak what was forbidden: that is, the ongoing love and concern for family and kin. One letter, probably written by Williamson himself, consisted of a single sentence that was signed by twenty of the condemned men: “We men all desire that the Great God would have mercy on us, with our wives and children and give us life without end.” That so many would have assented, with their X mark, to this sentiment, reveals that it was less God than family that moved their hearts and hands. It also shows Williamson, if indeed he was the author of the sentence, articulating a form of Christianity that attempted to respond to the needs and values of Dakotas.

Other Christian concepts failed to translate the importance of kinship obligations and social reciprocity to Dakotas. This failure owes in part to the strongly vertical conception of relationship to God that led ABCFM missionaries to view religious activity only in terms of subjection or domination. Because of their dependence on binaristic, hierarchical conceptual categories, the Dakota concept of *wakan* proved to be something of a lifelong cipher to the Dakota missionaries. For instance, in an early ethnographic

tract, “The Theogony of the Sioux,” Riggs describes the important Dakota concept of *wakan* in the language of worship:

In the mind of a Dakota or Sioux Indian, this word *Wahkon* (we write *wa-kan*), covers the whole field of their *fear* and their *worship*. Many things also that are neither feared nor worshipped, but simply *wonderful*, come under this designation.⁴⁹

A sharp sense of hierarchy infuses this passage, with fear and worship marking the extreme boundaries of an embattled ethical “field.” In fact, *wakan* designates not what is wonderful, since the category of “wonder” is, like that of “worship,” etymologically rooted in Christian theology and in a distinctly vertical or hierarchical sense of relation. Rather, it denotes in Dakota that which is remarkable or distinctive in a particular way. Riggs’s entry for “*wakan*” in his *Dakota-English Dictionary* reveals a far more nuanced sense of this important concept than do his letters. Described in largely theistic terms as an adjective meaning “spiritual, sacred, consecrated; wonderful, incomprehensible,” Riggs also noted that the word is “said also of women at the menstrual period,” adding that its further meanings of “mysterious: incomprehensible; in a peculiar state, which, from not being understood, it is dangerous to meddle with” made it a poor translation for the Christian terms “holy” and “sacred,” but also the “only one suitable.”⁵⁰ The sense of danger in entering into relation with others that Riggs saw in the concept of *wakan*, and saw as an obstacle to Dakota understandings of God was, in fact, a central concept within Dakota ethics. This sense of danger is at work, for instance, in Tokaheya’s treatment of the tortoise, and in his sense that the tortoise’s practicing of bad power or medicine required a reciprocal response or threat of destroying his drawn image on a piece of cloth.

The missionary imposition of theistic concepts assumed that a stark transformation of Dakota culture would come from conversion. This assumption is

maybe most evident in translations of the Dakota concept of *Wakan Tanka*. Riggs himself seems to have been aware of his own inability to adequately translate in cross-culturally accurate terms, and describes the term *Wakan Tanka*—usually translated into English, as “Great Spirit,” “Great Mystery,” or “God”—as both something foreign to Dakota thought as well as an ideal bridge between Christian ideas of supernatural transcendence and Dakota religiosity.

These historical facts have satisfied us that the idea of Great Spirit, ascribed to the Indians of North America, does not belong to the original Theogony of the Sioux, but has come in from without, like that of the horse and the gun, and probably dates back only to their first hearing of the white man’s God. The Dakota word is, “WAH-KON TON-KA”—*Great Wah-kon—Great Mysterious, or Great Spirit, so called*...If this statement, in regard to the origin of the idea of Great Spirit, be true, as we believe it is, then, when we came to preach the gospel, and give the Bible to the Sioux in their own language, we simply *claimed our own*, in using WAH-KON-TON-KA for God. It is further to be observed, that, in the Dakota use of this word ‘wah-kon,’ some secondary ideas were worked out, as *sacred* and *consecrated*. Hence, in looking over the whole vocabulary, we found no word so fitting as this to represent “*holy*.”⁵¹

Apart from the nakedly colonial rhetoric here (“we simply *claimed our own*”), Riggs characterized “the Dakota word” *Wakan Tanka* as a necessary imposition, and in doing so, believed that the imposed God-concept would supplant Dakota forms of religiosity and relation. What is perhaps more true is that the imposition of a God concept onto what is a Dakota ethical concept—*Wakan Tanka*, or “great mysterious”—effectively elided from the missionaries’ view Dakota customs of generosity and gifting, relegating these to “secular” practices that had no religious import.

6. Conclusion: *Awanyake* and the Survival of Kin

Returning to where this paper began, it is clear that literal chain worked powerfully together with the threat of kinship dissolution in motivating the mass

conversions in the camps. However, what complicates the story of chain, and of deliverance from it, is the historical existence of a Dakota religiosity that was ethically and politically efficacious as a means of resisting state and religious power. More than the Christianization—as a supplanting or replacement of ethical values—of Dakota religiosity, what occurred between Dakotas and missionaries was instead a mutual cultural transformation, achieved through Dakota politics of translation. Some of Riggs’s last writings, for instance, show evidence that key Presbyterian concepts had become indigenized. In the Dakota language newspaper, *Iapi Oaye* (“The Word-Carrier”), first printed at the Indian school in Niobrara, Nebraska, in 1871, Riggs’s serial column on the history of the Dakota Mission defined several of the Mission’s key religious terms. “*Okodakecheya*, the Dakota name for church,” wrote Riggs, “expresses the idea of a company of SPECIAL FRIENDS. The pastor is a *Wechasta Wakan*, a CONSECRATED OR MYSTERIOUS MAN. The term *Hoonkayape* is used for elders—the *elders ones* among brethren. *Awanyake*, or *seeing over*, designates the office and work of deacons.”⁵²

Despite the apparent ease of moving between linguistic and cultural codes, a profound internal tension runs through this short newspaper entry. Riggs, in attempting to lay out church pecking order, employs Dakota words that have little meaning within a vertical ethical structure. For example, defining church as “a company of SPECIAL FRIENDS,” or of a communal enterprise in which individuals exercise mutual responsibility and care is a far cry from the quick judgment that Riggs renders in his early letter. Also the word “awanyake” is maybe better translated by Riggs himself in his *Dakota-English Dictionary* as a condition of “attending to,” or of ethical responsiveness, rather than of overseeing, with its implied hierarchy and power relationship.⁵³

Given the complex history of the Dakota Mission, and Dakota responses to it, the mass conversions at Mankato Fort Snelling should not be read as either Dakota conciliation to missionary demands, or even simply as a way of surviving. Rather, they point to how Dakota reflected on the internal effects of colonization and on how colonial representatives like missionaries challenged, undercut, or occasionally resonated with existing Dakota ethical assumptions. The prisoners at Fort Snelling, in accepting Jesus, may have done so strategically, as a way to assuage white rage and to prevent further physical violence against them. But just as the prisoners found ways to continue the social and ethical responsibilities of pre-prison life, Dakota found ways to engage with Presbyterianism that inclusively extended and translated Christian ideas and practices into Dakota ways of reasoning. Also, Dakota influenced missionaries' ideas about Christianity, and in the translation of Christian concepts into the Dakota language, an indigenized Christianity took form.

¹ Michel-Rolph Trouillot, *Silencing the Past* (Boston, MA: Beacon Press) 96-7.

² In this paper I use the term U.S.-Dakota War in preference to other common usages, such as the Dakota Conflict, Dakota Uprising, or Little Crow's War. White historians writing in the early 1900s referred to the event as The Great Sioux Massacre, or the Great Sioux War. Clearly, many of these usages sensationalize Dakota violence. My choice refuses such labels as being ideological and racist. Instead I aim to avoid trivializing, by subsuming within US national narratives of dominance, of Dakota armed resistance to Minnesota and federal militias. An "uprising" or mere "conflict" is the action of upstarts, not of nations; "war," rather, suggests a nation-to-nation engagement. Because the war began over what Dakota perceived as the failure of the federal government to uphold its treaty obligations, this seems the most reasonable appellation.

³ Waziyatawin Angela Wilson, "Time to Level," *Minneapolis Star Tribune*, December 2, 2007, accessed online at <http://www.startribune.com/opinion/commentary/11980331.html> on December 11, 2010.

⁴ For an excellent analysis of how law served as a crucial means for remembering the 1862 war, see Marouf Hasian, Jr.'s "Cultural Amnesias and Legal Recollections: Forgetting and Remembering in the 1862 U.S.-Dakota War Tribunals," in *In the Name of Necessity* (Tuscaloosa, AL: U of Alabama P, 2005), 54-78. See also Carol Chomsky's legal analysis of the tribunals, which situates them in the context of Civil War law and dominant culture notions of warfare: "The United States-Dakota War Trials: A Study in Military Injustice," *Stanford Law Review* 43 (November 1990): 13-98.

⁵ For further comparisons of US treatment of First Nations as genocide, and the comparison of anti-Semitism to "anti-Indianism," see Elizabeth Cook-Lynn's *Anti-Indianism in Modern America: A Voice from Tatekeya's Earth* (Urbana, IL: U of Illinois P, 2001).

⁶ Neal Salisbury, *Manitou and Providence: Indians, Europeans, and the Making of New England, 1500–1643* (New York, 1982).

⁷ James Axtell, “Some Thoughts on the Ethnohistory of Missions,” *Ethnohistory* 29(1): 35-41 (1982).

⁸ Stephen Riggs, Letter to S.B. Treat [A.B.C.F.M. MSS. 310: No. 29—A.L.S.], 4-5. Ayer Collection, MS 16, Newberry Library.

⁹ Tellingly, perhaps, the term “Dakota diaspora” is not only little known, but difficult even to track down in a common internet search. If one googles “Dakota diaspora,” the first entire page of results are for a history of Jewish homesteaders in North Dakota of roughly the same title. However, the term “diaspora” in this context describes a lived and remembered experience of forced exile that began with the expulsion of Dakota from Minnesota in 1862 and 1863 (enforced through \$200 state bounties on Indian scalps), continued with the imprisonments at Fort Snelling and Mankato, their removal to reservations at Crow Creek, South Dakota, and Camp Davenport, Iowa, and left Dakota strewn across the West as far afield as British Columbia. Besides the prisoners, some 5000 eastern Dakota fled to Dakota Territory after the defeat of Little Crow, the chief who reluctantly led Dakota into war against the United States. These Dakota, fearing punishment for an involvement in the war that most of them simply did not have, fled from thousands of Union and state troops amassed by General Alfred Sully and General Henry Sibley in the summer of 1863. See Jerry Keenan’s *The Great Sioux Uprising: Rebellion on the Plains, August-September, 1862*.

¹⁰ Making of America Project, *The Atlantic Monthly, Volume 19* (University of Michigan: Atlantic Monthly Co., 1867), 127.

¹¹ While it is true that some 800 white settlers were killed in just one week after Little Crow and his army declared war against the United States, white responses to these “massacres” capitalized on existing racist tropes of native savagery in ways that demonized all Dakota as being complicit in the “atrocities,” and used hate speech as political leverage on Congressmen and Senators to begin a campaign of ethnic cleansing. Along with Taylor, other pamphleteers in Minnesota cried out for the annihilation, and not just the removal, of Dakota and other tribes from the state. Also, the characterizing of native “killings” of whites failed to consider Dakota practices of war, and often employed an evolutionary model of “honorable war,” of which natives, as sub-human, were not capable.

¹² Kenneth Carley, *The Dakota War of 1862* (St. Paul, MN: Minnesota Historical Society Press, 2001), 76.

¹³ James K. Taylor, “The Sioux War: What Shall We Do With It? The Sioux Indians: what Shall We Do With Them?: A reprint of papers communicated to the St. Paul Daily Press, in October, 1862” (St. Paul, MN: Office of the Press Printing Company, 1862), 13. Newberry Library, Ayer collection.

¹⁴ Kathryn Derounian-Stodola’s *The War in Words: Reading the Dakota Conflict through the Captivity Literature* (U Nebraska P, 2009) examines the 1862 war from the perspectives of both white and native captives. Derounian-Stodola provides much-needed analysis of the representational strategies and audiences for captivity stories, arguing that “captivity provided a symbolic shorthand that came to actually define these wars.” Her analysis is not attentive, however, to how both whites and natives preserved and reinscribed boundaries of cultural identity in the face of cultural mixing, adoption, and assimilation. Instead, she argues that white and native narratives “are not as discrete as they seem,” and her work seeks to highlight overlaps in order “to create a syncretic study of the Dakota War.”

¹⁵ David G. McCrady, *Living with Strangers: The Nineteenth-Century Sioux and the Canadian-American Borderlands* (Lincoln: U of Nebraska P, 2006).

¹⁶ Such is the case in military histories especially, like Michael Clodfelter’s *The Dakota War: The United States Army Versus the Sioux, 1862-1865* (Jefferson, NC: McFarland & Co., Inc., 1998) and Jerry Keenan’s *The Great Sioux Uprising: Rebellion on the Plains August-September 1862* (Cambridge, MA: Da Capo Press, 2003). But the deletion of the concentration camps from histories of the war extends to accounts geared toward popular audiences, like C.M. Oehler’s *The Great Sioux Uprising* (New York: Oxford U P, 1956).

¹⁷ Personal correspondence, November 22, 2010.

¹⁸ *Mni Wakan Oyate*, Greenlawn, NY: Pine Woods Recording, 2007.

¹⁹ Edouard Glissant, Betsy Wing, trans., *Poetics of Relation* (Ann Arbor, MI: U of Michigan P, 1997), 70.

²⁰ One obvious model for this approach of viewing Native religious practices as politically efficacious appears in Dipesh Chakrabarty's *Provincializing Europe* (2000). My use of linguistic analysis, specifically, follows his analysis of *adda*, a Bengali form of sociality as well as of organizing time and space whose illegibility to British outsiders made it a means for cultural and political resistance to colonization.

²¹ Taoyateduta (Little Crow) was what whites commonly called a "chief," or spokesman, among the Mdewakanton (Water-Dwellers), a "tribe" that consisted of several bands, or networks of close kin. Little Crow was also the reluctant leader of the war against white settlers in 1862, and after their defeat at Wood Lake, he fled west to Dakota Territory to rally the support of other Dakota bands. See *Little Crow, Spokesman for the Sioux* (St Paul: Minnesota Historical Society Press, 1986).

²² "Good Star Woman's Recollections," in Gary Clayton Anderson and Alan R. Woolworth, eds., *Through Dakota Eyes: Narrative Accounts of the Minnesota Indian War of 1862* (St. Paul: Minnesota Historical Society P, 1988), 263.

²³ "The court proceedings in the trial of Dakota Indians following the massacre in Minnesota in August 1862" (Minneapolis, MN: Satterlee Print. Co., 1927).

²⁴ Gary Anderson, ed. *Through Dakota Eyes: Narrative Accounts of the Minnesota War of 1862* (St. Paul, MN: Minnesota Historical Society Press, 1988), 233.

²⁵ Anderson, 234.

²⁶ Corinne L. Monjeau-Marz, *The Dakota Internment at Fort Snelling, 1862-1864* (Champlin, MN: Prairie Smoke Press, 2005), 67

²⁷ "Lincoln's Order of December 6, 1862, Authorizing the Execution of Thirty-Eight Dakota," accessed online at http://www.law.umkc.edu/faculty/projects/ftrials/Dakota/dak_lincoln.html on December 9, 2010.

²⁸ Anderson, 227.

²⁹ Mark Diedrich, *Old Betsey: The Life and Times of a Famous Dakota Woman* (Rochester, MN: Coyote Books, 1995), 80.

³⁰ Anderson, 234.

³¹ Charles Eastman, *Indian Heroes and Great Chieftains* (Boston, MA: Little Brown, 1918), 50.

³² Thomas Biolsi, *Organizing the Lakota: The Political Economy of the New Deal on the Pine Ridge and Rosebud Reservations* (Tucson: U of Arizona P, 1992).

³³ Michel Foucault, *Discipline and Punish* (New York: Pantheon Books, 1977), 184.

³⁴ S.R. Riggs, Letter to S.B. Treat [A.B.C.F.M. MSS. 310: No. 29 – A.L.S.], 3-4. Ayer Collection, MS 16, Newberry Library.

³⁵ "TREATY WITH THE SIOUX—SISSETON AND WAHPETON BANDS, 1851," accessed online at <http://digital.library.okstate.edu/kappler/Vol2/treaties/sio0588.htm> on December 5, 2010.

³⁶ Carley, 76.

³⁷ Vera Kutzinski, "Introduction: Travel and Translation," in *Fringe Modernism* (forthcoming).

³⁸ Scott Richard Lyons, "What Do American Indians Want From Writing?" *College Composition and Communication*, Vol. 51, No. 3 (Feb., 2000), 447-68.

³⁹ Glissant, 68.

⁴⁰ For a historical overview of the Dakota Mission's early years, see "The First 50 Years: Dakota Presbytery to 1890," and "Dakota Mission Past and Present," Freeman, SD: Pine Hill Press/Dakota Presbytery Council, 1984 (1886c).

⁴¹ Andrew Scott Brake. *Man in the Middle: The Reform and Influence of Henry Benjamin Whipple, the First Episcopal Bishop of Minnesota* (Lanham, MD: University Press of America, 2005), 84.

⁴² David Shorter, "Binary thinking and the study of Yoeme Indian *lutu'uria/truth*," *Anthropological Forum*, 13/2 (November 2003), 13.

⁴³ See, for example, William T. Boutwell, Edmund Ely papers, Newberry Library, Ayer Collection, MS 16.

⁴⁴ S.R. Riggs to D. Greene, Feb. 8. 1846 [A.B.C.F.M. MSS. 244: No. 220—A.L.S.], MS 16, Ayer Collection, Newberry Library.

⁴⁵ T.S. Williamson to S.B. Treat, MSS 310: No. 256, Ayer Collection, MS 16, Newberry Library.

⁴⁶ See Gary Anderson's *Kinsmen of Another Kind: Dakota-White Relations in the Upper Mississippi Valley, 1650-1862* (St. Paul, MN: Minnesota Historical Society Press, 1997).

⁴⁷ Williamson to Treat, MSS. 310: No. 227, Newberry Library, Ayer Collection, MS 16.

⁴⁸ Ibid.

⁴⁹ Stephen Riggs, "The Theogony of the Sioux," *The American Antiquarian, Volume 2*, Stephen Denison Peet, ed. (Chicago: Jameson & Morse, Publishers, 1879-80), p. 255.

⁵⁰ Stephen Riggs, *Dakota-English Dictionary*. St. Paul, MN: Minnesota Historical Society Press, 1992 (1890c), pp. 507-508.

⁵¹ Stephen R. Riggs. *Tah-koo wah-kan; or, The Gospel among the Dakotas*. Boston: Cong. Sabbath-School and Publishing Society, 1869, p. 266. Ayer Collection, Newberry Library.

⁵² *Iapi Oaye* ("The Word-Carrier"), Vol. II, No. 3 (1872), 36. John P. Williamson, who accompanied the Dakota who were moved to Santee Agency, started the *Iapi Oaye* in May, 1871.

⁵³ Stephen Riggs, *A Dakota-English Dictionary*, James Owen Dorsey, ed. (St. Paul: Minnesota Historical Society Press, 1992 (1890c)).

CHAPTER 3

COSMOPOLITE CEREMONIES: TERRITORIALITY, ETHICS, AND TRAVEL IN THE BLACK ELK TRANSCRIPTS

It was raining on earth now. A spirit said to me that they had shown me everything there was to do on earth and that I was to do it myself now. He sang this song and it went like this.

A good nation I will make over.

The nation above me has said this to me.

They have given me the power to make over this nation.

Black Elk, *The Sixth Grandfather*

The favorite slander of the narrow nationalist against us cosmopolitans is that we are rootless. What my father believed in, however, was a rooted cosmopolitanism, or, if you like, a cosmopolitan patriotism. Like Gertrude Stein, he thought there was no point in roots if you couldn't take them with you. "America is my country and Paris is my hometown," Stein said. My father would have understood her.

Kwame Anthony Appiah, "Cosmopolitan Patriots"

I always think of Black Elk, the Sioux shaman and Catholic catechist, traveling as a young man with Buffalo Bill in Paris....Black Elk said something like, "Harney Peak [in the North Dakota Badlands [sic]] is the center of the world. And wherever you are can be the center of the world."

James Clifford, "Indigenous Articulations"

1. Introduction

The above remarks point toward the central problematic that this chapter will address: namely, if the creation of ever-smaller land bases, as reservations, was instrumental in the colonization of Native American peoples in the nineteenth-century US, what were the lived responses of Lakota people¹ to these shrinking boundaries and restricted freedoms? How did Lakota understandings and practices of territoriality differ from those of the state? At stake in these questions are the ways in which state and federal laws worked to bind Euro-American conceptions of sovereignty to the territories

of Native peoples, and in doing so, further reified what were already powerful ideas of racial difference, while also assuming a (liberal) universal sense of what geopolitics might look like. As the work of Michel de Certeau suggests, “space” is never ontologically given, but instead is processual, interactionally made. But when imagined ontologically, and specifically through racist discourses of Native ahistoricity, savagery, backwardness, and so on, indigenous space and its derivatives—orientation, boundaries, affinities—the category of “space” takes on a violently exclusionary character.

In his reading of Black Hawk’s autobiography, for instance, Mark Rifkin observes how Sauk territoriality, as embodied in subsistence activities like hunting and fishing, and through a complex intertribal geopolitics of warfare, trade, intermarriage, and diplomacy with other Native nations, became occluded by a “series of treaty-mediated relationships between individual tribes and the federal government.”² Read in this way, as a contest between the hegemonic social geographies of the settler state and those of indigenous nations, narratives like Black Hawk’s reveal alternative constellations of placemaking and of the epistemological, ontological, and ethical frameworks within which those constellations are situated. The negotiation of Native North American space in the late nineteenth and early twentieth centuries appears as both material contest and symbolic struggle over competing notions of territory. Rather than benignly enfolding Native homelands into US national space, the imposition of reservation boundaries through treaty negotiations came with quite tangible effects. As Vine Deloria recalls in an email to Dakota scholar David Martinez,

People forget that there were 4 strand barbed wire fences around the Sioux reservations until the late 1920s and that Indians had to have a pass to get off the reservation—and if a group of people went off the res they had to have an Indian policeman accompany them—in this atmosphere where everything was a police

state and people were forbidden to attend social events held in a traditional manner, the few who did get outside and learned to live in white society had to act as spokespeople to the larger society that Indians were people.³

Deloria's chilling description of a space cordoned off as a receptacle for those rendered less than fully human is corroborated by the accounts of another Dakota intellectual, Charles Eastman, who noted that reservations were seen by settler society as zoos for holding wild beasts. What becomes obscured in state discourses like Ulysses S. Grant's "Peace Policy," which characterized reservations as necessary for staving off military conflict between white settlers and Natives, is a state violence based on the spatial separation of Native peoples from the United States. The violence of this separatism continues to obscure the complex ways that "Indians" asserted—both to "the larger society" through off-reservation travels, and to one another, through rituals variously intimate, communal, and cosmological, whether simply sharing food or Sundancing—that they "were people."

The aims of this chapter, then, are twofold: first, to historicize US colonialism in the forms of governmentality deployed to define both Lakota and US territories, and second, to historicize Lakota ways of reckoning territory and land tenure through ceremonial gift-giving and with one another in the transition from the unchecked movement of seasonal migrations to the confinement and sedentarism of reservations. Rather than focusing only on a Foucauldian territoriality in which spatialized administrative technologies create subjects, I highlight how the construction of a Lakota sense of place emerges from Lakota narratives and ritual practices that create forms of intimacy and solidarity between Lakota and the lands they historically occupied.⁴ By placing into conversation federal Indian law and policies with a Lakota ethics of gifting, a

picture emerges of political struggle that, first of all, gives the lie to liberalism's universality, and to the universality of spatial, instrumental views of geopolitics. Indeed, American geopolitics takes on the character of being an exception, rather than the rule, in its non-ethical treatment of peoples and places whose primary claims to lands are rooted in precisely the obverse: an abiding ethics of the gift that acknowledges kinship and mutuality with the natural environment and with one another, and so also extends the discursive reach of Lakota territory. Second, a kinship-based approach to the material struggle over land, and the discursive struggle over land's meanings, highlights the importance of territoriality—and more precisely, of affective attachments to *place*—within a liberalist framework of sovereignty that treats territory to be theoretically abstract and homogenous. In this way I continue the analysis begun in Chapter 3 of how embodied aspects of being-in-place may be mobilized discursively for political purposes.

Before going further, I should clarify my usage of “non-ethical” to characterize settler society's treatment of Natives. Here, “non-ethical” is meant to signal a difference from, say, what's “unethical,” and is based in my reading of Nelson Maldonado-Torres's essay, “On the Coloniality of Being.” Maldonado-Torres gives a postcolonial reading of Heidegger's notion of ontology, or Being (Dasein), showing Dasein to be decidedly *European*, in that it ignores or elides the global history of racialization and slavery. By historicizing the concept of Being, Maldonado-Torres lays the groundwork for his interrogation of the category of ethics, which he views as being internally fractured by the history of race. That is, “ethics” in a Euroamerican sense of being universal really signals two classes of ethics, and two different classes of subjects to whom ethics might apply. Maldonado-Torres calls the ethics of war (and here he is interested in European

wars against non-European others) a “non-ethics of war” that contributed, through its racialized constructions of non-Europeans, to a condition of damnation:

When the conquerors came to the Americas they did not follow the code of ethics that regulated behavior among subjects of the crown in their kingdom. Their actions were regulated by the ethics or rather the non-ethics of war. One cannot forget that while early Christians criticized slavery in the Roman Empire, later Christians considered that vanquished enemies in war could legitimately be enslaved.... What happens in the Americas is a transformation and naturalization of the *non-ethics of war*, which represented a sort of exception to the ethics that regulate normal conduct in Christian countries, to a more stable and long-standing reality of *damnation*. Damnation, life in hell, refers here to modern forms of colonialism which constitute a reality characterized by the naturalization of war by means of the naturalization of slavery, now justified in relation to the very physical and ontological constitution of people—by virtue of ‘race’—and not to their faith or belief.⁵

As I’ve noted in Chapter 1, this Fanonian reading of the ways that race inflects ostensibly universal categories like that of “ethics” is important for bringing into clearer view non-racialized articulations of ethics, one of the main goals of this dissertation.

Oglala *wicasa wakan* (holy man) and Catholic catechist Nicholas Black Elk’s (1863-1950) example reveals formulations of territoriality based in cosmologies where logics of kinship and adoption stand as challenges to non-ethical forms of territoriality. In Black Elk’s account, ritual, specifically, does the social labor of making territorial claims by mapping cosmological locations onto geographic places. Alongside or through this narrative work, though, ritual does the additional labor of healing or transforming an interiority of psychic powerlessness that stemmed from loss of sacred lands and confinement on reservations. The text I focus most closely on are the transcripts of Black Elk’s interviews with John Neihardt, which appear in anthropologist Raymond DeMallie’s edition, *The Sixth Grandfather: Black Elk’s Teaching Given to John Neihardt* (1984). But Black Elk’s motives for sharing Lakota ceremonies later in life, as part of

“Indian pageants,” as well as his travels throughout the Dakotas, Wyoming, Montana, and Colorado, also appear in letters to his grandchildren. Taken as a whole, these texts and travels comprise a network of ceremonial performances with at least two key effects. First, they reproduce long-standing geographical circuits of travel and tenure for Lakota people, including territories that ranged, as the painter George Catlin once described as spreading “from the banks of the Mississippi to the base of the Rocky Mountains.”⁶ Black Elk, especially in his later years, would travel often to Colorado in the hope of establishing an Indian pageant there—a form of ecumenical performance with territorial implications that I will discuss at the end of the chapter. Second, and closely related to these physical movements, travel routes validate venerable boundaries of Lakota affiliation with other Native bands and peoples Black Elk’s visits as a Catholic catechist to the Wind River Reservation, for instance, affirm Oglalas’s historical regard for Arapahos as particularly religious people, as well as continuing the practice of Oglala holy people visiting Wind River to conduct healing rituals for Arapaho families.⁷ By examining the ethical texture of those networks and rituals my hope is to recuperate a sense of Lakota presence through literal movements such as travel within historical homelands but also in decidedly non-Lakota landscapes such as England and France, where Black Elk was a “show Indian” in Buffalo Bill’s Wild West.

Maybe most fundamentally, Lakota territoriality endures in the mobile relations of the *tiyospaye*, or Lakota extended family, which furnishes the idioms for Lakota ways of imagining territoriality through foundational narratives and ceremonies to include human beings who aren’t Lakota, but also animals and spirits. In the Black Elk transcripts, the *tiyospaye*’s place-based norm of gifting was expressed most clearly in

what I call cosmopolite ceremonies—those discursive border-makings that rituals of kinship enact, and the border-crossings that extend these kinship affinities beyond the state’s political boundaries. I use the term “cosmopolite,” then, in a double sense: first as a reference to what Kwame Appiah calls “rooted cosmopolitanism,” or forms of being at once moving (whether migratory, in exile, or otherwise “travelling”) and rooted to a particular culture or place, and often involuntarily, as the result of being forced to move by power or circumstance. Black Elk’s travels as a healer among Lakota, but also as a showman in various pageants and performances, register a nascent transnationalism, as well as the sense of involuntary dis-locations resulting from an increasingly global movement of capital. Coupling this sorted of “rooted” travel with Black Elk’s performances of Lakota ceremonies, I also imply how the “cosmo-” in “cosmopolite” registers the cosmological or world-making dimensions of Black Elk’s ritual performances and ethics. These cosmologies, as storied depictions of mutual power relations between human and non-human persons who dwell in historical homelands, make the ancestral landscape itself into a political agent. In this sense, Lakota ceremonialism constitutes a form of “cosmopolitics”⁸ that regulates “relations among worlds”—those ontologically distinctive worlds of human and non-human persons, whose differences are mediated by ritual. These technologies of mediating power then map onto power relations between Lakota and settlers.⁹ Such cosmopolite ceremonies are articulated in a number of locations, some of them perhaps unexpected, perhaps striking us as being “inauthentic” sites for performing Lakota identity. For one, they appear in Black Elk’s role as a “traditional”¹⁰ healer, first as a *wicasa pejuta* [medicine man] and later as a *wicasa wakan* [holy man], to other Lakota and Dakotas. But I also find the

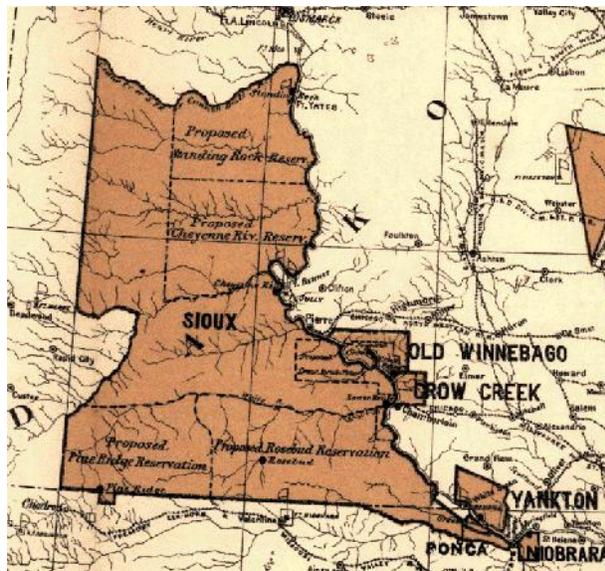
active presence of kinship understandings and ceremonies in and through Black Elk's intra- and inter-reservation travels as a Catholic catechist, and beyond the reservation, as a performer in Wild West shows and Indian pageants.

2. Ethical Interventions

Given these quite different forms of performing Indianness, I ask how “stories,” as de Certeau calls them, may also perform geopolitical boundaries, and to what extent they may given different audiences, cultural narratives, and occasions. For instance, viewing how Black Elk and other Lakota articulated core cultural practices, even in mock-up versions, as decolonizing gestures or gifts is key for understanding how, as Liffman argues, “the strategic deployment of cultural symbols is intrinsic to the exercise of power.”¹¹ I then ask, again through Black Elk's example, what happens when these deployments of cultural symbols assert claims to territory. Upon which forms of relation are those claims based, and how, then, might those forms constitute an alternative ethics to those (purportedly) imagined by the state? Like other Native peoples, Lakota were violently interpellated into the reservation system through treaties that upheld their sovereign status as “nations” while at the same time constructing Natives as racialized, inferior “wards.” To insist on reorienting the discussion of colonization/decolonization to account for ethics, or its lack, is an obviously Fanonian move, and one shared by other contemporary scholars of decolonization. Given the rapid and extreme degree to which Lakota individuals became subjects of state authority, in what was touted as an ushering into “civilization”—a “successful” military, religious, and bureaucratic intervention sponsored by the “ethics” (Maldonado-Torres rightly asserts that they are really non-

ethics) of wartime—mapping out how Lakota evaluated state intervention and their own lives in the period of rapid and radical transformations following the 1868 Treaty of Fort Laramie is crucial for understanding Lakota politics in their own terms. In the span of just over twenty years following that treaty, “The Great Sioux Nation” was created as a discursive object bound to a particular territory, “The Great Sioux Reservation.” This territory would be greatly, and illegally, be diminished through a series of treaties and Congressional acts, the first of which occurred just seven years later, when Custer’s treaty-breaking expedition to *He Sapa* (the Black Hills) discovered gold. The final reductions in official Lakota territory took place in 1889 (figure 1) after a prolonged military resistance against the United States.¹²

As I argue in my chapters on Charles Alexander Eastman, one of the most important, and under-recognized, forms of anti-colonial critique by Natives are ethical in nature, and often this ethics and critique hinge on the presence or absence of kinship obligations properly observed.



(figure 4, The Great Sioux Reservation in 1888, just prior to final reduction of territory)¹³

Uday Singh Mehta observes a parallel clash of ethical sensibilities in a British colonial Indian context, in a reading of Edmund Burke's strained appeal to Parliament to attempt a bodily and richly affective sense of place enjoyed and lived by Indian colonial subjects. Burke's metaphor for this sense of place is a map which, despite whatever depth and breadth of detail he might muster for its description, remains as a sign of deep and abiding differences. In fact, Mehta argues, what the map registers are *ethical* differences: "The map represents the sign of that frustrating transition and substitution," he writes, "between an ethics that is anchored in the proximity of what is seen and shared—an ethics that the empire destroys and makes all but impossible—and an ethics that must in the face of that destruction resort to narrative as its only substitute."¹⁴ I find a suggestive resonance between Mehta's reading of narrative here as a form of desperate conversation ("across boundaries of strangeness," adds Mehta, in an apt spatial metaphor) and de Certeau's analysis of narrative as a key mediator of spatial boundaries. Mehta identifies a shift in an ethics away from what we might call affectability and gift-giving, an ethics that was and remains denigrated in both British and American imperialist discourses as "backwards" or "tribal," and one of political urgency and expediency. The latter, then, becomes a politics of "transition and substitution," which is an above all *mediated* politics, where the primary mediations between the lived lives of colonial subjects and sovereigns takes storied forms. Mehta here clearly implies that the notion of ethical "transition and substitution" is part of the colonizer's dream of cultural "replacement" and "improvement," when in fact among colonized peoples there are enduring ties to past ethical knowledge. Portable here to a Lakota context is Mehta's (and Burke's) sense of colonial struggle taking place on both material and representational grounds, and that

these grounds find overlap in certain fundamental attitudes suggested by the term of “ethics.”

Accordingly, as I will do in my next chapter on Charles Alexander Eastman’s autobiographical writings, I privilege and expand upon here a kinship-based sense of ethics as a corrective to reading Native histories for articulations of nation-statist forms of sovereignty. My approach to the term of kinship views it as a form of knowledge production, rather than as a biological rubric, as it first appeared within anthropology in Henry Lewis Morgan’s comparative study of Native North American peoples, *Consanguinity and Affinity of the Human Family* (1871). In producing knowledge about ethical behavior, understandings of land tenure, and citizenship, kinship transcends the biological to encompass a wide range of discursive practices, and plays a key role in the maintenance and affirmation of individual and collective Native identities.¹⁵ Perhaps most crucially for this dissertation, kinship forms the basis for definitions of identity that are historically distinct from those of the US settler society, and that remain as challenges to state notions of both tribal and US national citizenship (Chapter 5). In its light, the ideological function of other notions of belonging—whether figured as a function of things like blood quantum or “civilized” labor—betray signs of their historical contingency and hegemonic character. Likewise, while sovereignty talk pervades Native politics both past and present, “sovereignty” is, like biologically deterministic notions of kinship, a deeply problematic term for a number of reasons. A turn away from sovereignty is reflected in the move among many Native scholars toward analyzing forms of non-disciplinary power,¹⁶ a turn that is itself a critical reorientation paralleling Michel Foucault’s movement away from a focus on the oppressive power of disciplinary regimes

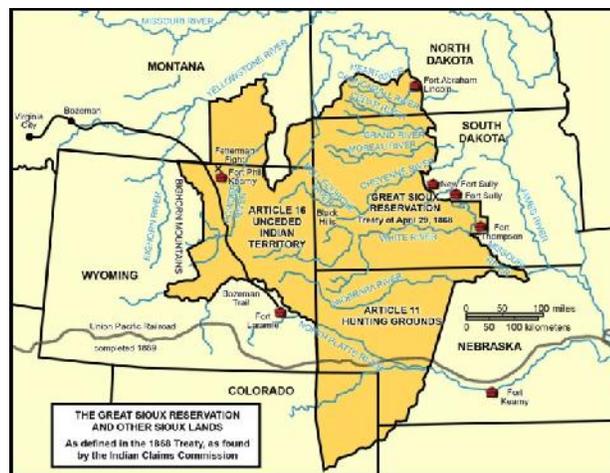
and toward the study of alternative and potentially emancipatory forms of subjectivity. In his lecture, “Society Must Be Defended,” Foucault asserts that, “if we are to struggle against disciplines, or rather against disciplinary power, in our search for nondisciplinary power, we should not be turning to the old right of sovereignty; we should be looking to a new right that is both anti-disciplinary and emancipated from the principle of sovereignty.” Since Native American tribes are still not recognized as full sovereigns within federal Indian law, but only as “quasi-sovereigns,”¹⁷ with limited power to adjudicate either criminal or civil law within Indian Country, this chapter begins in ethics in order to disturb the smooth functioning of a nation-statist sovereignty principle on and for Native lands.

Viewing colonialism through an ethical optic also has a way of capturing the affective dimensions of the territorial loss of *He Sapa* for Lakota—a loss that, like the Eastern Dakota exile from lands in Minnesota, created a historical rupture. Just as the 1862 US-Dakota war would transform Eastern Dakotas’s relationship with homelands into one of exile, their western relatives, the *Titunwan* (Lakota) experienced pressures brought on by the incursions of settlers into *He Sapa* in the years leading up to Custer’s defeat at the Little Big Horn, and of white rage following that battle. Even before that watershed, Lakota faced a settler population eager to claim lands that had been represented as “unoccupied” Drawn by the allure of what Lieutenant James Calhoun, in his journals from the illegal 1874 Black Hills expedition, described as a land that whose gold Custer believed “would open a rich vein of wealth calculated to increase the commercial prosperity of this country,” and which the team of newspaper reporters embedded with the military described as “fairy-land,” white miners began to flood into

Lakota lands that had been “set apart” by the 1868 Fort Laramie Treaty “for the absolute and undisturbed use and occupation of the Indians” (see figure 2). As Jeffrey Ostler argues, the federal government’s commitment to upholding that article of the treaty was tenuous, as it faced petitions from private interests like the Black Hills Exploring and Mining Association—formed by speculators in the town of Yankton—and from the Dakota territorial legislature, who in their petition to Congress to open the Hills to “scientific” expeditions, alleged that the only “use” the Lakota put the Black Hills was as a “hiding-place to which they can flee after committing depredations upon the whites and the friendly Indians.”¹⁸

3. Being and Power

Black Elk’s account of this moment, and of Lakota land tenure practices in *He Sapa*, gives a rather different view. He describes camping as a child at Rapid Creek, the main waterway running through *He Sapa*, where men would embark from to collect tipi



(figure 5, Boundaries of the Great Sioux Reservation under the 1868 Fort Laramie Treaty)¹⁹

poles in “the thick of the forest.” These tall lodgepole pines were used by Lakota and other plains tribes, and at this time, a time prior to white inundation, “there were lots of

slim poles, for no one at this time had bothered them at all.” Far more than a “hiding-place,” *He Sapa* was the locus of subsistence activities like this one, and were so abundant with game that Sitting Bull called them “a treasure to us Indians,” adding that they were “the food pack of the people.”²⁰ In addition to providing for subsistence, the hills were also just as importantly the locus of Lakota ceremonial life. The morning following the pole gathering, the encamped Lakota “began building a sweat [inipi] tipi for a medicine man by the name of Chips,” who “was the first man who made a sacred ornament for Crazy Horse to use in the war.” Black Elk speculated that “probably this [*He Sapa*, along Rapid Creek] is where Crazy Horse was made bullet-proof and got his power.”²¹ The concept of “power” here needs further contextualization, especially in its connection with Lakota social life. The lore surrounding Crazy Horse’s claim to have been bullet-proof (he died from being stabbed by a bayonet while attempting to escape from imprisonment at Fort Robinson) varies widely in motive and meaning, with some, like Larry McMurtry, highlighting this “belief” as evidence of a delusion that “has cropped up again in Africa within recent decades” and “that surfaces frequently among Native peoples.” What an approach like McMurtry’s misses altogether in its use “belief” as an explanatory category, though, is the relational or intersubjective matrix in which Lakota concepts of power appear. Different in kind from “belief” or “conviction,” power inhered in the embodied relations between persons, who might be human, animal, or spirit.

Kenneth Morrison describes in an Ojibwa context how other-than-human persons “address and empower human beings in dreams and visions, present themselves as kinfolk and engage humans in daily life, and empower humans to embody them in ritual

performance.”²² Rather than being a matter of “belief,” power was negotiated intersubjectively, tangibly, and was embodied in the sense of having presence, as with the bullet-proof Crazy Horse, rather than through more abstract forms of representation.²³ Although Morrison makes his claims about the centrality of kinship practices in ontological postulates of personhood and power in the cases of Ojibwa and Chumash nations, I find these same postulates largely to be shared by Lakota and Dakotas, and have detailed some of the ways in which animal persons, in their fictional guise as written by Charles Eastman, work to remind human beings of social and ethical obligations—in other words, how to use power responsibly. Because of its affective and bodily dimensions, power may also be said to mediate Lakota relationships to places that served as relational nodes—filled with persons and presences of various degrees of power—and that drew humans into explicit performances of affirming kinship and its attendant responsibilities. Morrison’s reading of anthropologist Irving Hallowell’s *Ojibwa Ontology* (1975) account of animal-human conduct in hunting illustrates how kinship, as an ethical system, straddles a borderlands between the social and the ontological. Because hunting “is an act of communication between humans and animal persons,” and because humans “need to persuade animals to give their bodies” in what we might call an act of sacrifice, while also assuring “animal persons that humans will give back to ensure animal reincarnation,” humans are able to demonstrate their commitment to animal persons’ ultimate well-being. The fact that animals, who “also have their own languages,” may then also empower some human beings with the gifts of their language, demonstrates a back-and-forth trade in ontological correspondence. Morrison concludes: “In sharing power, persons shared being.”

What Black Elk highlights, in his brief anecdote about Crazy Horse, and again and again in his account of the great vision, is that Lakota ceremonies—from the *inipi* or purification ritual, to *hanbleceya* or “crying for a vision” ceremony, as well as Sundances and the making of medicine bundles, to give a quite incomplete list—centered around *He Sapa*, and around the place Black Elk identified as its center: *Inyan Kaga Paha* [literally “Stone Made Mountain,” and also called Harney Peak]. The Black Hills is the nexus of a web of kinship relations between Lakota and powerful other-than-human persons and is the center of the Lakota cosmos and site of origin. Lakota ceremonial life in the Black Hills, then, is aimed at maintaining good relations with these relatives. When a Lakota sacred site, *Pe’ Sla*, was recently put up for sale, Chief Arvol Looking Horse commented that “our creation story comes from the Black Hills, from the heart of Mother Earth. We came up from the caves which are connected under our Black Hills, and we received very sacred places to do ceremony....Pe’Sla is one of these central ceremonial places. This is where our existence comes from. Pe’Sla is where Morning Star came down to help the people, because we are star people.”²⁴ Looking Horse’s invoking of Lakota creation stories here links Lakota ceremonialism with the ceremonial responsibility of maintaining of ordinary ethical relationships. Looking Horse’s interviewer, Chase Iron Eyes, adds that the Sundance, “one of seven sacred ceremonies given to the Lakota by *Pte Skan Win*,” is a ceremony “of sacrifice and renewal: participants re-enact the sacrifice of a spirit, *Inyan*, who spun himself and sacrificed himself until his blood became water. The ceremony ensures that nature's process of renewal continues so that, for example, water, plants, and animals remain abundant.” For Lakota, being cut off from the Black Hills is to

be cut off from a central source of relational power. The loss of *He Sapa*, then, meant more than just the loss of food—it entailed a disconnect from, and loss of, being itself.

4. Reading Beyond the Essential Black Elk

A number of factors trouble literary readings of Black Elk. Not least of these is the tendency to view him in isolation from political and cultural contexts of Oglala life. For a number of reasons, not least of which is the astonishingly enduring popularity of *Black Elk Speaks*, an essentialized Black Elk pervades scholarly and popular discourses. Holy man and detribalized Indian hero, this Black Elk is radiantly tragic, a “spiritual” (jacket blurbs, some penned by no less than Vine Deloria, Jr., still call *Black Elk Speaks* a “religious classic” and “one of the best spiritual books of the modern era”) and cultural spokesman who is made to stand in for all Lakota, often even for all Native Americans. This metonymy maps ideologically onto the image of the Vanishing Indian, a convergence that John Neihardt attempted to inscribe in the ending lines of *Black Elk Speaks*, when he ventriloquized Black Elk as pronouncing the death of his people: “And I, to whom so great a vision was given in my youth,--you see me now a pitiful old man who has done nothing, for the nation’s hoop is broken and scattered. There is no center any longer, and the sacred tree is dead.”²⁵ This two-paragraph summary, penned by Neihardt and never even spoken by Black Elk proved to be quite soluble in the popular imaginary of immanent Native extinction. Some twenty years after *Black Elk Speaks*, Ruth Underhill would review Joseph Epes Brown’s *The Sacred Pipe*, a volume that recorded Black Elk’s versions of Lakota ceremonies. There, she lamented, with paternal concern for “the beautiful but dying ceremonies of the American Indian,” that Black Elk

was the “last custodian of the ancient rituals and already made famous through the sympathetic book by Neihardt.”²⁶ As Michael Steltenkamp puts it, this essentialized Black Elk has proven to be itself a highly mobile signifier, “expropriated and utilized on behalf of diverse forms of special pleading” and gives little or no indication of how Black Elk and others adjusted to rifts in the cultural landscape following the massacre at Wounded Knee.²⁷

Just as essentialized notions of Indianness trouble the complex historicity of Nicholas Black Elk, the ideological translations of Indianness that appear in federal Indian policy disturb and deform notions of Lakota peoplehood in and through which Black Elk understood himself and his roles as a ritual specialist. John Carlos Rowe usefully frames Black Elk’s story between allotment and the Indian Reorganization Act (IRA), or between Native “wardship” and greater autonomy.²⁸ This is a useful framing, in part, because it allows for a view of conflicting understandings of power, and of power as something deployed in constructions of identity. Key to both allotment and IRA discourses of Indianness are racialized and essentialist versions of “blood” and land. The imagined “Indian” of the 1934 Indian Reorganization Act (IRA) is one defined largely by colonial standards of biological lineage and physical territory:

The term “Indian” as used in this Act shall include all persons of Indian descent who are members of any recognized Indian tribe now under Federal jurisdiction, and all persons who are descendants of such members who were, on June 1, 1934, residing within the present boundaries of any Indian reservation, and shall further include all other persons of one-half or more Indian blood.

Recognizing “descendants” as the legitimate offspring of heterosexual unions, and renewing the federal government’s commitment to blood as a measure of identity, the IRA reproduced the racialized, heteronormative logic that the earlier Dawes Act brought

into existence as a matter of formal policy. This, in spite of the IRA's status in contemporary accounts as the "birth of a modern Indian reform movement" aimed at undoing the harms done by allotment's emphases on assimilation and individual land ownership, and devolving greater decision-making power away from the Bureau of Indian Affairs and toward the tribes.²⁹ As Scott Richard Lyons argues, such a definition deployed a severely limited view of *jus sanguinis* ("Indian descent") and *jus polis* ("residing within the present boundaries"), and in terms of the former, excluded all the usual things associated with *jus sanguinis*, including culture and language. Within this truncated formulation, Lyons concludes, "there is no peoplehood possible in such definitions, no privileging of language or traditions, and thus no cultural survival."³⁰

I would add to Lyons' reading that along with peoplehood, notions of territory and sovereignty over particular places and lands may well fall out of view when identity is boiled down to blood and borders. One perhaps obvious corollary of Lyon's point, in other words, is that the IRA's definition of Indian identity is based on a view of Indian territory as being fundamentally inert, stripped of human influence and intimacies. But this truncating, which is typical of a Lockean liberalism that views land as gaining an ontological status only through the addition of human labor, is also key for making sense of Dakota responses to artificial and arbitrary confinements on reservations. Those responses have included assertions of territorial sovereignty in ways that are perhaps not apparent within the US political imaginary, especially in those cases where kinship networks and Lakota/Dakota cosmologies define alternative political geographies to those enshrined within federal Indian laws and treaties. To push this point further before moving ahead: I would locate these alternative political geographies as operating in ways

that demonstrate clear differences from the juridical sovereignty of the US nation-state, especially in the ways that ceremonial performances—even in the mock-up versions—work to delegitimize US power by remembering, first, an ethical orientation toward others that revolves around gifting, and second, by affirming kinship bonds.

The first part of this chapter attempts first to account for Lakota' lived experience of colonization through Fanon's notion of *les damnés* ["the wretched," "the damned"]. My intent in beginning in both the lived experience of abjection, and the state's constructions of Lakota as *les damnés*, is, then, not only to demonstrate how the state attempted to break apart the Lakota land base and familial forms of relation, but also to gesture towards how a Lakota ethical system endured as a messianic means for cultural adaptation and survival. Most fundamentally, Lakota ethics of gifting worked ceremonially to transform existential fear and death-in-life into cosmological ideals of courage, power-sharing, and solidarity-making. Through ritual, Lakota were able to transform disabling rhetorics and practices of domination, and the resulting fear, into assertions of filiation with other Lakota persons. In so doing, they connected with kin, and so re-connected disparate areas of territory that had been separated over decades of colonization. My second section then derives a theory of the gift from Black Elk's interviews with John Neihardt. One key articulation of Lakota ethics from the Black Elk transcripts is in the account of his great vision. I situate my reading of the vision within the scene of racialized despair, and place Black Elk's ceremonial performances of the obligations to heal his people, received as vision, in the context of healing a perceived unfreedom that emerged from the birth of reservations and their various modes of control. Nelson Maldonado-Torres's insightful critique of Heidegger's ontology of Being, of

Dasein, as disavowing histories of racialization and subjection, inspires this contextualization and reading of ceremony as sharing the gift of decolonization.

The last section of the chapter moves away from this theoretical mooring and into Black Elk's travels and performances, which not only realize, but also exaggerate and complicate the vision's ethical imperative to restore Lakota peoplehood. Here I frame Lakota territoriality as both narrative and bodily performances transected by travel and border crossings (between reservation and US space, between reservations, and between reservation and non-US spaces like England and France), but drawn together by ceremonial performances aimed at enacting, at least in attenuated form, the ethical inclusiveness of the great vision. Black Elk's summer performances in the Duhamel Pageant, for instance, which took place in the Black Hills beginning in the 1940s, thus moved in at least two directions at once, being both the occasion for a return to the setting of his vision, but also a melancholia. Black Elk returned to the hills as a kind of tenant, camping along with other Lakota on lands owned by the white businessman, Alex Duhamel, and working summer shows for tourists. While the melancholy of such a set-up is potent, surely, others seem just as poignant. Black Elk saw Lakota lands transformed through ownership and economic exploitation, most blatantly in the symbolic domination of Mount Rushmore, but also in the gold and timber extraction that began in Black Elk's childhood, and would continue after his death. Standing somewhere between melancholia and restoration is a third motive that was ambassadorial in nature: in addition to being a way to make money, returning annually for the tourist's pageant may have served for Black Elk as a means to educate non-Lakota about Lakota culture. This third motive, I will show, was laden with Lakota ethics of gifting as well, and worked to decolonize

white audiences by, as Bud Duhamel, son of the pageant's founder, puts it, allowing non-Lakota "to understand his people, that's why he did the pageant."³¹

5. Competing Territorialities

Indigenous territoriality is now, and has been historically, a challenge to the premise of territorial state sovereignty's naturalness and universality. As Paul M. Liffman rightly observes in a Huichol context, "more than acreage, or administrative control to include kinship, historical land tenure, ritual networks, and their representation"³² From the perspective of the dominant or colonial state, however, Native claims to any kind of territoriality are often affixed with the tags of "failure" to assume statist form of governance. Such an assumption has a historical lineage dating back at least as far as Sir Henry Sumner Maine and Henry Lewis Morgan, whose evolutionist schema for understanding differences in social structures contrasted a (primitive) kin-based prestate society [societas] with a (civilized) society based in territory [civitas].³³ This distinction has, of course, since undergone meaningful and significant revisions,³⁴ but not a complete dismantling. In the present, this distinction persists in the assumption that "non-state actors" are incapable of, or unfit for, making territorial claims and so exercising authority over lands and citizens. In *Ungoverned Spaces: Alternatives to State Authority in an Era of Softened Sovereignty*, though, editors Anne L. Clunan and Harold A. Trinkunas suggest that the contemporary moniker of "ungoverned spaces" to describe non-state territories is "a misnomer" which "arose from the state-centered conceptualization developed by many governments and international organizations confronting the apparent emergence following the Cold War or politically disordered territories." "In reality," they

argue, “many so-called ungoverned spaces are simply ‘differently governed,’”³⁵ and that “in almost all cases, authority and power are shared among actors in dynamic ways that are not necessarily state centered, state authored, or informed by clearly articulated and unified strategies of control.”³⁶ From a hegemonic point of view, it seems the admission that non-state articulations of governance and sovereignty exist is still something of a heresy.

As hegemonic jargon, “ungoverned spaces” reproduces something like Bishop Henry Whipple’s musings, in a letter to President Ulysses Grant, over the US government’s dealings with Lakota toward the end of his presidential term, in 1876, one year after Custer led nearly 1000 soldiers into the Black Hills on a “scientific” expedition in violation of treaty terms made between the US and Lakota nations. Whipple, who intervened on behalf of Dakotas condemned to be hanged after the 1862 US-War, persuading Lincoln to commute the sentences of all but thirty-eight warriors, was the first Episcopalian bishop of Minnesota, and was well-regarded by Dakotas. In a letter dated July 31, 1876, Whipple registers his distaste for the recent treaty violation. “We persisted in telling these heathen tribes that they were independent nations,” he writes, “we sent out the bravest & best of our offices... because the Indians would not doubt a soldiers honor—They made a treaty and they pledged the nations faith that no white man should enter that territory.” “The whole world,” he continues, “knew that we violated that treaty.”³⁷ Surprisingly, perhaps, this “friend of the Indian” goes on in the same letter to prescribe a three-part policy for dealing with the Indian problem once and for all. His solution would bypass all the complexities involved in making and upholding treaties:

The end may be reached by a simple method—1 Concentrate the Indian tribes—viz place all the Indians in Minnesota on the White Earth Reservation, the Indians

of New Mexico Colorado & Sioux in the Indian Territory [Oklahoma]—The Indians on the Pacific Coast upon two reserves....2. Whenever an Indian in good faith gives us his wild life & begins to live by labor give him an honest title by patent of 160 acres of land and make it inalienable....3 Provide government for every Indian tribe placed upon a reservation.³⁸

Here, Whipple bemoans what he views as an insufferable and anachronistic regard for Indian nationhood. His recommendation (“Will you pardon me to make a suggestion” he asks Grant) to “concentrate” the Indians into several massive reservations disturbingly recalls the Minnesota ethnic cleansing campaign (see Chapter 2), where the strategies of bounties, rounding up, imprisoning, and forcibly removing Dakotas were meant to ensure that no Dakota person would remain within the state’s borders. Likewise, his call to “provide government,” primarily under the guise of applying federal law to punish crimes in Indian Country, betrays his clear sense that no Indian nation had anything approximating governance.

Whipple’s “concentration” solution to the Indian problem further reveals an assumption of territory’s fungibility. The realities of Native peoples’ moral and historical landscapes, or their affective relations to the land, simply do not register. As Uday Mehta Singh argues, territory’s distinctive landscapes are largely invisible within liberalism—their ways of constituting “both a symbolic expression and a concrete condition for the possibility of (or aspirations to) a distinct way of life” stand as a challenge liberalism’s universalism and its oddly abstract, placeless conception of politics. Rather, territory has and continues to gather together “many of the associations through which individuals come to see themselves as members of a political society.”³⁹ I would add to Singh’s claim what he already so clearly implies: namely that many such associations appear at the intersection of land or environment and the body. In Black Elk’s case, Lakota

ceremonialism appears explicitly as an embodied technology that creates and maintains intersubjective relations and relations to place (itself conceived of in personalistic rather than objective terms). It is also a means, then, of redrawing ethical and political boundaries across the inert, abstract physical space of the US imperial imaginary.

Whipple's expedient plan of genocidal confinement and incorporation of Natives displays his ideological commitments to consolidating national space. Although Grant eventually did suggest to a group of Lakota delegates a move to Oklahoma (his suggestion was not even refused, but simply ignored, by the Lakota delegates), the United States ultimately relied on more subtle tactics of incorporation and conversion. In 1980, the US Supreme Court case, *US v Sioux Nation of Indians*, held that the Black Hills—spanning what is now called South Dakota and Wyoming—were illegally seized by the United States over one hundred years earlier, in 1877, and that just compensation must be paid. The facts of the case centered around the Treaty of Fort Laramie, where the US government pledged that the territory of the Great Sioux Reservation, including the Black Hills, would be “set apart for the absolute and undisturbed use and occupation” of the Great Sioux Nation. Further, the Fort Laramie treaty specified that no treaty could cede any part of the resulting reservation unless signed by at least three-fourths of adult male Lakota. Despite this provision, and in retaliation for the Battle of the Little Bighorn, Congress passed an act in 1876 that ratified an “agreement” which had been circulated among the Lakota, but which had in fact been approved by only 10 percent of the adult males.

In effect, the illegal abrogation of the Fort Laramie treaty, and the federal seizure of the Black Hills, converted Lakota homelands and key hunting grounds into the

unhomely national space. This conversion of Lakota lands into US national space came with its own temporality. In Chapter 4, I discuss this national temporality as imposing the “homogenous empty time” of abstract capital. But this imperial temporality functioned importantly to assert a legal calendar as well, one where Lakota ways of reckoning time—and forms of relation—were not only suppressed, but criminalized. For instance, the 1889 Indian agent report for Dakota territory describes the passage of a law on the Rosebud Agency prohibiting a ceremony in which the spirit of a deceased relative would be kept for a period of time after their death. This keeping and releasing of the “soul” in “ghost lodges” was outlawed at the same time as were give-aways [*otuh’an*], those acts of generosity where the immediate relatives of a deceased person would orchestrate a feast and gift-giving to all who attended. William K. Powers describes the logic of the give-away, a practice that appears not only after the releasing of the soul ceremony, but in many other Lakota contexts: “Once all their personal belonging have been given away, the donors are rendered destitute (*unšike*) [a term commonly translated as “pitiful”] and their neighbors and relatives will take pity on them.”⁴⁰ Just as in the *hanbleceyapi* [crying for a vision], the immediate family of the deceased, in becoming *unšike*, elicit a generous response from those who are more powerful. In practical terms, the give-away makes possible the redistribution of economic resources, although this is more of a side-effect of the practice than it is its reason for being: “Usually within a year, at future give-aways, the original donors will become the recipients of goods and money, and eventually the original personal property that they gave away will be replaced.” The primary motive for giving is not economic, but existential and ethical—a celebration of solidarity made through shared kinship, lost kin, and grief. In light of this, Walker describes the memorial

feast give-away as “a thanksgiving (*wopila*) in which the mourner and his or her family acknowledge the help received from neighbors and his or her family acknowledge the help received from neighbors and kin during the one-year period.”

It’s hardly surprising, then, that the Rosebud agent J. George Wright describes the strong local opposition to outlawing the keeping and releasing of the soul ceremonies, and the memorial give-away that accompanied the latter:

The old-time custom of giving away or destroying property at the time of death; also the establishing of ‘ghost lodges’ of those having died, where for a certain period articles of every description, including stock, wagons, etc., are collected and finally given away, has been prohibited. An allotted time was allowed to dispose of such, and all informed that in future they would not be tolerated. This order created consternation among the people, who protested vigorously to the extent of a threatened demonstration and resistance to the police when carrying out instructions to destroy all not disposed of within the time allowed. Notwithstanding this opposition the order has been successfully and effectually executed.⁴¹

The law’s barring of the give-away and the mourning rite intruded on the most intimate of social spaces—between those in need and those able to provide, and less tangibly but far more essentially, between the living and the dead. In attempting to regulate such relationships, the Indian agent didn’t seek to govern Lakota territory as *such*. Rather, the object of governance became, as Michel Foucault argues in his lecture, “On Governmentality,” “things” that were at once more capacious and more precise than abstract geographical space:

The things... with which government is to be concerned are in fact men, but men in their relations, their links, their imbrication with those things that are wealth, resources, means of subsistence, the territory with its specific qualities, climate, irrigation, fertility, and so on; men in their relation to those other things that are customs, habits, ways of acting the thinking, and so on....⁴²

The shift that Foucault identifies away from sovereignty over territory towards biopolitical locations for discipline is especially interesting where indigenous

territoriality is concerned, since it describes a movement of governance not just into economic and technological relations (“their imbrication with those things that are wealth, resources, means of subsistence,” and so on) but into the ethical ground of relation as such (“men in their relations”). Or, perhaps this shift can be put another way by saying that the technological relations that governance sought to control in its shift away from territory *take on the character*, but not the actuality, of an ethical system. Whipple’s conflation, for example, of “civilization” with both moral uplift and legal subjection—that, indeed, the “savage” or “Indian ward” cannot become moral without becoming first subject to law—asserts a model of “improvement” that masquerades as an ethics, but which is ultimately un- or non-ethical because of its grounding in ontologies of racial difference.

What this and other US colonial laws effectively enacted, then, was not only a binding of statist sovereignty ideals to Lakota territory, but the coercive power of an ethics of “civilization.” The moral truths that attached to civilizing rhetorics formed, as I will elaborate my discussion of the great vision, a zone of non-ethics or moral exception, and this zone was itself founded by and reproduced in racial differences. A key legal precedent occurring not long before Agent Wright’s barring of core Lakota customs of kinship and caretaking was the 1883 Supreme Court case *Ex parte Crow Dog*, which illustrates how a struggle between competing notions of territoriality entailed also a conflict between a depersonalized ethics of law and a kinship-based ethics of the gift.⁴³ The *Crow Dog* case effectively supplanted Lakota (and specifically Brulé) forms of jurisprudence with state-sanctioned ones. While the facts of the case vary from one account to another, the basic fact of the case was that *Sinte Gleska* [Spotted Tail], an

uncle of Crazy Horse, had, on the Great Sioux Reservation, shot and killed *Kangi Sunka* [Crow Dog], who had at one time been captain of the tribal police under Spotted Tail's supervision. The killing was settled according to Brulé law, with Spotted Tail paying Crow Dog's family in money, horses, and a blanket. Despite, or perhaps *because of*, this settlement, though, Spotted Tail was arrested, tried, and convicted for murder and manslaughter by a federal grand jury, ultimately appealing to the US Supreme Court. With paternalistic sympathy for the "free though savage life" of Indians, Justice Stanley Matthews's opinion argues for non-jurisdiction based on a racialized, evolutionist scheme: natives cannot be judged "according to the law of a social state of which they have an imperfect conception, and which is opposed to the traditions of their history, to the habits of their lives, to the strongest prejudices of their savage nature."⁴⁴ Here, Matthews presents the key issue as one of impassable racial difference, or as he puts it, the impossibility of measuring "the red man's revenge by the maxims of the white man's morality." Surprisingly, perhaps, Matthews upheld tribal sovereignty, based in his sense that natives' "savage nature" precluded the criteria most essential to the finding of criminal guilt: namely, an awareness and understanding of crime *as* crime, at least as understood by the superior standards of US law. The court ruled that Indian tribes retained the right to their own tribal law, citing the Indian Intercourse Act of 1834 as precedent for not extending US laws to Indian on Indian crimes. Justice Stanley Matthews thus concluded that federal courts had no Congressional fiat to have jurisdiction when one Native American murders another. Emergent from *Crow Dog*, then, was a further binding of US legal constructions to territory—as geographic space onto which competing sovereignties map.⁴⁵ Two years after the *Crow Dog* decision,

Congress effectively reversed the Supreme Court's decision when it passed the Major Crimes Act. It did so largely in response to debates over the need to teach Indians the rule of law. As a result, the binding of political power to statehood became explicit, and as a move that directly attacked Native sovereignty over tribal lands, became explicitly ideological.

What this collapsed legal history points toward is the importance of recovering native narratives and practices in making territory. While I'm certainly in agreement with Haring's assertion that "a full understanding of the Indian in US history requires a parallel study of... tribal law and US law," my analysis of territoriality attempts to excavate the substantially different systems of ethics that underpinned those bodies of law, and assumes in the first place that US law is a colonial body of law whose primary aim is not to defend Native lands and property, but to create "ethical" and "legal" rationales for subjection and ever-diminished autonomy. Constituted historically through subsistence practices like hunting and fishing, through kinship relations among communities, and through treaties, among other means, Dakota peoples have historically understood territory in intersubjective and kinship-based ways. Territorial meanings lie at the heart, for instance, of the confederacy of the *Oceti Sakowin*, or Seven Council Fires, that was and remains comprised of Eastern Dakotas (see Chapters 4 and 5 on Charles Eastman, a Sisseton Dakota), Western Dakotas (Yanktonai), and Lakota (Tetonwan), and whose basis it itself cosmological. Black Elk gives an account of the seven bands in a series of interviews or teachings given to Neihardt in 1944, and begins with a story about the culture hero and first chief or headman, Slow Buffalo:

A long time ago before we have a history, as far as the Sioux could remember back, it used to be they had the seven bands and in these seven bands there was a

chief by the name of Slow Buffalo. I figure they were living way out toward where you always face (south) along the edge of the ocean. One day the seven bands got together and they were going to scatter all over the universe. This Slow Buffalo was a chief of the whole seven, but before that this tribe of Indians might have [been] two tribes or one. They expanded and grew to have seven bands. Slow Buffalo, probably his great grandfather, was a chief of one band, but as they grew up and expanded it was getting so it was quite a tribe, so he called all the men and they had a council. He said: ‘We are seven bands and from now on we will scatter over the world, so we will appoint one chief for each band.’

Even though Black Elk’s story of the origins of Dakota kinship has no objective physical referent, other than his guess that “they were living way out toward where you always face... along the edge of the ocean,” and no clear marking of spatial boundaries, it stands as a poetics of toponymy that makes Lakota into moral and historical subjects⁴⁶ through its founding of a relational landscape whose fuzzy boundaries were oriented along directional axes:

At this council Slow Buffalo appointed a chief for each band. After appointing the seven chiefs he appointed a chief by the name of High Hollow Horn. He was to go where the sun comes toward the daybreak. He appointed one chief by the name of Moves Walking; he was to go north with his band.

Further, because “it seemed that there was no name for anything” yet, the different bands’ charges to occupy certain locations would co-arise with the names of the directions: “where the sun goes down, toward where there is always snow, where the sun comes from, where you are always facing.” In effect, this origin story typifies a certain kind of autochthony—the land and the band are equal and co-constitutive of places and directions. As Scott Lyons argues, a constitutive myth that explains the origins of an ethnic polity need not exclude other stories or cultural forms. “Rather,” this *mythomoteur* “just acknowledges constitutive myths and stories as the privileged *milieu* of the ‘myth-symbol complex’: ‘the corpus of beliefs and sentiments which the guardians of ethnicity

preserve, diffuse and transmit to future generations,' not as religious dogma but as explanations of ethnic origin."⁴⁷

Black Elk's narrative elaborates the logic of this form of relation as being expansive but not imperial, incorporating lands and beings through the act of naming: "At this council they named the animals and things. He told the chiefs: 'The Mysterious One [*Wakan Tanka*] has given us this place, and now it is up to us to try to expand ourselves. We will name every person and every thing.' At the heart of Lakota encounters with others is this original call to "expand ourselves," widening the web of Lakota peoplehood and extending kinship through the ritual sharing of power. In practice, the extended family household (*tiyospaye*) bridges cosmology and political action, and was the basic unit of Lakota territoriality because it provided the familial metaphors on which an ethics of gifting, whose ritual sharing of power is at the heart of diplomacy, is founded. The *tiyospaye* is also where one sees the dynamic relationship between Lakota land tenure and non-Lakota, revealing how Lakota historically reproduced through a broad constellation of social forms, including ceremony, myth, hunting and fishing, and household practices, the enduring, flexible networks of kin. Rather than being a static entity that was forced to continually retreat from the state, Lakota reproduced *tiyospaye* connections to their environment and to one another. What *tiyospaye* and gifting suggest is a view of cosmological plenitude, of courage to adapt and endure as a people. Black Elk's narrative affirms this again and again in images of the "good red road," a spatial metaphor for proper relation that crosses the "hoop" of Lakota peoplehood. His granddaughter also stresses the immanent implications of what has so often been read in mystifying ways:

As I've said, my great-grandpa's vision wasn't a spiritual vision. It was the future of our people, the Lakota people. Some people don't look at it that way—they want it to be spiritual and have a deep meaning. But what it is, when you look at it and interpret it, is what our people are going through in this life and in the future, and how they're going to be put back on that good road—bringing back the old ceremonies and understanding them.⁴⁸

My next section will explore how that “road” became lost in the process of Lakota dispossession and ethnocide, though it remained available as a messianic means of decolonization, or for transforming abjection into relation, as Black Elk's performances of ceremonies encountered in his great vision reveal.

6. Losing Territory, Losing the Gift

In this section I try to give the most preliminary of sketches of the cultural terrains and conflicts surrounding the so-called “Great Sioux War,” and of what the presence, and eventual loss, of sacred homelands meant to Lakota. Black Elk's accounts of the war give a first-hand view of not only the military conflicts, but place these conflicts into other Lakota contexts of hunting, ceremony, and migration. As such, they comment—sometimes indirectly, sometimes overtly—on the meanings of territory. But in sketching only a few of the many meanings of lost Lakota territory here at the outset my other aim is to give some sense of consequence, what Fanon called the psychological consequences of colonialism, or alternately, the existential realities for the colonized, and for Lakota like Black Elk. It was a migrating Black Elk, after all, who heard colonial ideology voiced most explicitly in his meeting with “Grandmother England,” Queen Victoria, after a wild west show performance. “America is a good country,” she began, innocuously enough, “and I have seen all kinds of people, but today I have seen the best looking people—the Indians.” In the next moment, which seems both heartfelt and nakedly racist,

she goes on to criticize the American government for not taking better care of their property:

If I owned you Indians, you good-looking people, I would never take you around in a show like this. You have a Grandfather over there who takes care of you over there, but he shouldn't allow this, for he owns you, for the white people to take you around as beasts to show the people....There will be a big war in the future and I wish that I had owned you people, for I would not carry you around as beasts to show to the people.⁴⁹

Victoria's sense that "Indians" were "property" deserving better treatment not only misreads the nation-to-nation treaty relationship that many Native peoples had with the United States, but fails to grasp Native agency and motives in working as "show Indians." Her racialized compassion would avoid treating Natives as "beasts," but only in the limited way of not taking them on tour, "to show to the people." She is incapable of seeing, though, that her gaze had already rendered Natives as beastly chattel deserving of a better owner.

Both in travels abroad, and at home, I ask how Lakota experienced such racism, as well as race-based land loss, exile, and confinement, as forms of damnation. To what extent, and in what ways, does being one of *les damnés* inflect how one lives in and through place? How did forced confinement on reservations, and the resulting sense of being, as Black Elk put it, "on the black road" of suffering and despair, change the ways that Lakota conceived of territoriality? In *A Dying Colonialism*, Fanon writes,

There is, first of all, the fact that the colonized person, who in this respect is like men in underdeveloped countries or the disinherited in all parts of the world, perceives life not as a flowering or a development of an essential productiveness, but as a permanent struggle against an omnipresent death. This ever-menacing death is experienced as endemic famine, unemployment, a high death rate, an inferiority complex and the absence of any hope for the future. All this gnawing at the existence of the colonized tends to make of life something resembling an incomplete death.⁵⁰

The state of living death is both lived subjectively and, prior to that, is manufactured by the colonizer via racialized ontologies of what Fanon calls *les damnés*, typically translated into English as “the wretched,” but also, and perhaps to more accurate effect, as “the damned.” In a North American context, the symbolic constructions of *les damnés* appearing in and through modes of governmentality and their particular forms of subjection are the discursive means on which the US drew in its handling of Lakota military resistance, and in its bureaucratic management of the diminished Lakota territories once overt resistance had been suppressed.⁵¹

But within the horizon of *les damnés*, as Miguel Mollino has argued in “The *Langue* of the Damned: Fanon and the Remnants of Europe,” are also the seeds of redemptive or messianic revolution that is motivated by the will for desubjectification from colonial power discourses. Here, the affinity between *les damnés*’s modernist revolutionary potential and white imaginings of Lakota and Dakota as, variously, “wards,” “savages,” and inhumanly Other, is important, but also importantly different. If “the moment of the *prise de parole* is defined... by the denial of all narrations instituted by power as master signifiers,” and if in “Fanon’s existential-Sartrean language, the *prise de parole* is the moment of nothingness, of possibility and indetermination: the moment when one is the only foundation of oneself,” then this reading of the latent liberatory potential of being *damné* is certainly portable to indigenous contexts where the production of new, confined subjectivities on reservations was met with resistance in many forms, including, as I will show, ceremonial ones based in affirming kinship. But by emphasizing the individual’s radical autonomy (i.e., “the moment when one is the only foundation of oneself”), as well as a moment of theoretical freedom from either

subjectivity or culture (“of possibility and indetermination”), what Mollino’s approach may obscure, in Black Elk’s story, for instance, are those social practices that remake and empower subjects *through*, rather than apart from, encounter with others.

The constructions and experiences of Lakota as racialized subjects of the United States (seen unequivocally, from a Lakota point-of-view, in the repeated betrayal of kinship names for the President such as “Father” (Ate), “Grandfather” (Tunkasila), and “Great Grandfather”) had important consequences for how Lakota perceived their relationship to the land, and ultimately, to their future as a people. In the winter of 1875, when Black Elk was twelve, and witnessed the “treaty” council (although it was called by whites and Natives as such, formal treating by the US had ended in 1871) that would end, one year later, in the loss not only of *He Sapa*, but of much of the reservation land set aside by the Fort Laramie Treaty. He describes an atmosphere of resignation:

I was there at the time of the powwow for the arrangement of the treaty of 1875. All I could remember [is] that in the middle of the circle of the tipis they put up a shade of canvas and underneath this were the white and Indian councilors and all around them were Indians on horseback. This was on the north side of White River, at the mouth of [Little] White Clay Creek. I was only a boy then, so this was all I saw of the making of the treaty. I wondered about the treaty so I asked my father what it was. He told me that the soldiers had wanted to lease the Black Hills. The general said to the Indians that if they did not lease the Black Hills to the Grandfather at Washington, the Black Hills would be just like snow held in the hand and melting away. In other words, they were going to take the Black Hills away from us anyway.⁵²

Here, Black Elk’s sense of fatalism was perhaps not yet general among Lakota. In the summer of 1875, prior to the “treaty” commission that visited the Lakota agencies, a delegation of Oglalas, Minneconjous, and Brulés traveled to Washington to air grievances to President Grant over Indian agent corruption and failure to receive sufficient rations for their numbers.⁵³ A Topeka newspaper, *The Commonwealth*, detailed

how Grant summarily rebuffed the delegation's complaints, adding that Lakota should consider moving to Oklahoma, given that white desire for gold in *He Sapa* would never grow less (and so effectively disavowing treaty requirements to set aside the hills for the sole use and occupancy of Lakota). Grant's opening statement to the delegation holds, perhaps unsurprisingly, a threat: "As I said in the beginning, it must be evident to them if the supplies of food should be withheld by the Government, it would be impossible for the Indians to live where they are."⁵⁴ This is, of course, a disavowal of the deplorable conditions in the agencies, and a betrayal of the treaty relationship.

But as Grant continues, he describes how whites would overwhelm any political boundaries that might contain Lakota territory, and so effectively annuls the possibility that such a thing as Lakota territory might even exist:

Another thing I would call their attention to—is this: They must see the white people outnumber the Indians two hundred to one, taking all Indians within the Territories owned by the United States; the number of whites is increasing so very rapidly that before many years it will be impossible to fix any point within the limits of our territory where you can prevent them going. It will become necessary that white people shall go from one place to another, whether occupied by Indians or not, the same as they go from one State to another.

This sort of territory talk is interesting as a validation of Black Elk's fears, and for the several rhetorics it conflates. First, Grant figures US territory as something that envelopes all other competing territories (Grant includes reservation lands as part of "our territory") through the mechanism of white activity alone, and does so of necessity. The meaning is clear: only white possess agency, both in travel and in occupancy of land. Here, Grant clearly betrays the brittleness of US commitments to treaty boundaries in this moment of rapid national expansion, and a naked interest in further eroding the Lakota base. Indeed, the language of incorporation is explicit in Grant's equating of Indian lands with other

US states. Grant is invoking of a kind of Lamarkian population growth argument to defend the illegal encroachments of whites in Lakota territory is, again, a disavowal of responsibility to uphold treaty terms, but also reveals something of how race operated in US Indian policy as a marker of not only numerical primacy, but of unchecked freedom of movement. Such rhetoric echoes the fatalistic attitude that Black Elk showed in his speculations on the future of *He Sapa*, and reveals how governmentality, as the modes of thought of those who govern, and so also as an ethics, or more aptly, a non-ethics, of relation, furnished the symbolic material for constructing *les damnés*.

In light of Grant's arguments for dissolving Lakota territory into the universal space of the US nation, it's hardly surprising when he broaches the topic of removing Lakota to Oklahoma. He begins his proposition with a here-today-gone-tomorrow sense of urgency. "For this reason," he says, "it is very desirable that while they have friends here to look after their interests, they should be situated where they would be able to get support beyond any contingency." Presumably some of these "friends" would include the Secretary of the Interior and the Commissioner on Indian Affairs, who Grant had arranged would meet later with the delegation, and who Spotted Tail suggested all Lakota thought of as "liars." Grant described the Oklahoma Indian Territory in lush terms: as a place "where the climate is better, where the grass is much better, and where game is more abundant, such as buffalo, where there is good pasturage for animals, and where teachers can be sent among the Indians to instruct them in the arts of civilization, and the means of self-preservation and support." He then repeats to the delegation Whipple's argument that whites could not long be kept out of *He Sapa*, as they were essentially indifferent to the treaty rights of Lakota. Grant exhorts the delegation, then, to extend to

whites the right to enter Lakota territory: “Every year this same difficulty will be encountered, unless the right of white people to go to that country is granted by the Indians, and may in the end lead to hostilities between the whites and Indians without special fault on either side.” What Grant avoids mentioning is the federal government’s good faith promise, implicit in the Fort Laramie treaty, to ensure that “this same difficulty” did not occur. Instead, he closes his proposal with the threat of “withholding, for the time being at least, of the supplies which the Government had been sending to them.” This constituted a further violation of the treaty’s tenth article that guaranteed that “each Indian over the age of four years...shall be entitled to receive from the United States, for the period of four years after he shall have settled upon said reservation, one pound of meat and one pound of flour per day.” The overall impression of Grant’s speech (to which he did not allow a rebuttal or reply) is one of disavowal, and this disavowal must be viewed in light of Lakota kinship understandings and expectations. Rather than fulfilling his role as a “Grandfather” to the Lakota, by providing the means of sustenance and protection originally promised, Grant only capitalized on the paternalistic aspects of the parent-child idiom.

As Bruce White observes, Native uses of familial idioms to embody diplomatic relations with the US and British governments don’t register a self-infantilizing attitude. Rather, calling the President “Grandfather” drew on historical precedents of European-Native diplomacy where “the Europeans apparently did the bulk of the gift giving..., just as in the family group it was initially the father who gave to the child. In effect,” he concludes,

such gifts became an expression of the role Europeans sought to play in relation to the Indians. Indians gave many gifts of furs and ceremonial presents during these

exchanges. But they did not necessarily give tangible, equal presents *in an economic sense* [my emphasis]... Their gift was something more profound—the loyalty that a child feels toward the parent, a long-term tie that was expressed by a defense of the parent against insult and violence and a willingness to avenge an attack. The result was a military alliance cast in kinship terms.⁵⁵

The gift, then, embodied in material form a distinctive set of social relations. Rather than implying subjection or subservience, metaphors of parent (or grandparent) and child like those used by the Lakota delegation demonstrate the historicity of Lakota relations with whites. More, they reflect an ethical orientation towards gift giving and gift receiving that may or may not be part of an “economic sense” of reckoning value.

Black Elk’s father gives an account that shows the willingness of some to lease lands in *He Sapa* only in return for extensive and ongoing compensation. In an exchange between Red Cloud (Oglala) and Spotted Tail (Brulé), both headmen of their bands, he recalls Spotted Tail accusing Red Cloud of being “a cheap man” for asking that only “seven generation receive pay for the use of the hills,” and insisting instead on a much longer-term commitment:

Then next Spotted Tail got up and pointed his forefinger at Red Cloud and said, “Cousin, you are a cheap man,” and they all said, “How!” [Hau]—that is, agreement. Then turning to the officers he said, “I, myself, Spotted Tail, it is I who am speaking. I speak not for my sake but for the sake of my people of the future I speak. What I will say is this. In the future so long as there is an Indian or even the Indian may vanish, and perhaps there may only be a dog belonging to the Indian still living, and [then] the Great Grandfather [the US president] shall provide even that dog with food and clothing.”⁵⁶

Spotted Tail’s choice of a dog as the last living Lakota shows ironically something of Lakota ways of recognizing kinship with animals, but insists also on a more freighted kinship relation—between the “Great Grandfather” and Lakota people—with unending obligations to provide “food and clothing” in return for lease rights. In other words, he gives a Lakota view of what a treaty relationship should be. In mid-June of 1876,

tensions between whites and Lakota had led to US soldiers' defeat at the Battle of the Rosebud, and a week later, to another massive victory for combined Native nations (Lakota and Cheyenne) at the Battle of the Greasy Grass (Little Big Horn). The combined Native forces could not stave off the US Army, though, and Black Elk describes a chaotic series of dissolutions as the various Lakota bands fled from the soldiers, and Sitting Bull's band, the Hunkpapas, escaped north to Canada in May of 1877, just as his Eastern Dakota relatives had done fifteen years earlier. The effects of this flight—Black Elk recalls while in Canada that the people suffered from famine during the winter of 1879—were only aggravated by the Congressional Act of 1876 that renounced all US obligations owed from the 1868 Ft. Laramie Treaty “while Indians are hostile.” The act further called for Lakota to “relinquish all right and claim to any country outside the boundaries of the permanent reservation,”⁵⁷ although this provision was in clear violation of treaty guarantees to allow for permanent hunting rights on lands outside the reservation “so long as the buffalo may range thereon in such numbers as to justify the chase.”⁵⁸ The act, which stands to this day as a betrayal of the treaty relationship, was nonetheless an expedient way to compensate for the disastrous military losses suffered by the US Army, and was certainly done in part to appease growing white rage at the defeat of Custer, who had been held up as a sacrificed Christ-figure by the newspapers, as well as to guarantee the access of railroads, for extractive purposes, into the gold-rich hills. When most of the Lakota returned to the United States in the spring of 1880, they had become exiles in their own lands. These had been carved up by the 1877 Act of Congress⁵⁹ into much smaller reservations (see figure 3) that quite damagingly no longer included *He Sapa*.⁶⁰



(figure 6, Great Sioux Reservation boundaries following 1877 Congressional Act)⁶¹

In effect, US law attempted to transform and regulate Lakota space and time in ways that depended greatly on racialized discourses of Native “savagery.” Black Elk was born into a world, then, where he would be haunted by US colonialism’s expansive reach. More exactly, he was haunted by the outlawing of not only Lakota ceremonial life, but the ethical transformations such bans caused among Lakota. With the key means of Lakota sociality banned through the ethnocidal 1883 Code of Indian Offenses—including all forms of ceremonial dancing except the Grass Dance, mourning rites and their associated give-aways, feasting, and inter-reservation travel to visit other Dakota bands—Lakota *tiyospaye* relations were severely challenged.⁶² We see Black Elk, for example, lamenting before his travels abroad the “wrong road” he saw Lakota as embarking upon. While he is not specific about what practices were involved in being on the “wrong road,” his lament is nonetheless an ethical diagnosis of some radical transformation in Lakota ideals of sovereignty, subjectivity, and modes of relation. And this diagnosis is the continuing context for Black Elk’s vision in its first manifestation and in his lifelong performances of its key ceremony, the Horse Dance, which I will explicate in the next section.

7. The Ethical Landscape of the Great Vision: Power, the Gift, and Transformation

In the fall of 1873, as many Oglalas and Brulés were traveling toward the Rocky Mountains, a nine year-old Black Elk fell ill while encamped along the Greasy Grass River [Little Bighorn]. His legs, arms, and face became badly swollen, and he heard someone say, “It is time, now they are calling you.” Lying in his tipi, Black Elk saw two men descend from the clouds, and after announcing that his grandfather was calling him, the men went back into the clouds. Black Elk followed them on his own cloud “and was raised up.” As he climbed higher, he saw his father and mother looking at him, and this made him feel sorry to leave. “This all came suddenly,” said Black Elk. One key aspect of its narrative is the entrusting of the young boy, by the Six Grandfathers (Black Elk says “they are really the grandfathers and great grandfathers way back which the tribe came from”), with the task of restoring, or “making over,” his “nation.”⁶³ Called the “great vision” by scholars, as by Black Elk’s biographer John Neihardt, this event’s importance to Black Elk’s life is central, as it provided him not only with power and knowledge to become a healer, but also the obligation to restore Lakota to the “good road” of ethical relation that had been lost as a consequence of colonization and the United States’s genocidal war.

When placed in this historical and social context, the great vision and its later enactments by Black Elk—the horse dance and the *heyoka*, buffalo, and elk ceremonies—take on the character of a *politics* rather than of a tragic object of aesthetic consumption, and articulate an alternate history of colonization from a Lakota perspective. In this section I will elaborate how Lakota gifting most often employs a logic

of circular reciprocity where gifts are given to actively acknowledge kinship, rather than in expectation of a counter-gift.⁶⁴ Recalling how Grant foreclosed the possibility of a reply in his encounter with the Sioux delegation, this logic shows up as a melancholy in the response of the delegates to not being allowed to speak: “the Indians then withdrew, evidently disappointed in not having had an opportunity to reply to the President.”

For the sake of brevity I will focus only on the horse dance, since it expresses most clearly the relationships Lakota territoriality and ceremonialism I want to draw. The vision registers, for one, how Lakota historicized US colonialism as causing a lack of relatedness among not just tribal peoples, but among animals and the earth.⁶⁵ This lack, and the eroding of core cultural values that follows from it, are at the heart of what Black Elk means when he says the hoop of his nation had been broken, casting Lakota into the situation of *les damnés*. Black Elk’s ritual performances of his vision were political in a second sense, too, in that they sought to transform the disabling effects of colonialism on the psyches of the colonized. As I’ve suggested, they caused these transformations through a cosmological reorientation towards otherness, through which participants would cease to be objects of another’s power, but instead, through ritual sharing, take on another’s power as their own. The logic of transformation proceeds from an ethic of the gift, the first indication of which is the act of beholding the Other.

The act of beholding holds central importance in Black Elk’s account of the horse dance, and in this section I will first unpack the meanings this act has for understanding Lakota relationships to land, and then move to a discussion of Lakota gifting and ethics. Opening Black Elk’s narrative of the horse dance is the appearance of horses from each of the four directions. These are not cardinal directions but cosmological ones

corresponding to different manifestations of power. Indeed, it is a power, or spirit, who introduces Black Elk to the visionary horses, saying, “Behold them, for these are your horses. Your horses shall come neighing to you. Your horses shall dance and you shall see. Behold them; all over the universe you have finished.” After this, four virgins appear, one of them carrying “the sacred pipe” bundle that was given to Lakota by the culture hero, White Buffalo Calf Woman [*Pte Ska Win*], in antiquity, as the means of maintaining Lakota peoplehood through seven ceremonies.⁶⁶ Her presence is significant, since it grounds Black Elk’s vision in Lakota history and its founding ethical gesture (the medicine bundle, as a personal entity, also embodies the cosmos; in giving it as a gift, *Pte Ska Win* enables the ceremonial means for continued right relation with all things), and so legitimizes the scene of original relation that follows. There, the black spirit of the western powers begins to sing the horse dance:

My horses prancing they are coming from all over the universe.

My horses neighing they are coming, prancing they are coming.
All over the universe my horses are coming.⁶⁷

In reply to this song, one of the horses, a “dappled black stallion,” also emanating from the west “where his home was” begins to sing as well:

They will dance, may you behold them. (four times)
A horse nation will dance, may you behold them. (four times)

The four repetitions of each of these speech acts invoke both the reply of the horses, as “dance,” and the black stallion’s addressee, Black Elk, to “behold” not just individual horses, but “a horse nation”—itself a term that could imply all horses everywhere and through all times, as well as being a common name for Lakota—signals a formally juxtapositional call-and-response where the horse’s dancing only becomes

real, and really powerful, once it has been “beheld.” “May,” then, expresses a conditional possibility: *if* one attends in a manner that does not grasp or foreclose the being of the other, but instead acknowledges and assents to their freedom through beholding, then dancing, as an exuberant reply and mutual nod, will occur. This simple opening of the horse dance, in other words, seems already to suggest a maxim: in a participatory universe, there are no passive observers.

At this point in the vision, the song of the black stallion “went all over the universe like a radio and everyone heard it,” including “all the fowls, beasts, and every living thing heard this horse sing.” And because the horse’s voice “was more beautiful than anything could be,” perhaps, “everything [*in the universe*] danced to the music of the horse’s song. It was so beautiful that they just couldn’t help dancing.” What this exchange suggests is a view of power negotiated between beings—whether human, spirit, or animal—who demonstrate intentionality, and who express mutual responsibility, or the refusal to extend the same, towards one another. Rather than being subsumed by the petitioner in the act of being called, they *attend* in a relation that sustains difference while nonetheless posing an ethical reply. Presence itself becomes the gift here, and as a closer look into the vision’s cosmological roots will show, the gift of one’s being may work transformatively in a number of ways, not least of all to make a decolonizing gesture or rupture in the colonial imaginary.

Nelson Maldonado-Torres’s reading of Fanon and Levinas gives a useful point of comparison to the Lakota context, particularly around the notion of receptive generosity, defined as a rupturing of the representational spell of racialized forms of relation:

Receptive generosity involves a break away from racial dynamics as well as from conceptions of gender and sexuality that inhibit generous interaction among

subjects. In this sense, a consistent response to coloniality involves both decolonization and ‘des-gener-accio’n’ as projects, both of which are necessary for the YOU to emerge. Only in this way the trans-ontological can shine through the ontological, and love, ethics, and justice can take the role that the non-ethics of war have occupied in modern life.

What Maldonado-Torres calls the “trans-ontological” here is central to his articulation of decolonization, not as a mode of representation but as a gift in itself, or “an invitation to engage in dialogue.” That is, as invitations to dialogue, as gifts, a decolonizing discourse may not be imposed. In this sense, the trans-ontological is a corrective to a dehistoricized ontology, which for Maldonado-Torres, as for Levinas, is always already fraught with power relations in the guise of representations of racial difference.

In an echo of Fanon’s psychological diagnosis of the colonizer-colonized relationship, Maldonado-Torres’s notion of a misanthropic skepticism attempts to explain the genocidal impulse behind imperialism:

The achievements of the ego cogito and instrumental rationality operate within the logic that misanthropic skepticism helped to establish. That is why the idea of progress always meant in modernity progress for a few and why they Rights of Man do not apply equally to all, among many other such apparent contradictions. Misanthropic skepticism provides the basis for the preferential option for the ego conquiro, which explains why security for some can conceivably be obtained at the expense of the lives of others. The imperial attitude promotes a fundamentally genocidal attitude in respect to colonized and racialized people. Through it colonial and racial subjects are marked as dispensable.⁶⁸

Finding the idea of ontology to be one that tends to elide racial discourses that have historically enabled imperial justifications (as of a “just war” against “barbarians” or “savages” like Native Americans), in that its insistence on a race-free ground of being is fundamentally ahistorical, Maldonado-Torres concludes that the “discovery” of the Americas was an ontological event par excellence that set the course for “the exceptional character that ethics is going to take in the New World.” Again, “the exceptional

character” of New World “ethics” consists in their suspension, and this suspension, this “non-ethics of war” as Maldonado-Torres puts it, applies categorically to non-Europeans as a rationalization for their subjection and enslavement. This analysis of the “non-ethics of war” brings into higher relief the social dynamics of Black Elk’s vision, and to his enactments of it that sought—messianically, utopianly maybe, but sought nonetheless—to become ethical correctives, decolonizing gestures, to the situation of domination, and its accompanying modes of governmentality, that Lakota faced from the period of 1868 on. In other words, Black Elk’s ceremonies attempt to give the gift of a form of relation that would be a negation: not of the *fact* of imperial conquest in the name of a greater “civilization,” but of the non-relational attitude undergirding imperialism. In each of the performances of the major ceremonies of his vision, Black Elk enacted the restoration of an ethics of mutuality, kinship, and gift-giving that was historically so central to Lakota peoplehood, but also sought to transform the misanthropic skepticism of non-Lakota audiences, whether than skepticism took the form of outright race-hatred or the more benign, but no less ontological, no less racist, fetishizing of Natives as anachronistic, doomed, but beautiful.

Some further contextualization around the notion of the gift may elaborate how relation itself might be “given,” and how gifting works to cut across racialized ontologies to become a means of decolonization. While commodity forms of the gift predominate in a market society, gift giving among Lakota, as among other Native peoples, is strongly linked to kinship discourses, and to establishing and maintaining relationships at personal, communal, and cosmic levels. Kenneth Morrison argues that “if ‘power’ differentiates between personal entities who otherwise share the same manner of being,

then the category ‘gift’ becomes the central ethical trajectory of religious practice.”⁶⁹ Although Morrison is writing about seventeenth-century Algonkian philosophy, these, and his further observation that “positive, powerful others share; negative, powerful others withhold,” nonetheless holds true in Black Elk’s case. In linking power with gift, Morrison elucidates how kinship, as a way of allying with those outside of or other than the people, went beyond metaphorical analogy to motivate behavioral responsibility and material practices of sharing.

This form of gift giving is also tantamount to sacrifice, but in a somewhat different sense than that term appears within an exchange paradigm. There, sacrifice cannot transcend the dialectic of debt and repayment, but only seeks freedom for the subject within the dialectic’s horizon, by converting loss into something positive. Georges Bataille, in his critique of capitalistic utility, “The Notion of Expenditure,” names this “constitution of a positive property of loss” as the “sacred” quality of the gift, where he valorizes the gift—particularly in its “archaic” form—as a “sumptuary loss of ceded objects.”⁷⁰ Although Bataille is interested in finding alternatives to the necessity of a *thing*-based utility, where value is annealed to “the inertia, the lifelessness of the profane world,” its fungible objects, and its subjects caught in endless self-objectification, there are significant differences between this and the forms of gift giving and sacrifice seen in, say, the horse dance. Indeed, Bataille’s account of how sacrifice allows the one who makes the sacrifice to “enrich himself with a contempt for riches,” trading the sacrificed thing in for a power—of symbolic expenditure, that alone for Bataille is capable of destroying the fetishizing of mere usefulness—strikes me as rather unrecognizable within the Lakota context. Still, there are some important resemblances to

that context: for one, how Bataille's gift engenders a subject capable of recovering a "lost intimacy" between individuals, and between individuals and the world, and how this pushes powerfully against the objectifying (both self- and other-) objectifying tendencies that make the condition of *les damnés* in fact damnable.

In the symbolic realm, Bataille's notion of sacrifice as "creation by means of loss" points, maybe not inevitably, but directly enough, to the example of the isolated individual, the poet who "frequently can use words only for his own loss," since poetry for Bataille is quintessentially the elegiac, the "expression of a state of loss."⁷¹ His poet, then, is one who "is often forced to choose between the destiny of a reprobate, who is as profoundly separated from society as dejecta are from apparent life, and a renunciation whose price is a mediocre activity, subordinated to vulgar and superficial needs." Bataille maps this profound alienation, which is none other than the alienation of an exchange economy, an economy from which Bataille never fully reaches escape velocity, onto "primitive" or "archaic" customs of exchange such as the potlatch ceremony. Here, he bases his reading on the comparative ethnography of Marcel Mauss in *The Gift* (1925). And here Bataille superimposes a capitalistic framework on the potlatch that makes it really into a caricature of a debt-and-repayment model of exchange: "*Potlatch* excludes all bargaining and, in general, is constituted by a considerable gift of riches, offered openly and with the goal of humiliating, defying and *obligating* a rival."⁷² Bataille's version of obligation depends on an escalating competition of surfeit, the ideal form of which would lead to forms of destruction, or what he terms "the spectacular destruction of wealth," and ultimately to forms of destruction *to which there can be no reply*. The "ideal" of a "primitive" process of gifting, writes Bataille, "is realized in certain forms of

destruction to which custom allows no possible response.”⁷³ Here, gifting forecloses response, rather than inviting it; in such an economy, solidarity would be the scarcest of resources. Is this not to be caught still within the ethically abortive, adversarial realm of the exchange? Is this, despite Bataille’s nostalgia for the lost spectacles of wealth and their enduring subversive potential, not a sneaky reproduction of its non-ethics of dominance and predation?

What the horse dance vision establishes, by way of contrast, is an ethical economy based not on exchange, but on circulation of gifts, and does this chiefly through its description of what will become, in ritual performance, the transformative adoption of spirits’ powers. That the stallion comes from the west is cosmologically meaningful, for instance, since the west is the home of the Thunder beings [*Wakinyan*],⁷⁴ who are often associated with lightning, and represented visually as enormous birds. Beyond any straightforward association with the natural power of lightning, though, or the anxiety a prairie storm may inspire, is a fearfulness tied to *Wakinyan*’s essential mutability. As James Walker captures in his ethnography, *Lakota Myth*, what is most terrible about beholding *Wakinyan* is his (thunder is gendered as masculine in Lakota cosmology) capacity for forms of simultaneous embodiment and disembodiment, a contrariness that is shared by his human equivalents, the *heyoka* [contraries, clowns]:

He [*Inyan*, the Rock] made a shapeless creature and named him *Wakinyan* (Winged One or Thunderstorm). *Wakinyan* is as shapeless as a cloud and terrifying to behold. He has two wings of many joints, which he can spread afar or make very small; he has neither legs nor feet, but has huge talons that can pierce the hardest of things; he has no mouth, but has a huge beak armed with sharp teeth that can rend and tear the toughest of things; he has no throat, but has one voice that is the thunder; and he has no head, but has one eye, and the glance of that eye is the lightning.⁷⁵

Embodying a “hidden dimension”⁷⁶ and contradictory behaviors (“when he is pleased he seems angry, and when he is furious he seems pleasant. He delights in opposition and contradictoriness”⁷⁷), *Wakinyan*’s importance for Black Elk’s vision lies in this “contradictoriness” that signals a radical openness to newness of all kinds. This inherent vulnerability takes on warrior aspects in oral accounts where *Wakinyan* flies from his perch atop a high mountain and flies north to repel what Rice calls “the enemies of growth—greed, pride, and the other invasive *wakan šica* (bad spirits).”⁷⁸

In the James Walker transcription of Lakota mythology, the destructive aspect and actions of *Wakinyan*—his war power—are necessary precursors to his creative acts, and so he is seen declaring “enmity against all that is filthy on the earth” before he gives seeds to plant that will create “good things to taste and smell.”⁷⁹ In the same way, Black Elk’s warrior power, given in his vision through the gift of the “soldier weed of destruction,” or soldier medicine, would be used to settle the “dispute of nations.” It is difficult here not to think of territorial disputes—both with other Native nations and between Lakota and white settlers—that, even to the nine year old visionary child, were becoming confirmatory signs of a future steeped in conflict. Black Elk accepts the herb that he encounters in his vision just after the horse dance, as valuable, perhaps even necessary, but shows reluctance to act out ceremonially this portion of the vision, where four riders, having been made “sacred” by the grandfathers, charge into battle. Amidst the smoke and “rapid gunfire” of their attack, Black Elk hears “women and children wailing and the horses screaming in fear, dogs yelping.” In a parenthetical aside, Black Elk adds that his ritual performance of this power would have made him a chief, but at apparently too great a cost:

(I am glad that I did not perform this killing, for I would have not only killed the enemy, but I would probably have killed the women and children of the enemy, but I am satisfied that I have not been well off. Perhaps I would have been a chief if I had obeyed this, but I am satisfied that I didn't become a chief.)

Despite this partial disavowal of it, the destructive power of the soldier medicine was transformative of not only “disputes” over territory but of Black Elk’s embodiment and subjectivity. At the close of this portion of the vision, Black Elk looks down and notices for the first time “how [he] was dressed,” being “painted red” with joints that “were black” with “a white stripe between the joints all over” his body. Here, Black Elk realizes he has fully embodied *Wakinyan* as well, not only in the power to destroy, but by assuming *Wakinyan*’s location and presence in the sky: “Whenever I would breathe, I would be breathing lightning. My bay horse had lightning stripes on it. The horse’s mane was like clouds.”⁸⁰

While there is a Bataille kernel of the simultaneously destructive and creative power of the gift in this account of the soldier medicine, Black Elk’s first performances of the horse dance in 1881 reveals its purpose to be liberatory in a different sense: namely, in transforming an interiority of subjection through a ritual sharing of *Wakinyan*’s powers. Julian Rice views this moment as “the ritual introduction of fear” that “is a necessary infusion of the force that will become the power to grow.” So, the black horse riders of the vision “incarnate the emergence of courage from fear” by incarnating *Wakinyan* himself, facing the coming storm and singing until it suffuses them, transforming the subject of their singing into thunder rather than themselves: “I myself, made them fear./ Myself I wore an eagle relic./...Myself a lightning power I wore./..Myself, hail-like powers I wore./...I, myself, made them fear./ Behold me!”⁸¹

Following this transformation, Black Elk sees the grandfathers in the clouds (Black Elk

adds, “I could see myself too on the clouds as in the vision, but I was on earth really”), who sing to Black Elk, “At the center of the earth may you behold a four-legged....” At this all the horses present begin spontaneously to neigh and prance in affirmation, neighing to the each of the four directions or powers,⁸² and processing in a circle with the human participants, themselves offering prayers and petitions for the powers’ help to each quarter. Each of these prayers addresses some aspect of renewal: of being *unšika*, or pitiful and in need of renewal (“Grandfather, behold me./ My people, with difficulty they walk./ May you behold them and guide them. Hear me.”), of taking on the power of the thunders that is also the power of the “horse nation,” by *becoming* one’s horse (“My horse neighing as he ran, prancing as he ran./ In a sacred manner he ran./ Behold me!”), or of declaring renewal achieved (“A good nation thus I have made over...”).⁸³

This process of empathizing with what is fearful, to the point of embodying its power, suggests that the ritual renewal of the people that Black Elk sought to achieve hinged on an ethic of power sharing that was not a matter of exchange, but of pure gift. The thunder beings respond to the existential condition of being *unšika* by destroying fear, then giving their cosmic courage as a seed for the renewal of the people that is still to come. This is not a gift of indebtedness, but of unilateral sharing. I don’t mean to suggest by this that all Lakota at all times are utterly selfless, or to posit an overly idealized form of ethical behavior. What I *do* want to suggest is that the ethical structure of the horse dance gives a fairly direct context and meaning for Black Elk’s language of “making over” his “nation,” one where gifting creates enduring bonds of kinship—not in how it creates obligations, but in how it creates and circulates relationships that endure as emotional and economic attachments *apart from* any indebtedness or accumulation.⁸⁴

This circular form of reciprocity provides for the well-being of the people, in part by affirming relationships that help to sustain the people. This aim is made quite directly by Black Elk again and again in his transcripts, and at the end of his account of the horse dance:

After this ceremony was completed, it seemed that I was above the earth and I did not touch the earth . I felt very happy and I was also happy to see my people, as it looked like they were renewed and happy. They all greeted me and were very generous to me, telling me that their relatives here and there were sick and were cured in a mysterious way and congratulated me, giving me gifts. Especially the sick people had given me gifts. I was now recognized as a medicine man at the age of seventeen. Everyone had respect for me.⁸⁵

One might object that Black Elk *was* participating in an exchange economy, where the gift of his ritual enactment and healing was repaid by “the sick people.” It is certainly the case that a *pejuta wicasa* or healer conventionally would be given a gift, such as tobacco, in return for his ritual services. I don’t want to suggest that there is a single form of gift-giving or kinship among Lakota in the early reservation period. Quite the opposite is true: just as different idioms of kinship bound Lakota to non-Lakota in different ways and for different purposes, with brother-to-brother kinship being reserved for peacemaking, and the relationship of parent to child often being used in diplomatic endeavors with Europeans and Americans, so different forms of gift-giving were mobilized for different persons and purposes. The point I want to emphasize is that the relation between the ceremonial horse riders and *Wakinyan* stands outside of an exchange paradigm and its cult of accumulation, challenging the accumulatory and utilitarian logics of “civilization.” Bataille was right in saying that the spectacles of loss may create value not caught within this logic. But Black Elk’s assessment of his people as being “made happy” articulates what his ceremonial performance adds to an individualistic and competitive notion of the

gift: it is ultimately the people, and not just the individual, who stand to benefit from the generous gifting behaviors of powerful others.

To bring the discussion back to territory, we might now paraphrase Guattari and say that Black Elk's performance of the horse dance rhizomes through boundaries demarcating "reservation" from "United States," "tradition" from "future," and even "Lakota" from non-Lakota. In offering the gift of transforming the fear of colonization, ceremony becomes portable and potent—most of all to those who can read its symbolic content, but affectively, and perhaps to a lesser degree, even to outsiders. To some extent, though—and it is not clear from Black Elk's interviews or writings what exactly that extent might be—the extending of kinship that was absolutely ordinary and normative within Lakota life may have been one of the intentions behind Black Elk's mock-ceremonial performances to non-Lakota, albeit in quite a watered-down way. While there are ceremonial means for the making of kin such as the *hunkapi*, the making of relatives is historically not something especially, or *necessarily*, formalized. A contemporary of Black Elk's, Ella Deloria, describes how simple awkwardness in conversation due to lack of relatedness might lead to a surprising opening. On her first visit to "a youngish Oglala woman at Pine Ridge who was not related to anyone I knew" (Deloria was a Yankton Dakota), she was obliged "to converse only in Dakota because" the woman "knew no English, and again it was too formal and distant to be 'natural,' without a kinship relationship."

Evidently she felt herself at a disadvantage too, for she remarked on the second day, "Too bad we are 'nothing to each other.' I guess we have no one in common." Then she said later, "I never had a sister." She must have had many, at least classificatory [i.e., socially, through kinship], sisters; everyone has. She meant that she was the only daughter of her parents.⁸⁶

Deloria reminds us that for Lakota, as with all Dakota bands, to be unrelated is tantamount to a kind of ethical non-existence, as the woman's expression, "to be nothing to each other," implies. That is, one has no particular social existence outside of the framework of familial relatedness. Deloria goes on to show how this lack of relation could quite easily be overcome, though, and confer a form of social being and belonging that was "unspeakably comforting." Seeing a "good opening," Deloria said, "'Well, I shall have to be your sister,'" laughing as she said it "so as not to seem presumptuous, in case that should not be her idea." Even here, when a distant formality governs the dialogue, Deloria displays a certain sensitivity to the ethical texture of their exchange, avoiding the appearance of presumptuousness because it is a decidedly non-Lakota quality. We find then that "apparently it was" her idea as well,

for she agreed eagerly. Right off, then, we began calling each other by kinship term. I said *cuwe* [my elder sister], and she said *mita* [my younger sister], and as though by magic we were instantly at home with each other. This was a case of establishing kinship without a mutual relative. It had been fabricated out of nothing and yet it was warm and pleasant all the same. (At a celebration some six years later, someone in the crowd tapped my shoulder lightly. "*Mita*" she said and extended her hand. It was that sister. Again, as in the Santee community, I was suddenly no stranger to her mother and others who came while we held out talks, and again I was accepted as a relative through my new sister.

My point in closing this section with Deloria's anecdote, and in linking kinship with spatial practices generally, is simply to show that Lakota ways of making relatives constitute a highly mobile and flexible technology of placemaking that concurrently does the serious ethical work of decolonizing relations that colonization has attempted to fragment, ossify, and isolate. Among Dakotas and Lakota, it may be "fabricated out of nothing," and replace that "nothing" with the emotional reassurances of being treated as a family member, often without any further expectation other than to reply in kind. These

humble performances of solidarity invoke the original scene of Lakota relation, thus mapping onto Lakota lands the ethical attitudes that join the present with a deep past. As such, any act of kin-making historicizes Lakota relation beyond the moment and symptoms of domination. The social labor of turning kinship values into personal and communal relationships is more than simply an act of connecting with the past, though, however “the past” might be configured. It also is forward-looking, a matter of reckoning a futurity in which key components of the existing local and global orders, components such as racial ontologies and the non-ethics they give rise to, have been altered, refigured by an old/new form of relation.⁸⁷ This relation is founded in lands, persons, and powers that are intimately bound up with the gift, but it is not limited to their horizon. An adaptive and expansive notion of territoriality is at work in such ethics, as well as a complex interplay between past traditions and future peoplehood. So, Slow Buffalo’s command “to try to expand ourselves” through naming “every person and every thing,” incorporates others into the social life of the family and band, as a gift of relation, and not as a matter of indebtedness. Rather than being an act of subsuming difference, then, adoption sustains difference while extending ethical responsibilities and imperatives for reciprocities. In my final section I will examine how Black Elk’s ceremonial performances offered non-Lakota an encounter with whiteness’s Other—in the guise of the “wild Indian”—in ways that challenged the ontological, racial certainties attached to whiteness. In doing so, Black Elk extended an ethics of the gift despite, or *because of*, those certainties.

8. Cosmopolite Ceremonies: Sharing the Gift

I have thus far tried to detail articulations of Lakota territoriality and the significant extent to which these overlap with a gift-based ethics of Lakota cosmology and ritual. These articulations lay claims to land and, not entirely unrelated to this, work to effect healing for ceremony audiences as decolonization or psychic transformation. In this closing section I expand on this analysis to show how Black Elk used ostensibly “un-Lakota” performances to make ethical linkages between lands and people that had been separated by the state-imposed boundaries of reservations, but also by ideologies of the atomized “national” family (monogamous, heterosexual, patrilineal) and of the liberal, propertied individual. In addition to remaking normatively Lakota forms of kinship, he also attempted to give the decolonizing gift—to transform internalized racism and imperial attitudes—to non-Lakota audiences. This outward-turning gesture is consistent with the ecumenical approach to difference that we see in the origin story of Slow Buffalo and its cultural imperative to extend kinship to other through diplomacy, adoption, and economic trade. What I hope is that this juxtaposition of audiences and performative roles may draw out the political elements of what might not readily be seen as political activity—of playing Indian in a bad or politically retrograde sense for white audiences. As I argued in my reading of Charles Alexander Eastman’s writings for children, and in my analysis of prison camp conversions, politics and resistance may appear in forms that are not immediately legible within nation-state constructions of power. After all, resistance may assume the guise of co-optation if viewed only through optics that privilege heroic (and often individualistic) rhetorics of revolt and refusal, or that view ceremonialism as a nostalgic spectacle mobilizing forms of cultural essentialism. Instead, following Dipesh Chakrabarty, we might read indigenous border-

crossings like Black Elk's as creating a "provincialized America," where non-reservation lands and communities become peripheral (because devoid of an ethics of kinship, or of the gift) in relation to Lakota centers like Black Elk's own Pine Ridge, but also in relation to other Lakota and Dakota reservations such as Standing Rock, Rosebud, and as far away as Spirit Lake [Mni Wakan, and historically translated as "Devil's Lake"] in North Dakota.

Within this framework, Black Elk's youthful armed resistance to white encroachments on the Black Hills, motivated by his sense that he "would probably save the Black Hills," are resumed in the double movements of his travels: centripetally, as a healer and catechist for other Lakota, and centrifugally, in his later performances as an "Indian" and "medicine man" for Wild West shows and Indian pageants. These doublings—of audience, affinity, and territoriality—while complicated and no doubt stripped of much subversive potential by their trafficking in stereotypes of Natives, nonetheless redefined in Lakota terms—through the performance of Lakota ceremonies, cosmic maps, and kinship understandings—the legal and political boundaries imposed by the United States and South Dakota. These boundaries, as I argued in my first section of this chapter, are not just physical locations but also create and enforce national narratives. Especially in the case of his pageants for non-Natives, while there is arguably a failure to change the real through his intervention in the symbolic realm, Black Elk's performances did disrupt the symbolic reproduction that the wild west shows and pageants ostensibly championed: namely, the traumatic subjection and forms of domestication of the native subject.

9. “Show Indians” and Their Multiple Motives for, and Modes of, Travel

Traveling with Buffalo Bill’s Wild West in 1887, Black Elk encountered what must have seemed a nightmarish spectacle of white, European audiences cheering the theatrical slaughter of him and his fellow Native performers. Carlyle Smith, a writer for *Life*, described one performance in London that staged an Indian attack on a Denver stagecoach:

As the carriage neared Fourteenth Street, the low, ominous war-cry of the Sioux Indians was heard, and the faithful picture of New York life that then followed, with its awful butchery and bellowing of buffaloes on Union Square, needs no description for your readers who have grown so familiar with it in the daily round of life. Suffice it to say that the British aristocracy fairly yelled with joy as Mr. Vanastorbilt slew file after file of the attacking party, losing only his scalp and four children in the melee.

Smith’s satire of British avidity for images of the “wild west” evokes the play’s confusion of locations—a Denver stagecoach in New York City, as performed in London, by “Sioux Indians” like Black Elk who had previously never left Dakota Territory. This swirling set of locales and discourses would seem to make more complex, and complexly difficult, the kind of “rooted” or “patriotic cosmopolitanism” invoked by Kwame Anthony Appiah, since one’s roots as a Native performer were constantly being re-scripted in exoticized and unpalatable ways. Likewise, Black Elk’s assertion, as quoted (or misquoted) by James Clifford,⁸⁸ that the Lakota sacred place, Inyan Kaga Paha [Harney Peak],⁸⁹ is portable everywhere in the world, might seem to have little relevance in the context of these trans-Atlantic performances, given the vicissitudes of Black Elk’s staged violence between Natives and settlers. Circumscribed by exoticized narratives of Indian savagery and US frontier exceptionalism, Black Elk would seem to be an unfortunate cosmopolite, indeed.

Other Native performers, however, viewed these staged performances of Indianness as liberatory opportunities for representing cultural practices that had been suppressed, and just as disturbingly to Indian agents, for demonstrating that “tradition” could assume contemporary forms and venues. Rosemarie K. Bank recounts two performers from Buffalo Bill’s Wild West:

As wild west performer Joe Rockboy put it, being a show Indian “gave me a chance to get back on a horse and act it out again,” to which L. G. Moses adds the trenchant observation, “And at the end of the performance, to ride into the arena and to hear again the sounds of celebration and approval in the applause of the crowd.”⁹⁰

Black Elk’s own account of his motives for, and experiences of, joining the Buffalo Bill’s Wild West likewise offers a picture that diverges from ones where he appears as either being displaced-in-travel or else re-making home “wherever you are.” He cites his initial motivation as one of disgust “with the wrong road that my people were doing now” – a multivalent reference that is at once ethical, cosmological, and political. Here, Black Elk is referring to the “wrong road” as a ethical-political situation of being outside the “hoop” that was Lakota community. Because “they had gone on the wrong road... they had gone into poverty but they would be brought back to the hoop” by Black Elk’s proper ritual intervention, as demanded by the spirit powers of the vision he received as a nine year-old boy.⁹¹ Black Elk makes clear that he had undertaken to join the Wild West show as a cross-cultural study in order to learn about “the white man’s ways” and so possibly bring his people back into proper relation with one another and the world. He concludes discussing his motives with what reads as unapologetic pragmatism: “I made up my mind I was going away from them to see the white man’s ways. If the white man’s ways were better, why I would like to see my people live that way.”⁹² In this statement there is, no

doubt, economic pragmatism. But also underlying Black Elk's decision is the urgency of his role, again given to him through vision, to be a great healer and *wicasa wakan* to Lakota.⁹³

The cultural comparison Black Elk sought to make, in other words, was motivated by his visionary responsibility to mend the "hoop" of Lakota peoplehood through his practice as a *wicasa wakan*, and not simply to adopt "the white man's ways" in a manner that would compromise Lakota's communal integrity. At the outset of his journey he admits to his ambivalence about how he should best serve his people, and describes how his relatives told him to stay "and keep up my practice in medicine." We might say that in his European travels, Black Elk sought to modernize Lakota healing knowledge and practices, expanding his nation's hoop through contact with, and evaluation of, alterity. Economic motives also underwrote Black Elk's, and other Lakota's, travels. Black Elk describes the desperation and famine among Lakota caused by Indian agent graft, widespread droughts, and failed annuity payments, and how such terrible material conditions contributed to the success of the Ghost Dance movement. "At this time [1880s]," he wrote, "there was quite a great famine among the people and some of them really believed in this Messiah business and were hoping that this land of promise would come soon so that they would be through with the poverty."⁹⁴ He added that "they had this hard time because the whites were killing off all the relatives-like [the game animals]."⁹⁵ With the extension of the Union Pacific Railroad line across Dakota territory following a Congressional Act of 1889, buffalo suffered not only habitat destruction but were hunted nearly to extinction by white poachers. This, and federal pressures to remain on reservations (to be outside of their borders, even in lands guaranteed by treaty for

hunting and fishing, converted Native subjects into “hostiles”), made food scarcity into famine.

Pine Ridge Indian Agent H.D. Gallagher corroborates this picture of economic hardship and the resulting appeal of wild west shows when he wrote in his 1889 annual report that “a great deal of complaint has been made by the Indians, and justly so, on account of so many of their young men being taken away each year by show companies to figure as attractions for the circus, Wild West exhibitions, quack-medicine business, and every conceivable scheme to make money out of them.”⁹⁶ This outpouring from the reservation (“more than two hundred young men dancing attendance upon these shows”) also had the effect of threatening Indian agents’ authority, and underscored the quasi- penal character of the reservation as a space of unfree movement: “Nearly one hundred of these Indians are absent with shows without permission from the Department. They have been taken away in defiance of orders, with seeming impunity.” Despite his and others’ concerns, though, Black Elk traveled to New York City and performed for six months in Madison Square Garden, where he describes undergoing – or maybe more exactly, encountered – a crisis of identity: “While I was there, I felt that my people were just altogether lost, because I was a long ways from home. I wondered about their future and about the vision and I thought I had just lost my people. Everything I was doing here on earth I left alone and was among other men just as a common man.”⁹⁷ Finding himself to be cut off from his people as a performer with Buffalo Bill, Black Elk nonetheless feels that is his people, and not him, who are “altogether lost” because of his being “a long ways from home.” The degree to which Black Elk mapped his personal life onto the life of other Oglalas seems clear from this statement. Rather than being a form of egotism, though, it suggests

the great extent to which Black Elk saw himself, and was viewed by other Oglalas, as a moral leader. Despite suffering greatly in his transit across the Atlantic, a suffering that was at once physical and emotional (he describes his despair at throwing the carcasses of dead buffalo overboard, “because right there it looked as though they were throwing part of the power of the Indian overboard”),⁹⁸ and despite his growing homesickness over the next two years’ of travel and performance, Black Elk describes a remarkable way of revisiting Lakota territory: when he “dropped over and died,” and travelled via a “spirit journey” back home. As before with his great vision, Black Elk fell ill while in Paris:

It had been over two years now since I had left my people. We went back to Paris again and I was very sick and couldn’t go on with this show All I wanted was to go back to my country....⁹⁹

Sitting down to breakfast one morning with his “girl friend” and “her father and mother and two other sisters,” Black Elk saw “a cloud appear as the ceiling was rising.” His brief account of the subsequent trip home, flying on a cloud across the Atlantic, lays out a verbal map of Lakota people and territories that were of central importance to Black Elk:

Then soon I began to see the houses in America again. I was happy now, because I had been wanting to come home for a long time. I could see the rivers and towns below me and as I was coming back I could recognize the country. I could see the Black Hills and Harney Peak. I was coming right over Pine Ridge and was going to descend. The people were all gathered here and there was quite an excitement. I could see my mother in her tipi too. The cloud just stood up there and I could see down. I just figured I would jump off the cloud but I was afraid I might get killed if I did. It seemed as though I could see everything ahead of time.¹⁰⁰

This flight, like his roles as a healer and catechist, is an ethical configuration of travel:

Black Elk undertakes a cloud journey into a region where temporalities of pastness and futurity intersect (“It seemed as though I could see everything ahead of time”), filled with longing to rejoin his family and the powerful locale of the Black Hills. Although he didn’t know it while in Paris, the urgency of Black Elk’s longing for reunion would be in

proportion with the tenuousness of Lakota land claims. When he returned home, “everything was just as I saw in my vision abroad,” except that “my people seemed to be in poverty” because “there had been quite a famine.” Beyond this, the Lakota land base had suffered its greatest loss yet. Black Elk recalls that, “at this time people were all talking about the land they had sold to Three Stars [General Crook] as a result of a treaty [the 1889 commission to reduce the Great Sioux Reservation’s territory].”¹⁰¹

Despite the very real poverty and famine that Lakotas underwent as a result of a failed reservation and annuity system, the economic motives for Native travel in the last decades of the nineteenth century should not be overstated. While I have invoked the term “cosmopolitics” as a way of understanding these forms of travel, my prior analysis suggests a necessary modification of theories of the cosmopolitan and transnational alike: namely, their assumption of a universal sense of “the economic.” For instance, Aihwa Ong’s work on “flexible” forms of citizenship is understandably praised for illuminating how networks of relationship (such as the family), work to disarticulate statist notions of bounded territory.¹⁰² Ong’s reconfigured anthropology of “flexible” or transnational forms of citizenship certainly valuable for understanding, as she puts it, “new kinds of transnationalized ethnic subjectivities,” and particularly as a corrective for a certain hermeneutic trend towards self-reflexivity and inward-looking in 1990s anthropology. In telling the stories of modernity “in ways that capture the interplay between culture and the material forms of social life,” Ong may, however, unduly privilege capitalism as a shaping force for cultural adaptations, even in the late-twentieth-century temporal locations she examines. While her approach helps us to see the enduring bonds to homes and families that even the most mobile migratory workers have, in so doing it obscures

other possible interrelations between labor, capital, and notions of “home” that might continue to be at play. There is, in short, a troubling instrumentalizing of the bonds of filiation and affiliation in her work. While fictive kinship certainly *does* play a role in Ong’s analysis of what she calls elsewhere a “diasporic Chinese family biopolitics,” it is primarily to explain how extended families share economic interests, and values such as “persistent endurance and income-making activities” that derive from them, for the sake of escaping political persecutions and poverty.¹⁰³ Migrant workers have long sent money back to distant homes and families, and this is also true with Black Elk and other “show Indians.” What Ong’s biopower-plus-anthropology optic stands to miss are the flirtations, but not interpenetrations or entanglements, that take place between modern subjects and forms of capital. While a mobile individual like Black Elk certainly modified his *routes* in relation to a nascent cultural tourism industry, it is unclear whether he *necessarily* modified his *roots*, as well, or that the story of his travel performances may best be told through an economic lens. To reformulate Ong slightly, then, we might instead ask how capitalism and its formulations of territory—as both instrumentalized land, with resources available for national consumption, as well as a space subjected to US laws—was itself reworked in and through Black Elk’s mock-up ceremonial performances for white audiences in the Duhamel Sioux Indian Pageant.

10. Pageant Indians and the (Attenuated?) Gift

In the summer of 1934, Alex Duhamel, a Rapid City businessman and owner of a “trading post” in its downtown, invited Black Elk to perform in an Indian pageant at Sitting Bull Crystal Caverns, a tourist attraction in the Black Hills. Black Elk accepted

the offer, and most every spring and summer for the rest of his life he travelled with his family, “picking up children en route who had been attending boarding schools during the year.”¹⁰⁴ One aspect of Black Elk’s participation in the pageant resonates with this image of boarding school children joining the family caravan. Making the drive from Pine Ridge in a truck, rather than in Black Elk’s “little Model A Ford,” the caravan involved families from multiple reservations all migrating together for the seasonal camp. Black Elk’s granddaughter, Olivia Black Elk Pourier, recalls that “people had everything with them, their bedding and all that. If I remember right, about three or four families went and we rode with them....Anyway, we rode in a truck, and we really enjoyed it, because it was open, and we could just see everything.”¹⁰⁵ I deliberately avoid calling such travel “seasonal work,” since these “migrants” had motives for travel that went beyond a utility-based sense of the economic. Or maybe more precisely, their understanding of “the economic” was framed by seasonal travels to *He Sapa* that pre-dated reservations, would still be part of living memories (such as Black Elk’s) and was motivated as much by the pleasure of being-together, through the remembering of traditional gathering, as it was by the making of money. When the pageant moved from Sitting Bull Caverns to a campground not far away, at Crystal Cave, the number of the encamped grew. David O. Born writes that

a minimum of twenty-five Native Americans were usually in the...camp, although it was common for there to be as many as fifty or more. Families would drift in, stay and participate for a few days or weeks, then move on. The Duhamels provided a secluded campground, water, food, and a 25 percent share in the daily gate. According to Bud Duhamel, the pageant rarely broke even, but “it satisfied the Indians and it satisfied us, so what they heck! What’s the difference if you made money or not?”¹⁰⁶

In other words, the pageant gathering of Lakota was much more than either a spectacle for white consumption or a means of subsistence for the performers—it reasserted the solidarity of human kin as well as of affective relations with *He Sapa*. Performing in the pageant allowed Black Elk and his family to reconnect in bodily and storied ways with lands and locales that were historically precious to them. Pourier describes how he “used to show us where they got their wood and their lodge poles, and then they used to do the sun dance in certain places in the Black Hills.”¹⁰⁷ Black Elk then maps the sun dance’s location “way back in the Hill—over here by Smithwick, in that direction.” Just as the loss of the Black Hills struck at the heart of Lakota peoplehood, the ability to encamp in the proximity of these lands, and to engage in traditional activities like collecting lodge poles, meant at least the restoration, however temporary, of a portion of Lakota being.

In a similar way, another major Lakota gathering, the Catholic Congress, drew together *tiyospayes* and communities while being viewed by non-Lakota in ideological terms as contributing to the fight against Indian customs and superstitions. Indeed, the Congresses were touted for the role they played in Native peoples’ successful transition to “civilized” life. A *New York Times* article from 1892 notes that the second annual Congress, held on the Cheyenne Agency in South Dakota “opened Sunday with a show of patriotism seldom excelled in civilized communities,” with “eight thousand Sioux Indians” travelling “overland in wagons from points from 60 to 600 miles away,” and were attended by “all the famous chiefs...--Grass and Gall, Little White Bull, Judge Sawn, Hump, Chaska, Campbell, Cora, Belle, and the Babies.”¹⁰⁸ This writer states the main purpose for the Congress to be “to dedicate the new church and mission house erected here by Miss Drexel of Philadelphia, and incidentally to celebrate the renewal of

cordial relations between the Catholic Church and the Indian Bureau.” This optimistically hegemonic reading, however, ignores forms of Dakota travel and sociality—forms that continued under the sign of “pilgrimage” and “worship,” but that also renewed Dakota peoplehood through powwows and feasting. For one, they involved all of the Dakota reservations, and so gathered together the *Oceti Sakowin* or Seven Council Fires’ bands, into one location. That this gathering would have had great significance for the attendees as an occasion for celebrating solidarity only requires that we remember that the Wounded Knee massacre occurred just two years earlier, and only one year before the first Congress was held. Jesuit historian Louis J. Goll observes that Catholic religiosity didn’t change the core dynamic of Dakota social life, which was based in the circulation of food and hospitality:

No doubt, the question occurs, how were all these people, three thousand for many years, taken care of whilst at the congresses? The Indians’ answer is very simple: the guests eat at the table of the hosts. The guests one year will be hosts some other year. And if a locality cannot afford to be host,--well, the congress cannot be held there. It would require a complete change of the law of hospitality among the Sioux, if visitors had to provide board for themselves....When people are willing to be hospitable to visitors out of friendship, why should they change their attitude when religion is added to friendship.¹⁰⁹

Goll’s rhetorical questions captures the ethical continuity that I also see between Black Elk’s “secular” or touristic ceremonies and those done for kin. More broadly, it gets at the syncretic adaptations Native peoples have made in response to colonization. The Congresses were thus near-reenactments of traditional forms of moving and forming summer camps for sun dances and buffalo hunting.¹¹⁰ Even when the automobile would have been a commonplace, many Congress participants arrived on horseback (figure 4). As a remembrance and redeployment of “tradition,” then, this cosmopolitical event concentrated a far-flung web of kinship into a single location. The act of travel itself

redrew the map of Lakota territory as continuous rather than being made sundry and conflictual by reservation boundaries.¹¹¹

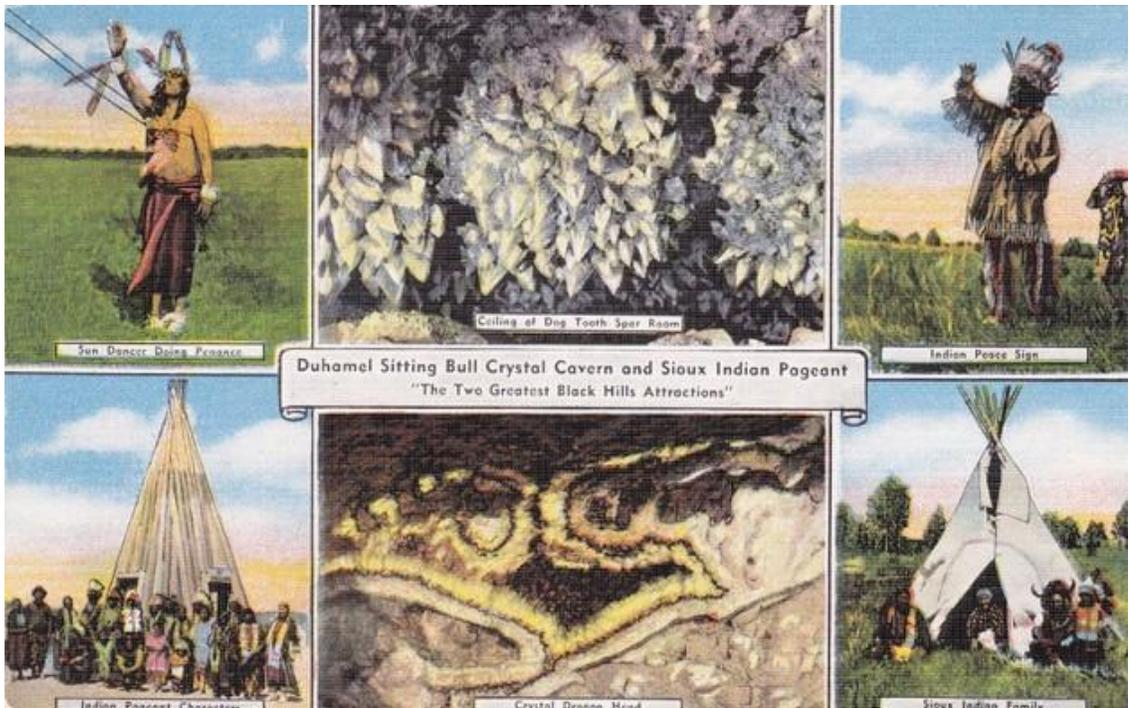
Like the attendees at the Catholic Congresses, the performers involved in the Duhamel Indian pageant ought to be viewed as negotiating between multiple sets of motives, some of which *were* co-optative of indigenous identity and others of which were aimed at revitalizing Lakota community through ethically-familiar social practices. As with other venues for performances of Indianness, like the wild west, the pageant framed Indianness as an either-or, yet whether as nostalgia or spectacle (as with Buffalo Bill's war scenes), from a non-Lakota standpoint, Lakota life could be rendered harmless and consumable through its staging. A brochure advertise the pageant's reenactment of "old time tribal ceremonies" as "Historical, Educational, Exciting, Glamorous." Faithful to this hodgepodge of motives or effects, the Pageant staged various aspects of "traditional" Lakota life, including a burial rite, an oratory, pipe ceremony, healing ceremony, "love call," Sundance, and horse dance, among others (one program lists seventeen different acts). "Glamor," presumably, resulted from how the spectacle went beyond static, museum dioramas of an anthropological, "aspects of social life" narrative to include real, live "Sioux Indians." Part of the affective payout of the pageant for non-Natives was the experience of the return of the repressed, neatly summarized by a postcard advertisement's (figure 5) closing lines: "The war cry of the last savage mingling with the soft beat of the tom tom will make your blood tingle."¹¹² Unsurprisingly, perhaps, this same postcard conflates the Indian pageant with the cavern's geological timelessness and naturalness, equating the "blind fish" swimming in the underground pools with the Indian

performers. But for other audience members, it was an opportunity to engage in a less salacious form of cultural exchange. Some, writes Raymond DeMallie, “were seriously interested in Indian culture, like Reginald and Gladys Laubin, students of Indian dance and traditional arts and crafts, who visited the pageant in order to talk with Black Elk and the other old men.”¹¹³ Still others, Lakota from other reservations, came simply to join in the dancing.

Despite being circumscribed by exoticizing narratives, the pageant ceremonies participated in a highly mediated form of gifting, and in doing so, worked toward the creation of new publics educated against the non-ethics of discrimination against Natives. One way it did so was through enactments of Black Elk’s visionary ceremonies. DeMallie, for instance, views Black Elk’s touristic ceremonies as mobilizing Lakota culture beyond both the individual practitioner (Black Elk) and beyond existing political and cultural boundaries (like the Pine



(figure 7, "Procession on Horseback at Catholic Sioux Congress, 1923")¹⁴



(figure 8, "Duhamel Sitting Bull Crystal Cavern and Sioux Indian Pageant," postcard from the 1940s)

Ridge reservation). This expansive and inclusive mode of performance thus helped Black Elk to live up to his obligation to share his vision:

Black Elk's motivation in publicly performing these sacred rituals appears to have been to teach white audiences that the old-time Lakota religion was a true religion, not devil worship as the missionaries claimed. In this spirit Black Elk gave Reginald Laubin permission to use his invocation with the pipe—the offering of the pipe to the six directions—to open the concerts of traditional Indian dances that he and his wife Gladys presented to audiences around the world. Black Elk told the Laubins that he believed this would help bring about a better understanding of his people. Watching these traditional rituals, spectators could judge for themselves their moral worth. This was the logical extension of Black Elk's wish to make his vision “go out,” to share the traditional ways with white men.¹¹⁵

DeMallie argues that by helping to “bring about a better understanding of his people” through an appreciation of “their moral worth,” Black Elk made real his wish “to make his vision ‘go out.’” This reading of the pageant highlights one possible discursive effect: namely, to humanize natives. Instead of being merely a commodification of an “exotic” ethnicity, certain stagings and venues brought white audiences into proximity with the native performers. In a similar way, the brochure's descriptions of Lakota technologies like the travois refuse any fundamental difference between “the Sioux” and whites. Describing how “the travois were the wagon of the Sioux,” the brochure explains the inaccuracies of an evolutionist view:

It is claimed by experts that the Indians never used wheels because they never traveled far enough to learn their benefits. However, the writer disagrees with this as the Sioux traveled hundreds of miles each year, and the reason they never hit on wheels was because, in the first place, they didn't have heavy enough loads to overburden the horse, and then too the travoy [sic] would follow right side up any place the horse could go, where with a two or four-wheeled vehicle this is practically impossible.¹¹⁶

In the actual stagings of the pageant—about which we know very little, given the scarcity of accounts¹¹⁷—there is in addition to making the vision “go out” also a kind of

cultural conservation motive at work. Rather than making Lakota culture transparent, commodifiable, and immediately apprehensible through full performances of ceremonies, the versions that tourists saw were fictions. So, Black Elk's grandchildren note that the pageant's ceremonies "weren't the real thing—it was a pageant."¹¹⁸ When asked by their interviewer whether what was shown were "actually sacred ceremonies," Black Elk's grandchildren's reply is disarmingly direct: "No, they wouldn't do that." If that is so, and the empty pot reads as a metonymy for crucial content absented from the whole of the ceremonies, it might be easy to conclude that the whole thing was simply a hollow fiction. But given Black Elk's self-positioning as a teacher of Lakota and non-Lakota alike, it's possible that Black Elk's staged performances simply cordoned off certain areas of cultural knowledge while also assuming an ethically responsive stance towards tourists. In this sense there is an insistence that some aspects of Lakota life remain opaque (we can perhaps hear the decolonizing cry of Edouard Glissant's clamoring "for the right to opacity for everyone"), as well as the possibility that a certain cultural obscurity maintains despite a literally dramatic, or staged, opening up of local knowledge. Black Elk's granddaughters recall a kettle dance that was performed during the *heyoka kaga* ["to make *heyoka*"], a ceremony performed by Lakota who had dreamed of the *Wakinyan*. The kettle dance songs are performed by the *heyokas*, who are contrary figures embodying, as the horse riders in the horse dance, the western power of *Wakinyan*. They dance around a pot filled with boiled dog meat, upon which everyone feasts at the end of the ceremony, thrusting their hands into the boiling water and complaining, as a contrary ought, that it is too cold. In the pageant version, however, Esther Black Elk DeSersa remembers that "they did not really have anything cooking in

the pot; they just danced around it.”¹¹⁹ Nonetheless, the cosmological context for embodying and sharing power is present here, through sharing and eating food that had been transformed by the *heyoka*. Likewise, the sun dance didn’t involve actual piercing of the flesh, or prolonged dancing, but instead “dancers were tied to the center pole by ropes attached to halters worn around the back.” According to one account by Emma Amiotte, a friend of Bud Duhamel’s, “the dancers blew on their eagle bone whistles, straining on the ropes, giving a good impression of a real sun dance.”

Black Elk’s later conferring of Lakota ceremonial knowledge to non-Lakota also speaks to his motivation to expand the “hoop” of Lakota peoplehood. In a letter dated May 15, 1947, Black Elk writes to his friends, Claude and Frances Hansen, about his wish to travel to Denver to work in a pageant there. Black Elk addressed and regarded the Hansens as “grandchildren,” and had given them the names Curly Bear and White Buffalo Calf Woman as a formal recognition of social kinship. Black Elk’s letter reveals a mingling of financial and religious concerns. On the one hand, Black Elk is concerned with securing work for himself and his family, and expresses his frustration with the Duhamel pageant. “I want to get away from the other show in Black Hills,” he writes, where a “richer white guy wants to use me as a chief of the whole show but I rather be in Denver this summer. My son Nick Jr will get a job to work there while I take in the show job so we planned it...”¹²⁰ The identity of the “richer white guy” is not clear from these late letters from Black Elk to his Denver kin, nor is it important for our purposes. Rather, Black Elk’s distaste for being made “chief of the whole show,” signals an important shift in the discursive focus of the pageant—one that moved away, perhaps, from a more broadly inclusive representation of Lakota domestic and religious life, and towards an

uncomfortably individualistic spotlight on Black Elk as an iconic “chief.” Against this turn of events, Black Elk shows a desire in this letter to teach his Denver “grandchildren” about Lakota ceremonialism, writing that “I sure like [indecipherable] makes me teach you + lots of cultures about that Peace Pipe Ceremony: so that’s why I’d like to come to Denver.” In a letter written a year later, in 1948, by Black Elk’s son, Benjamin, describes spending time with his father at the Sioux Sanitarium, in Rapid City, where Black Elk was recovering from a stroke. “I was with him all winter,” he writes, “and learned a lot from him all that I learned is written down, in Sioux dialect. Besides the history of the Portable Altar, The pipe.”¹²¹ This history of “the pipe,” or the ceremonies given to Lakota by *Pte Ska Win* was told to Joseph Epes Brown by Black Elk during the previous year, and was published as *The Sacred Pipe: Black Elk’s Account of the Seven Sacred Ceremonies of the Oglala Sioux* (1953). Black Elk’s stated purpose behind this collaboration was to help both Lakota and, much more generally, to restore proper relation to all peoples. At the end of the dedication to *The Sacred Pipe*, he writes how he “wished to make this book through no other desire than to help my people in understanding the greatness and truth of our own tradition, and also to help in bringing peace upon the earth, not only among men, but within men and between the whole of creation.”¹²²

Shall we conclude from these acts of cultural sharing that Black Elk thought Lakota ceremonialism, as given by *Pte Skan Win* long ago, would transform white society? Maybe. But more, it seems that he thought that in transmitting what he would call in a letter to Curly Bear and White Buffalo Calf Woman the “good words and the light of the once proud Sioux Indian Religion,”¹²³ a transformation among the Lakota

people would occur. That his non-Lakota friends were impresarios in Denver mattered to Black Elk, as their patronage meant that the rituals of his vision would continue, in however an attenuated form. Black Elk suggests to them that, as with the pageants, “reading this [*The Sacred Pipe*] through your knowledge... Indians will be deeply understood. I take courage, Curly Bear for the Indians need you and your ability.” In this there is certainly a conviction born of friendship (Black Elk reveals in another letter to his family that he wanted to give the name “Slow Buffalo,” after the Lakota culture hero, to Curly Bear), but also a savvy understanding of how discourses about Natives circulated in non-Native communities through commercial venues like pageants. In Black Elk’s letter to Curly Bear, there is, finally, a kind of faith, in the transformative potential of the performance itself—to see is, not to believe, perhaps, but to “be...understood”—which of course is a traditional view of ritual’s ability to broker the gifting of power, as relational empathy and perhaps understanding, among beings. Through mock-ceremonial gift-giving and power-sharing, Black Elk and the other pageant performers did not assert rights to territory, but to something else. It is an ethical formulation of travel, and a cosmopolitan one, involving movement between national centers. But here, the peripheral come to the center and represent to settler society the “beauty of” Lakota peoplehood. This undertaking would in turn refract the distorted and dehumanized image of Natives, and so make possible a more critical view of the genocidal rhetorics and actions of the settler state. This ethical inversion may not have been among the performers’ intents, but it is certainly one of the representational consequences of a humanized Native subject.

¹ Although the Western bands of Dakota are historically designated “Teton,” or *Titunwan* [“prairie dwellers”], the common usage among scholars has most often been “Lakota,” and many contemporary *Titunwans* use this designation as well. Accordingly, I use “Lakota” as a shorthand, but not a substitute, for the seven specific bands which are part of the *Titunwan*: Si á u (Brulé, or Burnt Thighs), Oglála

(They Scatter Their Own), Itázip ho (Sans Arc, Without Bows), Hú kpaḥña (“End Village”), Mnikḥówožu (Plant Beside the Stream), Sihásapa (Black Feet), and Oóhenu pa (Two Kettles). Historically, “Dakota” would be the term used to describe a number of bands, including the Lakota. The Western Dakota, or Titonwan (Lakota), share kinship ties with both Eastern Dakota—who are often referred to collectively as Isanti (Santee), but which are comprised of Bdewakantonwan (Mdewakanton), Wahpehtonwan (Wahpeton), and Wahpekute (Wahpekute) bands—as well as the Middle Dakota bands of Ihanktonwan (Yankton) and Ihanktonwanna (Yanktonai). Historically, the Dakota consisted of an alliance or confederacy between these seven bands, and was called the Oceti Sakowin (Seven Council Fires). Given this, Black Elk’s ethical framework is portable beyond a Lakota context, and has shared meaning among the other Dakota bands. For a full account of the divisions of Dakota bands, see Waziyatawin (Angela Wilson), *Remember This! Dakota Decolonization and the Eli Taylor Narratives* (Lincoln: U Nebraska P, 2005), 4-5. Black Elk also gives an account of the cosmological origins of the *Oceti Sakowin* in the *The Sixth Grandfather*, 313.

² Rifkin, Mark, “Documenting Tradition: Territory and Textuality in Black Hawk’s Narrative,” *American Literature*, Vol. 80, No. 4 (December 2008), 680.

³ In David Martinez’s *Dakota Philosopher: Charles Eastman and American Indian Thought* (St. Paul: Minneapolis Historical Society, 2009), 155.

⁴ Several recent studies examine how indigenous peoples past and present have deployed historical discursive practices to prove their right to territory. Especially noteworthy are Paul M. Liffman’s *Huichol Territory and the Mexican Nation: Indigenous Ritual, Land Conflict, and Sovereignty Claims* (Tucson: U Arizona P, 2011); David Shorter’s *We Will Dance our Truth: Yaqui History in Yoeme Performances* (U Nebraska P, 2009); and Alexandre Surrallés’s and Pedro Garcia Hierro’s *The Land Within: Indigenous Territory and the Perception of the Environment* (Copenhagen: International Work Group for Indigenous Affairs, 2005).

⁵ Maldonado-Torres, Nelson, “On the Coloniality of Being,” *Cultural Studies* Vol 21, No. 2, 247.

⁶ See Oster, Jeffrey, *The Lakota and the Black Hills: The Struggle for Sacred Ground* (New York: Penguin, 2010), 23.

⁷ See Powers, William K., *Oglala Religion* (Lincoln: U Nebraska P, 1982), 133.

⁸ For a recent critical overview and discussion of cosmopolitanism as a political project that seeks to articulate alternatives to nationalist frameworks of identity and belonging, see Cheah, Peng, and Robinson, Bruce, eds., *Cosmopolitics: Thinking and Feeling Beyond the Nation* (Minneapolis: U Minnesota P, 1998).

⁹ See Liffman, Paul M., p. 10. In his reading of “cosmopolitics,” Liffman draws on, and reworks in terms that can better account for indigenous philosophies, Jacques Rancière’s *Disagreement: Politics and Philosophy* (Minneapolis: U Minnesota P, 1999).

¹⁰ I bracket “tradition” here and throughout the chapter as a way of notating how, especially for indigenous peoples, the “past” may be mobilized as an ongoing source of knowledge and communal identity. James Clifford summarizes the views of Roy Wagner and Lilikal Kame’eleihiwa who, “in their different ways affirm, the ‘past’ in indigenous epistemologies is where one looks for the ‘future.’ The quotation marks suggest how a western commonsense view of historical development, based on the opposition of tradition and modernity, is deconstructed in translation.” See Clifford, “Indigenous Articulations,” *The Contemporary Pacific*, Vol. 13, No. 2 (Fall 2001), 468-480; Wagner, Roy, “The Talk of Koriki: A Daribi Contact Cult,” *Social Research* Vol. 46, No. 1, 140-65, and *The Invention of Culture* (Chicago: U Chicago P, 1980); Kame’eleihiwa, Lilikal, *Native Land and Foreign Desires* (Honolulu: Bishop Museum Press, 1992).

¹¹ Liffman, 11.

¹² Black Elk’s own Oglala band is one of seven bands that made up the Titonwan, or Lakota. Beyond this kinship formation, the Great Sioux Nation emerged as a distinct discursive object after the federal creation of the Great Sioux Reservation in 1868, with the Treaty of Fort Laramie. This treaty set lands apart for the Lakota bands, and included nearly all of what is now the western half of South Dakota. In cordoning off as US national space those lands east of Pierre, however, the reservation effectively attempted to disrupt a region that was contiguous in terms of kinship affiliation and movement, and which had historically belonged to Eastern Dakota bands.

¹³ “The Great Sioux Reservation in 1888,” accessed online at <http://www.primeau.org/1888/index.html> on January 10, 2013.

¹⁴ Mehta, Uday Singh, *Liberalism and Empire: A Study in Nineteenth-Century British Liberal Thought* (Chicago: U Chicago P, 1999), 135-6.

¹⁵ Innes, Robert Alexander, "Elder Brother, the Law of the People, and Contemporary Kinship Practices of Cowessess First Nation Members: Reconceptualizing Kinship in American Indian Studies Research," *American Indian Culture and Research Journal* 34:2 (2010), 28.

¹⁶ For (non-anthropological) kinship-based approaches, see Daniel Heath Justice's *Our Fire Survives the Storm* (Minneapolis: U Minnesota P, 2006), Marilou Awiakta's *Selu: Seeking the Corn Mother's Wisdom* (Golden, CO: Fulcrum Publishing, 1993), Lisa Brooks, *The Common Pot: The Recovery of Native Space in the Northeast* (Minneapolis, MN: U Minnesota P, 2008), Mark Rifkin, *When Did Indians Become Straight? Kinship, The History of Sexuality, and Native Sovereignty* (New York: Oxford UP, 2011). Rifkin's work differs from these other scholars in that he considers how the application of kinship works to translate Native peoples into the terms of Euro-American political and gender economies, which work to reproduce heteronormativity in their assumption of a "natural" genealogical structure.

¹⁷ See *Morton v Mancari* (1974), 417 U.S. 535; 94 S. Ct. 2474; 41 L. Ed. 2d 290; 1974 U.S. LEXIS 74; 8 Fair Empl. Prac. Cas. (BNA) 105; 7 Empl. Prac. Dec. (CCH) P9431. LexisNexis Academic. Web. Date Accessed: 2013/05/29. Also see *Oliphant v Suquamish Indian Tribe* (1978), 435 U.S. 191; 98 S. Ct. 1011; 55 L. Ed. 2d 209; 1978 U.S. LEXIS 66. LexisNexis Academic. Web. Date Accessed: 2013/05/29. The majority opinion of the latter argued that "Indian tribes do retain elements of 'quasi-sovereign' authority after ceding their lands to the United States and announcing their dependence on the Federal Government." Charles F. Wilkinson, in *American Indians, Time, and the Law*, remarks that this decision "marked the historic low ebb of the doctrine of tribal sovereignty."

¹⁸ Ostler, Jeffrey, *The Lakota and the Black Hills: the Struggle for Sacred Ground* (New York: Viking, 2010), 68-70.

¹⁹ "Great Sioux Reservation," accessed online at http://www.ndstudies.org/resources/IndianStudies/standingrock/historical_gs_reservation.html on January 20, 2013.

²⁰ The quote is from Iron Hawk, a friend of Black Elk, whose account of the 1875 Black Hills treaty council appears in *The Sixth Grandfather*, 171.

²¹ *Sixth Grandfather*, 157.

²² Morrison, Kenneth M., "The Cosmos as Intersubjective: Native American Other-than-human Persons," in *Indigenous Religions: A Companion*, Harvey, Graham, ed. (New York: Cassell, 2000), 25-26.

²³ *Ibid.*, 26.

²⁴ Chief Arvol Looking Horse, "Sioux Spiritual Leader Speaks Out on Land Sale at Sacred Site," accessed online at <http://truth-out.org/news/item/11035-exclusive-truthout-interview-sioux-spiritual-leader-speaks-out-on-land-sale-at-sacred-site> on Feb. 20, 2013.

²⁵ John Neihardt, *Black Elk Speaks*, 218.

²⁶ Ruth Underhill, Review of *The Sacred Pipe, Western Folklore*, 1954, vol. 13, no. 2/3, 146.

²⁷ Steltenkamp, Michael, *Black Elk: Holy Man of the Oglala* (Norman: U Oklahoma P, 1997), xv.

²⁸ Rowe, John Carlos, "The View from Rock Writing Bluff: The Nick Black Elk Narratives and U.S. Cultural Imperialism," *Literary Culture and U.S. Imperialism: From the Revolution to World War II* (New York: Oxford UP, 2000), 217-52.

²⁹ Kelly, Lawrence, "The Indian Reorganization Act: The Dream and the Reality," *Pacific Historical Review*, Vol. 44, No. 3 (August, 1975), 291.

³⁰ Lyons, Scott Richard, *X-Marks: Native Signatures of Assent* (Minneapolis: U Minnesota P, 2010), 180.

³¹ Born, David O., "Black Elk and the Duhamel Sioux Indian Pageant," *North Dakota History*, Vol. 61, No. 1 (Winter, 1994), 24.

³² Liffman, Paul M., *Huichol Territory and the Mexican Nation: Indigenous Ritual, Land Conflict, and Sovereignty Claims* (U Arizona P, 2011), 5.

³³ Morgan, Henry Lewis, *The League of the Ho-de-no-sau-nee, or Iroquois* (Rochester, NY: Sage, 1851); *Ancient Society, Or Researches in the Lines of Human Progress from Savagery through Barbarism to Civilization* (Cleveland, OH: World Publishing Company, 1877); Maine, H.S., *Ancient Law. Its Connection with the Early History of Society and its Relation to Modern Ideas* (London: Murray, 1861).

³⁴ Dmitri Bondarenko gives a useful genealogy of the categories of “the social” and “the civil” in “Kinship, Territoriality, and the Early State Lower Limit,” in *Social Evolution and History*, Vol. 7, Number 1, March 2008, 19-53.

³⁵ Clunan, Anne L., and Trinkunas, Harold A., eds. *Ungoverned Spaces: Alternatives to State Authority in an Era of Softened Sovereignty* (Stanford: Stanford Security Studies, 2010), 17-19.

³⁶ *Ibid.*, 168.

³⁷ Whipple, Bishop Henry, in *The Papers of Ulysses S. Grant: January 1-October 31, 1876*, p. 181, accessed online at http://books.google.com/books?id=nQstPeWppxsC&pg=PA181&lpg=PA181&dq=ulysses+grant+indians+savage+nations&source=bl&ots=WmVtEbVLeo&sig=n-n7Ap7dfp6O-ORx7OwzdGyddcg&hl=en&sa=X&ei=Wrd1ULesEuSQ0QHv_4CADg&ved=0CEAQ6AEwAw#v=onepage&q=ulysses%20grant%20indians%20savage%20nations&f=true on January 13, 2013.

³⁸ *Ibid.*, 182.

³⁹ Singh, Uday Mehta, *Liberalism and Empire* (Chicago: U Chicago P, 1999), 119.

⁴⁰ Powers, 133-34.

⁴¹ Wright, J. George, “Report of Rosebud Agency,” *Report of Agents in South Dakota, 1890*, accessed online at <http://images.library.wisc.edu/History/EFacs/CommRep/AnnRep90/reference/history.annrep90.i0010.pdf> on December 28, 2012, p. 62.

⁴² Foucault, Michel, “Governmentality,” in *Power* (New York: The New Press, 2000), pp. 208-09.

⁴³ Sidney Haring describes this confrontation of competing systems of law as central to the story of federal Indian law’s development. See especially his *Crow Dog’s Case: American Indian Sovereignty, Tribal Law, and United States Law in the Nineteenth Century* (Cambridge: Cambridge UP, 1994).

⁴⁴ *Ex Parte Crow Dog*, 109 U.S. 556, 3 S.Ct. 396, 27 L.Ed. 1030 (1883), accessed online at http://www.utulsa.edu/law/classes/rice/ussct_cases/ex_parte_crow_dog_1883.htm on January 16, 2013.

⁴⁵ Genevieve Nootens, in an essay that charts the genealogy of the statist sovereignty ideal, observes that, “Sovereignty became a constitutive principle of the European system of states with the Treaties of Westphalia (1648). It is sustained by territory. In fact, as Agnew stresses, it is precisely ‘the tight connection between sovereignty and territory that has underwritten the conceptual bounding of political power to statehood’ (Agnew 1999: 513). See Nootens, Genevieve, “Liberal Nationalism and the Sovereign Territorial Ideal,” 37.

⁴⁶ See Liffman, 83.

⁴⁷ Lyons, Scott Richard, *X-Marks: Native Signatures of Assent* (Minneapolis: U Minnesota P, 2010), 140-41.

⁴⁸ Neihardt, Hilda, and Utecht, Lori Holm, eds, *Black Elk Lives: Conversations with the Black Elk Family* (Lincoln: U Nebraska P, 2000), 103.

⁴⁹ DeMallie, 249-50.

⁵⁰ Fanon, Franz, *A Dying Colonialism* (New York: Grove Press, 1967), 12. This quote also appears in Nelson Maldonado-Torres’s explication of Fanon, and of Levinas on Heidegger, “On the Coloniality of Being.” I am grateful for his readings of both Fanon and Levinas, and find much that is useful for understanding Lakota responses to colonialism, particularly Black Elk’s visionary and ceremonial activities.

⁵¹ See, for instance, Thomas Biolsi’s “The Birth of the Reservation: Making the Modern Indian Among the Lakota,” *American Ethnologist*, Vol. 22, No. 1. (Feb., 1995), 28-53. Biolsi gives a Foucauldian analysis of how the state constructed new kinds of Lakota individuals through four main modes of subjection: property ownership, determination of “competence” (to own land), recording of blood quantum, and recording of genealogy.

⁵² DeMallie, 163.

⁵³ The *New York Times* reported in an article on “The Peculiarities of Negotiations with Tribes,” that Lakota had devised canny forms of resistance to the administered life of the agency. For one, the agents had difficulty in making an accurate count of the various bands’ members, citing Red Cloud’s and Spotted Tail’s “bold and crafty” character in having “successfully resisted all efforts of the agents to count their people.” “The Indian Delegations: Peculiarities of Negotiations with the Tribes,” *New York Times*, May 26, 1875, accessed online at <http://query.nytimes.com/mem/archive-free/pdf?res=F40C16F6355D1A7493C4AB178ED85F418784F9> on January 1, 2013.

Thomas Biolsi confirms this form of non-violent resistance when he recounts how, in an 1885 census of Rosebud Agency members, there were “some remarkable English translations of Lakota names. Peppered throughout the census, in between such names as “Black Elk,” “Walking Bull,” and “Dull Knife” were names such as “Bad Cunt,” “Dirty Prick,” and “Shit Head” (Rosebud Agency 1885). What happened is not difficult to unravel: Lakota people were filing past the census enumerator, and then getting back in line—or lending their babies to people in line—to be enumerated a second time using fictitious and rather imaginative names. The intention was to pad the census lists in order to receive more rations. The Lakota people at the neighboring Pine Ridge Agency had, by such subterfuge, inflated their census list by 70 percent according to later censuses taken under guard. From the point of view of the colonial administrators, all the Lakota looked alike—they had no individual identities in any practical administrative sense—and the OIA had no idea how many Lakota there were (see Commissioner of Indian Affairs 1886:294). If colonialism is about making the colonized ‘legible,’ ‘readable,’ and ‘available to political and economic calculation’ (Mitchell 1988:33), the Lakota were yet to be colonized.” See Thomas Biolsi, “The Birth of the Reservation: Making the Modern Indian among the Lakota,” *American Ethnologist*, Vol. 22, No. 1 (Feb. 1995), 28-53.

⁵⁴ “Washington: The Sioux Chiefs and the President Have a ‘Big Talk,’” *The Commonwealth* (Topeka, Kansas, Thursday morning, May 27, 1875), accessed online at <http://amertribes.proboards.com/index.cgi?board=wash&action=display&thread=711> on January 2, 2013.

⁵⁵ White, Bruce, “‘Give Us a Little Milk’: The Social and Cultural Meanings of Gift Giving in the Lake Superior Fur Trade,” *Minnesota History*, Vol. 48, No. 2 (Summer 1982), 64-5.

⁵⁶ DeMallie, 169.

⁵⁷ “Acts of Forty-fourth Session of Congress—First Session, 1876,” accessed online at http://digital.library.okstate.edu/Kappler/Vol1/HTML_files/SES0166.html on January 5, 2013.

⁵⁸ “Fort Laramie Treaty—1868,” accessed online at <http://www.aics.org/WK/treaty1868.html> on January 5, 2013.

⁵⁹ Over 100 years after this Congressional Act, the US Supreme Court heard the case *US v. Sioux Nation of Indians*. The Court’s decision did not hold that the annexation of the Black Hills was illegal, but only that there had not been just compensation, plus interest, provided for the lands. The syllabus of the case describes the legal history of Lakota claims to the land, including the coercive tactics of Congress in passing the 1877 Act: “Under the Fort Laramie Treaty of 1868, the United States pledged that the Great Sioux Reservation, including the Black Hills, would be ‘set apart for the absolute and undisturbed use and occupation’ of the Sioux Nation, and that no treaty for the cession of any part of the reservation would be valid as against the Sioux unless executed and signed by at least three-fourths of the adult male Sioux population. The treaty also reserved the Sioux right to hunt in certain unceded territories. Subsequently, in 1876, an ‘agreement’ presented to the Sioux by a special Commission but signed by only 10% of the adult male Sioux population, provided that the Sioux would relinquish their rights to the Black Hills and to hunt in the unceded territories, in exchange for subsistence rations for as long as they would be needed. In 1877, Congress passed an Act (1877 Act) implementing this ‘agreement’ and thus, in effect, abrogated the Fort Laramie Treaty. Throughout the ensuing years, the Sioux regarded the 1877 Act as a breach of that treaty, but Congress did not enact any mechanism by which they could litigate their claims against the United States until 1920, when a special jurisdictional Act was passed.” *US v. Sioux Nation of Indians*, accessed online at <http://supreme.justia.com/cases/federal/us/448/371/>, on January 20, 2013.

⁶⁰ See Olson, James C. *Red Cloud and the Sioux Problem* (Lincoln: U Nebraska P, 1965), 254-63; and Hyde, George E. *Red Cloud’s Folk: A History of the Oglala Sioux Indians* (Norman: U Oklahoma P, 1957), 299-303.

⁶¹ “The Lost Land,” *National Geographic*, accessed online at <http://ngm.nationalgeographic.com/2012/08/pine-ridge/reservation-map> on January 20, 2013.

⁶² In Chapter 6 I examine more fully the effects on Dakota sociality of the so-called Indian Code. For the complete list of offenses, see *Rules Governing Court of Indian Offenses*, (Washington, DC: US Office of Indian Affairs, 1883), CIS US Executive Branch Documents, 1789-1909, no. I2012-17.

⁶³ DeMallie, 125.

⁶⁴ See Kuokkanen, Rauna, *Reshaping the University: Responsibility, Indigenous Epistemes, and the Logic of the Gift* (Vancouver: UBC Press, 2007), 38.

⁶⁵ Rowe, John Carlos, "The View from Rock Writing Bluff: The Nick Black Elk Narratives and U.S. Cultural Imperialism," *Literary Culture and U.S. Imperialism: From the Revolution to World War II* (New York: Oxford UP, 2000), 236.

⁶⁶ A full account of White Buffalo Calf Woman may be found in Black Elk's interviews with Joseph Epes Brown, *The Sacred Pipe: Black Elk's Account of the Oglala Sioux* (Norman, OK: U Oklahoma P, 1989). The seven ceremonies of the Lakota are the Keeping of the Soul, *Inipi* (rite of purification), *Hanblecheyapi* (crying for a vision), *Wiwanyag Wacipi* (Sun Dance), *Hunkapi* (the making of relatives), *Ishna Ta Awi Cha Lowan* (preparing a girl for womanhood), *Tapa Wanka Yap* (the throwing of the ball).

⁶⁷ DeMallie, 13.

⁶⁸ Maldonado-Torres, Nelson, "On the Coloniality of Being," *Cultural Studies* Vol 21, No. 2, 246.

⁶⁹ Morrison, Kenneth M., *The Solidarity of Kin: Ethnohistory, Religious Studies, and the Ethnohistory of Algonkian-French Religious Encounter* (Albany: SUNY P, 2002), 160-61.

⁷⁰ Bataille, Georges, "The Notion of Expenditure," in *Visions of Excess: Selected Writings 1927-1939* (Manchester: Manchester UP, 1985), 121.

⁷¹ *Ibid.*, 120.

⁷² *Ibid.*, 121.

⁷³ *Ibid.*, 122.

⁷⁴ Julian Rice, in his exegesis of the Black Elk transcripts, captures the ethnographic density of meanings surrounding the *Wakinyan*: "Wakinyan represents the potency and potentiality of the warrior spirit. He begins a process that culminates in the manifestations of tree-splitting destruction and life-giving rain, just as atmospheric percussion becomes the thunder of a *cega* (drum), the hail of a *wagmuha* (rattle), the neighing of a *unkawakan* (horse), and the words of a *walowan* (singer): 'anpao/hinape/cinhan/ unkawakan wan/hotonwe' 'daybreak/appears/when/a horse neighs' (Densmore 300). The predominant Lakota metaphor of this struggle for realization is that of mounted combat. Densmore's transcriptions of the thunder or *heyoka* vision of Lone Man opens with the dreamer's report of hearing thunder from the west becoming 'the sound of hoofs, and I saw nine riders coming toward me in a cloud, each man on a horse of different color' (Densmore 159). Nine riders then come from each of the other directions and the men tell him, as Black Elk was also told, to kill an enemy and thereby become 'a member of their company' so that he might 'always call on them for help in time of need.' Although these riders come from four directions, they are all Thunder beings." See Rice, *Black Elk's Story: Distinguishing its Lakota Purpose* (Albuquerque: U New Mexico P, 1991), 116.

⁷⁵ Walker, 213.

⁷⁶ Rice, 121.

⁷⁷ Walker, 214.

⁷⁸ Rice, 121.

⁷⁹ Walker, 218-20.

⁸⁰ DeMallie, 137.

⁸¹ *Ibid.*, 69.

⁸² While I use the terms "directions" and "powers" interchangeably here, they are, in fact, different things. Directions are cosmological orientations towards powers, who are persons which occupy primordially those locations. In Walker's account of Lakota creation, the "four winds" (*Tate Topa*), who are the sons of *Tate*, the Wind, found the directions out of orderlessness. See Walker, 81.

⁸³ DeMallie, 222.

⁸⁴ Rauna Kuokkannen, in *Reshaping the University: Responsibility, Indigenous Epistemes, and the Logic of the Gift* (Vancouver: UBC Press, 2007), gives a pan-indigenous definition of this circulation of gift as a Marxian form of "extended circulation." "In reciprocity as practiced in terms of indigenous worldviews, gifts are not given primarily to ensure a countergift later on, but to actively acknowledge kinship and coexistence with the world; without this sort of reciprocity, survival—not just of human beings but of other living beings—would be impossible. Thus the main purpose of circular or ceremonial reciprocity is to affirm myriad relationships in the world; from these relationships arise an acknowledged collective and individual requirement 'to act responsibly towards other forms of life.' This kind of reciprocity implies *response-ability*—that is, an ability to respond, to remain attuned to the world beyond oneself, as well as a willingness to recognize its existence through the giving of gifts. This sense of responsibility embedded in the gift is the result of living within an ecosystem and being dependent on it" (38-9).

⁸⁵ Ibid., 225.

⁸⁶ Deloria, Ella, *The Dakota Way of Life* “Chapter 12: Relatives of Social Kinship,” 283-84. Accessed online at http://zia.aisri.indiana.edu/deloria_archive/browse.php?action=viewpage&id=3346 on January 14, 2013.

⁸⁷ In her essay, “Experiment Mars, Turkish Migration, and the Future of Europe: Imaginative Ethnoscapes in Contemporary German Literature,” Leslie A. Adelson describes Weber’s definition of “the lived principle of *ethnos*,” where “belief in... common descent because of similarities of physical type or of customs or both, or because of memories of colonization and migration” provokes “the propagation of group formation.” She uses this definition as an occasion for asking, then, whether “belief” may look forward, rather than backward, in order to create new, imagined ethnoscapes: “In countless public debates about immigration and in many scholarly venues, too, cultural and ethnic communities are often presumed to cohere on the basis of shared remembrances of shared pasts. This focus on the past is also evident in Weber’s definition of ethnic groups cited above, even as this influential sociologist highlights subjective beliefs rather than objective histories for collective ties that bind. Yet what would it mean to conceive of ethnoscapes predicated, not on tradition and heritage—not even as subjectively affirmed—but on fictional futures instead?” In Black Elk’s case, this imaginative labor of dreaming a future ethnoscape is vividly described in his vision, where he draws on elements of Lakota ethics in order to restore peoplehood within a landscape carved apart by colonization. In *Ethnic Europe: Mobility, Identity, and Conflict in a Globalized World* (Stanford, CA: Stanford UP, 2010), 197.

⁸⁸ Clifford is quoting from John Neihardt’s *Black Elk Speaks*, from the moment where Black Elk, in his Great Vision, is addressed by “a Voice.” Riding on a bay horse, Black Elk is joined by “riders of the west, the north, the east, the south,” and crosses what seems to be vast distances and diverse terrain. As they are riding east, they see “the mountains there with rocks and forests on them” (*He Sapa*, or the Black Hills), Black Elk finds himself “standing on the highest mountain of them all, and round about beneath me was the whole hoop of the world.” In a footnote, Neihardt adds, “Black Elk said the mountain he stood upon in his vision was Harney Peak in the Black Hills ‘But anywhere is the center of the world,’ he added.” This chapter regards the spirit of this editorial addition as colonial in nature, as it seeks to displace the importance of Inyan Kaga Paha, making it (and all other place) equivalent. I see this equivalence being at the heart of cosmopolitan theorizings of identity, also, and want instead to underscore how Black Elk did *not* equivocate about or seek to equalize Dakota home places. See *Black Elk Speaks: Being the Life Story of a Holy Man of the Oglala Sioux* (Lincoln: U Nebraska P, 2000), 33.

⁸⁹ A 1972 U.S. Department of the Interior nomination form proposing that Harney Peak be renamed and expanded to include a larger area explains “The meaning of the name Inyan Kara has in the past been confused and misunderstood. N. H. Winchell, geologist with the Custer Expedition to the Black Hills in 1874, wrote that his Indian guide, Cold Hand, told Winchell that the name of the mountain was Heeng-ya Ka-ga. Winchell supposed that the name Inyan Kara was then a corruption by earlier explorers --- G K. Warren and W. F. Raynolds --- of what he thought was the correct term. However, the meaning of the name Inyan Kara may be obtained from *A Dictionary of the Teton Dakota Sioux Language* by Rev. Eugene Buechel, S. J. According to the Dictionary ‘inyan’ means stone and ‘kara’ is the incorrect enunciation of ‘kaga,’ the latter meaning to make, form, or cause to be. Therefore the meaning of Inyan Kaga would be ‘stone-made.’ Dr. V. T. McGillicuddy, who was for a number of years an Indian agent at Pine Ridge Reservation in South Dakota and who had an intimate knowledge of the Teton Sioux, claimed that the term should have been Inyan Kaga Paha, meaning hill or peak, added to the first two terms results in ‘stone-made peak,’ so named because of the exposed hard rock center of the mountain.”

⁹⁰ Bank, Rosemarie K., “‘Show Indians’/Showing Indians: Buffalo Bill’s Wild West, the Bureau of Indian Affairs, and American Anthropology,” *Journal of Dramatic Theory and Criticism*, 26(1), 149-58.

⁹¹ In Black Elk’s vision, and in Lakota cosmology generally, the “hoop” of Lakota peoplehood is crossed by two roads, red and black, and in walking these roads one behaves responsibly toward others.

⁹² DeMallie, 245.

⁹³ *Wicasa Wakan* is usually translated as “holy man,” but literally means “man mysterious” or “man incomprehensible.” It is different in kind from *wicasa pejuta*, which literally means “man medicine” or “medicine man,” and denotes a relationship with spirit beings that goes beyond the ability and demands to heal others.

⁹⁴ DeMallie, 264.

⁹⁵ Ibid., 265.

⁹⁶ Gallagher, H.D., "Report of Pine Ridge Agency," *Reports of Agents in Dakota*, 1889, 153.

⁹⁷ DeMallie, 246.

⁹⁸ Ibid., 248.

⁹⁹ Ibid., 252.

¹⁰⁰ Ibid., 252-53.

¹⁰¹ Ibid., 256.

¹⁰² In his provocative essay, "Imagined Geographies: Sovereignty, Indigenous Space, and American Indian Struggle," Thomas Biolsi delineates political locations of American Indian sovereignty other than those historically contained within the US nation-state's "modular model" of sovereignty. These include tribal sovereignty that is exercised within reservation boundaries (the prototypical version of indigenous space within federal Indian law), but also territorially-based rights to off-reservation resources (such as off-reservation hunting and fishing guaranteed by treaty), a space of generic Native rights that spans all of the United States, and finally, a "hybrid indigenous space in which Indian people claim and exercise citizenship simultaneously in Native nations and in the United States." By defining sovereignty and its zones of operation in such diverse terms that complicate legal, statist ones, Biolsi adds several degrees of complexity—at the level both of statist politics theory and of Native peoples' lived lives—to the nation-state model of political geography and its presumptions of exportable modularity (as, for one, Benedict Anderson sees it) and universality. It seems to me that Black Elk's travels articulate an "imagined geography" that is a kind of fifth space within Biolsi's model, one where kinship relations and ethics are mobilized ceremonially to assert historical attachment to lands, but also to widen the "hoop" of Lakota peoplehood and influence through sharing of ceremonial knowledge and power. See Biolsi, Thomas, "Imagined Geographies: Sovereignty, Indigenous Space, and American Indian Struggle," *American Ethnologist*, Vol. 32, Issue 2 (May 2005), 239-59. Also see Aihwa Ong, *Flexible Citizenship: The Cultural Logics of Transnationality* (Durham, NC: Duke UP, 1999).

¹⁰³ Ong, Aihwa, "On the Edge of Empires: Flexible Citizenship Among Chinese in Diaspora," *Positions*, Vol. 1, No. 3 (Winter 1993), 756.

¹⁰⁴ DeMallie, Raymond, "Introduction," *The Sixth Grandfather*, 63.

¹⁰⁵ Neihardt, Hilda, and Utecht, Lori, eds., *Black Elk Lives: Conversations with the Black Elk Family* (Lincoln: U Nebraska P, 2000), 134.

¹⁰⁶ Born, 25-6.

¹⁰⁷ Neihardt and Utecht, 134-35.

¹⁰⁸ "Catholic Sioux Congress," *New York Times*, July 6, 1892, accessed online at <http://query.nytimes.com/mem/archive-free/pdf?res=F20C1EF73E5C17738DDDAF0894DF405B8285F0D3> on January 22, 2013.

¹⁰⁹ Goll, Louis J., S.J., *Jesuit Missions among the Sioux* (Saint Francis, SD: St. Francis Mission, 1940), 40. In Powers's *Oglala Religion*.

¹¹⁰ Powers, 126.

¹¹¹ A contemporary Dakota event commemorates the hanging of the 38 Dakota warriors after the 1862 US-Dakota War, and involves horse riders travelling from Pine Ridge to Mankato, Minnesota. Along the way, various riders add themselves to what becomes a fairly large procession. Like the Catholic Congresses, their movement between not just reservations, but states, draws together Dakota space into a continuous whole. See "The Dakota 38 Memorial Ride," <http://www.dakota382008.com/>

¹¹² "Duhamel Sioux Indian Pageant and Sitting Bull Crystal Cavern," (Rapid City, SD: Black Hill Novelty Company, year unknown).

¹¹³ DeMallie, 64.

¹¹⁴ "Procession on Horseback at Catholic Sioux Congress, 1923," Milwaukee, WI: Marquette University, accessed online at <http://cdm16280.contentdm.oclc.org/cdm/ref/collection/p4007coll4/id/1071> on January 22, 2013.

¹¹⁵ DeMallie, 66.

¹¹⁶ Born, David O, 26.

¹¹⁷ In addition to Charlotte and Olivia Black Elk, firsthand accounts of the pageants appear in David O. Born's "Black Elk and the Duhamel Sioux Pageant," which excerpts 1991 and 1992 interviews with Francis "Bud" Duhamel, and in DeMallie's introduction to *The Sixth Grandfather*.

¹¹⁸ Neihardt and Utecht, 135.

¹¹⁹ Ibid., 133.

¹²⁰ Black Elk, Nicholas, Letter to Claude and Frances Hansen, 15 May 1947, Black Elk Collection, M570, Western History Collection, The Denver Public Library.

¹²¹ Black Elk, Benjamin, Letter to Curly Bear and White Buffalo Calf Woman, 21 March 1948, Black Elk Collection, M570, Western History Collection, The Denver Public Library.

¹²² Brown, Joseph Epes, *The Sacred Pipe: Black Elk's Account of the Seven Rites of the Oglala Sioux* (Norman, OK: U Oklahoma P, 1989), xx.

¹²³ Black Elk, Nicholas to Curly Bear and White Buffalo Calf Woman, 24 February 1948, Black Elk Collection, M570, Western History Collection, The Denver Public Library.

SECOND INTERCHAPTER

Bertha Demarce
Interview, Jan. 21, 1993

Eugene Hale: I was told to ask you some questions. Could you tell us about Devil's Heart?

Bertha Demarce: Long ago the people called the lake Sacred Water, Spirit Lake. Like Devil's Tooth, that wasn't good. The biggest hill we have, we call that Spirit Lake Hill. It got its name from the land around Spirit Lake. Mniwakan in Dakota is often translated as alcohol. But we mean *mniwakan*, like sacred water. It means the lake and the land is sacred. That lake is the water of life. That big hill is the aheart of the lake. When the ghrandpas talk they wonder how the landmarks got those names. They are named after Spirit Lake. Behind Lena Denny's there's some hills called Devil's Backbone. That big stone [Devil's Tooth], they used to call it Sacred Rock. Way back they used to put offerings there.

EH: How come they leave offerings there?

BD: Because it's a sacred rock. It's the biggest rock there. They used to leave dried meat, blankets, tobacco. They put red material around it. They mixed tobacco with red willow and smoked their pipes there and prayed. They respected that rock.

EH: Do you know anything about Devil's Backbone?

BD: They call it that because it's up and down. Maybe the Devil was there long ago. I don't know. It looks like a backbone. We got some land there.

EH: How did Tokio get its name?

BD: Long ago when they first built that town they made a depot and one store. There was a man named Joe Tokio, who owned a lot of land in that area. So that's how it got that name. That's how Tokio got its name, from Joe Tokio. My mom and dad had pictures of him and other people, but they're gone.

EH: Do you know anything about the little people?

BD: People say those little people are sly. The medicine men get help from them to doctor people. The little people foretell the future. They live in old hollow logs. When they rain comes, they battle with the thunder and

the lightning. They must be powerful people. When someone sees one, they don't live long. Long time ago when they were building Highway 57 the soldiers knocked a tree down and something hairy jumped off and started running. I think that was a little person. Some people say it looked like a monkey and some say a gorilla. I think it was a little person. Those white people didn't know what it was. That three they pushed down had a lot of duck feathers in it. One of the soldiers there got sick. The doctors didn't know what was wrong with him. I think that little person took his life. When they were done building Highway 57 there was a lot of different kinds of hair around. They must be really sacred people. People have respect for them.

EH: Is there any little people still around?

BD: They say there are still some, but I don't know that much. They say they still see them around. I don't think they went away. Their population must be growing, too. I never ask people about them, but people say that they see gorillas. Maybe that's what they are. People don't understand. They just run away from them. There was a guy going down the highway on a motorcycle and he say something that looked like a gorilla. That thing got in front of him and he went around it. He told someone there was a gorilla standing in the road. That was about five years ago. They are still alive, but they stay where there are no people. They don't go around where there's a lot of people. They stay by themselves. People don't see them every day because they are holy people. Dakota people have respect for them, because they are holy.

EH: Could you tell me the real names for Devil's Tooth and Devil's Backbone?

BD: The Indians say Holy Tooth, they don't say Devil. They say Holy Tooth. That's all I remember. On of my grandfathers was a medicine man. I remember he used to talk with my father. They told me I was about five when my father's father died and I remember that. I must be pretty smart. That grandfather fed me chopped up pheasant meat. I asked my mother how old I was at the time and she said do you remember that? That was after I was going to school. My mother said I was about 5 years old. I remember my grandpa. I must have a good memory.

EH: How many different tribes are on this reservation?

BD: You mean now? Here? First the Sioux, the Chippewa, the Yankton, Dakota, Tetonwan, that's all I know. And the Cut Head Dakota. They're different, too. That's all I know.

Each medicine has a different name. They carry them in pouches. One is called white medicine for people who have TB. When someone gets sick they take white root from by the lake. They grind it and give it to that person to cure them. They boil sage and wash sores to heal them. There is bitter root in South Dakota. We don't have ginseng here either.

EH: What do they use bitter root for?

BD: You use it for a sore throat and a cold. You grind it, boil it and drink it as a tea to cure sore throat. That's how the Dakotas use it. To cure headaches there is a white root that you grind, burn, and inhale the smoke. We don't have that here, either. It comes from South Dakota. Florence Seaboy brings that to me. If you have a sore throat, chew a piece of bitter root and swallow the juice. That's the only thing that helps me. That's the medicines we use around here. We have sage here.

EH: What else do you use ginseng for?

BD: They drink that for stomach ache. You boil it till it's strong. You can chew it and swallow the juice, too. If you drink it strong it will help you. People make fun of it, but it cures. If you use it all the time it helps you. White man's medicine is different. A long time ago they used these medicines and they didn't get sick. There's one medicine that has a purple flower on it. It has a long root that you clean and dry. When it's good and dry you boil it and put it on sores to cure them. That medicine grows around the lake. They use it where ever it's sore. My father used all these medicines on the family. My grandpa used these medicines because he believed in the Indian ways. My dad was never in the hospital up to when he died. He died when he was 96. Louie Goodhouse wanted to take my dad to the hospital. He said, 'No, I'm Indian. I'll die at home. I believe in medicine and Indian ways. I'm too old now.' My dad died in his sleep. He didn't suffer. I think about that. All my family died of different diseases. They all left me.

I have faith in myself. I have no one to turn to. I'm by myself. When I get sick I don't tell anyone. I had medicine, but used it up. Nobody believes it, but I believe in the Dakota ways. I use it. It helps me. I don't pray in English. I pray in Dakota. I only use it that way. My grandchildren ask why I do that. Maybe it's not strong. I only believe in that way because

I'm a Dakota. I tell them, but they don't believe me. That's the only thing I can do till I die. If you're Dakota it will help you. If you don't believe it won't work. You have to believe it. I do. I don't go to Hospital. I help myself. If I'm going to die, I'm going to die. I'm Dakota.

Before we did bad things, but we still believed in Dakota ways. It makes me happy to talk about these things. I like to tell things I remember. I'm scared of the little people. They're too holy for me.

EH: Do you know anything about Sundancing? Have you seen one?

BD: Jimmy Smith wanted to take me to one, but I didn't want to go. I didn't understand it. My dad didn't tell me about it. He was going to take me even though I had no money. They say it will help you if you're not scared, if you believe in it. If you believe in the rocks, pour water on them, it will come out that way. Have respect for rocks, everything will be good. My dad used to do that. I understand that part. The Sundance, I don't know anything about.

CHAPTER 4

MORE THAN TALKING ANIMALS: CHARLES ALEXANDER EASTMAN'S ANIMAL PERSONS AND THEIR KINSHIP CRITIQUES OF US EMPIRE

“Neither do I believe in a language of animals,” Katola remarked.

“It may be there is none; but, even so, do we not convey the strongest meaning without a sound or a word? In all our speeches what is most important may be expressed by a silence, a look, or a gesture—even by the attitude of the body.” Hohay continued rapidly in his argument: “Is it impossible that these people might have a simple language, and yet sufficient for their use? All that a man can show for his ancestry, when he is left alone from infancy, are his two legs, two arms, a round head, and an upright carriage, or partially upright. We know this from those children who have been found by wolves and nourished in their caves until well grown. They were like beasts and without a language. It is teaching that keeps man truly man and keeps up the habits and practices of his ancestors. It is even so with the animals. They, too, depend for their proper skill and development upon the mother influence, encouragement, and warning, the example constantly set before them which leads them to emulate and even surpass their elders. We Red men have no books nor do we build houses for schools, as the palefaces do. We are like the bear, the beaver, the deer, who teach by example and action and experience. How is it? Am I right?” the old man appealed to his attentive listeners.
Charles Alexander Eastman, “Wild Animals from the Indian Stand-point”

1. Introduction

In the last tale of *Red Hunters and Animal People* (1904), one of *Isanti* (Santee Dakota) author and physician Charles Alexander Eastman’s earliest published collections of tales from Dakota oral tradition, a trio of young men go to visit their brother-in-law, Sheyaka, who was “a renowned hunter of [among] the Sioux.”¹ As Sheyaka regales them with stories of talking animals, his audience begins to voice doubt about the veracity of his account. At times, their dialogue reads as a Platonic interrogation of the questions of animal language, intelligence, presence, and, finally, personhood. Near the start of their conversation, one of the three young men named Kangee insists, based on his observations of a mother doe and her fawn, “that there is good ground for saying that the

wild animals have a language to which we have not the key.” But Katola, “the doubter,” counters: “He has made the doe and fawn real people. They can neither speak nor reason...and the fawn hides [from hunters] because it is its nature to hide, not because the mother has instructed it.”

Such doubt, in its ascribing to “nature” essential differences between humans and animals, forms an analogue to categories of race through which Euramericans have historically viewed indigenous peoples as savage and less than human. Through Katola’s doubt, Eastman maps a genealogy of racial difference onto, appropriately, the animals who/which humans—enfranchised by their ability to philosophize the ontological status of non-human others—sit and around leisurely discuss. Rather than carrying the analogy—of Dakota human to Euroamerican colonizer—to its full extent, though, Eastman’s story ultimately refuses ontological distinctions between humans and animals, instead asserting across ontologies of difference the ways that humans are *like* animals in behaviors they have learned from them. Roving from one animal example to another, recounting the bear’s “drunken” ferocity and vanity, the wolf’s cunning, and so on, Sheyaka can conclude that “we Red people” have learned mimetically from the actions of all the different animals. “We Red people have followed their example,” says Sheyaka, “We teach our children to respect and obey their elders.” This summing-up by the “old story-teller” effectively forecloses the prior debates over the nature of animal language, intentionality, and personhood, declaring instead that not only are animals exemplary persons, but teachers and benefactors, as well.

This conclusion seems to satisfy most of the men, since they continue talking, elaborating on this new proposal. As Hohay, the eldest of the visitors, smokes the pipe,

and “his wrinkled face beamed with excitement and delight in his subject,” he declares that ““It is from these large and noble four-footed tribes that we derive many of our best customs...especially from the elk and buffalo people.” These “people” are the source of “best customs” by virtue of their careful upholding of kinship laws as well as their exceptional generosity.:

The buffalo and the elk fight only for their people and their country. They do not hunt among other tribes, and where they live together in large numbers there are fewer quarrels than among the same number of men together. They never leave their children until they are able to take care of themselves.

They have made everything possible to us in our free life. They supply us with food, shelter, and clothing, and we in turn refrain from needlessly destroying the herds. Their summer gatherings are the grandest sight I have ever seen.²

In this vision of human-animal relations, in which humans mimic the relational practices of animals, I find Eastman articulating not only what it means to be categorically a person, but what it means to be an ethical human person in relation to ethical non-human persons. Rather than depicting animals who do human things, and deriving moral truths from this anthropocentrism, Eastman begins from the assumption of a categorical proximity between animal and human. While the passage reads superficially as an argument against the objectivation and unnecessary killing of animals (the exterminatory slaughter of buffalo nearly to extinction following the Civil War, a slaughter that was also a genocidal attack also on Native Plains peoples’ subsistence, would have been fresh in the mind of Eastman, and perhaps, in his readers’ as well), it is also a politics. Within the inter-species social order that the men’s dialogue discusses, the “Red people” do not hold a position of greater power than the animal people, but rather demonstrate their dependence on them (“they have made everything possible to us...”) in setting the conditions for their existential situation (“...in our free life”). In this way,

Eastman's fiction is not simply an early version of post-humanism, whose post-ness is made possible by prior notions of human ultimacy, but, indeed, Hohay is forced to cut short his "excitement and delight" when his thoughts turn to the "one sad thing about all this": namely, the fact that "the wild man is bad enough, but there comes another—the paleface—who has no heart for what is dearest to us. He wants the whole world for himself!" That Hohay's critique of whites closes the story, and the story collection, signals its openness to readings of its depictions of animal-human relations as a form of Native philosophy but also and more trenchantly of Native rights talk.

My broad purpose is to suggest ways we might more successfully read, interpret, and understand how Dakotas have responded creatively to the pressures of colonization, and my last chapter addressed how Dakota people maintained cultural continuity in the face of conversions both religious and secular. My close readings, or "ethnoexegeses,"³ of texts created in the encounters between Dakotas and Episcopalian missionaries outline a tradition of Dakota criticism that, I argue, is most properly thought of as postcolonial, as attacks on liberalism and on its ideals of bourgeois equality, citizenship, and self-determination have formed one major branch of critiques of what is often termed "the postcolonial." But there is also a growing body of work which highlights liberalism's exclusions or failures to recognize alternative rationalities and subjectivities, instead relegating non-liberal cultural knowledge, practices, and modes of being to the realm of the pre-modern, or as being aspirational or transitional cultures on the way to modern capitalism.⁴ Several basic assumptions guide my reading of the term "postcolonial." First, I assume that "the postcolonial" as a catch-all description of resistances to colonialism is inadequate for capturing the uneven development of political resistances globally, and

tends to privilege European and British colonialisms. One needs only to note the stark absence of Native American colonialisms from “canonical” postcolonial theory to understand the extent to which Native American colonialisms have been wrongly regarded, in Maureen Konkle’s punning phrase, as “a settled point.”⁵ The “post-” in post-colonial might, in Indian Country, describe not only the utopian possibilities of political resistance but also the actual “deconstruction of oppressive colonial systems.”⁶

My reading of Charles Eastman’s animal stories begins from this critical possibility. But while his stories lend themselves to being read as imaginative or non-realist critiques of colonialism, the imaginary/reality dichotomy is, as I will discuss, quite arguably a poor fit with the genre of Dakota storytelling that Eastman uses. As Dakota historian Waziyatawin Angela Wilson observes of the genre of *hitu ka ka pi*, “because many of these narratives contain elements that may be viewed by the non-Native world as ‘impossible,’ with the frequent occurrence of miracles, they have been dismissed as fiction or myth. They are, instead, part of our reality.”⁷ His reworkings of Dakota *hitu ka ka pi*, a genre the Episcopalian missionary Stephen Riggs mistranslates as “myths” in his *Dakota Grammar* (1893), articulate key principles of communal identity and politics that do not necessarily fit the mold of the Euramerican “right of sovereignty.” In particular, I am interested in reading Eastman’s deployments of peoplehood in non-statist terms, as a largely, but not always, tacit ethics of kinship-as-generosity that seeks to reassert longstanding Native philosophies and land tenure as legitimate bases for contemporary forms of political sovereignty. Through close readings of Eastman’s versions of *hitu ka ka pi*, an anti-colonial critique becomes visible. In this critique, a Dakota peoplehood that inheres crucially in *tiyospaye*, or kinship, ethics, becomes the

basis for Eastman’s articulation of forms of governance and collective decision-making that are grounded in communal notions of personhood and power-sharing, and that these notions constitute important alternatives to statist concepts of sovereignty. My reading of this ethic of sharing reads backwards, in effect, from Eastman’s use of the term “nation” to describe both human and animals collectivities, and examines how his usage diverges from the nation-state form, especially in how, for Eastman, the “nation” is tantamount to a Dakota peoplehood that derives from other-than-human persons who establish, through the social labor that *hitu ka ka pi* perform, as well as through everyday embodied relation in lands that have been historically occupied by Dakotas, a technical order underpinned by moral purposes.⁸ In so doing, I build on the ethical analytic that I introduced in my previous chapter on Black Elk by reading Eastman’s tales as pointed critiques of US colonialism that also articulated the survivance—to use Gerald Vizenor’s coinage that merges “survival” and “resistance”—of Dakota peoplehood.

2. Reading Backwards from the Nation Form

In order to bring into view Eastman’s articulation of Dakota peoplehood, however, “the people” must first be disentangled from what has been, especially in legal discourse about Native Americans, but also in Eastman’s work, its terminological doppelganger. There are clear precedents for treating Native peoples as “nations” in US law, including the Constitution’s Commerce Clause, which states that only Congress has the power “to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes....” Legal scholar Robert Miller notes that “the United States Supreme Court has interpreted this language to mean that the Congress was granted the

exclusive right and power to regulate trade and affairs with the Indian tribes” in a nation-to-nation manner. He also reminds us that Native nationhood is implicitly affirmed in Article VI’s statement that treaties “shall be the supreme law of the land,” since in 1789, the United States had only entered a few treaties with European countries while it had already entered nine treaties with different Indian tribes.⁹

However, the Native nationhood invoked in legal struggles over land and sovereignty arguably bears little resemblance to historical practices among indigenous peoples, since a Western construct of sovereignty underpins many contemporary nationhood discourses, and does so in ways that elide longstanding discourses of Native collective autonomy. Native concepts and practices of peoplehood have passed through, and continue to be shaped by, a colonial matrix of federal Indian law. Beginning from an implicit but nonetheless clear recognition of Native sovereignty as self-determining nations in treaties with the United States government, it then moved to a radically diminished (and conceptually incoherent) status of “domestic dependent nations” through much of the nineteenth century, and arrives at the quasi-sovereign status of the present, where, for instance, the Supreme Court’s ruling in the 1978 case *Oliphant v. Suquamish Indian Tribe* is demonstrative: Native nations lack the inherent authority to adjudicate crimes committed by non-Natives on their land, by reason of their continued status as “domestic dependent nations.”¹⁰

Native nationhood, then, appears as a vexed term caught at the crossroads of a colonial body of US law and policy that, if not expressly aimed at, certainly helped provide the rationales for, dispossession of Native lands. Such dispossessions west of the Mississippi took many forms, but were chiefly expressed in terms of indigenous peoples’

historical and juridical incapacities. Discourses of Native savagery, primitivism, ahistoricity, and lawlessness underwrote much of US federal Indian policy during its Removal (1825-1850s), Reservation (1850-1887), and Allotment and Assimilation eras (1887-1934),¹¹ as the United States sought legal means to consolidate US national space in the latter half of the nineteenth century. In terms of understanding Native nationhood, the Indian Appropriations Act of 1871 is an especially important legal intervention, as it effectively ended the treaty-making period of US policy, and more significantly, ended federal recognition of Indian tribes as nations. Francis Prucha describes the consensus in both Houses of Congress to be that “the tribes then existing did not constitute independent nations,”¹² and argues that that this consensus grew out of a protracted debate over an appropriations bill for Yankton Dakotas, a band of the *Oceti Sakowin*, or Seven Council Fires, who had ceded homelands in Eastern Dakota territory with the treaty of 1858.¹³ The language of the act was, however, ambiguous, honoring previous treaty agreements (“nothing herein contained shall be construed to invalidate or impair the obligation of any treaty heretofore lawfully made and ratified with any such Indian nation or tribe”), while disavowing Indian nationness as such: “That hereafter no Indian nation or tribe within the territory of the United States shall be acknowledged or recognized as an independent nation, tribe, or power with whom the United States may contract by treaty.”¹⁴

Regardless of the legal incoherence of the 1871 Appropriations Act, its formal establishment of Native non-nationhood opened the way for both the 1887 General Allotment Act (Dawes Act)¹⁵ and the 1885 Indian Appropriations Act, the latter of which aimed to allow Native peoples in Indian Territory, or what would become the state of

Oklahoma, to sell land not held in trust.¹⁶ Eastman's perceived ambivalence toward these legal translations of indigenous concepts of land tenure into property, and of Native geopolitics into quasi-sovereign territories, has led to a critical tendency to highlight his support for the cause of US citizenship. For instance, Robert Warrior, in *Tribal Secrets*, reduces the "purpose" of Eastman and his fellow SAI authors to a singular focus on gaining "sympathy from white audiences for the difficult, but to the authors necessary, process of being American citizens," adding that Eastman's memoirs "are highly sentimental accounts of his childhood in which he portrays Natives as needy for, worthy of, and ready for inclusion in mainstream civilization."¹⁷ Such a narrowing of Eastman's literary purposes, though, stands to miss how the "sentimental" materials from Eastman's early life mobilize critical evaluations of the very civilization to that Warrior believes Eastman aspires for "inclusion." Eastman's article, "The Indian as Citizen," first published in 1915 in *Lippincott's Magazine*, even seems to support the Dawes Act as, he notes elsewhere, being "in the interest of the Indians"¹⁸ for the ways that it allowed Dakotas, as individual property owners, to don the trappings of civilized life while "sustaining a high moral and social standard."¹⁹

However, where critics like David J. Carlson interpret such sentiments as unabashedly "pro-allotment,"²⁰ I would argue that Eastman's position is best described as anti-colonial, and his main rhetorical strategy as reinscriptive. This attitude and strategy come from his belief in the ethical superiority of Dakota peoplehood while admitting what he saw as the inevitability of US legal domain. This attitude is, moreover, registered in Eastman's disdain for its so-called progressivism which he characterized as a condition of being "entrenched... in the warfare of civilized life."²¹ Eastman envisioned this

“warfare” as two-pronged, involving on the one hand a politics of domination and duplicity, and on the other hand, a condition of deep economic inequalities (Eastman’s first and most lasting impressions of Eastern US cities like Boston and New York involved the miserable conditions of their slums). He attempted throughout his writing and political career to historicize these aspects of what he ultimately viewed as a diseased colonial civilization, basing his critique in Dakota ethics, which locates individual personhood—whether human or non-human—in relation to the needs and good of the tribe, or people. What I see Eastman’s project doing, in other words, is a re-placing of the colonized term of “nation” within a Dakota peoplehood imaginary.

This sort of ethical criticism has recently been rearticulated and redefined under the heading of indigenous nationalism. In *The Nations Within: The Past and Future of American Indian Sovereignty* (1984), Vine Deloria, Jr. and Clifford M. Lytle equate Native nationhood with peoplehood, arguing that “the idea of peoplehood, of nationality, has gradually been transformed over the past two centuries into a new idea, one derived primarily from the European heritage.”²² Distinguishing between nationhood, as a free and uninhibited process of decision making, and a self-government that “implies a recognition” by some “superior political power,” and that is the current term dominating US-indigenous politics, Deloria and Lytle attempt to recuperate the basis of Native nationhood in what they call “spiritual tradition.” Rather than being a nostalgic or even essentialist gesture,²³ this recuperation suggests the deep connections between Native nationhood, land, and religiosity. For instance, Crow Creek Dakota critic, novelist, and poet Elizabeth Cook-Lynn explains about her short story, “A Visit From Reverend Tileston,” that “it is generally read as a satirical commentary on the intrusion of

Christianity into a native enclave in contemporary times.” Going on to say that it not only “a political story, anything but non-violent, a critique of Indian/White relations in America” but also “an individual narration of symbolism as lived by a people whose ancient cosmos continues into the modern world,” she points to the continuation of indigenous cosmologies, and to their continued political, social, and moral relevance.²⁴

I read this grounding in indigenous philosophical traditions and ethics as a key decolonizing move that is shared by other contemporary Native critics like Daniel Heath Justice, who makes a compelling case in *Our Fire Survives the Storm* for the ongoing importance of traditional kinship systems and understandings not just to his own Cherokee Nation, but to all contemporary Native peoples. In Justice’s view, Cherokee kinship works as a governance model that defines peoplehood, and by extension, a national identity. “The central focus of indigenous nationhood,” he asserts, “is on *peoplehood* ... the relational system that keep the people in balance with one another, with other peoples and realities, and with the world. Nationhood is the political extension of the social rights and responsibilities of peoplehood.”²⁵ Here, peoplehood, as a form of internal governance based on the acknowledgement of personhood that is both human *and* other-than-human, and importantly grounded in community rather than being focused on a bounded individual, as *subject* rather than person (more on this in a moment) becomes a non-statist nationhood as it extends kinship affiliations to and with other peoples. A fluid sort of kinship, then, that is national or political but not statist, having community rather than individuals as the bearers of rights, is the means and the outcome of Native diplomacy.

Justice's formulation of peoplehood needs to be unpacked, though, as it somewhat confusingly draws together a number of closely related terms. For one, he disavows the individual as a basis for much of anything, least of all for a sense of "social rights and responsibilities." Here, the disavowal is of a particular legal-philosophical concept, I think, and not of persons. Specifically, Justice's abandonment of the individual (legal) subject as the bearer of political rights signals a refusal of one crucial conceptual means by which colonial governments like the United States's have legitimized dispossession of Native lands, as well as the dissolution of Native kinship networks. Replacing the individual subject with "the people" has a couple of different rhetorical effects. Finally, Justice's joined-yet-divergent articulation of "people" with "nation" attempts to make an insider/outsider distinction, where "peoplehood" refers to the "social rights and responsibilities" exercised within and among the people, or intra-tribally, while the term "nationhood" points to their exterior mobilization and application with other peoples and nation-states. An example of the latter would be the treaty relationship that existed historically between the United States and Native governments. This relationship performed Native peoplehood across geopolitical boundaries for the sake of bringing powerful others into ethical relations of friendship. Second, by positioning "the people" as the bearer of rights, Justice is drawing in part on the US legal tradition of viewing corporate entities as legal persons (a tradition that, in Indian Country, spans back through the corporatization of Native "tribes" with the 1934 Indian Reorganization Act to the 14th Amendment's creation of corporate personhood, via the enfranchisement of African Americans). But he also draws upon more recent international articulations of Native peoplehood such as that in the United Nations' Declaration on the Rights of Indigenous

Peoples, which asserts the common legal status of “peoples” even while recognizing “the diversity of the cultures and the form of the social organization of indigenous peoples.”²⁶

What follows is thus a reading backwards from Eastman’s use of the “nation” into his reinscriptions of it as a guise for peoplehood. But “the people,” as I hope to show, can’t be adequately understood without reference to the individual person, whose moral status derives from the cosmic relations of mutual care mapped out in Eastman’s twentieth-century *hitu ka ka pi*. My next section places the animal talk in those stories into further historical context.

3. Animal Talk, Native Rights Talk

Born into a traditional Wahpeton Dakota family in 1858, a graduate of Carlisle Indian School and Beloit College, star football player for Dartmouth, and trained at Boston University as a physician: Eastman’s cosmopolitan careers and life are often rendered by critics and historians as a case of bridging between two worlds.²⁷ Such “worlds,” and their “bridging,” are themselves ostensibly captured in the title of what may be Eastman’s most well-known autobiographical work, *From the Deep Woods to Civilization* (1915), where Eastman himself often seems to avow the irreconcilable differences between his indigenous upbringing and the white “civilization” in which he served as both a lobbyist and popularizer of Dakota politics, culture, and philosophy.²⁸ *From the Deep Woods* traces at least part of the impetus for Eastman’s activism back to his father, who had been imprisoned at Camp McClellan after the US-Dakota war, when Charles was just four years old. Describing a reunion with his father when Eastman was

fifteen, and living, like many other Dakota, as political refugees in Canada, Eastman recalls a kind of cognitive dissonance at hearing his father speak about settler society:

I lent my bewildered ear to his eloquent exposition of the so-called civilized life, or the way of the white man. I could not doubt my own father, so mysteriously come back to us, as it were, from the spirit land; yet there was a voice within saying to me, "A false life! a treacherous life!" In accordance with my training, I asked few questions, although many arose in my mind. I simply tried silently to fit the new ideas like so many blocks into the pattern of my philosophy, while according to my untutored logic some did not seem to have straight sides or square corners to fit in with the cardinal principles of eternal justice.²⁹

Eastman's bewilderment borders here on a sense of betrayal: Dakota who had fled Minnesota following the war did so with full awareness that they would otherwise be captured, incarcerated, and possibly executed by the US Army and Minnesota state militias. The fact that Eastman's father returned from a three-year detention in the Davenport concentration camp "eloquent[ly]" expounding on "the way of the white man" as something to be considered, or even adopted as a way of life for Dakota, must have been shocking, indeed.

That "voice within," decrying white "civilization" as a cover-up for imperial violence, would continue to vex Eastman throughout his life. Until his death in 1939, Eastman would try to square "the so-called civilized life" with his understanding of Dakota ethics and justice. On the one hand, Eastman served as an interpreter of traditional Native life to a white audience, "playing Indian" as a way of validating Dakota culture against charges of savagery. On the other hand, Eastman, along with Zitkala-Sa (Gertrude Bonnin) and Dr. Carlos Montezuma, was a founding member of the Society of American Indians (SAI), an organization that played a key role in passage of the 1924 Indian Citizenship Act, and that provided the legal means for assimilating Native peoples into the political mainstream of the US. But more often than not, Eastman's writings

suggest the complexity of multiple identifications—and maybe most pointedly, in relation to national belonging—without offering any such easy division into two worlds or selves. Instead, his manner of “playing Indian” for white audiences reads as a sustained act of resistance, invoking traditional Dakota stories and knowledge, and the literary representations of *tiyospaye* kinship networks embedded in them, as political frameworks with which to analyze and critique US dispossession of Dakota lands. As Mark Rifkin asserts about the Mahican sachem, Hendrick Aupaumut, indigenous political resistance within the context of legal and cultural colonialisms may be less an effort to reconcile “worlds” than to make modes of indigenous peoplehood legible within the settler state’s legal and political discourses.³⁰

This chapter focuses on two of Eastman’s earliest and latest works, *Red Hunters* and *From the Deep Woods*, as texts of political resistance, rather than of accommodation or co-optation. One hope in doing so is to negate a “two-world” approach, while also reappraising how Eastman depicts both US Indian policy and indigenous peoplehood—especially in those moments and texts where Eastman seems to idealize most completely his traditional upbringing, and the Dakota “religion” which, he asserted in his long essay, *The Soul of the Indian* (1911), was “the last thing about [the Indian] that the man of another race will ever understand.”³¹ Rather than viewing Eastman’s deployments of ethnographic materials as the nostalgic performance of a cultural mediator attempting to sanitize a violent history between Whites and Natives, as Drew Lopezina suggests Eastman does in his first published autobiographical work, *Indian Boyhood* (1902), I read Eastman’s articulation of traditional Dakota “religion” as a form of Native rights talk. Specifically, his animal stories show Eastman asserting the legitimacy of kinship systems

that are human *and* non-human, especially when he describes the attitudes of animal “nations” or “people” (Eastman uses these terms fairly interchangeably until *From the Deep Woods*, where he is more concerned with uncoupling them, then reattaching the violence of the US colonial state to the nation form) toward white expansion into Dakota territory.³² Like *From the Deep Woods*, Eastman’s early collection of tales from Dakota oral tradition, *Red Hunters and Animal People*, demonstrates Eastman’s attempt to make Dakota peoplehood and ethics legible within existing legal and political discourses. Instead of positioning Eastman along an axis defined by the poles of either traditionalism or assimilation to settler “civilization,” these works intervene in the writing of history about Native-White diplomacy through accounts of Dakota ethics and ontology which assert Dakota claims to land as a matter of proper relations to the land and its non-human (animal) citizens. Stories about talking animals, then, while ostensibly performing the stereotype of the Native as child, as fanciful or imaginative rather than rational, also illustrate the Dakota fact of animals as persons, and more, as ethical persons with whom humans formed the first treaties. Couching a language of diplomacy in animal tales, then, Eastman critiques Native-White relations generally, and specifically engages with US federal Indian policies, like the 1906 Burke Act, which gave the Secretary of the Interior discretionary power to determine allottee “competence” to own and farm acreage, and so drastically undercut Native control of their own lands.³³

Rather than simply giving voice to wolves and bears, however, I argue that the speaking of political critiques and demands for the recognition of rights by animal persons acts as a decolonizing gesture and a reclamation. Just as Hohay does in the closing story of *Red Hunters and Animal People*, Eastman’s cast of both human and non-

human characters in the rest of that collection voice kinship ties, or their abrogation, as the crux of a diplomacy upheld or failed. In doing so, they also implicitly argue for a view of persons that, because it claims not just equality, but ethical superiority, for non-whites, contests US legal definitions of Native Americans as being ontologically inferior, such as the quasi-racial doctrine of Native “wardship” that came out of the 1832 Supreme Court decision *Johnson v. M’Intosh*, and that I discuss more fully in my next chapter. Eastman’s animal persons also assert the existence of political relationships, figured in terms of a non-biological and wide-ranging ethical form of kinship, among Dakota and other Native peoples, and so reveal political geographies and diplomatic relations that pre-date ones made between Native peoples and Euramericans. In these ways, Eastman’s animals air political grievances, pass judgment on white greed, and ultimately, declare their survival as peoples.

However, the linkages between Dakota peoplehood and kinship ethics of gifting or sharing are often understated, even tacit, in Eastman’s work. Indeed, Eastman disavows one version of peoplehood—as nationalism—as a means to social progress at the close of *From the Deep Woods to Civilization*, writing that he is “for development and progress along social and spiritual lines, rather than those of commerce, nationalism, or material efficiency.”³⁴ This comment echoes one made, as Eastman reports it, by the Dakota delegate, Littlefish, who upon meeting with President McKinley, said that “He has a bigger heart than most white men...and this is unfortunate for him. The white man is a man of business, and he has no use for a heart.”³⁵ Against the perceived heartlessness of the US nation and its representatives, then, *From the Deep Woods* affirms the existence of both human and non-human “nations” whose actions were guided by the

responsibility, as some treaty language put it, to “hold each others’ hearts,” limning the nation form in terms of an ethic of generous care and of a temporality deriving its lived texture from embodied and affective relationships to place.

From the Deep Woods opens with a litany of values Eastman attempted to foster as part of his childhood, or “early training” as a Dakota person. Describing the tribal premium placed on generosity, he remarks that he “must do with as little as possible and start with nothing most of the time, because a true Indian always shares whatever he may possess.”³⁶ The central importance Eastman gives here to a sharing ethic stems is a statement of the Dakota cultural mandate of giving, where, as *Ihanktonwan* (Yankton) anthropologist Beatrice Medicine describes it, “saving or ‘being tight,’ as it is called, is looked upon as ‘being like a white person.’” We learn, too, that this mandate of generosity extended beyond Eastman’s Dakota people to other Native “nations” that Eastman apparently “looked upon...more as the college athlete regards his rivals from another college” (Eastman was captain of Dartmouth’s football team) than as hated “foes.” To these “rivals” an inviolable form of courtesy extended that placed limits on permissible actions in wartime: “There was no thought of destroying a nation, taking away their country or reducing the people to servitude, for my race rather honored and bestowed gifts upon their enemies at the next peaceful meeting, until they had adopted the usages of the white man’s warfare for spoliation and conquest.” Unexpectedly, perhaps, the nearly all-white Dartmouth provided Eastman a context through which he could convey his ethical critique of the essentially unlimited violence of the United States in times of war, but also the ontological constructions of racial difference (“the usages of the white man’s warfare”) upon which such violence, as “conquest” or utter subjection,

was founded. Comparisons like the one about football and warfare, in other words, while seeming frivolous, had the effect of joining Eastman's Dakota ethics with an articulation of Dakota peoplehood.

Red Hunters and Animal People shows Eastman including non-human persons in his peoplehood imaginary, where humans and "animal people" inhabit a complex network of "nations" whose boundaries are continually made, transgressed, and reasserted. In one tale, a warrior named Black Hawk (no relation to the Sauk leader) invites his hunting companions to a feast, where he regales them with stories about elk, asserting that "there are no finer animals than the elk folk." He continues, attributing to the elk "manners and customs" that he muses must have served as the basis for Dakota culture:

"I have studied their ways, because, as you know, we have followed their customs in courtship and warfare as much as those of any nation. Doubtless all our manners and customs were first copied from the ways of the best animal people," added the speaker. "Ho, kola, hechetu!" was the unanimous endorsement of his friends.

Eastman's emphasis here on the peoplehood of both other Native human and animal "nations" reads superficially from the vantage of liberal culture as a nostalgic or sentimental deployment of "traditional" indigenous knowledge, in which Indians possess a kind of special knowledge of animal "customs."³⁷ Recalling that Eastman's animal stories began to appear in print in the same year as Rudyard Kipling's *Jungle Book* tales, this focus on humans mimicking "the ways of the best animal people" might lead us to think Eastman, like Kipling, was invested in uncritically replaying colonial hierarchies via animal characters. However, tendentious readings of Eastman's animal stories as mere sentiment, or as children's literature that reproduce the values of the dominant

culture, beg the questions of how critical misapprehensions of Eastman's rights talk have likewise bred misreading of his later writings on Dakota culture and US federal policies. What, in other words, might Eastman mean by "nation" in this passage and throughout his autobiographical writings? How did Eastman recover and rearticulate Dakota peoplehood, and the ethical relations of gift-giving and receiving at its core, in stories that dramatize the struggles between Dakotas and the many animal "nations" with which they fought, collaborated, and sometimes made treaties? Finally, what are the relationships between Dakota notions of the person, of ethics, and of the people in Eastman's presentations of traditional "animal tales," and how do these read as challenges to the settler state authority? In viewing Eastman's animal tales as critiques of US colonialist practices, critiques that by the time Eastman writes *From the Deep Woods* become far less oblique, we may see more clearly his innovative translations of Dakota politics into narratives that sentimentally appeal to and challenge colonial culture, and that these challenges come specifically in relation to Dakota ontologies of personhood, power, and gift.

4. Narrating Dakota Historicity

In keeping with my previous use of "translation" in my Introduction, I approach Eastman's texts as reappropriations of Dakota politics and ways of knowing through which Dakotas confronted state forces (legal, educational, religious) and the coercive processes whereby colonial state agents sought to make legible those indigenous, non-state practices and institutions that were elusive, if not incoherent, within liberal settler society. For instance, when writing about the founding of the Bureau of Indian Affairs,

Eastman described a problem of intelligibility facing the new bureaucracy: “In 1824 the United States required of the tribes in this region to define their territory, a demand that intensified and gave a new turn to their intertribal warfare.”³⁸ Here, Eastman implies that “intertribal warfare intensified” as a result of the spatial marking off of territory, and the US linking of geographical territories to tribal sovereignty. Foreclosing the possibility of overlapping territories and tribal jurisdictions, as well as mobile or fluid geopolitical boundaries, the US government’s requirement sought, as Mark Rifkin notes in a Mahican treaty-making context, “to manage modes of political recognition in ways ultimately conducive to US aims and interests,”³⁹ but that had negative consequences for inter-tribal diplomacy. For Eastman, such attempts at fixing, cartographically and legally, highly mobile indigenous boundaries and adaptive networks of relation formed a key part of the escalation of inter-tribal warfare and created a “truly ‘savage’ warfare” that grew “in bitterness until it culminated in resistance to the Government, in 1862,” in the war between Dakota bands and US Army and state militias.

Eastman’s brief account underscores how legal translations of Dakota and other Native peoples’ territories into forms that were intelligible within the state’s (liberal) imaginary fostered the dispossession of Native lands. But perhaps more importantly, it also underscores the ways Native peoples articulated their own counter-translations of key cultural elements, narrating their own identities as “nations” whose “resistance to the Government” appears not only as outright warfare, but more subtly and enduringly, as Native modes of reckoning kin and community, of collective decision-making and diplomacy. These ways of reckoning kin are based in theories of the individual, or of personhood, that are of course specific to particular Native peoples, but that Eastman

universalized (as the “Red Men’s”) while drawing substantially on his own knowledge of Dakota culture.

As I am claiming that ethics of kinship, based in an acknowledgement of animal persons who are intentional, and potentially powerful, beings, form the basis for Eastman’s political critique of US imperialism, it seems appropriate to begin a reading of Eastman by accounting in his work for the traditional basis for philosophical inquiry, namely, the human subject.⁴⁰ As my opening epigraph suggests, though, the applicability of the human subject as the locus of ethical thought and action is dubious for Eastman, since in his story humans learn ethical (and other) behavior from “animal people.” Another story from *Red Hunters* titled “The Gray Chieftain” further details the importance of care in Eastman’s representations of the animal-human relationship. The story begins close to the point-of-view of the “gray chieftain,” a “spoonhorn,” or ram named Haykinshkah, who surveys with his mate the sun setting over the “inner circle of the Bad Lands.” We learn that this landscape harbors the gray chieftain’s “ancient castle,” a butte that “had been the peaceful home of the big spoonhorns for untold ages” and becomes home for Haykinshkah’s lamb, who is born that night. As with many of Eastman’s animal stories, this one casts the “spoonhorns” as a people who define themselves by customs and a continuous history of occupying the same lands as their ancestors. In this case, these customs apply to the ewe’s techniques of care for her lamb:

The sun was well above the butte when she awoke, although it was cool and shadowy still in her concealed abode. She gave suck to the lamb and caressed it for some time before she reluctantly prepared its cradle, according to the custom of her people. She made a little pocket in the side of the cave and gently put her baby in. Then she covered him all up, save the nose and eyes, with dry soil. She put her nose to his little sensitive ear and breathed into it warm love and caution, and he felt and understood that he must keep his eyes closed and breathe gently, lest bear or wolf or man should spy him out when they had found her trail.⁴¹

Eastman's language in describing the preparation of the ewe's "cradle" of earth draws upon a sentimental rhetoric that would make this into anthropomorphism, if not for the attribution of an enduring and unique history revealed in the phrase, "the custom of her people." Eastman's language is then not sentimental or anthropomorphic, but ostensibly couches the "spoonhorns," through their continuous occupation of a territory and enduring customs, within a specific set of criteria for peoplehood. These criteria superficially resemble Ernest Renan's articulation in "What is a Nation?" (1882), where Renan defines nations by collective memories (of events and customs, for instance) that are apprehended in the present and projected into the future: "The Spartan song—'We are what you were; we will be what you are.'—is, in its simplicity, the abridged hymn of every *patrie*."

As Eastman's story unfolds, however, this sense of a spoonhorn nation that is united around a "*patrie*'s" sense of a shared past and vision of the future—in other words, around a common temporality—becomes complicated by the central importance of *spatiality*, or land, to the rams. When two "wild hunters" named Wacootay and Grayfoot appear, having set out for Cedar Butte to kill a ram, we overhear them debating the location of their prey. "I think, friend, you have mistaken the haunts of the spoonhorn," says Wacootay, "to test his friend." In reply, Grayfoot stresses the similarities between humans and non-humans in matters of attachment to certain places: "'This is his home—I know it,' replied Grayfoot. 'And in this thing the animal is much like ourselves. They will not leave their old haunt unless forced to do so either by lack of food or overwhelming danger.'"⁴² Grayfoot's remarks point out here how affective, and habitual, attachments to place may constitute a sense of "home," but as the hunters continue their

search for the rams, they begin to see how these affective attachments insinuate a further dimension of responsibility for the land and those who live on it.

When the two sets of characters, human and ram, meet, as the hunters catch their first sight of the “gray chieftain,” who “stood alone upon a pedestal-like terrace, from which vantage-point it was his wont to survey the surrounding country every morning.” In a conspiratorial aside, the narrator adds, “If the secret must be told, he had done so for years, ever since he became the head chief of the Cedar Butte clan.” With this aside, though, the story’s previous descriptions of the ram as a “chief” take on a more specific historicity that becomes bound more overtly to place in the description of this chief’s credentials:

It is the custom of their tribe that when a ram attains the age of five years he is entitled to a clan of his own, and thereafter must defend his right and supremacy against all comers. His experience and knowledge are the guide of his clan. In view of all this, the gray chieftain had been very thorough in his observations. There was not an object anywhere near the shape of bear, wolf, or man for miles around his kingdom that was not noted, as well as the relative positions of rocks and conspicuous trees.⁴³

Here, Haykinshkah’s internalized “not[ing]” of the land “for miles around his kingdom” from the vantage of a central point, a point which serves as a node for the ram people’s relations with other animals, conveys more than a generalized noting of his perspicacity. Rather, Haykinshkah’s daily vigil and observations underscore how he is geared toward the survival of his clan, and how his daily vigil further constitutes both a sensual “knowledge” of his “kingdom,” and so also a legitimation of his and his people’s belonging there. Appropriate in relation to Eastman’s depiction of Haykinshkah’s sense of place are Vine Deloria’s remarks in *God Is Red* about what he calls a “sacred center” in “Indian tribal religions.” Deloria writes that “this center enables a people to look out

along the four dimensions and locate their lands, to relate all historical events within the confines of this particular land, and to accept responsibility for it.”⁴⁴ What’s key here for my discussion of Eastman’s animal persons is Deloria’s linking of an embodied encounter with lands to a sense of responsibility for its well-being. In the remainder of the spoonhorn story, this responsibility appears as an ethic of sufficiency.

Despite his past vigilance, though, the hunters happen upon Haykinshka during a lethargic moment, when the “younger members of the clan” were to assume the watch, and as he looks off “toward the distant hills,” they debate whether they should shoot him. Grayfoot, impressed by the fact that the ram “is a real chief” who “looks mysterious and noble” argues for a delay, saying “Let us know him better....I never care to shoot an animal while he is giving me a chance to know his ways.”⁴⁵ In addition to this gesture of what appears to be a mix of good will and curiosity, Grayfoot invokes a reason based in a notion of sufficiency: ““We have plenty of buffalo meat. We are not hungry. All we want is spoons. We can get one or two sheep by-and-by, if we have more wit than they.”” This sufficiency argument shows up repeatedly throughout Eastman’s writings, and is a cornerstone of his critiques of US civilization, but this is not to say that it is universally understood or embraced by Eastman’s characters. On the contrary, in the story Grayfoot speaks it as if it were a matter of fact, or universal knowledge among his tribe, while his friend, Wacootay, admits to his friend and to himself that “he had never thought of it in just that way before,” being “chiefly moved...in the matter of the hunt” by “the desire for meat.” After deferring their shooting of Haykinshka, and agreeing to track a ewe whose trail had excited their curiosity, they come upon the cave where the mother ewe had buried her lamb in its “cradle,” who gives up her hiding place with “a faint ‘Ba-a-a!’”

Again, after Wacootay impatiently rushes for an arrow to kill the lamb, Grayfoot stops him by again reminding his friend that “we want horn for ladles and spoons. The mother is right. We must let her babe alone.” After the ewe storms away with her lamb, the narrative follows its sufficiency argument with an elaboration of why taking more than is needed from, and of, animals, would be wrong:

“So it is,’ said Grayfoot, after a long silence, ‘all the tribes of earth have some common feeling. I believe they are people as much as we are. The Great Mystery has made them what they are. Although they do not speak our tongue, we often seem to understand their thought. It is not right to take the life of any of them unless necessity compels us to do so.

In this summation, Grayfoot describes his sense of why accepting responsibility for both a place and those who dwell in it is appropriate, if not necessary. Observing first an equivalence among “all the tribes of earth” that bars any ontological division among them, Grayfoot next turns to the problem of language as a marker of persons. Nothing that a species of communication exists between humans and animals, in a “seem[ing] to understand their thought, Grayfoot locates this power of sympathetic communication within a broader narrative of shared cosmological origins, in which “The Great Mystery [*Wakan Tanka*] has made them what they are,” that is, the “silent people” as Eastman calls them in the foreword of *Red Hunters*. With this last equivalence made, namely that animals “are people as much as we are” by dint of possessing forms of communication and a common origin in *Wakan Tanka*, Grayfoot finally shifts his focus to the topic of rights.

Here, his claim that “it is not right to take the life of any of them,” as they possess rights equal to other created beings may appear as a sort of (proto-) post-humanism rights argument that refuses to regard humans as the sovereign agent on earth. And this would

not be a misreading, exactly (apart from its anachronism). Jacques Derrida's notion that acknowledging animals' philosophical significance would demand something other than "giving speech back" to them is, after all, quite appropriate to the issues of animal personhood that Eastman's narration of the spoonhorn clan raises. Especially appropriate to this discussion is Derrida's sense that such an acknowledgement may perhaps involve "acceding to a thinking, however fabulous and chimerical it might be, that thinks the absence of the name and of the word otherwise, as something other than a privation."⁴⁶ Eastman's articulation of animal personhood does just this: invites us precisely into a relation with that "thinking" conceived not as a lack, but rather as a form of embodied, powerful presence. He does so, however, not as a generalized philosophy of animal personhood, but as a contingent account that is revealed through his characters' ethical injunctions and actions, which are themselves born of a deep history of association with animals who have also occupied the same territories as Eastman's Dakota peoples.

5. Competing Temporalities

Much of this deep history is implied in the genre of Dakota storytelling upon which *Red Hunters* draws, although this cultural backdrop was largely, if not totally, ignored by his non-Native readers. But indeed, his affable storytelling style (one 1905 reviewer notes that "the book is simply and pleasantly written, with no affectation or mannerism"), while earning a white readership that saw the animal stories as differing "not as widely as might be wished from the white man's animal tales now so numerous,"⁴⁷ derived from and deployed ethical standards of Dakota oral tradition. For one, such stories were historically heard with careful attention, as they were passed down

from grandparents to grandchildren. Waziyatawin Angela Wilson, in “Grandmother to Granddaughter: Generations of Oral History in a Dakota Family,” describes this ethic of careful listening as being “rooted in a deep sense of kinship responsibility, a responsibility that relays a culture, an identity, and a sense of belonging essential” to her life.⁴⁸ A means of upholding one’s kinship obligations, then, listening and remembering are also profoundly relational activities, grounding the audience “in the needs and concerns of the people whom these narrative actions ultimately benefit in terms of collective memory and social cohesion.”⁴⁹ Oral tradition, and the stories Eastman drew from it for his collection, embodies one significant mode of Native historicity.

In its foreword, Eastman explains that “the main incidents in all of...[the tales], even those which are unusual and might appear incredible to the white man, are actually current among the Sioux and deemed by them worthy of belief.”⁵⁰ He further explains that the narrative genre he is working in is something like a “fable,” but also quite different, in that it is a “life-story of an animal” rather than an overtly fictional account. Eastman writes, “When the life-story of an animal is given, the experiences described are typical and characteristic of its kind. Here and there the fables, songs, and superstitious fancies of the Indian are brought in to suggest his habit of mind and manner of regarding the four-footed tribes.”⁵¹ If Eastman is straining here to define genre within a realist/imaginary (or historical/mythic) dichotomy, his marking of the stories as belonging to a pre-existing “kind” bypasses these dichotomies altogether, in that it alludes to a type of stories in Dakota storytelling traditions called *hitu ka ka pi*. Dakota historian Waziyatawin Angela Wilson notes that this category

refers in general to stories from the elders that teach about the past and often involve things of a mysterious nature, not easily explainable....Some of the kinds

of stories included in this category are the Uktomi stories, those of the Oceti Šakowi, or the Seven Council Fires, stories about animals (whether the rabbit, wolf, bear, eagle, or others), caotida (little dwellers among the trees), cianna (the grandson character of a former storyteller), wicapapšupšuna (the headmenace character), and other “how they came to be stories.”⁵²

To this list she adds that, in addition to their pedagogical uses, these stories are also a gift from ancestors to help ensure the survival of the people, nothing that “these are stories that have been passed down through the generations and should only be told in the winter when snow is on the ground.”

Furthermore, Waziyatawin’s mention of the seasonal specificity of *hitu ka ka pi* is evocative of Dakota ways of reckoning time: that is, the temporality of *hitu ka ka pi*, and of Eastman’s retellings of them in *Red Hunters*, importantly locates their animal-human interactions in a broader, ethical landscape that is uniquely Dakota, and does so in a few key ways. First, it is a temporality of what I would call the *pause*. In its pedagogical aspect, the pause of *hitu ka ka pi* shows up as a literal gap in the telling of the tales from one night to the next. Since *hitu ka ka pi* are often didactic, with many having an overt moral, and since their audience was primarily children, the gaps in the sequence they make are necessary to digest the teachings. There’s also the grand pause of winter itself, when the *tiyospaye* encamps until hunting season begins, and that frames the duration of the storytelling. Another of Eastman’s early collection of *hitu ka ka pi*, *Wigwam Evenings* (1909), describes the sadness of one of the fictional storytellers, Smoky Day, “when the village breaks up for the spring hunt, and story-telling is over for the season.” In its political aspect, the temporality of the pause works as an interruption of the forward-moving time of the US nation and its “progressive,” civilizing rhetorics.⁵³ By “pause,” then, in each of its inflections, I do not mean to imply a lack or insufficiency;

still less do I mean to equate a temporal pause with forms of, and claims for, cultural essentialism, or with an over-simplistic idea of “Indian time” as being non-linear or cyclic. Rather, I mean it as an analogue to the interruptive temporality which is embodied through what Simon Ortiz, in his description of saints’ feast days in Acqumeh pueblo, calls “sharing”: “The persons named after the saints such as John or Peter—Juan, Pedro—throw from housetops gifts like bread, cookies, crackerjacks, washcloths, other things, and the people catching and receiving dance and holler the names. It will rain then and the earth will be sustained; it will be a community fulfilled in its most complete sense of giving and receiving, in one word: sharing. And in sharing, there is strength and continuance.” Ortiz’s joining of Catholic and Acqumeh, Acqumeh and American (is anything more American than crackerjacks?), in turn signals what he calls a liberatory struggle that demands “the creative ability of Indian people to gather in many forms of the socio-political colonizing force which beset them and to make these forms meaningful in their own terms.”⁵⁴ So, the ceremony that Ortiz describes, despite following a Catholic calendar, significantly interrupts that calendar’s universal temporality by giving it a local habitation and a name, as it were, which Ortiz alludes to in the ceremony’s causality: “It will rain than and the earth will be sustained.” In the pause that the ceremony’s sharing creates, rain witnesses the generosity of Acquemehs and gives itself to them and to the land they occupy.

Contrast this temporality of the pause with the assimilative, universal, and ultimately abstract temporality of the nation. While Eastman doesn’t name it as such, his critiques of “the warfare of civilized life” focus frequently on White greed, or failures to share wealth, and on the mechanistic or spiritually-evacuated quality of American

society. Indeed, a crucial part of what made up civilization's state of perpetual "warfare" for Eastman was the existence of social inequalities, and what he came to view as a corrupt, and corrosive, relationship to capital. Describing his travels across the western states and Canada as a representative of the YMCA, Eastman relates his disappointment in seeing the religiosity of "white[s] and nominally Christian Indians" lead "often to such very small results."⁵⁵ He goes on to describe a kind of epiphany, writing that such religiosity "was a machine-made religion. It was supported by money, and more money could only be asked for on the showing made; therefore too many of the workers were after quantity rather than quality of religious experience." Eastman's disappointment in the failure of Christian civilization to live up to ideals of equality reads as a jeremiad against spiritual materialism: the wealth-making and wealth-keeping that stood against both Dakota and Christian ideals of generosity. Indeed, if we accept that the nation as a Euro-American social form is defined largely by economic and political difference, as Etienne Balibar suggests, or by the existence of a ruling bourgeoisie, then tribal practices of wealth distribution could only be uncanny within it. Balibar insists that the normalization of wealth inequality has its roots in colonialism, asserting that nations are inextricable from colonialism: "In a sense, every modern nation is a product of colonization: it has always been to some degree colonized or colonizing, and sometimes both at the same time."⁵⁶ Similarly, Eastman, understanding the close ties between modern nationhood and domination, deployed the term "civilization" ironically to describe US policies and political practices, reserving the term of "nation" for Dakotas, other Native tribes, and animals alone.

Looking to other critical articulations of nationhood further reveals the implications of Eastman's machine metaphor to describe "Christian civilization." For example, the temporality of modern nationhood described by Benedict Anderson in *Imagined Communities* names the social space of modernity as being distributed in "homogeneous, empty time," likening the imagining of the nation both to the "old-fashioned" (French realist) novel and to a sociological organism. His example of a novel plot where four characters go about their loving and dreaming, and do so simultaneously, "at the same clocked, calendrical time, but by actors who may be largely unaware of one another," stands as "a precise analogue of the idea of the nation, which also is conceived as a solid community moving steadily down (or up) history."⁵⁷ This temporality, reified as simultaneity, forms the basis for imagining the nation; simultaneity, that necessary condition of the imagined community, whether experienced figuratively or literally as the reading of a newspaper or of a novel happens, in effect, through our participation in the reification of the nation's temporality. In "Anderson's Utopia," Partha Chatterjee importantly characterizes this reification as capitalistic:

Empty homogenous time is the time of capital.... But by imagining capital (or modernity) as an attribute of time itself, this view succeeds not only in branding the resistances to it as archaic and backward, but also in securing for capital and modernity their ultimate triumph, regardless of what some people believe or hope, because after all, as everyone knows, time does not stand still.⁵⁸

By historicizing Anderson's notion of temporality—as Eastman historicizes American progressivism—Chatterjee lays the groundwork for his later claims that the time of modernity is both "utopian" (rather than ontologically real, and therefore uncontestable) and constitutes only one possible imagining of temporality. The time of modernity becomes, then, "heterogeneous, unevenly dense," because of the presence of alternative

conceptions of time and of relations to materiality: “Here, even industrial workers do not all internalize the work-discipline of capitalism, and more curiously, even when they do, they do not do so in the same way. Politics here does not mean the same thing to all people. To ignore this is, I believe, to discard the real for the utopian.”⁵⁹ In this view, time, and the narration of the nation that accompanies it, becomes an apparatus for repression of alternative concepts of temporality and intersubjectivity. Chatterjee’s insistence on the possibility of an opening, or resistance, to Anderson’s “utopian” or universalizing sense of temporality is quite helpful for understanding Eastman’s literary resistances and articulation of Native nationhood.

In contrast to the selfishness and abstract temporality of “Christian civilization,” Eastman asserts how the “simple lives” of Dakotas “were imbued with the spirit of worship.” The category of “worship,” however, poses an interpretive problem for understanding Dakota sociality, a problem that scholarly accounts of Eastman have tended to give inadequate attention. Eastman’s adoption, and adaptation, of the theistic term of “worship” is not characterized by a vertical relationship either to capital or to a transcendent deity, but by horizontal, peer-to-peer relations with both human and animal persons (as individuals). And these horizontal relations were themselves subject to the ethical norms of both human and animal peoples (as nations). Eastman’s animal tale, “Wechah the Provider,” explores one aspect of this “worship” through the story of Wasula, a Dakota “maiden” whose close relationship with her pet raccoon, Wechah, allows her to become a successful hunter and food-provider for her human kin. Even though Wechah is a pet, and subject to Wasula’s discipline, he eventually wins his freedom, and gains a raccoon “wife,” by helping “save several families from starvation.”

In return for his help, Wasula makes a request: “‘It is my wish,’ said Wasula, ‘that you do not trap the 'coon again this season, for the sake of Wechah, who has saved us all. In gratitude to him, withdraw your deadfalls.’ All agreed to this.”⁶⁰ In addition to offering lessons on diplomacy, Eastman also offers through Wasula’s insistence on a season of non-taking a notion of economic sufficiency that pushes back against capitalist logics of profit-maximizing and ceaseless extraction of natural “resources.”

Reciprocity, as an individual’s practice of gift giving and exchange with other individuals, plays an integral role in Eastman’s articulation of Dakota kinship. Historian Mary Whelan observes in her study of Dakota peoples and the nineteenth-century fur trade that “kinship relationships not only depended on biological ties of blood but were established and maintained through exchanges of many kinds (e.g., goods, labor, affection, intermarriage, protection, and warfare or revenge aid).”⁶¹ As Whelan’s very partial list suggest, exchanges of gifts pervaded many aspects of Dakota culture, including intra- and inter-tribal politics and diplomacy. As both ethos and praxis, kinship remains a complex, and often poorly understood aspect of Native political engagement.⁶² Constituting more than a metaphorical “brotherhood” among human members of a given Native people, kinship defined, and continues to order, the political map of both inter- and intra-tribal relations. More importantly for a reading of Eastman’s animal stories, it included non-human persons and animal persons who, as intentional beings, are capable of making and breaking political accords.

In *From the Deep Woods*, Eastman’s account of inter-tribal relations prior to confinement on reservations affirms the importance of gifting to indigenous diplomacy, illustrating not only the role that kinship and alliance played between tribes, but also

asserting a sovereign realm of indigenous political action quite apart from dealings with the United States, France, or Britain. “We frequently met and camped with the Hudson Bay half-breeds in their summer hunt of the buffalo,” Eastman writes, “and we were on terms of friendship with the Assiniboines and the Crees, but in frequent collision with the Blackfeet, the Gros Ventres, and the Crows. However, there were times of truce when all met in peace for a great midsummer festival and exchange of gifts.”⁶³ Eastman describes Native diplomacy in these “times of truce” as involving the capacity to give and receive gifts, or exchanges that are predicated on the recognition of kinship’s importance to re-making bonds of friendship in the ceremonial summer pauses between territorial “collision[s].” Likewise, Gary Anderson Clayton’s history of Dakota-white relations, *Kinsmen of Another Kind* (1997), describes how gifting served to create temporary kinship ties between Dakotas and European traders in the seventeenth and eighteenth centuries, with ceremonial exchanges of corn, robes, and tobacco allowing outsiders to be incorporated in Dakota society.⁶⁴

The making of kin among Dakotas, and other Native nations, was not reserved only for “times of truce.” It also occurred through adoption. Often, adoption of outsiders followed the conclusion of a war, as one especially effective mode of managing alterity was incorporation. According to anthropologist Raymond DeMallie, Dakotas historically defined kin not only by blood but by sharing the ways of the people. Captured women and children from other tribes, and even from white settler families,⁶⁵ were recognized as Dakota as soon as they learned to speak and act like a Dakota. At the heart of kinship, then, was a contract with *Wakan Tanka* (literally, “Great Mystery”) who drew together “all forms of being into an unbroken network of relationship,” including non-human

relations, so that kinship became “the foundation of all morality.”⁶⁶ The foreword to *Red Hunters* expresses this same sense of kinship succinctly, naming the “grandfather” of “these silent people,” the animals, as “the Great Mystery,” and naming them as such because of their knowledge of “the laws of their life so well!” “They must,” concludes a “philosopher and orator of the Red Men... have for their maker our maker. Then they are our brothers!”⁶⁷ Another example of adoption is in the opening story of *Red Hunters*, “The Great Cat’s Nursery,” where Eastman recounts a sentimental tale of a puma mother who adopts the kit of another puma. The kit “was the age of her own baby which she had left not long before, and upon second thought she was not sure but that he was her own and that he had been stolen.... So she took him home with her. There she found her own kitten safe and glad to have a playmate, and Nakpaksa decided, untroubled by any pangs of conscience, to keep him and bring him up as her own.”⁶⁸ The adoptive mother, in being killed by white hunters, is not only the victim of a kind of imperial aggression, but shows that Eastman is playing on, and extending, familial sympathies, while also showing the empathetic (and therefore also political/diplomatic) failures of whites who act as if they have no relatives.

The interruptive time of Eastman’s *hitu ka ka pi*, a temporality of close attention and care for the actions of another, is thus closely bound up with particular Dakota locales (such as the “Bad Lands,” now part of the Pine Ridge Reservation) and their unique historicities of relation (human-human, human-animal, and animal-animal), as Vine Deloria notes in his defining of sacred places. What is finally so different in Eastman’s tales from post-humanist concerns for dethroning human sovereignty are their emphasis on ethical meanings which emerge at the crossroads of place (as land

historically occupied), time (as occupation and care for a place), and personhood (the existential condition for care). Eastman glosses each of these categories in the “Gray Chieftain” tale as “knowledge.” Other Native scholars have chosen to highlight the centrality of place or land to Native peoples and Native values as being set apart from the temporal, such as George Tinker (Osage) in *Spirit and Resistance* (2004). There, he makes the essentialist argument, itself a rehashing of Deloria’s, that “the western intellectual tradition is firmly rooted in the priority of temporal metaphors and thought processes. Native Americans think inherently spatially and not temporally.”⁶⁹ It may be tempting here to conclude, as Tinker seems to, that Dakota-animal relations and the problem of the person are simply contingent on the result of a different metaphor system—one which values metaphors of place more highly than ones of time. But this approach to personhood runs into its own set of difficulties, including the essentializing of all Native Americans as being primarily (if not fundamentally) spatially-minded, and related to this construction, in its use of metaphor as a way of marking cultural difference. Lurking within Tinker’s account of metaphor’s importance, in other words, are methodological problems for understanding Native lives in terms of how they are actually lived—problems which are maybe most apparent in applying the objectivist category of “belief,” as well as a particular subset of that category, animism, to interpretations of Native philosophies of the person.

6. The Problem of Animism as a Problem of Disembodiment

The work of anthropologist Tim Ingold suggests an alternative methodology to that of metaphor theory for understanding human-animal relationships. In its application,

this methodology may also be useful in further drawing out some of the political elements of Eastman's animal tales for a non-Dakota audience. Beginning from his observation in *The Perception of the Environment* (2000) that a person-centered paradigm is more prevalent within certain cultural contexts, especially those he calls "hunter-gatherers," Ingold argues for a reconceptualization of human relationships to physical environments that would form the basis for an ecological anthropology. Since I find his approach to be a compelling point of comparison to Eastman's depiction of animal personhood, as both stress the primacy of place (albeit to different ends) it may be worthwhile to examine his critique of metaphor in further detail before returning to Eastman's further articulations of a Dakota peoplehood whose identity is bound up tightly to his conceptions of the person.

One major strand of Ingold's argument is an exploration of how metaphors that define human relationships to subsistence sources differ between agricultural and "hunter-gatherer" peoples, and he cites the work of Nurit Bird-Davis with the South Indian Nayaka as a culturally-sensitive but flawed approach. Its flaw consists in her reliance on the category of animism and its metaphorical deconstructions of "beliefs," a category that has been central to cultural anthropology since the publication of E.B. Tylor's *Primitive Culture* (1871). The thrust of Tylor's objectivist approach comes across in his assessment that "animism takes in several doctrines which so forcibly conduce to personification, that savages and barbarians, apparently without an effort, can give consistent individual life to phenomena that our utmost stretch of fancy only avails to personify in conscious metaphor."⁷⁰ Tylor suggests here that an external framework ("several doctrines"), such as "myths" or oral histories and traditions, perhaps, are the

“doctrinal” basis for cultural instances of personification. Bird-Davis’s approach likewise focuses on the local logics of personification, finding that Nayaka recognize their dependence on the forest, which they regard as being “like a parent, [since] it provides food unconditionally to its children”:

Drawing an explicit parallel between her own Nayaka material and the ethnography of the Batek and Mbuti, Bird-David argues that hunter-gatherer perceptions of the environment are typically oriented by the primary metaphor “forest is as parent,” or more generally by the notion that the environment *gives* the wherewithal of life to people—not in return for appropriate conduct, but unconditionally. Among neighbouring populations of cultivators, by contrast, the environment is likened to an ancestor rather than a parent, which yields its bounty only reciprocally, *in return* for favours rendered.⁷¹

Ingold goes on to query Bird-Davis’s metaphor-based (and non-primitivist) account, asking on what grounds can usages of animal (or more broadly of non-human) personhood be regarded as metaphorical. He observes a “troublesome inconsistency” between, on the one hand, Bird-David’s motive to create a culturally-specific account that can challenge ecological narratives of inter-species interactions, and on the other hand, the imposition of an (objectivist) division between actuality and metaphor that is alien to the communities it attempts to explain. Such a division, he continues,

forms no part of local conceptions....Underwriting this division is an assumed separation between two domains: the domain of human persons and social relations, wherein parenting and sharing are matters of everyday, commonsense reality; and the domain of the non-human environment, the forest with its plants and animals, relations with which are understood by drawing, for analogy, or those intrinsic to the first domain. In short, hunter-gatherers are supposed to call upon their experience of relations in the human world in order to model their relations with the non-human one.⁷²

Eastman’s own conceptions of animal others also refuses this analytic that might be summed up as a species of animism. The main problem with animism, from the standpoint of, say, Eastman’s narrators, is its presumption of an ontological dualism

between “society” and “nature,” or as Ingold elaborates these terms, between “the intentional worlds of human subjects and the object world of material things.” Within the schematic division that gets reproduced as an aspect of a constellation of race that includes other binaries like the civilized and the primitive, the claim of certain Native peoples to inhabit a world undivided between privileged subjects and inert objects is rendered illusory. The claim to live in ways that encompass “relations with both human and non-human components of the environment on a similar footing” becomes in a sense pre-logical or at least pre-analytical.

Ingold identifies some important limitations of the object-schema model of metaphor, especially as it applies to understanding human-nature interactions in terms of parenting and sharing. As these interactions are ones I explore further in my chapter on Black Elk, I won't go into too much further detail here. But I do want to emphasize one more line of Ingold's argument as a final step towards accounting for how Eastman links the power and intentionality of animal persons (including humans) to that of collectivities, as peoples. Ingold writes that, because “hunter-gatherers' material interactions with the forest environment are said to be modeled on the interpersonal relations of parenting and sharing...the former, assigned to the domain of nature, [should] establish the object,” while “the latter, assigned to the domain of society, [should] provide the schema.” Ingold then gives the example of the sharing of food between mother and child:

When, for example, the child begs its mother for a morsel of food, that communicative gesture is itself a constitutive moment in the development of the mother-child relationship, and the same is true for the action of the mother in fulfilling the request. Parenting is not a construction that is projected *onto* acts of this kind, it rather subsists *in* them, in the nurture and affection bestowed by adults on their offspring. Likewise, the give and take of food beyond the narrow

context of parent-child ties is constitutive of relations of sharing, relations that subsist in the mutuality and companionship of persons in intimate social groups.⁷³

Ingold gestures here towards an embodied and affective relation that is prior to conceptualization or metaphorical “construction.” Sharing exists, or rather comes into being, first as a lived expression of care, in other words, rather than as a reflection of some other relation. “The give and take of food” is generative of what I call in Chapter 3 an ethics of the gift, in which gift-giving and gift-receiving may come with the expectation of reciprocal giving, or may suspend any such expectation through a logic of circular or unilateral sharing, as with a mother’s gift of food to her child.

What troubles Ingold, though, is that this give-and-take relationship, as soon as it is applied to relations with the non-human environment, comes to be seen as an instance of modeling or projection. Again, Ingold’s analysis attempts to return us to a phenomenological account through his comment that “those who would construct the world...must already live in it, and life presupposes an engagement with components not only of the human but also of the non-human environment. People need the support and affection of one another, but they also need to eat.” Given these pre-reflective facts of existence and subsistence, Ingold asks, “How then...do hunter-gatherers deal, actually rather than metaphorically, with non-human beings in the practical business of gaining a livelihood?”

Part of his answer lies in his refusal of the orthodox dualisms of nature and culture, person and thing, subject and object, all of which intersect in the term of “intersubjectivity.” Considered as the constitutive quality of the social domain, Ingold finds that intersubjectivity is thus “open to human beings but not to non-human kinds, which would be said to inhabit the object world of nature as non-persons, or things.”

Last, Ingold asserts that intersubjectivity carries with it the further connotation of a fundamental disembodiment, one with a Cartesian lineage that regards human cultural intelligence to be founded through the engagement of minds in ways that no other species is capable of. Against this exceptionalist account of human subjectivity and intersubjectivity, hunter-gatherers who “believe” “as if” they were the relatives of non-human persons are always already deluded, unless an alternative account of human rationality exists. Ingold gestures toward this alternative account with his term “inter-agentivity”—his coinage for “the constitutive quality of their world” characterized by intimate forms of embodied relation. So, “to speak of the forest as a parent is not, then, to model object relations in terms of primary intersubjectivity, but to recognize that at root, the constitutive quality of intimate relations with non-human and human components of the environment is one and the same.”⁷⁴ For my purposes in this chapter, Ingold’s heretical critique of historical and anthropological misapprehensions of indigenous relations with the environment (itself a vexed term now, because it assumes a depersonalized space) is valuable because it problematizes not only views of animals as non-persons (and hence not capable of intentional action, or of entering into ethical relation), but of objectifications of Native peoples’ relationships to land in terms of their “beliefs” (whether these are ecological, concern historical primacy, or are some other articulation of entitlement) rather than embodied praxis. In so doing, it suggests criteria for claims to both indigeneity and rights to land that differ from the self-designated standard now used by the United Nations Permanent Forum on Indigenous Issues, where in effect, indigenous people are those who claim to be indigenous.⁷⁵ In terms of Eastman’s work, a view of the embodied, sensual contexts of Dakota personhood opens

up critical space for reading his deployments of Dakota views of the individual (whether human or animal) as the ethical guarantor of Dakota peoplehood. In my next section, I lay out Eastman's linking of sensual personhood which regards other persons as powerful agents negotiating a field of practice, and the social life of a people.

7. The Nation-State, Translated

I have so far focused my discussion of Eastman's talking animals on their status as persons, as a way of foregrounding the ethical critique that Eastman deploys through the actions and speech of animals in his stories, and spelled out some of the linkages between personhood and what I called a disruptive temporality of the pause. Before moving to a discussion of how Eastman also makes assertions of Dakota peoplehood and ethical forms of sovereign action, it may be worthwhile to first give some more ethnographic flesh to Dakota notions of the individual person. In her anthropological work, *Drinking and Sobriety Among the Lakota Sioux*, Beatrice Medicine notes the great emphasis that Lakotas (and Dakotas more broadly) place on individualism, describing how a respect for individual autonomy, expressed as a function of willpower, mediate the responses of kin to matters of addiction and addiction recovery. She situates this non-interference in a ritual context of individuals seeking advice or aid for either physical or mental disturbances from a *wapiya* (curer) or *wicasa wakan* (holy man) or *winyan wakan* (holy woman), and observes that the petitioners

are asked to *ah bleza* (examine) their behavior. The underlying premise is that unless one is able to think upon one's actions and place some perspective upon these acts, one is unable to deal with problems that are based on interpersonal relationships. If one is perturbed by the actions of another in a stressful situation, one might describe this to the practitioner, who very frequently states, "Tok'sha, he ahbleza hi" or, "Eventually, the person who is causing distress may examine

his or her acts and will rectify the situation.” This, admittedly, is a very diffuse modality. The process places the remedial behavior upon the self-awareness and reasonable character of the person who is causing the dissonance. This is the ultimate focus upon individual autonomy (*chin k’a cha*), which is so characteristic of the Lakota Sioux.⁷⁶

This “ultimate focus upon individual autonomy” makes interventions “a delicate issue” in the context of drug and alcohol abuse, since Medicine asserts that autonomy here denotes “an unstructured freedom of choice” that may not be limited by any force outside the individual, adding further that the term *chin k’a cha* has connotations of “he or she prefers to be that way.” This premium placed on an almost inviolable individual autonomy appears in the context of Eastman’s work as a privileging of dialogue and debate, as for instance in the story with which this chapter opened, but also in his depictions of forms of collective decision-making such as council meetings.

In Eastman’s story, “On Wolf Mountain,” for instance, a “tribe” of wolves convenes a council meeting to debate what should be done about a rancher’s violent encroachment on their territory. The rancher, Hank Simmons, regards the wolves as mere nuisances until, starved, they attack his herd of sheep and threaten to kill him as well. By asserting wolves’ rights to the land, based on historical tenure, and by representing their slow starvation at being driven off their land, Eastman replays Dakota dispossessions resulting from the 1851 Treaty of Traverse des Sioux:

The large Mayala wolf with his mate and their five full-grown pups had been driven away from their den on account of their depredations upon the only paleface in the Big Horn valley [Hank Simmons]. It is true that, from their standpoint, he had no right to encroach upon their hunting-grounds.⁷⁷

The wolves are not simply enemies of all humans, though, having made alliances in the past with Dakotas. A Dakota-wolf reciprocity appears, for example, in hunting practices, about which Eastman recounts the custom of humans leaving behind “much meat upon

the plains for the wolf people.” Out of this mutual respect, hunting together with “these Red hunters as guide and companion,” an accord takes shape between two different peoples. This accord, moreover, leads to wolves and Dakotas acting together to try to drive away the rancher, Simmons, who the narrator derides as that “quite another kind of man who is their enemy” in common.⁷⁸

In the 1851 Treaty, Eastern Dakota tribes ceded all but a thin strip of land along the Minnesota River and created dependence on annuities, many of which were withheld or lost to graft among Indian agents over the next ten years. The 1862 US-Dakota War resulted from a decade of Dakota starvation, and began with an attack on white settlers in the town of New Ulm, Minnesota, that was not unlike the one mounted by the wolves of Eastman’s story. Before attacking Hank Simmons, though, the wolves hold a council meeting where they air their grievances against the human encroacher:

A gaunt old wolf, with only one eye and an immensely long nose, occupied the place of honor. No human ear heard the speech of the chieftain, but we can guess what he had to say. Doubtless he spoke in defence [sic] of his country, the home of his race and that of the Red man, whom he regarded with toleration. It was altogether different with that hairy-faced man who had lately come among them to lay waste the forests and tear up the very earth about his dwelling, while his creatures devoured the herbage of the plain. It would not be strange if war were declared upon the intruder.⁷⁹

A Dakota scout, after taking shelter in a cave where the wolf people had formed their decision, in a council meeting, to declare war on the rancher, returns to a Dakota council meeting to report the news:

“The paleface,” said they, “has no rights in this region. It is against our interest to allow him to come here, and our brother of the wandering foot well knows it for a menace to his race. He has declared war upon the sheepman, and it is good. Let us sing war-songs for the success of our brother!” The Sioux immediately dispatched [sic] runners to learn the exact state of affairs upon Hank Simmons’s ranch.⁸⁰

The speaking of an explicit rights talk by the Dakota council, and their claim of territoriality (they “allow” the rancher “to come here”), powerfully underscore that the brotherhood between Dakotas and wolves is more than an abstract figure of solidarity. Rather, it entails political obligations to join the wolves in war, “sing[ing] war-song” for their mutual success. Kinship between wolf and Dakota nations, then, serves as an organizing logic for military and political action. This alliance is further motivated and mobilized by the genocidal actions of white settlers, who Eastman represents as wanting to poison the entire wolf nation. A trader, chiding Simmons for his lack of genocidal initiative, voices an extermination policy that would have saved his ranch: “Well, I told you before to take out all the strychnine you could get hold of. We have got to rid the country of the Injuns and gray wolves before civilization will stick in this region!”⁸¹ This portrayal of the genocide’s necessity to get “civilization” to “stick” reads as something more than a translation of the nation form, in that its critical aim is not to substitute a conceptual content or create easy analogies, but rather it is to warp and distort the settler’s image of himself as a civilizing force for the US nation. As in Lacan’s mirror, the reader glimpses his image, as it were, for the first time, reflected back as a whole, but grotesquely arrayed. Eastman seems to be aiming at a critique here not only of the wolves’ and Dakotas’ ethical superiority, but of creating a recognition based in shame. One further example from a context other than *Red Hunters* may help illustrate this tactic of shaming.

In his early auto-ethnography, *The Soul of the Indian* (1911), Eastman gives an account of the world’s “first treaty,” made between the human, Little Boy Man, and animals out of the latter’s recognition of the Boy Man’s superior hunting ability. Created

by Inishnaechage, the “First-Born” was a “being in the likeness of a man, yet more than man,” Little Boy Man was made out of Inishnaechage’s loneliness, who sought to make “not a mate but a brother.” And while Little Boy Man is Inishnaechage’s brother, he is also very much like a son, receiving “rules” and “counsels” from his Elder Brother to whom, Eastman writes, “we trace many of our most deep-rooted beliefs and most sacred customs.”⁸² What begins the conflict between animal people (“who were in those days a powerful nation”) and Little Boy Man are the urgings of Inktomi, the Spider, who sees the lone human growing “in wit and ingenuity” and advises the animal people, “who all loved the Little Boy Man because he was so friendly and so playful,” to kill him before “he will be the master of us all!”⁸³ In a scene that recalls the death and rebirth of Osiris, the water monsters act on Inktomi’s advice, killing the first human and hiding his body at the bottom of the sea, only to see him “given life again” by First-Born in an inipi, or sweat lodge.

The preconditions, then, for the conflict and treaty between the first human and the animal people were ones of mutual trust, a relation of kinship interrupted only by Inktomi’s political fear-mongering. After his death and rebirth, Little Boy Man resumed his peaceful life with the animal people, learning their languages and customs, until Inktomi again “sowed dissension among the animals, animals, and messages were sent into all quarters of the earth, sea, and air, that all the tribes might unite to declare war upon the solitary man who was destined to become their master.”⁸⁴ First Born, seeing his brother sorrowful, “naked, and alone,” arms him for the coming battle, which finds Little Boy Man fighting buffalo, elk, bears, Thunder beings, and swarming insects, “the little people of the air.” With the help of his brother’s tactical advice, though, the Boy Man

overcomes all of his animal opponents, who sue for peace and in doing so, make the first treaty: “they must ever after furnish man with flesh for his food and skins for clothing, though not without effort and danger on his part.”⁸⁵ In return, human hunters honor those animals for the sacrifice of their lives, and the hunter, out of “respect for the immortal part of the animal, his brother, often leads him so far as to lay out the body of his game in state and decorate the head with symbolic paint or feathers. Then he stands before it in the prayer attitude, holding up the filled pipe, in token that he has freed with honor the spirit of his brother, whose body his need compelled him to take to sustain his own life.”⁸⁶ Characterized by a condition of both physical need and prior ethical agreement, the human-animal relationship outlined in Eastman’s recounting of the First Boy treaty demonstrates that the political realm extends to non-human persons who are bound to humans in a web of kinship rights and obligations. It also describes when war is justified—here, in defense—and so is a postcolonial assertion about the justness of not only the 1862 war but of anti-colonial resistance more generally. In this sense, it is a tale told not out of nostalgia, but more pointedly as a politics meant “to educate a derelict treaty partner,” as Robert A. Williams, Jr., notes in *Linking Arms Together* (1997), and to allow “once alienated groups to imagine themselves as connected in a world of human diversity and conflict.”⁸⁷ In so doing, Eastman’s rhetorical purposes in the Little Boy story become evident—to educate, certainly, but also to *shame*, and so, to draw back into proper ethical relation ones who have abandoned their promises. Here, the work that shame does is to insist that people come back into proper relation, where “propriety” is construed as acting as a relative should act, that is, with generosity and sharing. Rather than treating whites as ontologically different from Dakotas, Eastman regards them as

negative powerful others whose negativity lies in their withholding of forms of care. The fact that Dakotas and other Native peoples are bound up in rather inextricable historical relationship with Whites (it is suggestive, but not necessarily indicative of anything, that Eastman was married to a White woman, Elaine Goodale Eastman) is what gives shaming its moral force.

8. Conclusion

Eastman translated the nation form into Dakota terms through writings that sought to undercut the designative authority of US law, and to assert the primacy of indigenous ethics and ontology as longstanding and legitimate bases for sovereign political action. In short, Eastman's animal stories demonstrate how the linkages between ethical norms and nationhood are inscribed in forms of jurisprudence, those legal codes that purport universality in relation to situations of violence. As Robert Cover notes in his essay, "Nomos and Narrative," "We commonly believe situations of violent interaction to be dominated by special principles and values. The invocation of these special principles, values, and even myths is a part of the hermeneutic of the texts of resistance."⁸⁸ While Cover is concerned here with describing resistances in the form of competing authoritative narratives to state power, the "hermeneutic of the texts of resistance" may also apply in a positive way to the definition of competing narratives of nationhood itself.

In such approaches to writing about the past, Charles Eastman demonstrated the failures of a national model based in a temporality of abstract capital, and in liberal assumptions about the necessity of individual ownership of property that was without the ethical protections offered by either a council or central governing authority. The grossly

unequal distributions of wealth, graft, and a Christianity evacuated of communitarian concern that Eastman observed in his life up to the publication of *From the Deep Woods* find a powerful tribal retort in Eastman's animal stories. Their ontological commitments to an acknowledgement and regard for persons of various kinds out of a sense of the potential power inherent in alterity, and to an ethic of reciprocal gifting, constitute a model of nationhood that was, and remains, quite relevant as an alternative to the nation-state and its tendencies toward power abuses. In constructing a tacit theory of political legitimacy that recognizes multiple national centers, indeed, a vast field of nations made up of human and animal persons capable of intentionality, Eastman suggests the redemptive power of an ethical, Dakota form of governance for a US "civilization" corrupted by depersonalizing greed.

¹ Eastman's naming of a specific Native people here—"the Sioux"—is actually quite rare among these tales and in much of his other writing, where he often universalizes Native identity in ways that might appeal to his largely white, turn-of-the century audiences. It isn't uncommon to see references to "wild men," then, as a detribalized moniker for what quite clearly are Dakota (or "Sioux") people. I discuss the implications of Eastman's appropriation of the racial category of the "wild Indian" further in my next chapter, as well as the Dakota-specific content of his ethnographic materials.

² Charles A. Eastman, *Red Hunters And the Animal People* (Kindle Locations 1923-1924). Kindle Edition.

³ Scott Manning Stevens, "Other Homes, Other Fronts: Native America During the Civil War." Rhenev Lecture. Vanderbilt University, April 20, 2012.

⁴ See especially Partha Chatterjee's "Anderson's Utopia," *Diacritics*, Vol. 29, No. 4 (Winter 1999), 128-34; Chatterjee, *The Nation and its Fragments: Colonial and Postcolonial Histories* (Princeton: Princeton U P, 1993); Dipesh Chakrabarty, *Provincializing Europe* (Princeton: Princeton U P, 2000); Ranajit Guha, *Dominance Without Hegemony* (Cambridge: Harvard U P, 1997).

⁵ Maureen Konkle, *Writing Indian Nations: Native Intellectuals and the Politics of Historiography, 1827-1863* (Chapel Hill, NC: U North Carolina P, 2006), 7.

⁶ Elizabeth Cook-Lynn, "Who Stole Native American Studies?" *Wicazo Sa Review*, Vol. 12, No. 1 (Spring, 1997), 14.

⁷ Waziyatawin Angela Wilson, *Remember This! Dakota Decolonization and the Eli Taylor Narratives* (Lincoln: U Nebraska P, 2005), 64-5.

⁸ This formulation draws on the work of the historian of Native religions, Kenneth Morrison, who argues in an Ojibway context that "human, plants, and cosmic beings share the same nature and socio-religious motives towards each other." This assumption of a shared ontological status disrupts or is heretical within Western hierarchies of being, as Morrison shows in the work of anthropologist Irving Hallowell. What Hallowell "realizes [is] that non-Indians assume ethnocentrically that their cosmological system is universal" and that "western ontology holds that a hierarchical dissimilarity exists between categories of being—divinity, humanity, and nature—which simply does not fit the Ojibwa's cosmology."

While I take issue with Morrison's objectivist language of "realizing" here, as well as his positing of an ahistorical Ojibwa "reality," I find extremely compelling his readings of the ontological postulates which inhere in Ojibwa "myths," and how these postulates intersect (and I would argue, in the legal apparatus of US federal Indian law, become entangled with) hierarchical constructions of being.

⁹ Robert J. Miller, "American Indians the US Constitution," accessed online at <http://www.flashpointmag.com/amindus.htm> on December 16, 2011.

¹⁰ See Robert A. Williams, Jr., "The Algebra of Federal Indian Law: The Hard Trail of Decolonizing and Americanizing the White Man's Indian Jurisprudence," *Wisconsin Law Review* 219 (1986)

¹¹ Robert J. Miller, "The History of Federal Indian Policies," accessed online at http://lawlib.lclark.edu/blog/native_america/wp-content/uploads/2010/03/Indian-Policies.pdf on December 12, 2011.

¹² Francis Paul Prucha, *American Indian Treaties: The History of an Anomaly* (Berkeley: U California P, 1997), 304.

¹³ "Treaty of 1858," accessed online at <http://digital.library.okstate.edu/kappler/vol2/treaties/yan0776.htm>, on December 14, 2011.

¹⁴ Prucha, 308.

¹⁵ The 1887 Dawes, or General Allotment Act, granted landholdings, usually 165 acres, to individual American Indians, replacing communal tribal holdings and extending US federal law and protections to the new land holdings. The language of the act also contains explicit provisions for the civilizing of the Indian ("... and has adopted the habits of civilized life"), making adoption of such habits a condition of the act's extension of US citizenship. See 604 F.2d 42; 1977 U.S. App. LEXIS 10961. LexisNexis Academic. Web. Date Accessed: 2013/05/29.

¹⁶ For a detailed study of the effects of the 1885 Appropriations Act and 1887 Dawes Severalty Act, see Melissa Meyer's, *The White Earth Tragedy: Ethnicity and Dispossession at a Minnesota Anishinaabe Reservation, 1889-1920* (Lincoln: University of Nebraska, 1994).

¹⁷ Robert Warrior, *Tribal Secrets: Recovering American Indian Intellectual Traditions* (Minneapolis: U Minnesota P, 1994), 8.

¹⁸ Eastman, *From the Deep Woods*, 164.

¹⁹ Eastman, "The Indian as Citizen," *Lippincott's Magazine* (1915), 70.

²⁰ David J. Carlson, 'Indian for a While': Charles Eastman's 'Indian Boyhood' and the Discourse of Allotment," *American Indian Quarterly*, Vol. 25, No. 4 (Autumn, 2001), 607.

²¹ Eastman, *From the Deep Woods*, 165.

²² Vine Deloria, Jr. and Clifford M. Lytle. *The Nations Within: The Past and Future of American Indian Sovereignty* (Austin: U of Texas P, 1984), 14-15.

²³ The charge of essentialism strongly attaches to contemporary articulations of indigenous nationalism, and many critics have fixated on a caricatured sort of "traditionalism" as the Native nationalist bogeyman par excellence. See, for instance, David Treuer's *Native American Fiction: A User's Manual* (2006), in which he privileges the Ojibwe language as the best means for performing Ojibwe culture in literature. In Treuer's way of thinking, Ojibwe novelist Louise Erdrich's largely English-language novels cannot qualify as "Native American literature," since they only dabble in Ojibwe language. I contend that indigenous nationhood/peoplehood is maintained not only through Native languages, but more importantly in kinship roles and responsibilities that are not reducible to a "core" set of "beliefs" or practices, and that Dakotas have adapted these roles and responsibilities in relation to modernity, not in isolation from it. Such fluid filiations and affiliations comprise a vision of kinship that is open to difference and, because of or despite that openness, is also creative of cultural newness.

²⁴ Elizabeth Cook-Lynn, "A Journey into Sacred Myth," *Wicazo Sa Review*, Vol. 10, No. 2 (Autumn, 1994), 98.

²⁵ Daniel Heath Justice, "'Go Away, Water!': Kinship Criticism and the Decolonization Imperative," in Acoose, Janice, et al., *Reasoning Together: The Native Critics Collective* (Norman: U of Oklahoma P, 2008), 151-2.

²⁶ "United Nations Declaration on the Rights of Indigenous Peoples," (New York, Sept. 13, 2007), accessed online at http://untreaty.un.org/cod/avl/ha/ga_61-295/ga_61-295.html on March 2, 2013.

In his biography, *Ohiyesa*, historian Raymond Wilson writes that Eastman "took pride in his Indianness as well as pride in his accomplishments within the dominant society," functioning "within both

worlds by adopting the best attributes from each....” And Michael Oren Fitzgerald’s anthology of Eastman’s work, *Living in Two Worlds: The American Indian Experience* (2009), likewise assumes a hybridized middle ground.

²⁸ For other examples of scholarly approaches that use a “bridging” or hybridity-based approach to interpreting Eastman’s life and writing, see Tony Dykema-Vanderark’s “‘Playing Indian’ in Print: Charles A. Eastman’s Autobiographical Writing for Children,” *MELUS*, Vol. 27, No. 2, Multi-Ethnic Children’s Literature (Summer, 2002), 9-30; for a borderlands reading of Eastman, see Erik Peterson’s “An Indian, an American: Ethnicity, Assimilation, and Balance in Charles Alexander Eastman’s *From the Deep Woods to Civilization*,” *Studies in American Indian Literatures*, Series 2, Vol. 4, No. 2/3 (Summer/Fall 1992), 145-60.

²⁹ Charles A. Eastman, *From the Deep Woods to Civilization* (New York: Little, Brown, and Co., 1916), 7.

³⁰ Mark Rifkin, “Remapping the Family of Nations: The Geopolitics of Kinship in Hendrick Aupaumut’s ‘A Short Narration,’” *SAIL* (Winter 2010, vol. 22, no. 4), 3.

³¹ Charles A. Eastman, *The Soul of the Indian: An Interpretation* (New York: Houghton Mifflin, 1911), x.

³² Lopenzina views Eastman as a cultural mediator who, taking on the traditional role of a warrior, wrote with “the best intentions for their people at heart, however retroactive” those standards appear now. Such an approach largely avoids engagement with Eastman’s ironic use of the term “civilization,” which I argue he subordinates to Native nationhood. See Drew Lopenzina’s “‘Good Indian’: Charles Eastman and the Warrior as Civil Servant,” *American Indian Quarterly*, Vol. 27, No. ¾, Special Issue: Urban American Indian Women’s Activism (Summer-Autumn, 2003), 727-57.

³³ Paul Robertson, *The Power of the Land: Identity, Ethnicity, and Class Among the Oglala Lakota* (New York: Routledge, 2000).

³⁴ Eastman, *From the Deep Woods to Civilization*, 195.

³⁵ Eastman, *From the Deep Woods to Civilization*, 162.

³⁶ *Ibid.*, 1.

³⁷ See Philip Deloria’s *Playing Indian* (New Haven: Yale UP, 1999), which examines the representational complexities facing Native authors of Eastman’s generation.

³⁸ Charles A. Eastman, *The Indian To-day: The Past and Future of the First American* (Kindle Locations 287-288). Kindle Edition.

³⁹ Rifkin, 1.

⁴⁰ John Grim’s chapter, “Knowing and Being Known by Animals: Indigenous Perspectives on Personhood,” gives a good account of animal-human relations as intersubjective, reading Black Elk’s vision in *Black Elk Speaks* to argue for a relational episteme based in relationship with animals. As I argue in this chapter, though, following Tim Ingold’s argument, the term “subjects” presupposes a disembodiedness that is inappropriate to certain cultural contexts, especially Native ceremonies. In *A Communion of Subjects: Animals in Religion, Science, and Ethics*, Paul Waldau, Kimberley Christine Patton, eds. (New York: Columbia UP, 2006), 373-390.

⁴¹ Eastman, *Red Hunters And the Animal People* (Kindle Location 1157). Kindle Edition.

⁴² *Ibid.*, 1165-1166.

⁴³ *Ibid.*, 1180-1183.

⁴⁴ Vine Deloria, Jr. *God Is Red: A Native View of Religion* (Golden, CO: Fulcrum Publishing, 1994), 66.

⁴⁵ Eastman, *Red Hunters And the Animal People*, 1199-1200.

⁴⁶ Jacques Derrida, “The Animal That Therefore I Am,” in *Animal Philosophy*, Matthew Calarco and Peter Atterton, eds. (London: Continuum International Publishing Group, 2004), 126.

⁴⁷ “Charles Eastman,” NY Times Book Review, *Book Review Digest*, Vol. 1 (Minneapolis: H.W. Wilson Co., 1905), 109-10.

⁴⁸ Waziyatawin Angela Wilson, “Grandmother to Granddaughter: Generations of Oral History in a Dakota Family,” *American Indian Quarterly*, Winter 1996, Vol. 20(1), 9.

⁴⁹ David Martinez, *Dakota Philosopher: Charles Eastman and American Indian Thought* (St. Paul: Minnesota Historical Society P, 2009), 42.

⁵⁰ Eastman, *Red Hunters And the Animal People* (Kindle Locations 40-41).

⁵¹ *Ibid.*, 41-43.

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- ⁵² Wilson, *Remember This!*, 64.
- ⁵³ My sense of intimate forms of time that interrupt other, dominant forms of time derives from queer theoretical approaches like Kate Haffey's in her article, "Exquisite Moments and the Temporality of the Kiss in *Mrs. Dalloway* and *The Hours*," *Narrative* Vol. 18, No. 2 (May 2010): 137-62. Also see Grosz, Elizabeth, ed. *Becomings: Explorations in Time, Memory and Futures* (Ithaca: Cornell Univ. Press, 1999); *GLQ: A Journal of Gay and Lesbian Studies*'s special issue on Queer Temporality, Elizabeth Freeman, ed.
- ⁵⁴ Simon Ortiz, "Towards a National Indian Literature: Cultural Authenticity in Nationalism" *MELUS*, Vol. 8, No. 2, Ethnic Literature and Cultural Nationalism (Summer, 1981), 8.
- ⁵⁵ Eastman, *From the Deep Woods*, 141.
- ⁵⁶ Etienne Balibar, "The Nation Form: History and Ideology," in *Race, Nation, Class: Ambiguous Identities* (New York: Verso, 1991), 89.
- ⁵⁷ Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism* (London: Verso, 1991), 25-26.
- ⁵⁸ Chatterjee, 2003, 165.
- ⁵⁹ *Ibid.*, 166.
- ⁶⁰ Eastman, *Red Hunters And the Animal People* (Kindle Locations 694-696). Kindle Edition.
- ⁶¹ Mary Whelan, "Dakota Indian Economics and the Nineteenth-Century Fur Trade," *Ethnohistory*, Vol. 40, No. 2 (Spring, 1993), 253.
- ⁶² Over the past decade, Native scholars have begun to write about the political uses of gifting. A recent, excellent study of gifting among the Anishinaabeg during the nineteenth century is Cary Miller's "Gifts as Treaties: The Political Use of Received Gifts in Anishinaabeg Communities, 1820-1832" *American Indian Quarterly*, Spring 2002, Vol. 26, No. 2, 221-45. See also Bruce White's earlier "'Give Us a Little Milk': The Social and Cultural Significance of Gift Giving in the Lake Superior Fur Trade," *Minnesota History*, Vol. 48, No. 2, 60-71; Lisa Brooks's (2008) *The Common Pot: The Recovery of Native Space in the Northeast* reexamines Algonkian and Iroquoian texts in order to demonstrate the political resistances effected through Native networks among Abenaki, Algonkian, Iroquois, and Anishinaabeg nations and their intellectuals, as well as the tradition of making awikwigan, or birch bark writings.
- ⁶³ Eastman, *From the Deep Woods*, 4.
- ⁶⁴ Gary Clayton Anderson, *Kinsmen of Another Kind: Dakota-White Relations in the Upper Mississippi Valley, 1650-1862* (St. Paul, MN: Minnesota Historical Society Press, 1997), 30.
- ⁶⁵ For a contemporary analysis of captivity literature, including accounts by settlers who were captured and adopted into Dakota families following the 1862 US-Dakota War, see Kathryn Derounian-Stodola's *The War in Words: Reading the Dakota Conflict through the Captivity Literature* (U Nebraska P, 2009), which examines the 1862 war from the perspectives of both white and native captives. Also see Sarah E. Wakefield, June Namias, ed., *Six Weeks in the Sioux Tepees: A Narrative of Indian Captivity* (Norman: U Oklahoma P, 2002).
- ⁶⁶ Raymond DeMallie, "Kinship and Biology in Sioux Culture," *North American Indian Anthropology: Essays on Society and Culture* (Norman: U Oklahoma P, 1994), 142. Also see essays by Arthur Amiotte, Elaine A. Jahner, and Vine Deloria, Jr., in Raymond DeMallie and Douglas Parks, eds., *Sioux Indian Religion: Tradition and Innovation* (Norman: U Oklahoma P, 1989).
- ⁶⁷ Eastman, *Red Hunters And the Animal People* (Kindle Locations 25-7).
- ⁶⁸ *Ibid.*, 183-86.
- ⁶⁹ George Tinker, *Spirit and Resistance: Political Theology and American Indian Liberation* (Minneapolis: Fortress P, 2004), 44.
- ⁷⁰ E.B. Tylor, *Primitive Culture: Researches into the Development of Mythology, Philosophy, Religion, Art, and Custom, Volume 1* (London: J. Murray, 1871), 260.
- ⁷¹ Tim Ingold, *The Perception of the Environment: Essays on Livelihood, Dwelling, and Skill* (New York: Routledge, 2000), 43.
- ⁷² *Ibid.*, 44.
- ⁷³ *Ibid.*, 45.
- ⁷⁴ *Ibid.*, 47.
- ⁷⁵ Quentin Gausset, Justin Kenrick, and Robert Bigg, "Indigeneity and Autochthony: A Couple of False Twins?" *Social Anthropology* Vol. 19, No. 2 (2011): 137.
- ⁷⁶ Beatrice Medicine, *Drinking and Sobriety Among the Lakota Sioux* (Lanham, MD: Rowman Altamira, 2007), 91-2.

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- ⁷⁷ Eastman, *Red Hunters And the Animal People* (Kindle Locations 214-216).
- ⁷⁸ *Ibid.*, 224-227.
- ⁷⁹ *Ibid.*, 254-258.
- ⁸⁰ *Ibid.*, 312-316.
- ⁸¹ *Ibid.*, 322-323.
- ⁸² Eastman, *The Soul of the Indian* (Kindle Location 568). Public Domain Books. Kindle Edition.
- ⁸³ *Ibid.*, 571.
- ⁸⁴ *Ibid.*, 577-578.
- ⁸⁵ *Ibid.*, 595-596.
- ⁸⁶ *Ibid.*, 235-238.
- ⁸⁷ Robert. A. Williams, Jr., *Linking Arms Together: American Indian Treaty Visions of Law and Peace, 1600-1800* (New York: Oxford U P, 1997), 84-85.
- ⁸⁸ Robert Cover, "Nomos and Narrative," in *Narrative, Violence, and the Law: The Essays of Robert Cover (Law, Meaning, and Violence)* (Ann Arbor: U Michigan P, 1995), 152.

THIRD INTERCHAPTER

Melvina Gourd,
Interview on March 9, 1993

Eugene Hale: What is your name?

Melvina Gourd: Melvina Little Wind used to be my name. Now it's Gourd.

EH: Do you know any stories from the Fort Totten Reservation in the past?

MG: I told one yesterday that my brother and my folks used to tell. There used to be some log houses on the hill (in back of the Blue Building) where that church is. One was a jail. At one time they had a man there. I don't remember his name. They brought him food, but the man was gone. There was a big black bear inside. Long time ago Indians had powers. The second time they took him food there was a snake curled up in the corner. This man had powers. He could change himself into anything he wanted. This man ran away and was killed a little ways from Tom Siaka's place.

EH: Why was he in jail?

MG: I never heard. Maybe I did, but that was long ago, early 1900s or late 1800s.

EH: Do you know how many tribes are here?

MG: Cutheads, Yanktons and lot of them came here. They called themselves Assiniboines. And then there's the enemy. My folks used to call them enemy (*toka*). And they would say, 'we're going to visit the enemy.' That means Fort Berthold people. I can't remember any more. I want to tell you something. South of the C.Y.C. (Catholic Youth Club), remember those trees there? Long ago when they soldiers were here, there used to be a cemetery there. There were monuments for the soldiers. There used to be a lot there. When the soldiers left they put up a fence and put cows and horses in there. The animals stepped all over the monuments and broke them up. Maybe if you look you can find one with a name on it. There was a lot up there.

EH: Was there ever a Sundance here?

MG: I don't know. In Montana and South Dakota, that's where they have those. I don't know about here. I'm not that old.

EH: White people named places here Devil's Heart, Devil's Table, Devil's Backbone, Devil's Lake, and Devil's Cup. What are the Dakota names for those places?

MG: The Heart of Sacred Lake. I don't know howti got its name. Maybe because it's a big hill. Long ago they had the Sioux on the run and some stopped and camped there. Did you hear that? No? The Sioux camped around there. I don't know about the other places you asked about.

Over where that rock is, they call it Devil's Tooth. I'm going to tell you a story. I wasn't going to school yet. We lived in Crow Hill. There was a sleigh coming. My grandma peeked out and she recognized them. She talked to them. That was my uncle White Head. Andrew White Head, do you remember him? No? His wife (Elizabeth Little Bull). There was a hill by our house with trees on it. Andrew had a house there. There was a big red dance hall there. Andrew's wife was taking donated gifts over there. My grandma told her to hurry because the weather was turning bad. In the Indian [Dakota] way that was her daughter-in-law. She went and came back. My grandma talked with her. She went on her way. She made it back as far as Devil's Tooth. How do you say that in Dakota? I don't know. Right there someplace she stopped the horses and tied them to the sled. If she let them go, they would go home. They stood still and pawed the ground. She grabbed the baby and wrapped him up. She layed him in front of her. She covered up with a thin blanket. That woman froze.

That was George Albert's mother. That baby she had was Bill White Head. The next day they found that woman lying on her back, froze. They found that baby alive and that was Bill White Head. He is still alive. He must be really old. Well, anyway, that woman froze. I went to South Dakota one time for a wake. There was a man going around shaking hands. He shook my hand and I looked up. He looked like a halfbreed. He talked to me in Dakota and I answered him in Dakota. He said, 'Where do you come from, you speak Dakota.' I said, 'I am from Spirit Lake.' He

never heard of Spirit Lake. 'Up there. We live 100 miles from the Canadian border.' We speak Dakota, too.' He didn't know that.

EH: Where did Crow Hill get its name?

MG: I don't know. The old people know those things. I never thought about it. I'm from there. I grew up there with my folks. From April Longie's around that way we're all one big family on my mother's side. There's Boke (Thomas), the Grey Bears and then Junior Josh. His grandma is my first cousin. And Paul (Yankton) lives there. From there you go and Glen (Walking Eagle) lives there. And then who? Oh, Lorna (Walking Eagle). On the other side is her brother, King (Walking Eagle). On the other side is Martina (Kazena). And then my sister. Her and I are the only ones alive. In back of her is her oldest boy, Carl (Walking Eagle). Up the hill lives Ambrose (Little Wind). His father is the only brother we have, Joe Little Wind. From there you go, Skin (Little Wind) lives there. Then Katherine (Little Wind) lives below there. They are my nieces, my brother's children. Up on the hill is Big Joe (Chaske). West from there is Winfield (Chaske), my sister, Mary Ann's, son. By the old place, my sister used to live there. I don't know who lives there now. And then John (Chaske), my sister's son. From there you go and Steve Brown lives there. He is my sister, Agnes', son. Close by is Mary Lou Diaz, my sister, Agnes', daughter. Agnes' old place, John Little Wind Jr. lives there and then there is the housing. I don't know who lives there, but we're all family. By the Log House, Bruce (Walking Eagle) lives there. That's my sister's son. And there is Boke's daughter, Cheryl Thomas. She comes from my oldest sister, the one that they killed. That's where she comes from. And then Joyce Young Bear, that's her sister, Cheryl's. They come from my oldest sister (Rose Thomas), her son, Boke. We come from one big family, the whole Crow Hill area, except for Vern Lambert. He must be a cousin.

EH: Long time ago they used to make horses dance. Do you know about that?

MG: I saw that. Around the 4th of July they camped. They camped during Fall Fair, too. They camped at both of these times. That's when I saw that. There was an old man, but I don't remember his name. I think they put something over his head and then he sang. And there were some women. They carried bowls in their hands. I don't know who they were. Must be

old timers. The horses danced like this when that man sang. I saw that and that's for a fact.

EH: Men and women talk differently. Do you know anything about that?

MG: Yes, men and women use different words. Women try to talk like men, but they laugh at them. I know of a person, but I am not going to tell her name. She had a lot of boys. She used the men's way of talking to her boys so they'd know the men's language. When someone visits her she forgets and speaks the men's language and they laugh at her. The reason she speaks the men's language is because she wants her boys to talk the men's way.

EH: How did Wood Lake get its name?

MG: B'deh Cha (Wood Lake)

EH: Where did Tokio get its name?

MG: I don't know.

EH: Where did you go to school?

MG: Right over there by the (Fort Totten) apartments (north of the Blue Building), there used to be a sister's school, but it burned down. There used to be a big sister's school. I think on Dec. 22, 1926 it burned down. They hauled us away in trucks from Fort Totten. They took us to the other school (Cavalry Square). There were a lot of kids so we doubled up. They sent some home and some stayed. I finished school there at the government (BIA) school. They treated us like soldiers. They woke us up at 6 a.m. They blew a bugle and we had to get up and fix our bed. Then we went downstairs and washed up. We went in a big room and a woman came in. She said a few words and then she hollered, 'Roll call!' She started out by saying '1, 2, 3.' We all had numbers. My number was 115. All those years my clothes were marked 115. They gave us a hard time. They cut our hair short and they wouldn't let us speak Dakota. They hit us in the mouth or put soap in our mouth. The 6 year old children suffered more because they couldn't speak English. I could tell a lot of things about that. I am going to write a book about that.

When they had roll call and we went outside girls stood on one side, boys stood on the other. When they raised the flag we saluted. There were two officers to a company. They ordered us to salute till the flag went up. Then they hollered, 'left face!' and we marched away. That was during World War I. All the boys from the government school here and maybe Wahpeton, when they went in the service they knew all the commands. The white boys had it hard. They wondered why the Indian [Dakota] boys knew all the commands. And they told them, 'We been in military school all our lives.' This is all I'm going to say about this because I'm going to write a book.

EH: Long ago Dakotas had Dakota names. Do you know any names?

MG: I know a lot of names. I know of three brothers. On this side of 281 was a man who lived in a big house. His name was Burnt Stomach. And one lived at the East end. I don't know which was older, but his name was Black Front. And then the other one lived across highway 20 where Walward lives. Right beside there he lived with four elder ladies. His name was Spotted Tracks. Drowned, Afraid of his Tracks, Brown Ears, Dependable, they are from Crow Hill, the Jim Brown family. There was a lot of them and I didn't know them too well, but I heard some of those names.

EH: Is that all?

MG: Yes.

CHAPTER 5

SENSUAL CITIZENSHIP: CHARLES ALEXANDER EASTMAN'S REVISIONS OF U.S. CITIZENSHIP IDEALS

A loyal and disinterested friendship was one of the finest things developed by the first North American, who knew how to be a true comrade, even to death. Intelligence combined with patriotism meant leadership, and was always at a premium. Of culture in the technical sense he had none, but that his mind was logical and keen is sufficiently proved by his oratory and generalship. His children were taught to obey: silence, self-control, self-denial, these were the foundations of character-building. There was a school of the woods in which the young were systematically trained in body and mind, by sports and Native arts of many kinds, nature-study and wood-craft, together with a thorough drill in tribal history, tradition, and folk-lore.

Charles Eastman, Address to First Universal Race Congress (1911)

Looking toward the future, we can affirm that the educational policy of the last thirty or forty years, both in the United States and Canada, built upon an earlier but inadequate system of mission schools, is, broadly speaking, a success, and if adopted much earlier on the present large scale would long since have settled the whole question.... The whole system of race segregation and separation is a mistake, except as a temporary expedient, as applied to a comparatively small number of individuals who can undoubtedly be trained and assimilated without serious difficulty, provided thorough measures are taken. There is already a fraction which is socially, commercially, and professionally at one with the general population, while a majority of the whole have received allotments of land in severalty, and have become citizens.

Eastman, Address to First Universal Race Congress

During this phase of my life, I was brought face to face with a new phase of progress among my people of the Dakotas. Several of their reservations were allotted in severalty and the Indians became full citizens and voters....

At first they continued to get together according to old custom, calling a council and giving a preliminary feast, at which two or three steers would be killed for a barbecue. After dinner, the tribal herald called the men together to hear the candidate or his representative. I took active part in one or two campaigns; but they have now a number of able young men who expound politics to them locally.

Some persons imagine that we are still wild savages, living on the hunt or on rations; but as a matter of fact, we Sioux are now fully entrenched, for all practical purposes, in the warfare of civilized life.

Eastman, *From the Deep Woods to Civilization* (1916)

1. Introduction

Many, if not all, of the writings of the Dakota author, physician, and intellectual, Charles Alexander Eastman (1858-1939), attempt to navigate the assimilationist demands of US settler society in relation to his own sense of Native societies' enduring epistemic and ethical differences from white "civilization." Part of a small group of Native American intellectuals comprising the leadership of the Society of American Indians (SAI), a Progressive Era organization that worked to air native grievances and lobbied for the passage of the 1924 Indian Citizenship Act (ICA), Eastman is often described as a cultural mediator who worked to bridge between worlds inhabited by irreconcilable races. One Chautauqua brochure for a 1904 Eastman lecture touted, "This strong and interesting Sioux American... has come to be regarded as the literary spokesman of his race," and emphasized his position at the brink of both the "natural" world of his "tribal" boyhood and the "artificial" one he encountered at Dartmouth College and Boston University.¹ Indeed, throughout his adult life Eastman was in high demand as a "spokesman for his race," even serving as the representative of all North American Indians at the 1911 First Universal Race Congress in London. But as I sought to show in my previous chapter on Eastman, his literary and oral performances of Indianness served less to bridge cultural "worlds" in a hybridizing mode, and worked instead to underscore key differences between Dakota and liberal notions of the individual and of individual "rights" and ethical responsibilities.²

A similar strategy of what we might call amiable non-accommodation shows up in Eastman's writings on US citizenship. As the passages which open this chapter suggest

in their quite varied constructions of tribal life and sovereignty—from existing in the body and environment, to being transformed and perhaps dissolved through assimilation to “civilization,” to the ironic claim that “savagery” never existed among Dakota people, but only in the materialistic settler society that colonized and then sought to incorporate its Native “wards”—the permutations of citizenship’s meanings over the course of Charles Eastman’s life and writing career reveal profound ambivalences, and perhaps even contradictions.³

Eastman viewed US citizenship as operating in a sphere of politics distinct from indigenous knowledge and identities: that set of “religion and racial codes” he thought “each race should be allowed to retain” upon its voluntary incorporation into the US. He defined these “codes” in contrast to its “technical sense” of material wealth and mechanical technologies:

It has long been apparent to us that absolute distinctions cannot be maintained under the American flag. Yet we think each race should be allowed to retain its own religion and racial codes as far as is compatible with the public good, and should enter the body politic of its own free will, and not under compulsion. This has not been the case with the native American. Everything he stood for was labelled “heathen,” “savage,” and the devil’s own; and he was forced to accept modern civilization in toto against his original views and wishes. The material in him and the method of his reconstruction have made him what he is. He has defied all the theories of the ethnologists. If any one can show me a fair percentage of useful men and women coming out of the jail or poor-house, I will undertake to show him a larger percentage of useful citizens graduating from the pauperizing and demoralizing agency system.⁴

In this view, full inclusion of Native Americans into the US body politic would need to be attended with vigilance, in order to safeguard core cultural concepts and practices, and most centrally those relating to “religion” and “racial codes.” Likewise, “the material in him” here references this persistent cultural knowledge learned in what Eastman called the “school of the woods,” or more provocatively, a “school for savagery,” while also

signifying its embodied dimension: a dimension that transcends and is consequently resistant to “scientific” theories of natives’ essential racial inferiority. This, in spite of an “agency system” that put Native peoples under the charge of often unscrupulous Indian agents, and within the harsh pedagogical structures of mission and boarding schools aimed at eradicating all traces of Indianness. We also see here Eastman arguing for a form of tribal sovereignty through his demand that citizenship be consensual, although the ICA ultimately made natives into US citizens unilaterally, and bypassed any such demand.

On the other hand, despite insisting on the continued existence of core cultural values—in what is a kind of first amendment or religious freedoms argument—Eastman also wrote about citizenship and assimilation in salutary terms. Like other SAI members, Eastman saw that legal equality with non-Indian citizens would mean an end to at least the most destructive or blatant forms of wardship—that legal fiction that emerged from Justice John Marshall’s 1831 decision in *Cherokee Nation v. Georgia* and that held that Native peoples in the US were “domestic dependent nations” rather than sovereigns. Its construal of the federal government’s relationship with native tribes as one of a “guardian” to a “ward” created an indefinite form of legal “pupilage” to its “Great Father,” and laid the groundwork for other forms of US paternalism and control over Native bodies and lands. As David Wilkins describes it, wardship was a particularly powerful fiction, as it enabled the forced allotment of lands, unilateral abrogation of native treaty rights (such as Congress’s abrogation of all prior treaties with Dakota tribes as an especially zealous form of paternal punishment for the Dakota War of 1862), while being completely “unsupported by legal authority or tribal consent.”⁵ As a legal remedy

to the ills that wardship created and perpetuated, Eastman endorsed US citizenship for native peoples more or less unequivocally. Beneath the surface of that unequivocality, though, are qualifications and modifications that beg the question of Eastman's role as critic, agent, or interlocutor of some other kind in relation to US citizenship.

This chapter builds on the previous one's analysis of Eastman's writings for children, where I examined Eastman's animal stories in order to tease out his deployments of Dakota theories of personhood, diplomacy, and peoplehood. Here I turn to Eastman's more overtly political writings in *The Indian To-Day*, a text that emerged in and through his association with the SAI during the early 1900s, reading them for their articulations of Dakota sovereignty as expressed in concepts of land tenure and social responsibility. As Stefano Varese argues in a Latin American context, alternative articulations of sovereignty are both historically specific as well as emergent from our ongoing reassessments of non-dominant groups' pasts and politics.⁶ "Following a strict Napoleonic tradition," writes Varese, "the notion of sovereignty pertains exclusively to the nation-state... The specifics of what may constitute ethno-sovereignty rights are still in the making and need to be addressed in each specific regional and national case." Varese goes on to point out the importance of "social and spatial definitions of indigenous peoples, communities, and groups."⁷

In the same vein, Eastman's articulations of Dakota ethics and concepts of sociospatiality reveal ambivalences around the issue of US citizenship and sovereignty for Native Americans. Although some Native Americans had by 1924 become US citizens through allotment, most had not, and were considered to be wards of the federal government. Eastman's ambivalences around the issue of citizenship suggest Eastman

neither simply accepted nor refused legal incorporation of Natives, but instead strove to negotiate a sphere of politics largely defined by stark binaries of insiders and outsiders, citizens and aliens, the civilized and the wild. In tracing the details of this confrontation between cultures, my aim is to try to move beyond the host of either-ors—as I find Eastman successfully does—that stem from reading native histories in ways that privilege key narratives of colonial culture: seeing native peoples as either dying or surviving, assimilating or resisting, partaking in either local pasts or a global future.

In reading Eastman's political work alongside his ostensibly apolitical writings for children, I first make the argument that resignification forms the basis for Eastman's revision of U.S. citizenship ideals, which he infuses with Dakota tropes of individual responsibility located in terms of kinship, and in sensual and filial relations with the land. I also ask how cultural mediators like Eastman worked to create dialogue between radically different, perhaps even irreconcilable, systems of meaning, while also asserting Dakota sovereignty. What are the ways in which difference is maintained in situations where syncretism and cultural mixing occur? How can we read this maintenance of difference as a sovereign act, rather than one of mere accommodation, or, as some Eastman critics have argued, as evidence of promoting "interracial harmony"?⁸ The second part of the chapter then addresses the ways that Eastman reinvests notions of land and land tenure by repersonalizing the land, or more precisely, through articulations of the land as an affective and powerful presence. This act of repersonalizing what property discourses of federal Indian law and US citizenship had rendered inert constitutes a sensual citizenship that is grounded in connections between rights and land in uniquely Dakota ways. It is, I argue, Eastman's point of entry for talking back to traditions of

discourse which both enabled the wardship, and later citizenship, of Native peoples—where both are forms of objectification (whether forthrightly paternalistic or couched in an inclusionary language of “recognition”) against which Dakotas have historically struggled.⁹

I should add here at the outset that I don’t believe Eastman’s texts lend themselves easily to readings for “resistance.” And yet, it is important to see that even in the most ostensibly benign of texts, such as his Boy Scout and Camp Fire Girl talks, and despite or *because of* (as I hope to show) using vocabularies typically associated with hate speech (i.e., of “the savage” or “wild Indian”) he makes the case—imaginatively, nostalgically, perhaps, rather than in a realist mode—for Dakota sovereignty that exists and persists in cultural forms. Because I see Eastman as coding resistances through depictions of cultural knowledge that are largely tacit, and largely overlooked by his critics past and present, my point of entry for discussing citizenship are those points of ambivalence, the nodes of contradiction where what he names as “wild” and “savage” actually points to those aspects of Dakota life that survived settler dispossession and attempts at genocide. In other words, I try to look beneath the surface of Eastman’s uses of anti-Indian hate speech to read for embodied forms of sovereignty and a politics of everyday materialities.

Most basically, I ask what Eastman, as a Dakota person, thought about US citizenship, and whether it is possible for ambivalences like Eastman’s to be read in their own terms while framed within the Enlightenment narrative of human progress. As I turn to Eastman’s writings for Boy Scouts and Campfire Girls in the second half of the chapter, other questions follow from these basic ones. What does “in their own terms”

mean in the context of Native sovereignty discourses at the turn of the twentieth century? How can reading for Dakota narrations of embodied forms of sovereignty make room for alternative articulations of sovereignty, ones that imaginatively traverse linguistic, cultural, and political borderlands while also asserting positive and enduring historical differences? What room is there for sovereignty talk in spaces and places where US national incorporation is thought of as a corrective to the “Indian problem,” that colonial situation of conceptualizing and bureaucratically managing the Native remainder that emerged from the rapid expansion of US national space in the nineteenth century? What happens to native sovereignty talk when it is forced to speak through the categories of native abjection and subjection? When it speaks of “the Indian” as having “vanished” by becoming “at one” with the dominant culture’s values, even while narrating native survival as US citizens, and while waxing nostalgic about native “religious” and philosophical contributions to the United States? How, in other words, might nostalgia—as an imaginative, sentimental mode of remembrance—be used to attest to the persistence of not only cultural memory but embodied practices?

Much of the scholarship on Eastman has regarded his deployments of nostalgia as being, at best, a of bad or naïve sort of sentimentalism and, at worst, uncritically reproducing categories of native abjection in which Native peoples appear as childish, “wild” precursors to the “civilized” settler state. David Brumble, for instance, describes Eastman’s earliest writings for children, in *Indian Boyhood* (1902), as both making him “a national authority and spokesman on Indian affairs” while also naturalizing the process of assimilation and legitimating the process of allotment.¹⁰ On the flip side of these readings, others have begun to read Eastman’s nostalgic autobiographies as

demonstrating a desire to “Indianize” whites, and have highlighted signs of native agency despite Eastman’s depictions of a seemingly essentialized and generic “Indian” whose traditional lifeways *necessarily* changed, and would “vanish,” in the encounter with civilization.¹¹ These critical either-ors, however, uncannily resemble, and quite arguably reproduce, the restricted menu of choices presented within the imperial imaginary: to be an Indian or an American, savage or civilized, apologist or critic. In Eastman’s case, these “false choices,” as Kevin Bruyneel calls them, took on visibly manifest form through Eastman’s wardrobe choices.¹² After becoming established as a “full-blooded Sioux” orator and writer who was “representative of his race,” epithets that appeared not only in Eastman’s obituaries but in virtually every editor’s preface to his books, Eastman would frequently appear in a feathered warbonnet.¹³ Just as often, though, he appeared wearing a three-piece suit, as in a meeting as an undergraduate at Dartmouth with the English critic, Matthew Arnold, who was surprised to see Eastman show up “in faultless evening clothes” rather than the “warpaint and full tribal regalia” he had expected.¹⁴

The complex ways that Eastman negotiated his physical appearance suggest that Eastman approached his self-image through representational strategies that variously played to and refuted popular ideas of Indianness as being an either/or proposition. His uses of Dakota cultural material of other kinds—traditional stories, games, techniques for hunting, and so on—reveal him navigating, and creatively deconstructing, a similar colonial dialectic. Reading Eastman for his negotiating of “false choices” emanating from imperial binaries, particularly around the issue of citizenship, opens up space for re-examining his representations of Dakota life. Such an approach also allows for those moments of cultural certitude (i.e., what seems most *truly* Indian) to be viewed as a form

of stereotyping that may, at worst, ossify and trap Natives in a nostalgic performance, or in the best of circumstances, assert a socially useful form of cultural separatism.¹⁵

I will focus on the second possibility, with the aim of demonstrating that even in cases of apparent cultural separatism—as with Eastman’s argument that the “racial codes” of natives should be maintained even while taking on the identity of a US citizen—there may be complex and vital relations between modernity and tradition, and between US law and Dakota ethics, at play. Recalling Eastman’s claim that the “native excellence” of Native Americans ought to be considered as a primary line of inquiry in questions of their citizenship, we may examine his articulations of pre-reservation life in terms that define a specifically *Dakota*, rather than pan-tribal or idealized “Indian,” politics of the body. And while Eastman never used the term “sovereignty,” I contend that his writings for Boy Scouts and Campfire Girls may usefully be read alongside his more political arguments as a way to understand how nostalgic evocations of lost homelands and lifeways become imaginative assertions of contemporary Native self-determination. This is so, especially in relation to embodied habits and relations to land that persist despite liberal translations of the land into fungible commodity or property, but also to the strong ties that have historically existed in the US between citizenship and property.¹⁶ I will close the chapter with close readings of the scouting materials, which I place alongside contemporary oral histories from Dakota elders and citizens of the Mni Wakan Oyate (Spirit Lake Nation) in order to argue for certain continuities between not only past and present understandings of land, but that these temporal continuities are also ethical points of connection between spatially-separated Dakota bands.

2. Considering “Native Environment”

I locate Eastman’s ambivalence about US citizenship, which shows up in the epigraphs to this chapter, at the intersection of tribally intimate and state-sanctioned forms of sociality. This intersection offers an intriguing location for thinking about colonization/decolonization in a historical moment where incorporation of Native Americans was being widely debated, doubted, and ultimately realized via the ICA. As we will see in Eastman’s most overtly political work, *The Indian To-Day*, a Dakota politics of kinship emerges out of what Eastman valorizes as the “savage” life that existed prior to the reservation system. This politics, a bodily politics of place and the senses, proceeds from what he calls the Indian’s “native environment, temperament, training, and ability in his own lines.”

The Indian To-Day appeared in a series titled “The American Books: A Library of Good Citizenship,” that purported to be “a series of authoritative manuals, discussing problems of interest to-day.” As such, Eastman’s volume joined other works on topics such as American socialism, literature, and university life. Of the eleven volumes in the series, Eastman’s is the only one to address directly issues of non-white citizenship—a noteworthy thing, perhaps, and not least of all because 1915 marked the beginning of several years of race rioting in the United States, stemming from black laborers moving north to find work in war industries. From its table of contents alone, *The Indian Today* would seem to be politically innocuous: “The Indian as He Was,” “The How and Why of Indian Wars,” “The Agency System: Its Uses and Abuses.” Yet while no heading in the volume is overtly inflammatory, a civil tone of redress runs through them. Eastman’s stated purpose follows this sort of measured critical stance. “It is the aim of this book,” he

writes, “to set forth the present status and outlook of the North American Indian. In one sense his is a ‘vanishing race.’ In another and an equally true sense it is a thoroughly progressive one, increasing in numbers and vitality, and awakening to the demands of a new life.” Aiming to historicize the state of Native nations in the present, as well as forecast their future within the larger body of the United States, Eastman frames the latter aim, which investigates “the outlook of the American Indian,” in terms of US citizenship, and through conventional liberal vocabularies of rights and obligations.

It is this framing, and his deployments of social Darwinist rhetorics of Native degeneracy and vanishing, that has lead critics like Robert Allen Warrior to view Eastman as an “assimilationist” who championed a radical form of Native reinvention predicated on notions of tribal backwardness and inevitable extinction.¹⁷ Warrior has staked out an especially hard line against Eastman and the SAI generally, characterizing them as being, at best, “blindly optimistic” about the prospects of Native citizenship, and at worst, “troubling” in their apparent zeal for wholesale Native incorporation into the United States. More recent critical analyses, such as Lucy Maddox’s in *Citizen Indian*, attempt to recover modes of resistance within Eastman’s ambivalent politics. His writings, she asserts, “taken together, constitute a sustained argument for the conclusion he stated in a 1918 article for the SAI journal—that the American Indian is in fact the most appropriate representation of all that America has professed but failed to be.”¹⁸ This view of Eastman’s politics as critical of American exceptionalism and capitalist greed, despite or because of what Maddox calls his “persistent turning to the abstract, the ideal, the generic,” stands to draw out important political negotiations performed in Eastman’s citizenship writings. These include his overtly political works like *The Indian To-Day*

and less obviously, also his writings for Boy Scouts and Campfire Girls in *Indian Scout Talks* (1915). While Maddox is certainly right that Eastman deployed a generic vocabulary of ideal types (i.e., “the wild Indian” who is also “the natural man”), this chapter argues that such idealization does not simply repeat essentialist and racist language but also articulates important epistemological differences from US settler society. I view his representations of pre-reservation tribal life as doing more than providing Eastman “with a set of ideals that can serve as generalized, depoliticized models for a new generation of young white Americans.” Instead, these nostalgic depictions of a “wild life” work to depict and politicize Dakota views of land and the body—locations of cultural knowledge and action which the settler society, in its guise as law, had never admitted into the realm of the political.¹⁹

Eastman’s deployments of racial stereotypes work to ground, literally and symbolically, his view that Dakota sovereignty has and continues to exist in a politics of the body. This politics constitutes a critical remainder after Dakota incorporation into the US. “In order to answer these questions,” he writes, of “what position” the Indian “fills in the body politic,” Eastman briefly lists what we might call Dakota habits and habitus:

We ought, first, to consider fairly his native environment, temperament, training, and ability in his own lines, before he resigned himself to the inevitable and made up his mind to enter fully into membership in this great and composite nation. If we can see him as he was, we shall be the better able to see him as he is, and by the worth of his native excellence measure his contribution to the common stock.²⁰

The “native environment, temperament, training, and ability in his own lines” represents a system of cultural capital that has not disappeared, but whose persistence, as techniques which constitute a particular Dakota subject, continue to inform (even if only, say, as Eastman’s nostalgic representations) the embodied and philosophical bases for

contemporary forms of Dakota citizenship. In Eastman's construction, what "was," and what "is" in terms of Dakota presence become equivalent. This temporal equation also extends to spatial equivalences, including the natural or "native environment." As David Martinez describes the deployments of the "natural world" in Eastman's writings and in the popular American imagination at the turn of the twentieth century, Nature was "something 'out there' as opposed to the Dakota of Eastman's memory, who regarded it as 'right here.'"²¹ Throughout *The Indian To-day*, Eastman likewise insists on the presence of the past not only for Native understandings of "nature," but also for the sake of revising US citizenship ideals, and particularly as a corrective to their emphasis on liberal individualism and its imagining of land as a "space" abstracted away from intersubjective sensual relations. Instead, land acts as a sociopolitical location, in the sense of being both a commonplace—as a trope of Dakota historical presence in traditional homelands—and a place held in common among Dakota persons, through which peoplehood may be remembered and remade.

Looking to the body and its environments as locations for contesting dominant histories is hardly a new critical practice. Writing about "the politics of everyday contemporary indigenous life," Linda Tuhiwai Smith argues that "the idea of contested stories and multiple discourses about the past, by different communities, is... very much a part of the fabric of communities that value oral ways of knowing."²² Oral accounts, in other words, serve as repositories for historical critique and political practice, and Smith elaborates other sites for these narrations: "These contested accounts are stored within genealogies, within the landscape, within weavings and carvings, even within the personal names that many people carried."

Eastman's work for the federal government to "regularize" tribal allotment rolls reveals some of the ways in which personal names may carry historical knowledge, or may reveal a stratum of Dakota life where embodied forms of relation are embedded. In 1903, President Theodore Roosevelt appointed Eastman to regularize Dakota names for allotment records. This bureaucratic task of translating traditional names into "American" ones—a task that took Eastman five years to complete—may at first read as evidence of his belief in assimilation, in the same way that his work as a field physician at an army camp following the massacre at Wounded Knee, and his involvement with the SAI, are often pointed to as evidence of assimilationist intent. But Eastman's motives for "systematiz[ing] the Indian nomenclature" are more complex than a simple reading of him as an assimilationist, or sympathetic agent of the state, allows.²³ For one, giving westernized names for Dakota individuals worked to protect Dakota people against continued graft and land losses. In a section of *The Indian To-Day* titled "Inheritance and Other Frauds," Eastman expresses anxiety over the dispossession of Native lands through illegal claims made by supposed heirs of deceased allottees, since "the law provid[ed] that the allotments of deceased Indians may be sold for the benefit of their legal heirs"²⁴ before the 25 year holding period had passed. Pointing to the massive and sudden land losses that occurred among the White Earth Ojibwa, who were victims of "the theft of over two hundred thousand acres" after legal restrictions on mixed bloods allowed them to sell lands, Eastman felt that regularizing allotment rolls would protect against further dispossessions.²⁵ As he saw it, the intent behind the translation project was primarily economic, and meant to ensure the smooth operation of inheritance laws provided for by both the Dawes allotment system and the 1906 Burke Act's modification of that system

to do away with its 25 year holding period. To ensure the legal legibility of family relationships, though, required a process of normalization within Victorian models of the nuclear family.²⁶

A key part of this translation project, then, was to give to allottees surnames which “the Indian in his Native state” did not “bear.” This translating of kinship relations into terms legible within the state’s heteronormative imaginary²⁷ involved giving the male head of a family a surname that would then extend to his wife and children. In doing so, it presupposed monogamous nuclear families, rather than, as was the case with some Dakota men, having a large network of extended family and occasionally, more than one wife. In describing the difficulties of tracking inheritance with traditional Dakota ways of reckoning kin, Eastman depicts the law as a person with rather delicate sensibilities: “The Indian in his Native state bears no surname; and wife and children figuring under entirely different names from that of the head of the family, the law has been unnecessarily embarrassed.”²⁸ Here Eastman indexes white “embarrassment” as a result of a misreading where the assumption of illegitimacy holds when surnames among family descendants are either omitted or are altogether absent.²⁹ What this heteronormative view misses, of course, are traditional naming practices in which Dakota individuals did not have family names but instead received names according to other logics.

Eastman understood his role as a translator as a means of preserving Dakota culture, and in doing so, communicating something of its philosophical underpinnings to non-Dakotas. He discusses the “American” names he devised in aesthetic terms, as examples of Dakota standards of beauty. Although perhaps not immediately apparent, the relationship between Dakota names and sociospatial environments—of the body and of

place as understood through kinship relations—is also key for understanding Eastman’s possible motives his work on translating tribal allotment rolls into English. Writing in *The Indian To-Day* about this appointment, Eastman describes a few simple rules governing his project:

I received a special appointment to revise the allotment rolls of the Sioux nation. It was my duty to group the various members of one family under a permanent name, selected for its euphony and appropriateness from among the various cognomens in use among them, of course suppressing mistranslations and grotesque or coarse nicknames calculated to embarrass the educated Indian. My instructions were that the original native name was to be given the preference, if it were short enough and easily pronounced by Americans. If not, a translation or abbreviation might be used, while retaining as much as possible of the distinctive racial flavor.³⁰

The “distinctive racial flavor” of Dakota names encoded several possible cultural logics. For one, a child could be named according to birth order. Eastman’s given name, Hakadah, means “pitiful last,” as his mother died during childbirth. Only later in his life, after proving himself through physical competitions among his peers, would he earn the name Ohiye s’a, or “wins often.” This change of name demonstrates another logic of naming in the bestowal of honor.

In *Indian Scout Talks*, for instance, Eastman describes two other classes of names besides “birth names,” including “honor or public names” and “nicknames.” Refuting the claims of “white men that an Indian child is called after the first noticeable thing his mother sees after his birth,” as well as the idea that “some event occurring near the child’s birth established its name,” we see him instead recount the ceremonial conferral of honor names “by the medicine man at a public ceremony.” As with other ceremonial occasions, this “christening” is accompanied by feasting, and importantly, by “gifts presented to the poor of the tribe in honor of the occasion. These needy old people in

their turn go away singing the praises of the child by his new name.”³¹ Eastman elaborates on this making of gifts, explaining that “by giving away their property to those in want, his parents intend to teach him love and good-will toward his fellow-men,” and adding that “if, when he grows up, the boy fails to sustain his honor name, he is no longer called by it.”³² The act of receiving a name, in other words, situates the child immediately within a field of efficacious ceremonial action and moral expectation—within the field of social human action—and as the child grows older, these valences continue to resonate and be remembered in the name itself.

Elaborations of such honor names, in what Eastman calls “deed names,” further situate the Dakota individual within a social field of *non*-human persons, indexed by the “bird and animal names” as well as “those of the elements” that are used “to express temperament” or to remember and celebrate remarkable achievement. Here Eastman describes how “loftiness or beauty of character” was conveyed through references to the sky or clouds, as with the names of “well-known chiefs” like Red Cloud, Touch-the-Cloud, Blue Sky, and Hole-in-the-Day.³³ Deeds “requiring great physical courage” would “often be celebrated by giving the name of some fear-inspiring animal, such as Bear or Buffalo, or one of the nobler bird names—those of Eagle, Hawk, and Owl.”³⁴

As with Dakota naming practices, the notion that the physical environment is always also a relational environment is one that Eastman underscores in his statement that understanding the meaning of Native citizenship entails that the “native environment” must be re-remembered, in the sense of being made whole again through memory and story.³⁵ Smith, again, is useful here: if we agree that “the land and the people have been radically transformed in the spatial image of the West” to become, first

of all, space rather than place, and property rather than home, then Eastman's recollections of those home lands and places both tread on forbidden (because thought to be obliterated) ground and stand to reverse the ideological translation of Native homelands into US national spaces.³⁶ In Eastman's citizenship writings there is, in other words, a tacit theory not just of reclaiming Native lands, but of Native poesis as and through kinship with the land, its non-human inhabitants. This theory of making social life intersects with and necessarily revises US ideals of citizenship by restoring personalistic, intimate forms of relation in and with the land.

3. Property, Alienability, and the Savage Native Subject

Liberal ideas of property played a key role in the dispossession of Native lands, and in the rapid territorial expansion of the antebellum U.S., as well as providing the conceptual foundation for US citizenship. As Helen Hunt Jackson documents in her history of land losses suffered by Native nations, *A Century of Dishonor* (1881), the United States government's rhetoric of citizenship during the middle of the nineteenth century frequently merged individual land ownership and ideas of civilization. The Secretary of the Interior's report for 1851, for instance, underscores the need to "tame a savage" or "wandering race" by "t[ying] him down to the soil."³⁷ "You must," continues the Secretary, "make him understand the value of property, and the benefits of its separate ownership." However, the contradictions within this ideology of ownership manifested in clear ways, and in very short order. In 1852, just one year after the Treaty of Fort Laramie with the Cheyenne, the Senate changed that treaty's terms to reduce the period of the federal government's annuity payments to the Cheyenne from fifty to

fifteen years. Despite Cheyenne and other tribes' resistances to the annuity relationship, including continued hunting of deer and the fast-dwindling herds of buffalo, mass starvations resulted among the Cheyennes, Arapahoes, and Dakotas.³⁸ The treaties that had ceded so many Native lands—though always reserving traditional hunting and fishing grounds—would lead to wars between the tribes and the federal government.

Racist notions about forms of Native backwardness endured to the passage of the ICA and beyond. Such notions construed backwardness largely in economic and imperial terms, as Native inability to “improve” according to the model of the bourgeois individual, and served as a lingua franca for even the most ardent opponents of US Indian policy. The SAI, for instance, often couched its arguments for greater Native self-determination in typologies of backwardness, viewed primarily through the lens of property. More precisely, the SAI framed its calls for greater Native self-determination through evolutionist tropes of retardation. The first objective of their mission statement, for instance, declares their wish to leave the Indian “free, as a man, to develop according to the natural laws of social evolution.” While the organization’s stated aims invoke a social Darwinist version of natural law, and locate Natives in a position of lack, there is also a clearly implied criticism that non-Natives are the agents of retardation. Historically this holding-back took various forms: through administrative means such as the Bureau of Indian Affairs (BIA), and its earlier incarnation, the Office of Indian Affairs, created in 1824 as part of the US War Department. Just as powerfully, legal precedents enabled BIA control over Indian affairs. Perhaps none of these was more influential than the notion of Native wardship, which informed nearly a century of federal Indian law and policy, and

had its first complete iteration by Chief Justice John Marshall's 1832 decision in *Cherokee Nation v Georgia*.

Wardship, however, grows out of the earlier legal precedent of *Johnson v. M'Intosh* (1823). One of the foundational cases of US property law—and of federal Indian law—*Johnson v. M'Intosh* addressed the issue of whether Indians possessed title to their lands. Descendants and lessees of Thomas Johnson, who had bought land in Illinois from Piankeshaw tribes in the years just before the American Revolution, sought to eject William M'Intosh, who had bought a parcel of land from the US government. The court rejected the plaintiff's claim to superior title through conveyance by invoking the Doctrine of Discovery and its notion that Native tribes had no power to alienate, or sell, their own lands. The logic of conveyance in Marshall's decision hinges on natural law theory and its particular construction of Natives as existing in "a state of nature." In such a state, Native peoples cannot be considered as nations because they have none of the features of "civilized nations," most central of which is the absence of the power of alienability:

On the part of the defendants, it was insisted, that the uniform understanding and practice of European nations, and the settled law, as laid down by the tribunals of civilized states, denied the right of the Indians to be considered as independent communities, having a permanent property in the soil, capable of alienation to private individuals. They remain in a state of nature, and have never been admitted into the general society of nations. All the treaties and negotiations between the civilized powers of Europe and of this continent, from the treaty of Utrecht, in 1713, to that of Ghent, in 1814, have uniformly disregarded their supposed right to the territory included within the jurisdictional limits of those powers. Not only has the practice of all civilized nations been in conformity with this doctrine, but the whole theory of their titles to lands in America, rests upon the hypothesis, that the Indians had no right of soil as sovereign, independent states.

Here, Marshall appeals to international legal custom, founded on the European doctrine of discovery, to deny Natives full sovereignty over their own soil. That Native peoples were sovereigns of the soil through use and habitation, however, is not questioned by Marshall. Indeed, he asserts that in this deeply compromised sense they were “absolute owners and proprietors of the soil” through the “mere right of usufruct and habitation.” In effect, this constructed Native Americans as tenants or mere residents on soil that was always already “owned,” in the sense of having been converted into titled property, by whites.

A notion of indigenous lawlessness, as exists in a state of nature, underwrites Marshall’s reading of alienability. He supports his reading by reaching back to explicitly cite the Discovery doctrine as the *sine qua non* of civilized nations. So transcendent is the sovereign power of discovery, in fact, that it renders moot his entire preceding discussion of alienability:

Discovery is the foundation of title, in European nations, and this overlooks all proprietary rights in the natives. The sovereignty and eminent domain thus acquired, necessarily precludes the idea of any other sovereignty existing within the same limits. The subjects of the discovering nation must necessarily be bound by the declared sense of their own government, as to the extent of this sovereignty, and the domain acquired with it. Even if it should be admitted that the Indians were originally an independent people, they have ceased to be so. A nation that has passed under the dominion of another, is no longer a sovereign state. The same treaties and negotiations, before referred to, show their dependent condition. Or, if it be admitted that they are now independent and foreign states, the title of the plaintiffs would still be invalid: as grantees from the Indians, they must take according to their laws of property, and as Indian subjects. The law of every dominion affects all persons and property situated within it; and the Indians never had any idea of individual property in lands. It cannot be said that the lands conveyed were disjoined from their dominion; because the grantees could not take the sovereignty and eminent domain to themselves.

Marshall’s assertion that indigenous peoples have no idea of individual property in lands—as a matter of abstract title that may be conveyed through European and

American laws—is certainly correct, as all tautologies are in a certain sense correct. But the opposite implication of his reasoning, that indigenous peoples held a communal idea of property, reads as an ideological means of rationalizing US and European treaty relations with indigenous peoples, rather than an accurate assessment of Native land tenure concepts. In both cases—i.e., property-holder as individual or collective—the logic of property as an alienable abstraction holds, and obscures other possible or actual logics of land tenure.

The core conceptual labor that Marshall’s decision does in relation to Native peoples is to conflate land, property, and labor into a constellation that locates indigeneity outside of legitimate forms of ownership. This constellation would likewise trouble the notion of citizenship right up until 1924, and obscured alternative articulations of belonging—both communal and national—that regarded being-in-place through quite different tropes of the land’s presence and affectability. This constellation betrays its own ideological vulnerabilities, though, which Eastman and other SAI members explored even while seeming to be caught within their basic framework. Marshall himself seems to sense the arbitrariness at the heart of his decision about Native property-lessness. His cataloguing of prolepses, for instance (“Even if it should be admitted...”), appear as contrary-to-fact subjunctives, or ideologically brittle apologies for US imperialism. They read backwards from a moment of US domination to construct a historical Native subject that has always already been disenfranchised and dispossessed (“It cannot be said that the lands conveyed were disjoined from their dominion; because the grantees could not take the sovereignty and eminent domain to themselves”).

This is all, of course, an exercising of the savage/civilized dialectic and its “horror of myth,” as Horkheimer and Adorno call it in *The Dialectic of Enlightenment*. Their critique is relevant for reading US law as both deriving from and reproducing a racist ontology of Native savagery as propertylessness, and is useful for further illuminating how that ontology persisted in formal, legal form, until the passage of the ICA. Horkheimer and Adorno argue that a horror of myth entails a stripping away of subjectivity’s affect-laden qualities. This denuding of the subject leads to the historical emergence of a transcendental or logical subject that has its ultimate expression in the “functional context of self-preservation,” who, for instance, is also the instrumentalized subject of property law.³⁹ “In the judgment of enlightenment as of Protestantism,” they argue, “those who entrust themselves directly to life, without any rational reference to self-preservation, revert to the realm of prehistory.” Certainly, within nineteenth century legal discourses of Natives, the trope of Native ahistoricity played a profound role in providing the framework for dispossession. Horkheimer and Adorno then go on to describe the bourgeois division of labor in relation to this “horror”:

In the bourgeois economy the social work of each individual is mediated by the principle of the self; for some this labor is supposed to yield increased capital, for others the strength of extra work. But the more heavily the process of self-preservation is based on the bourgeois division of labor, the more it enforces the self-alienation of individuals, who must mold themselves to the technical apparatus body and soul.⁴⁰

I’m especially interested in this process whereby the individual’s relation to herself is both mediated and ultimately converted into a self-alienated form by an ethic of self-preservation based in “the bourgeois division of labor,” since it is a critique that Charles Eastman gives as well. He does so first when he describes being caught in the “warfare of civilization,” which he encapsulates at the close of *From the Deep Woods to Civilization*

as being along the lines of “commerce, nationalism, or material efficiency” rather than along “social and spiritual lines.” At the close of *Indian Scout Talks*, he makes a similar call for Native ideals of service as a corrective to the individualism of settler “civilization”: “Let us have more of this spirit of the American Indian, the Boy Scout’s prototype, to leaven the brilliant selfishness of our modern civilization!”⁴¹ Of course, Eastman is not saying here that Dakotas had no sense of self in the halcyon days before reservation life. On the contrary, he is positing a specific form of subjectivity that is mediated by relational logics of service and reciprocity, and by an economic logic of sufficiency. These forms of Dakota subjectivity stand as critiques, then, of the process that legally or formally evacuated the land of presence, at the same time as the individual suffered a similar evacuation. Although my last chapter on Eastman spelled out some of the details of Eastman’s critique of capitalism, I want to dwell a while longer on how this process of instrumentalizing the subject relates to the law’s transformation of sensual relations to land or the natural world into what Horkheimer and Adorno call “a mass of material.”

Like the concept of myth, nature occupies multiple valences of meaning for Horkheimer and Adorno. Nature is, prior to its moment of domination by reason, both nature as objective fact but also nature as human subjectivity. When Horkheimer and Adorno write that enlightenment is the domination of nature, what they mean by nature is a kind of space that has been evacuated: “Once the objective order of nature has been dismissed as prejudice and myth, nature is no more than a mass of material.”⁴² This evacuation and dismissal, and the installment of man as the master of nature, are the hallmarks of that “father of experimental philosophy,” Bacon. In his own words:

“Therefore, no doubt, the sovereignty of man lieth hid in knowledge;... now we govern nature in opinions, but we are thrall unto her in necessity: but if we would be led by her in invention, we should command her in action.”⁴³ The ejection of what the enlightenment call anthroporphism and animism, by reason, and by the systematic enquiry into nature, become for Bacon the means by which men may dismiss “prejudice and myth” from thinking, and gain “command” of “her in action.” What this ejection of myth becomes, for Adorno, is another species of myth, another barrier to cognition.⁴⁴

It is tempting, and given federal Indian law’s colonial uses, arguably appropriate, to read it as creating such barriers to cognition. What Marshall’s construction of land as property does, after all, is to reconstruct the myth, as a form of racism made sublime by law, of Native inferiority, recasting it specifically in terms of a Lockean conversion of land into property through labor.⁴⁵ The philosophical basis for viewing property as the sine qua non of human relationships with the land stems, of course, from Locke’s formulations in *The Second Treatise on Government*, and specifically on the linkages he makes there between the morality of natural law discourse with the acquisitiveness of an accumulation discourse. Onur Ulas Ince describes how any tensions in the relationship between the socioeconomic and theological in Locke’s theory of property become resolved through an argument for accumulation’s (rather than, say, sufficiency’s) necessity: “the ingenuity of Locke’s theory resides in the particular way he sets the terms and the narrative structure of his account, which enables him to depart from God’s command to make use of the earth for the benefit of mankind and, passing through money’s zone of indeterminacy, arrive at the necessity of accumulation, which renders

the seventeenth-century capitalistic practices not merely permissible but morally commendable.”⁴⁶

Citizenship, then, becomes part of that constellation defining property through natural law’s ontological relations between labor (as cultivation) and power (as discovery, but also quite clearly as a function of race, sublimated as “dominion”). Indeed, Marshall is quite explicit about this relationship:

Such, then, being the nature of the Indian title to lands, the extent of their right of alienation must depend upon the laws of the dominion under which they live. They are subject to the sovereignty of the United States. The subjection proceeds from their residence within our territory and jurisdiction. It is unnecessary to show, that they are not citizens in the ordinary sense of that term, since they are destitute of the most essential rights which belong to that character. They are of that class who are said by jurists not to be citizens, but perpetual inhabitants with diminutive rights.

As Native individuals were not *quite* citizens, being declared (by Marshall’s fiat) “destitute of the most essential rights which belong to that character,” they become mere residents or “perpetual inhabitants with diminutive rights.” And as this liminal or quasi-citizenship is founded on notions of Native “savagery” or of existing in a pre-political state of nature, the question arises: what does it mean for a Native author like Charles Eastman to repeat such rhetorics a century after Marshall’s decision? And what does this repetition (repetition with a difference? simple reproduction?) mean for the ways in which he represents Dakota relations to land? In the section that follows, I’ll briefly try to spell out the terms of Eastman’s claims for the persistence of what he calls “savagery” (a term that he treats as hate speech, and that he reinscribes in positive terms) in the face of a US citizenship concept that threatened to erase these kinship relations.

4. Citizens *Ex Nihilo*

Locke's equating not only morality but also citizenship (as enclosure and cultivation) with the acquisition of property formed a key legal means for the dispossession of Native lands in the mid-1800s.⁴⁷ As Priscilla Wald observes in her insightful essay, "Terms of Assimilation: Legislating Subjectivity in the Emerging Nation," the defining of citizenship through the natural right to own property, and first of all, through the right to own one's self, formed a crucial part of the reasoning by which the Marshall Court rationalized the "domestic dependent" status of tribal nations. It would also form the legal means by which Cherokees would be removed from homelands and, in the Dred Scott decision, articulated "descendants of Africans" as not being in possession of themselves and so, not citizens.⁴⁸ The U.S. Supreme Court's exclusion of Cherokees from legal and social representation except through a citizenship or individual rights discourse likewise relied on what Wald terms a "rhetoric of erasure." What this means is that the dispossessed would be those subjects for whom natural law does not apply. Practices of Native land tenure such as hunting and fishing, but also of maintaining kinship relations, were unintelligible within the individualistic, and textually-based, framework of natural law and the "rhetoric of erasure" deployed by U.S. courts.

This same rhetoric of erasure accompanied US citizenship discourses about Native Americans—discourses which have been from the first significantly different than those aimed at other minority groups, and different above all in terms of demands to relinquish existing identities. Writing about Native citizenship in the early twentieth century, Tova Cooper observes that "both American Indians and immigrants experienced pressure to relinquish aspects of their culture in order to become American. European immigrants easily became citizens and maintained ties to their ethnic communities during

this period, however, while the law required American Indians to abandon their communities if they wanted to acquire citizenship.”⁴⁹ The law in question here was the 1887 Dawes Act, which did require Native individuals to, if not fully abandon their communities, at least significantly isolate themselves from them, as the federal government allotted each head of household 120 acres for homesteading. Continued “tribalism,” or communal loyalties, constituted a source of resistance to US expansion of national space, and allotment worked powerfully to erode these communal identities and attachments to land. Being not only the “mighty pulverizing engine to break up the tribal mass” of land, then, as Roosevelt would infamously praise it, the Dawes Act introduced major cultural changes through individual property ownership. More precisely, it introduced the ability for individuals to alienate or sell land after a 25 year holding period had passed. The 1906 Burke Act modified this provision by introducing the notion of “competence,” which was essentially measured by blood quantum (greater than ¼ degree of Indian blood automatically ensured “competence) and agriculturalism. This administrative label delineated which individuals were “competent and capable of managing his or her own affairs” by virtue of performing the “habits of civilized life,” a performance which effectively meant proving oneself a successful homesteader.

The spatial separation from one’s community that a homestead created was accompanied by a symbolic sort of reinvention. Frequently accompanying allotment was a ritual of citizenship that included a symbolic “shooting of a final arrow and placing a hand on the plow by Indian men and the taking of ‘this work bag and purse’ by Indian women.”⁵⁰ Significantly, adopting a “white name” accompanied this physical gesture of foreswearing the tangible signs of Indianness:

You have shot your last arrow. That means that you are no longer to live the life of an Indian. You are from this day forward to live the life of the white man. But you may keep that arrow, it will be to you a symbol of your noble race and of the pride you feel that you come from the first of all Americans.⁵¹

Oral histories from Dakota people also recall this ceremony of renunciation. Grace L., a citizen of the Mni Wakan Oyate, recalled the shooting of the arrow for would-be homesteaders like her father:

My dad had one [a homestead]. We lived out there at Crow Hill, you know. And, what did they call that thing now [trying to recall the term “homestead”]? But anyway they made him shoot an arrow, you know, all them Indians that wanted to be like that, they were given this homestead.... They were supposed to give up their Indian rights, you know, they weren’t gonna ever pick up the Indian way again.⁵²

Grace’s emphasis on the giving up of “Indian rights,” and her momentary forgetting of the term of “homesteading,” reveal a gap between the law’s intent and the subject’s reception of that intent. For many like Grace’s father, citizenship had less positive meaning as an undertaking of a particular kind of labor and ownership, and significant meaning as the forfeiture of “Indian ways” and “Indian rights.” Their interchangeability in Grace’s account further reveals the slim boundary between the cultural and the political. This commingling of culture and politics, and of culture *as* politics, is crucial for reading embodied ways of being-in-place as ethically and politically efficacious, rather than reading them only through the typological lenses of deficiency that federal Indian law offers.

The citizenship ritual was gendered along typical roles of the settler culture. The renunciation of the arrow was reserved for men—for Native women, US citizenship was figured in terms of a maternal love for her home, since “the family and the home are the foundation of our civilization” and “upon the character and industry of the mother and the

home maker largely depends the future of our Nation.” Transcending gender, though, was an ideology of thrift. A purse was given both Native men and women, so that through the hoarding of capital they might be converted into a “wise man” or “wise woman” who “saves his money so that when the sun does not smile and the grass does not grow, he will not starve.”⁵³ As Pommersheim observes, the naturalization oath from the same era included no such pomp and proseletyzing on behalf of supposed virtues of labor, saving, and character.

Attending citizenship’s promise of reinvention, then, was the not-so-subtle threat of transforming tribal gender roles and communitarian relations to land. In other words, the threat of communal dissolution was part and parcel (quite literally) of allotment’s citizenship criteria. This dissolution-through-reinvention was, again, unique to US citizenship as it applied to Native Americans. As Theodor Adorno writes, citing Horace, “*Odi profanum vulgus et arceo* [I hate the vulgar rabble and shun it], said the son of the freed slave.” Like the freed slave who shuns the people (“the vulgar rabble”) from which he came, this reinvention is always fraught with the risk of historical erasure. Before the Dawes Act and its rituals of converting savages into citizens, the demand to become, like Horace, a person without history appears dramatically, for instance, in the colonial re-education program of General Richard Henry Pratt, whose Indian Industrial School at Carlisle, Pennsylvania, in “saving the man” from his pathological Indianness through vocational training, literalized the existential crisis captured by Adorno’s monogram.⁵⁴ Like the language of the Dawes Act, Pratt’s schooling model relies on images of Native barbarism and abjection, while maintaining the instrumental promises and possibilities of “saving the Indian to material usefulness and good citizenship.” Far from being irrelevant

or outmoded by the time Eastman was endorsing citizenship for all Native Americans in both the SAI quarterly journal and in *The Indian To-Day*, racial categories remained the primary means for presenting citizenship arguments.

Eastman's deployments of racialized language are layered and complex. The ambivalences within *The Indian To-Day* are of a piece with Eastman's earlier, more autobiographical writings like *From the Deep Woods to Civilization*, in their depictions of Natives as profiting from "uplift" from a condition of living a "wild life" prior to the intervention of "civilization." For instance, when writing about his father's conversion to Christianity and the key role he played in the founding of a Christian community at Flandreau, in what is now called South Dakota, Charles Eastman laments that, "He also saw that our wild life was almost at an end; therefore he resolved to grasp the only chance remaining to the red man—namely, to plunge boldly into the white man's life, and swim or die."⁵⁵ While this statement is typical of assimilationist rhetoric, since it assumes "the white man's life" is a sort of floodwater against which violent resistance would always prove futile, it hedges against total subsumption of Native identities. The "almost" here should give us pause, as it underscores not just a temporal boundary beyond which signs of wildness presumably would disappear, but reads also as a poignant hesitation: a marking of the trenchant in-betweenness of Eastman's position as both resistive agent (critic of US colonialism of Native peoples) and US subject (compelled to speak the triumphalist discourse of settler society). His citation of paternalistic rhetoric of the wild Native cuts in several directions. First, as a seemingly unironic validation of imperial discourses of Native savagery, or "wild life," in which Native peoples are doomed to civilize or else perish. Second, as a moment of simple nostalgia for ways of life from

which Eastman feels he is temporally cut off. Eastman is certainly nostalgic, but this nostalgia needs to be understood in historical context. As David Martinez observes, Eastman's nostalgia "takes on some very poignant cultural and political qualities in light of the fact that... [he] comes from an exiled Indian nation."⁵⁶ Finally, and maybe most compellingly for making sense of Eastman's deployments of the wild and the civilized, his political writings in *The Indian To-Day* read as citations of other discourses of savagery and wildness that accompanied the nineteenth-century expansion of US national space: namely, those in which slaves appear as animals who have been tamed by their white masters.

In an analogous way to Lockean transformations of land into property, this process of taming is fundamentally one of converting persons into things. Writing about William Blackstone's *Commentaries on the rights of things* (1766), Colin Dayan observes how confinement and its aesthetic of care converted into an ontology of possession:

Horses, hogs, and cattle, if left to themselves, might be wild. But once confined, tamed, and nurtured by men, they become property. Hogs, as Blackstone intimated, are considered domestic animals. The rules of ownership are then determined by the distinction I noted earlier between *domitae naturae* and *ferae naturae*: "some being of a tame, and others of a wild disposition." One can possess horses, sheep, poultry, or any animal that might "continue perpetually in his occupation." But in wild animals, Blackstone wrote, "a man can have no absolute property."⁵⁷

The sense of the freedom from personal and state ownership that Blackstone observed in his notion of wildness also runs through Eastman's depictions of wildness and civilization. Writing about Dakota life prior to confinement—first in U.S. military camps after the 1862 U.S.-Dakota War, and then on reservations—Eastman emphasizes individual freedom of the self ("With us the individual was supreme"⁵⁸) and of the body:

One morning he awoke to the fact that he must give up his freedom and resign his vast possessions to live in a squalid cabin in the backyard of civilization. For the first time his roving were checked by well-defined boundaries, and he could not hunt or visit neighboring tribes without a passport. He was practically a prisoner, to be fed and treated as such.⁵⁹

For Eastern Dakotas (Eastman was a member of the Sisseton band of Dakotas),⁶⁰ reservation life began with the signing of the 1861 Treaty of Traverse des Sioux which created Upper and Lower Sioux Agencies in Minnesota. Eastman's description highlights the ways in which reservations imposed "well-defined boundaries" and bureaucratic policing of Dakota movement. Elsewhere, Eastman reiterates his image of Natives as prisoners within reservations, describing them as wild animals that have been confined. In his 1911 address to the Congress on Race, for instance, Eastman accuses Indian Affairs officials of graft that has led to the confinement of the Indian, whose situation is "like that of a wild animal confined within a zoological garden." As a specimen subject to the settler society's gaze, Native peoples are curiosities, objects of study, and ultimately, a bureaucratic "burden" or "problem." But crucially, their condition is a creation of colonial law and policies, and these form the "confine[s]" that contain, but do not erase or finally tame, the existential wildness or freedom that persist in Native philosophies and practices of land tenure.

Eastman regarded wardship to be a legally and philosophically untenable condition for Native peoples, and described it as belonging to a tradition of discourse fraught with arbitrariness. Writing that before the Dawes Act established a diminished form of national citizenship in 1887, Eastman quips that the Native's "status was variously defined as that of a member of an independent foreign nation, of a 'domestic dependent nation,' as a ward of the Government, or, as some one has wittily said, a

‘perpetual inhabitant with diminutive rights.’”⁶¹ Likewise, Arthur Parker, the Seneca physician who served as the SAI president during its early years, viewed these various definitions as evidence of the incoherence of federal Indian law, which he described as being essentially a continual state of exception for Indian peoples. In his essay appearing in the SAI Journal, “Certain Important Elements of the Indian Problem,” Parker writes that “the legal status of the Indian has never been defined. He is not an alien, he is not a foreigner, he is not a citizen.” Pleading for “a definite program” and “new code of law” to replace the “chaos” of both law and the Indian Bureau, Parker argues that a “definite legal status [beyond that of wardship] in an organized community has an important psychological value. It is for want of this subtle psychological asset that the Indian suffers most grievously.”⁶²

But unlike Parker, Eastman attempts a crucial transformation in the dialectic of the wild and the tamed, the propertied and the propertyless. Rather than treating the categories of *domitae naturae* and *ferae naturae* as belying a distinction that is false from the get-go, Eastman uses the categories to claim Native wildness as a positive condition that holds within it the seeds of liberation. Even while he laments the passing of the “wild life” of his youth, he celebrates its unchecked “roving” and highly intimate and mobile relations to land in nostalgic evocations of a pre-reservation era. I see his use of essentialisms, in other words, to be strategic and productive for articulating a Native sovereignty built on the ruins of white hate speech. His claims to Native philosophical endurance and power, as when he writes that “the Indian” will live on “in the living thought of the nation,” are, in other words, largely founded on his overidentifying with racist tropes that historically have construed colonial subjects in essentializing ways as

barbaric, primitive, and irrational. Being “wild” means, first, asserting racial difference in positive terms. Rather than staking out a hybridized “middle ground,” for instance, Eastman relies on clearly bounded racial categories (of “the Indian” and “the (white) American”), aiming not at disavowal, but reinvestment.⁶³ Second, being “wild” entails reasserting the signs, but not the contents, of racial difference in order first to evacuate racist categories of their content, and then to reinvest them with Dakota concepts of land tenure and kinship relations.

Eastman’s emphasis on an enduring philosophical core to Dakota culture, and his sense that legal solutions to social and cultural problems facing Native nations were limited in their usefulness, deviates significantly from the SAI’s social-Darwinist version. The main way in which it does so is its emptying-out of the category of natural law upon which so much of federal Indian law was and remains grounded. Writing in *The Indian To-Day*, about a Native “sense of natural justice,” Eastman locates the source of “right and justice” in terms of a specifically Dakota philosophy: “He [the Indian] stands naked and upright, both literally and symbolically, before his ‘Great Mystery.’ When he fails in obedience either to natural law (which is supreme law) or to the simple code of his brother man, he will not excuse himself upon a technicality.” The “Great Mystery” here is, again, Eastman’s literal translation of the Dakota *Wakan Tanka*, who stands in here for natural law, or “intrinsic right and justice, which governs...the play of life.” In this deployment of natural law discourse, Eastman asserts Native philosophy, via its kinship practices and understandings, as natural law. This philosophy, in turn, is for Eastman deeply embodied, personalistic, and anti-capitalist. Faced with the legal and literal evacuations of Native lands, Eastman’s response goes beyond mere ambivalence, as he

responds with a conceptual emptying out of his own. As I will show in my next and final section, Eastman asserted Dakota lifeways as both more wild, in the sense of being more free, and more civilized, in the sense of performing the humaneness that settler society claimed but consistently failed to demonstrate. By doing so, he inverts derogatory meanings associated with the “savage,” making savagery into a discursive location for kinship relations, as we will see with Eastman’s translation of Dakota names and in his writings for Boy Scouts. This inversion entails a fundamental reorientation in which land becomes the nexus for and embodiment of kinship between human and non-human persons, rather than the object of human possession and manipulation.

5. “God” in/and the Making of Kin

In his 1911 speech to the *Universal Race Congress*, Eastman couches his discussion of citizenship in terms of Dakota ideals about service. “The Indian was taught from childhood to esteem public service as the highest honor,” he writes, then shifts quickly to tie “service” to Dakota ideals of physical and moral fitness: “No man could be accepted for an important duty unless he was known to be of sound mind and pure body.” Closing this very brief passage is a gesturing toward the broader context of Dakota kinship philosophy,⁶⁴ a turn that Eastman would repeat throughout his writings and thinking about US citizenship for Native Americans: “Above all he must be a spiritual man; one who loved the Unseen God, and whose motives were in accord with the ‘Great Mystery.’”⁶⁵ This linking of inter-personal responsibility with “love” for “the Unseen God” is not a theological one, since the Dakota concept of *Wakan Tanka* does not rely on a transcendent deity or hierarchical division between human and divine, and in its basis

of a horizontal economy of gifting between human and non-human persons, is in many ways a refutation of god concepts.

Rather, Eastman's citing of Dakota philosophy here indexes his commitment to a sort of essentialized representation of Dakota ways of reckoning kin, where *Wakan Tanka* figures as a nexus for interpersonal relations. This linkage appears quite explicitly in his essay titled "The Sioux Mythology," for instance, where Eastman evokes *Wakan Tanka* through the image of the lodge:

The novice must bear in mind that purity and feast making are the foundations of the lodge, and pleasing to the Great Mystery. "Thou shalt often make a holy feast or a lodge feast to the God. Thou shalt not spill the blood of any of thy tribe. Thou shalt not steal what belongs to another. Thou shalt always remember that the choicest part of thy provision belongs to God." These were some of their commandments. It is a peculiar fact, already mentioned, that the Great Mystery was never directly approached except upon special and extraordinary occasions, such as the union meeting and dance of the "medicine lodges" once a year.⁶⁶

Eastman's "thou shalt nots" place a premium on maintaining kin relations in ways that not only go beyond, but actually invert, the Abrahamic commandments' prohibitions against bad relations of various kinds with one's neighbor. They do so through their positive emphasis on preparing a feast "to the God" or "Great Mystery," which would have the effect of drawing people together in a ceremony of forging mutual obligations. As anthropologist Raymond Demallie notes, Dakota cosmology has historically reflected these mutual relations among human and other-than-human persons. The *wakan* beings that made up *Wakan Tanka*, numbering sixteen according to "some holy men," included "sun, moon, wind, Thunder-beings, earth, rock, White Buffalo Woman, and a variety of invisible spirit forms." These beings were all bound together, a "oneness" that "was symbolized in kin relationships that bound all together and provided accepted patterns for interaction." Their inter-relationships formed the template for human interactions, such

that “human relationships—parents and children, grandparents and grandchildren, brothers and sisters, husbands and wives—were reflections of these greater, more fundamental relationships established by the *wakan* beings.”⁶⁷

The maintaining of kinship relations through ceremony appears also in the Dakota notion of *tiyospaye*, or extended family as historically lived through the unit of the band. As Alan Trachtenberg explains in his reading of Lakota author Luther Standing Bear, “the word *Tiyospaye* might be understood as meaning those ties of affection and obligation typical of Native families.”⁶⁸ As a social object that individuals realized through maintaining “those ties of affection and obligation,” *tiyospaye* also creates and reproduces communal values. Trachtenburg rightly points out that *tiyospaye* was and is more than an abstract form of social organization, but works most concretely as a location for holding communal values, “the customs and expectations that gave the *Oyate* [the Dakota people] its distinctive character, what might be translated into Western terms as its *national* ideals.” It is a shorthand for ethical intersubjectivity, the matrix of caring relations, the good life that ensures, in Standing Bear’s own words, the bringing of “ease and comfort in equal measure to all.”

I read Eastman’s citations of “religion”-as-kinship, and of *Wakan Tanka* as both the occasion for, and outcome of, keeping up one’s kinship duties, as staking out a position within the dialectic of savagery and civilization while also crucially deconstructing them. Translating “religion” into kinship terms, after all, removes Dakota practices of reckoning, making, and breaking kin from the sphere of deficiency within which settler society historically located *all* Natives, not just Dakotas, as irreligious or “pagan,” and which enabled legal and political interventions (mission boarding schools,

for instance) as remedies for perceived Native irreligiosity. In other words, invoking kinship here pushes back against views of Native savagery as “paganism,” not by refuting accusations of godlessness, but by re-placing, figuratively and literally, key terms of colonization into Dakota social practices and the ethnoscaples in which those practices took root.⁶⁹ Seeing clearly the tacit assertions of Dakota forms of sociospatiality that survived US attempts to eradicate them is key for making sense of Eastman’s citizenship writings. As Mark Rifkin argues, “The concept of kinship has been, and continues to be, crucial in representing Native politics (withing U.S. administrative discourses, policy enacted by Native nations, and popular narratives by Native and non-Native alike), and it offers a means of reimagining sovereignty by linking it to principles of collectivity and forms of sociospatiality displaced, disavowed, and/or disassembled by U.S. policy.”⁷⁰

In a 1920 essay titled “What Can the Out-of-Doors Do for Our Children,” written by Eastman for the journal *Education*, he further elaborates on kinship relationships between humans, *Wakan Tanka*, and what Eastman calls “out-of-doors” by recounting a meeting with an elder chief in Washington:

It was not long ago that I sat with an old, old chief in Washington, and translated to him a few things that were in the Congressional Record. I came to the words, ‘raw material,’ and he said, “What do you mean by that?” I said, “Earth, and trees, and stones, uncut, unpolished, unground. That is what the white man calls raw material.” He shook his head and he said, “There is only one raw material, and that is fresh air coming through rich sunshine. All things live on that; all things come from that, the animate and the inanimate—and inanimate things are animated by it.”⁷¹

The exchange is interesting for several reasons, not least of all because of Eastman’s positioning as the recipient of an elder’s knowledge. At this moment, Eastman is no longer the austere three-piece-suited representative of his race, and inversely, no longer the headdressed paragon of an essentialized Indianness. Instead, he is reconstituted in the

exchange as a Dakota person involved in a traditional kinship relation of youth to elder, and is subject to the corrections and call for respect entailed in that relation. Because of this, and in ways that Eastman would perform throughout his writings for non-Native audiences, he may be reminded of cultural knowledge that has been obscured by instrumental language—language that Eastman, almost foolishly it seems, elaborates: “stones, uncut, unpolished, unground.” From the ontological foundation of “fresh air,” which in Dakota philosophy corresponds to *ini*, or breath, which is life force or life itself perhaps, Eastman makes a summary translation. “The point of it is, out-of-doors means God; out-of-doors means mystery, and that means God.” But what does this collapsing of the “out-of-doors,” mystery, and God (as a trope of kinship) have to do with citizenship?

Eastman’s most direct statement on citizenship is in an essay that appeared in *Lippincott’s* in 1914, and would reappear in the Society of American Indian’s quarterly journal and again as the opening chapter in *The Indian To-Day* (1916), parses Native “contributions” to the US again in philosophical terms. Throughout these and his other literary works, Eastman attempts to evoke the cultural and political life of “the Indian,” a decidedly generic term that he uses in lieu of, say, “Dakota.” Much recent criticism on Eastman has focused on this choice as a marker of a sort of pan-Indianism or idealizing of particular Native nations into a single type.⁷² What this view misses, though, is the common usages of “Indian” among Native communities as a proxy—albeit a colonized one—for particular tribal names. In fact, Eastman’s ethnographic descriptions of “the Indian’s” ways of life are quite Dakota in nature, and even though he does strive to stake out a pan-Indian position, the details of his writing circle again and again around Dakota examples. For instance, he writes about the “government” of the generic “Indian” as a

“pure democracy” that is “based solidly upon right and justice, which governs, in his conception, the play of life.” As he elaborates on this “play,” though, which he uses instead of “a more pretentious term,” he again invokes *Wakan Tanka*: “He stands naked and upright, both literally and symbolically, before his ‘Great Mystery.’”⁷³ The literal standing “naked and upright” probably refers here to the practice of *hanbdeceyapi*, or “crying for a vision,” where Dakota men would fast on a hill or mountain and petition other beings, including the “Great Mystery”—a plea for help based in a condition of being pitiful, and warranting an ethical response from those capable of transforming this condition. But in terms of “symbolically” standing upright, Eastman goes on to link Dakota concepts of justice with what he calls “natural law”: “When he fails in obedience either to natural law (which is supreme law), or to the simple code of his brother man, he will not excuse himself upon a technicality or lie to save his miserable body.”⁷⁴ The “miserable body” is secondary in to the “spiritual life,” which is “paramount.” In this valuing of kinship relations and practices as the premier location for Dakota ethics and, consequently, for something like Dakota citizenship, Eastman also provides a Dakota template for US national citizenship.

Eastman’s kinship-based coding of citizenship’s meanings stands out as distinctive among citizenship discourses of his contemporaries, especially those of fellow SAI members. Arthur C. Parker, a Seneca physician and first president of the SAI, presented citizenship as a definite boon for Native peoples, and cast it mainly in terms of legal incorporation. In an essay titled “The Legal Status of the American Indian,” first given in 1914 as a speech to the Lake Mohonk Conference, Parker describes the “social, economic, intellectual, and religious conditions” of Natives as being dependent on their

“legal condition.”⁷⁵ He goes on to point out that federal Indian law had no unified construction of this condition. Native peoples had been so variously and contradictorily defined within US law that even in the early years of the 20th century, Native Americans were neither native nor American, or, as Parker puts it, “neither citizen, alien, nor foreigner.” The “civilizing forces” of “religion and industry,” or the Christianizing and agricultural training present inside boarding schools and federal and state laws, were in Parker’s view meaningless without first giving Native people the protection that a “definite legal status” could bring. This meant chiefly an end to the legal fiction of wardship, which prevented Natives from anything like real economic self-sufficiency. “We legislate for him [the Indian] and then tell him his fate in his own hands,” writes Parker, and “in the same breath we also tell him three other things, that he cannot sell his own land, or use his own money held by the Government, and that he is not subject to taxation as other able-bodied men are.”⁷⁶

And yet, even in Parker’s overtly political and economic formulation, cultural elements hold some importance, although not nearly to the depth and breadth that they would with Eastman. Parker argued that an end to Native wardship would be crucial for the “psychological value” that it would bring, since “definite legal status in an organized community” would provide a coherent identity whose absence, as a kind of ongoing anomie, would continue to cause Natives to “suffer most grievously.” Parker then gives the example of Sitting Bull, who proclaimed that “God Almighty [*Wakan Tanka*] did not make me an agency Indian, and I’ll fight and die before any white man can make me an agency Indian.” Interestingly, Parker makes of this declaration an argument for, rather than against, legal incorporation, and so constructs Sitting Bull as an interpellated

colonial subject who merely “expressed his horror of surrendering a known status for one he could not know.”⁷⁷ But against this view of the law’s primacy, Parker also gestures toward Native autonomy as expressed and lived through what we might call forms of cultural sovereignty that appear in Native gender understandings and notions of self-mastery: “In his native state each Indian knew what his status was. It was part of his intellectual life to know it. He felt himself a man and a master.”

Eastman’s closing to *The Indian To-Day* takes Parker’s gesture toward cultural sovereignty a step further, and even more explicitly links Dakota kinship practices with becoming enfranchised citizens of the US. Framed in terms of Native “contribution” to the United States, the chapter catalogues the important roles in “service” to the nation that Native individuals have played. First, as soldiers and scouts for the US military, but also as guides for explorers (“The name of Washington is immortal; but who remembers that he was safely guided by a nameless red man through the pathless wilderness to Fort Duquesne?”),⁷⁸ and as “historic Indian women” (Pocahontas, Sacajawea, Catherine “the Ojibwa maid” who saved Fort Detroit from being wiped out by Pontiac). While significant, these roles in themselves are less important than a contribution that Eastman reckons in terms of Native philosophies. “The contribution of the American Indian,” Eastman asserts, “though considerable from any point of view, is not to be measured by material acquirement. Its greatest worth is spiritual and philosophical.” More than in nostalgia for a vanished or lost world of Dakota “tradition,” and more than in what Eastman sees as an inevitable and perhaps salutary race-mixing, Eastman predicts Native persistence will lie in its philosophical intermixing with the values of the settler nation: “He will live, not only in the splendor of his past, the poetry of his legends and his art,

not only in the interfusion of his blood with yours, and his faithful adherence to the new ideals of American citizenship, but in, the living thought of the nation.”⁷⁹ This refusal to aestheticize “the Indian” out of existence does more than sublimate Native bodies into an airy philosophy. Because Dakota philosophy places kinship at its center, Eastman’s prediction is an assertion of ongoing Dakota claims to lands—claims that I will examine in my final section, along with more contemporary oral histories that reveal how the engendered and historicized body enters the political dialogue about citizenship for Native Americans.

6. Learning Sensual Citizenship

Eastman witnessed firsthand as a young boy the effects of reservation life following the 1862 U.S.-Dakota War, as well as the mass incarcerations *in durance vile* of Dakota people at Fort Snelling, in Minnesota, and Camp Davenport, in Iowa. About these examples of state power over Native bodies, Eastman gives extensive commentary and critique, focusing especially on how claustrophobic and unhealthy living conditions diminished, but did not destroy, the spirit of free movement and being that remained as residues of pre-reservation life. These negative catalogues stand in contrast to forms of sensual citizenship, or affective (and often quite political) attachments to place that appears repeatedly in Eastman’s work as both nostalgia and ethical critique.

Citing the radical and rapid transformations that occurred among Natives as a result of eating government rations, Eastman notes how Dakotas were “compelled often to eat diseased cattle, mouldy flour, rancid bacon, with which he drank large quantities of strong coffee.”⁸⁰ Housing conditions were equally poor, and relegated once-mobile

peoples into sedentary occupants of terrible huts: “His home was a little, one-roomed log cabin, about twelve by twenty feet, mud-chinked, containing a box stove and a few sticks of furniture. The average cabin has a dirt floor and a dirt roof. They are apt to be overheated in winter, and the air is vitiated at all times, but especially at night, when there is no ventilation whatever. Families of four to ten persons lived, and many still live, in these huts.”⁸¹ While these depictions of “the typical ‘agency Indian’ of the Northwest”—the Old Northwest of the United States, including what are now Indiana, Illinois, Michigan, Minnesota, Ohio, and Wisconsin—lament the loss of Native peoples used to “the purest air and water,” Eastman also points to the Navajo as “retaining their Native vigor and independence.”⁸² Combining wildness, then, with the possibility of ongoing resistance to physical and political transformations, the upshot of these depictions is not to validate either the terms or supposed fact of Native “taming,” but to assert the continual possibility of freedom from settler ontologies of possession—ontologies that underwrote rhetorics of wardship. Despite the traumas of the reservation system, Eastman underscores the relative ease and speed with which Native peoples adopted the habits of civilized life, writing that “it did not take my father two thousand years, or ten years, to grasp... [the] essential features [of civilized life].” Instead, learning to “play white” took only a few years, as Eastman’s father took a lead role in founding the Dakota community at Flandreau, South Dakota.

Alongside such painful recollections are the idealized “golden past” of Eastman’s childhood, which serves as the basis for his *Indian Scouts Talks*. Published in 1911, five years before the first American edition of the *Boy Scout Handbook*, Eastman’s how-to guide addresses the physical training, civic ideals, and philosophical disposition of young

Native boys and girls. These idealizations are part of the “out-of-doors” philosophy that is, again, based in notions of kinship between human and non-human persons, that Eastman assumed to be a core part of Dakota society, and that he imagined would become an integral part of national school curricula: “I predict that the time will come when we shall have an entirely out-of-door school.” Children of “the formative age,” he argued, should not get their exercise in a gymnasium, but “should season their muscles in the sun, in the fresh air, in the spring water coming down from the mountain, with a jump into the clean brooks and lakes of the mountains. That is where you get your nerve tonic.”⁸³ Running through Eastman’s diagnosis of civilized life are nervous disorders, or simply “bad nerves,” which he saw as curable with the application of “tonics” like fresh air. But there are further technologies that guarantee good health of body and mind for Eastman, and these technologies appear in Dakota customs that he recounts and emphasizes as sovereign locations:

And you must begin with the child. Why, the old Indian man used to rub the child’s legs with snow and then wash it off with ice water, and after that he would rub him with hot oil, and the little fellow was waterproof! They probably knew that God made all these laws, and we are creatures of habit, and we can get back into that habit.⁸⁴

By naming God as the author of “these laws,” or bodily habits, that made possible Dakota survival in harsh environments, Eastman again fills the category of natural law with Dakota content. And by asserting that “we can get back into that habit,” Eastman also clearly suggests that the past, despite historical traumas and losses of home places, is always available, always recoverable. The fact that “God” or *Wakan Tanka* underwrites this availability is significant, given that “God” serves as a proxy for kinship practices here and throughout Eastman’s writings, as I have tried to show. What this implies is that

the making of kin can restore individuals relations not just to one another but to places and locations that are encountered through exile from ancestral homelands.

Indian Scout Talks narrates the embodied practices of kinship, and their physical and social milieus, at length. The closing of his introduction to the volume reads quite romantically. “How gentle is the wild man when at peace!” he writes, “How quick and masterful in action! Like him, we must keep nature’s laws, develop a sound, wholesome body, and maintain an alert and critical mind. Upon this basis, let us follow the trail of the Indian in his search for an earthly paradise!” There is romance here, certainly, but also a politically serious sort of utopianism that describes the Indian as being always already in pursuit of what Eastman calls “an earthly paradise.” Rather than being relegated to the past, the Indian partakes in an ongoing present in which he searches, through physical and mental training that is in accord with “nature’s laws” (understood as Dakota tradition) for “an earthly paradise” that is perennially available. That Eastman frames this potential for tribal reinvention as an invitation to non-Native children is significant, I think, less as a gesture of inclusivity and more as a reframing of US citizenship, which extends from a Dakota cultural center and people who maintain clear boundaries from US national culture.

Of course, acts of remembering frequently work in literatures of exile to make and re-make boundaries of lost territories and home places. Eastman’s evocations of Dakota traditions likewise recall geopolitical boundaries that preceded reservation borders, as when he describes longstanding locations of specific eastern Dakota bands (i.e., Leafcutters or *Wahpekute*), Wood-dwellers (*Wahpetonwan*), People of Spirit Lake (*Mdewakantonwan*), and Swamp-dwellers (*Sissitonwan*). His honing in on the body as an

ongoing nexus for Dakota kinship understandings further illustrate this process of imagining sovereign action as intimate and ongoing. For instance, Eastman describes the ideals of “an out-of-door body and a logical mind,” and how both derives from not only specific physical training, but specifically from the ceremony of *inipi*, or sweat lodge:

It is not my purpose to teach you to swim, but to tell you how to use the art of swimming toward perfecting an out-of-door body and a logical mind. The Indian swims freely at all seasons of the year when the water is open. The usual method of bathing in winter is to go into a sweat lodge (the original Turkish bath) for five or more minutes; then he jumps into a hole in the ice, which he has cut large enough to enter safely, and comes out in a few minutes. After a short run, he wraps himself in a buffalo robe with the hair inside and sleeps for a while. This makes him a new man. The Indian boy often rolls in the snow naked when fresh snow is on the ground.

As with so much in Eastman, the meanings of this making of “a new man” appear maybe most fully in the context of Dakota ceremonialism, since without this context, the phrase reads instead as a weak assertion of self-improvement. The *inipi*, as one of the ceremonies given to Dakotas by the culture hero, White Buffalo Calf Woman, was not only a ritual of purification, but performed a renewal. In Joseph Epes Brown’s transcription of interviews with Oglala holy man, Nicholas Black Elk, the *inipi* “utilizes all the Powers of the universe: earth, and the things which grow from the earth, water, fire, and air.” In a metonym with rain, associated with the western powers, the water poured over the lodge’s heated stones “represents the Thunder-beings who come fearfully [also from the West] but bring goodness, for the steam which comes from the rocks, within which is the fire, is frightening, but it purifies us so that we may live as *Wakan-Tanka* wills....”⁸⁵ The “making new” that Eastman describes is thus linked to an evacuation of will, in order that one may share in the Thunder-Beings transformative power. In effect, the *inipi* ceremony links Dakotas to a historical moment of ethical

innovation and renewal, when White Buffalo Calf Woman introduced the pipe ceremonies that would perform and remember Dakota solidarity, as well as remembering kinship with non-human powers who reside in and across Dakota territory.

A brief story from another Dakota elder, a story that dates from the early 1990s, may further illustrate this way of making home places through kinship. When asked about the name of a place called Crow Hill, Melvina G. simply replied, “I don’t know.” But in the rest of her reply, she demonstrated clearly that she *did* know a great deal about that place, as she launched into a lengthy catalogue of individual people’s names and family relationships:

The old people know those things [origins of place names]. I never thought about it. I’m from there. I grew up there with my folks. From April Longie’s around that way we’re all one big family on my mother’s side. There’s Boke [Thomas], the Grey Bears, and then Junior Josh. His grandma is my first cousin. And Paul [Yankton] lives there. From there you go and Glen (Walking Eagle) lives there. And then who? Oh, Lorna [Walking Eagle]. On the other side is her brother, King [Walking Eagle]. On the other side is Martina [Kazena]. And then my sister. Her and I are the only ones alive. In back of her is her oldest boy, Carl [Walking Eagle]. Up the hill lives Ambrose [Little Wind]. His father is the only brother we have, Joe Little Wind. From there you go, Skin [Little Wind] lives there. Then Katherine [Little Wind] lives below there. They are my nieces, my brother’s children. Up on the hill is Big Joe [Chaske]. West from there is Winfield [Chaske], my sister, Mary Ann’s, son. By the old place, my sister used to live there. I don’t know who lives there now. And then John [Chaske], my sister’s son. From there you go and Steve Brown lives there. He is my sister, Agnes’, son. Close by is Mary Lou Diaz, my sister, Agnes’, daughter. Agnes’ old place, John Little Wind Jr. lives there and then there is the housing. I don’t know who lives there, but we’re all family. By the Log House, Bruce [Walking Eagle] lives there. That’s my sister’s son. And there is Boke’s daughter, Cheryl Thomas. She comes from my oldest sister, the one that they killed. That’s where she comes from. And then Joyce Young Bear, that’s her sister, Cheryl’s. They come from my oldest sister [Rose Thomas], her son, Boke. We come from one big family, the whole Crow Hill area, except for Vern Lambert. He must be a cousin.

Walking through a mental map that is webbed with kin relationships, Melvina describes how even in places where the specific kin relation is not known—where the map should

fail or be somehow blank—it may be filled in with an assertion of relationship: “I don’t know who lives there, but we’re all family.” In this quite pragmatic and declarative sense, the landscape is constituted in and through personal kin relationships, and in opposition to renderings of land as property, whose main mode of historicity is through inheritance Melvina asserts the historicity of kinship relations and past ways of being-in-place (“By the old place, my sister used to live there: I don’t know who lives there now”).

The final chapter of *Indian Scout Talks* reflects back on how the previous twenty-five chapters constitute, all told, a “school of savagery” that is also a “Training for Service.” The first and most obvious thing to point out here is Eastman’s inversion of the ward/pupil relationship within federal Indian law. Within this savage school, even the civilized will experience “wonderful things”:

The “School of Savagery” is no haphazard thing, but a system of education which has been long in the building, and which produces results. Ingenuity, faithfulness, and self-reliance will accomplish wonderful things in civilized life as well as in wild life, but, to my mind, individuality and initiative are more successfully developed in the out-of-door man. Where the other man is regarded more than self, duty is sweeter and more inspiring, patriotism more sacred, and friendship is a true and eternal bond.

But beyond this simple inversion, or more precisely, within it, are Eastman’s revisions of citizenship concepts along the lines of Dakota kinship ethics. Of course, his argument for selflessness might easily be read as orthodox within the context of non-Dakota culture. In his linking together of the physical, or embodied, and the ethical, in other words, Eastman would at first appear to be very much a man of his time. Eastman’s notion of virtue and its relation to what he calls “physical excellence” in *The Indian To-day* reveals some resonances with, say, the ideals of a group like the YMCA.

He knew that virtue is essential to the maintenance of physical excellence, and that strength, in the sense of endurance and vitality, underlies all genuine beauty.

He was as a rule prepared to volunteer his services at any time in behalf of his fellows, at any cost of inconvenience and real hardship, and thus to grow in personality and soul-culture. Generous to the last mouthful of food, fearless of hunger, suffering, and death, he was surely something of a hero. Not “to have,” but “to be,” was his national motto.⁸⁶

Here, Eastman locates Dakota identity in the interplay between sensual (“strength, in the sense of endurance and vitality”) and ethical ideals (“generous to the last mouthful of food”) which constellate around practices of giving. At one level of meaning, the passage is a jeremiad against the unequal distribution of wealth within the United States—a prophetic critique taken up widely by others in the Progressive Era, but also echoed and co-opted by institutions like the YMCA. The premium Eastman places on volunteerism, for instance, certainly echoes the ideals of the YMCA, especially in its emphasis on physical work that contributes to social stability. Far from assuming a singular law of generosity, though (Jesus’s command to his disciples to “Go, sell everything you have and give to the poor”), and especially a law that reproduces social classes through unequal demands for self-sacrifice, this articulation of generosity is arguably best thought of in the context of Dakota notions of gifting, around which a variety of social forms appear. One of these forms is in the making of offerings to non-human presences.

For instance, one account from Spirit Lake Nation oral history reveals how a portion of the land itself—a particular rock—appears as the sign of an ethical failure, and a reminder of the need to keep good kinship relations. Since Eastman repeatedly emphasizes the living presence of land as a location for constituting oneself and others in relationship, this particular story about Crow Hill—again from the early 1990s—is quite relevant for demonstrating enduring notions of land tenure that are different from those enshrined in property law and US citizenship. Lillian C., a Dakota elder who, like

Melvina G., also grew up in the vicinity of Crow Hill. Where Melvina G. could not remember, or perhaps chose not to share, the origin of the place name, Lillian does recall it, in both English and Dakota, with much different implications within each language.

Then that big rock [inyan watanka] over here. These guys should put that rock up and honor it. They call that the Devil's Tooth. They've been calling it that for a long time, but my grandma said that it is a woman. That stone, that's a woman sitting there. They had a 4th of July on top of that hill. There was a bunch of them there and they were all busy. Then there was this guy and this girl. He must have hit her, so that girl was running away with her baby on her back. She went down the hill and that guy followed her. He was getting close so she sat down like this and, here, she turned into a stone. So he lost his wife there [laughs]. My grandma used to tell me that. So that's a woman sitting there. She had a baby on her back and she made herself into a rock. They should write out a big story about that and honor that rock. Now the white people themselves call it Devil's Tooth and it's not like that.

Here, the land holds memories of violence and sacrifice that come together in the rock, or *inyan*, called "Devil's Tooth" by "the white people." Like with Eastman's "idealized" accounts of bodily habits that will lead his reader "toward perfecting an out-of-door body and a logical mind," and that are political in that they tacitly assert Dakota epistemology, Lillian's story has a conceptual and historical density that may not readily be apparent.

For one, her use of the Dakota word for "rock," *inyan*, suggests the appearance of *inyan* as a figure in Dakota creation stories, where he is an originary being. In the nineteenth-century anthropologist James R. Walker's transcription of Oglala cosmology, *inyan* is described as "soft and shapeless but he had all powers.... He longed for another that he might exercise his powers upon it. There could be no other unless he would create it of that which he must take from himself. If he did so he must impart to it a spirit and give to it a portion of his blood. As much blood as would go from him, so much of his powers would go with it." Interestingly, *inyan* here is gendered as male, and his desire for relation, for dialogue out of isolation, is what drives his act of creation. And creation

itself is an act where power is recognized (“he had all powers”), felt to be insufficient in itself (“he longed for another...”), and shared (“as much blood as would go from him...”). Contained within the story of *inyan*, then, are the seeds of Dakota understandings of power as dialogically unfolding between various classes of beings—beings who relate to one another in purposeful ways. *Inyan*, as a name, embodies a relational logic that is at once epistemologically and ontologically precise in how it understands and seeks to manage difference.

Lillian’s sister, Grace L., tells a joke about *inyan watanka*. It goes like this: One time there was an old lady, she left an offering. Did they tell this before? This old lady went to the store to buy some groceries. She started home with her groceries. Where that rock is, there was a man, who got drunk the night before. When he woke up, he laid down by that rock and went to sleep. The old lady was walking toward that rock. She stopped by the rock and in them days they only buy Bull Durham [tobacco]. She pulled her Bull Durham out. First she put some material on top [of the rock]. She said, ‘Grandfather, I brought you some offerings and have pity on me and pray for me.’ She was saying, ‘Grandfather, I brought you some tobacco.’ By that time the man with the hangover was laying behind the rock. He woke up by that time and he said, ‘Han.’ He scared the old lady. She ran all the way home from there.

Grace’s telling of the joke about the drunk reveals a few important things. First, it places land in the context of gifting between humans and non-humans. The “old lady” brings tobacco to honor *inyan*, to acknowledge their kinship relation where *inyan* is “Grandfather,” and to acknowledge her position of existential need (“have pity on me and pray for me”). Second, the joke historicizes Dakota ways of being-in-place. By making a man with a hangover ventriloquize the figure of *inyan*, and so acknowledge the existence of alcoholism on the reservation, Grace draws a line connecting pre-reservation ceremonialism with one especially harmful consequences of colonization. And because it *is* a joke, she demonstrates one key form that survival takes, namely, laughter.

Like the giving of tobacco offerings in Grace's joke, Eastman also makes explicit the ongoing presence of past Dakota "habits." One especially moving passage about an elderly Dakota woman juxtaposes her tipi with a modern house:

You go through the Indian reservation, and you see a little, frail tepee standing outside a large frame-house. You go up to the tepee, and you will see a woman ninety years old living there. Her grandchildren, returned students, civilized Indians, are shivering in the frame-house, and she does not care to go in. She remains outside—poor, feeble old woman; she lives there in the little tepee, with no mattress even to sleep on, just a quilt spread on the ground—and she lives there twelve months in the year. What do you say to that? Is she normal, or what? She knew that life; she had lived through that, and she understood that kind of life, and she was not going to go inside the house and catch all the various things that her grandchildren and great-grandchildren were having—and she is an active woman at eighty or ninety.

Here, the tipi is not uncanny, not out of place, but instead makes the frame-house become the alien presence. Eastman's rhetorical (and exasperated) posing of the question, "Is she normal, or what?" along with his portrayal of this "poor, feeble old woman's" sheer vitality, compels his non-Native readers to question logics of improvement or uplift, as well as the supposed inferiority of Dakota domestic technologies like that of the tipi and sleeping on the ground.

Eastman takes up this most homely aspect of home life again in *Scout Talks*, where part of the training that Eastman lays out for white children concerns the way to sleep on the ground without a mattress or blanket. While his description might read as a performance of a hyper-masculine toughness in its exhortations not to "worry about snakes and insects" or "dampness" from the "frozen or wet ground," Eastman redirects his comments on the sleeper's body toward a context of mimicry. "In awakening his sleeping body" by taking "pleasure in the most tremendous yawns" and stretches, "the Indian patterns after his animal friends. You will observe that no dog get up and walks

off without thoroughly stretching himself, from the nose to the tip of his tail. This,” he concludes,” is an excellent cure for early morning laziness.” awakening his sleeping body, the Indian patterns after his animal friends. You will observe that no dog gets up and walks off without thoroughly.”⁸⁷ Like his drawing of a mimetic relation (which elsewhere signals a kinship relation, as I argue in Chapter 4) between animals and humans, Eastman’s innocuous mention of curing “morning laziness” has a gendered cultural referent. Dakota males who were slow to wake up in the morning, especially for the sake of hunting and other subsistence activities, were regarded as “lazy” because their inaction threatened the well-being of the people. The morning star and early morning sun are also associated in Dakota philosophy with power and knowledge, as Brown’s and Black Elk’s account notes in their description of the *inipi*: “*Wakan-Tanka*, we give thanks for the Light which You have given to us through the Power of the place where the sun comes up....”⁸⁸ Such depictions of the sensorium of traditional Dakota life thus encodes not only relational logics (as between animals and humans), but normative behaviors for Dakotas amongst themselves. Taken as a whole, Eastman’s recollections of Dakota forms of belonging perform an incisive, but veiled critique of exclusionary forms of citizenship, but also wage a utopian bet on the renewal of those older, embodied practices.

7. Conclusion

The ambivalent position that Eastman occupies in his writings on citizenship reveals one representational approach to the prospect of achieving what Arthur Parker repeatedly called a “definite legal status” for Native Americans. On the one hand, Eastman, like his SAI colleagues, lobbied for full citizenship as a means for enabling land

claims, for preventing further land loss, for gaining voting rights, and for regularizing the payment of government annuities. On the other hand, both his religious rhetoric in *The Indian To-Day* and his writings for youth scouting groups betray a deeper commitment to the philosophy and lived bodily experience—what I have argued is a literary depiction that is less a “how to” guide for “playing Indian” than it is a representation of Dakota habitus. In describing the lived lives of Dakotas before the beginning of the reservation system, there is of course a certain nostalgia at work. But if it is nostalgia, it is one with political stakes and consequences, since it rehearses traditional criteria for belonging in ways that stand as bonafide alternatives to liberal criteria for citizenship.

In this sense, Eastman’s nostalgic performances of “wild life” anticipate contemporary debates over tribal citizenship, in that during both historical moments we see Native Americans striving to define internal standards for membership. Far from creating a climate where “anybody can be an Indian,” however, this process of negotiating citizenship standards is fundamentally in dialogue with a Dakota past in which communal belonging was reckoned through kinship. Joanne Barker writes that,

Native customary laws for determining the interrelated concepts of membership, relationship, and responsibility are incredibly discriminating and absolutely do not—despite the clichés about the Wannabe Tribe—invite everyone in. Geneological practices, relationships to ecosystems and specific lands, inheritance laws, customs regarding adoption, marriage and naturalization, and beliefs about social responsibilities within extended family units are radical concepts of membership that are neither open-ended nor non-discriminating. So, why not treat these practices, and the cultures and epistemologies in which they are defined and from which they emanate, as the authority for determining who is and who is not Native?⁸⁹

Eastman’s depictions of human-land relations, because of or despite being part of a proto-boy scout’s handbook, add a religious and philosophical dimension to legal discussions in which land appears in instrumental forms as a disembodied, non-sensual artifact. His

effort, in effect, to re-personalize the land through his writings, certainly also complicates his later politics of citizenship. Eastman's re-membering of himself in relation to his natural environment also destabilizes colonial discourses of blood and their exclusive modes of citizenship, which by 1887 had become naturalized within not just US law, but among some Native communities as well. In my next chapter I will continue to examine discourses of "blood" and citizenship as they were mediated by kinship politics in Ella Cara Deloria's novel, set in the early 1800s, *Waterlily*.

¹ "Dr. Charles Alexander Eastman," from the Redpath Chautauqua Collection, accessed online at <http://digital.lib.uiowa.edu/cdm/compoundobject/collection/tc/id/22808/rec/19> on November 4, 2012.

² Here at the outset I should note that I regard any notion of a discrete and whole culture, as the term "world" implies, to be inadequate for understanding the literary and cross-cultural mediations of someone like Eastman. Seyla Benhabib makes a compelling case in *The Claims of Culture* (2002) for considering *both* cultural distinctiveness *and* the interpenetration of traditions in situations of cultural contact. "We need not approach cultural traditions and worlds as wholes," she writes, and instead, "the method of complex cultural dialogue suggests that we focus on the interpenetration of traditions and discourses and disclose the interdependence of images of the self and the other.... The lived universe of cultures always appears in the plural. We need to be attentive to the positioning and repositioning of the other and the self, of 'us' and 'them,' in this complex dialogue" (40). In trying to follow this methodological call to "disclose the interdependence of images of the self and the other," this chapter ends up finding Eastman to someone who asserts Dakota culture as both radically in a process of redefinition through its legal incorporation into the US but also, and perhaps *because of* that process, being rearticulated in terms of older discourses of "tradition" (like that of kinship).

³ Kevin Bruyneel offers a substantive and compelling discussion of Eastman's ambivalent politics, as well as a number of other case studies, in his essay, "Challenging American Boundaries: Indigenous People and the 'Gift' of US Citizenship," *Studies in American Political Development* 18. 1 (Spring 2004): 30-43. This chapter engages with the notion of ambivalence by arguing that ambivalence itself must be historicized, and that, as a critical term, it can obscure forms of resistance that are not immediately apprehendable by the dominant culture. Eastman's evocative writings about traditional "Sioux life" are, for instance, of a piece with his sense that the "religion and racial codes" of Native groups can and should survive translation into US citizenship.

⁴ Charles A. Eastman, *The Indian To-day The Past and Future of the First American* (Kindle Locations 946-952). Kindle Edition.

⁵ David Wilkins, *US Sovereignty and the Supreme Court: The Masking of Justice* (Austin: U Texas P, 1997), 370.

⁶ And so, the aim of this study is not to reconstruct or recover historical Dakota forms of sociality as unchanging essences to be valorized in the present moment. Rather, I am interested in Charles Eastman's idealizations of Dakota modes of sociality as a means of reworking historically sovereign forms of relation.

⁷ Stefan Varese, "Indigenous Peoples Contesting State Nationalism and Corporate Globalism," in *New World of Indigenous Resistance: Noam Chomsky and Voices from North, South, and Central America*, Lois Meyer and Benjamin Maldonado Alvarado, eds. (San Francisco: City Lights Press, 2010), 269-70.

⁸ Mark Rifkin: "Forms of discourse not directly connected with institutions of governance might offer alternative accounts of indigeneity, peoplehood, sovereignty, and self-determination while providing strategies for negotiating among and evaluating claims to Native reality—not in the sense of deciding which is more real but which should provide a means for moving forward and on what basis" (*Erotics of Sovereignty*, 76).

⁹ In my phrasing and usage of “sensual citizenship,” I am indebted to the anthropologist Simone Dennis’s analysis of metaphors of belonging in “Seeing Red, Tasting Blood: Sensual Citizenship on Christmas Island,” *Asia Pacific Journal of Anthropology*, v10 n3 (2009 09 01): 186-99. There, he examines how metaphors of blood—as a species of crab on Christmas Island—work to create a “sensorium” or sensory environment that serves as a force of social cohesion: “Here situated, it [blood] is equally appreciable by and available to all Christmas Islanders, generating a shared sociality born of seeing blood circulate and hearing its soothing, pumping vitality pulsing through the neighbourhoods, connecting everyone in one blood, ‘our blood’. It is in and through the visual and auditory participation that Christmas Islanders come to be constituted as such, and in and through taste that specific ethnic connections are formed some of which threaten the very blood that sustains the island body and, indeed, the very core of what it means to be a Christmas Islander.”

¹⁰ See also: David J. Carlson’s “‘Indian for a While’ Charles Eastman’s *Indian Boyhood* and the Discourse of Allotment,” *The American Indian Quarterly*, Vol. 25, No. 4 (2001), 605; Jennifer Bess, “Kill the Indian and Save the Man!” Charles Eastman Surveys His Past,” *Wicazo Sa Review*, Vol. 15, No. 1 (Spring 2000), 7-28; For a “borderlands” approach to Eastman’s autobiographies, see Erik Peterson’s “An Indian, an American: Ethnicity, Assimilation and Balance in Charles Eastman’s *From the Deep Woods to Civilization*,” *Studies in American Indian Literatures*, Series 2, Vol. 4, No. 2/3 (Summer/Fall 1992), 145-60. While the critical permutations on Eastman’s work run the gamut from Eastman as pro-assimilationist to pro-Indianizing of whites, no critic has addressed Eastman as advancing a particularly Dakota sovereignty argument.

¹¹ I use the term “autobiography,” rather than “auto-ethnography,” to characterize the genre in which Eastman primarily wrote. It seems to me that the term of auto-ethnography sets apart as other, as culturally alien, the writer as a subject. The term, then, serves to reproduce the dialectics of insiders and outsiders, citizens and aliens, that I see Eastman calling into doubt.

¹² The recent work of Scott Lyons (Dakota-Ojibwe) and Kevin Bruyneel stand to complicate this rather limited range of critical approaches. Lyons’ *X-Marks: Native Signatures of Assent*, presents the argument that modernity should not be seen as “imposed” on native peoples so much as something that was and is instead creatively appropriated and translated by them in the ongoing reworking of cultural knowledge and identity. Likewise, Bruyneel follows Homi Bhabha’s “third space” approach to suggest that political positions “framed by the imperial binary” amount to “false choices...” See *The Third Space of Sovereignty*, 217.

¹³ Kiara Vigil observes that, “One article from Manchester’s *Union* in 1939 provides an extensive obituary titled: “Dartmouth’s most famous Indian grad dies in Detroit, Dr. Charles Eastman ’87, A Full-Blooded Sioux Known as Ohiyesa, Recognized as Most Learned Member of Race,” *Reading Red and White*, 57.

¹⁴ For an excellent study of the networks of Progressive Era Native intellectuals, see Kiara Vigil’s *Stories in Red and White: Indian Intellectuals and the American Imagination, 1880-1930*, (2012).

¹⁵ For a view of Native American literary separatism, see Craig Womack’s *Red on Red: Native American Literary Separatism* (Minneapolis: U Minnesota P, 1999). There, Womack argues that Native American intellectual and cultural traditions, rather than non-Native literary theories, should form the basis for criticism of Native American literature.

¹⁶ While this chapter does not address in any kind of comprehensive way these linkages between property and citizenship, a number of recent studies that do are noteworthy here. On the relationship between US citizenship and property, see especially David Abraham’s “Liberty without Equality: The Property-Rights Connection in a ‘Negative Citizenship’ Regime,” *Law & Social Inquiry*, Vol. 21, no. 1 (Winter 1996), 1-65; on citizenship itself as a form of (transmissible) property, see Ayelet Shachar’s and Ran Hirschl’s “Citizenship as Inherited Property,” *Political Theory*, Vol. 35, No. 3 (Jun., 2007), 253-287; for a philosophical reading of Kant and Locke around the issue of property as a founding condition for citizenship, see Elizabeth Ellis’s “Citizenship and Property Rights: A New Look at Social Contract Theory,” *The Journal of Politics*, Volume 68, Issue 3 (August 2006), 544-55.

¹⁷ For readings of Eastman as assimilationist, see especially Robert Allen Warrior’s discussion in “American Indian Intellectual Traditions, 1890-1990,” where he describes Eastman’s “blinding progressive optimism” as stemming from his involvement with the SAI and its “misguided, brainwashed, self-hating collaborators” in the project of assimilation. See also David J. Carlson’s “Indian for a While”: Charles Eastman’s “Indian Boyhood” and the Discourse of Allotment,” *American Indian Quarterly*, Vol. 25, No. 4

(Autumn, 2001), pp. 604-625; ..I join scholars like Gale P. Coskan-Johnson in calling for a more nuanced recovery and treatment of Eastman's politics, "not so that he can be reinscribed in another romantic story of the past but so that we can interrogate his position as a public intellectual engaged in a dynamic early-twentieth-century national discourse challenging the sociopolitical treatment of American Indians by the U.S. government." Her analysis appears in "What Writer Would Not Be an Indian for a While? Charles Alexander Eastman, Critical Memory, and Audience," *Studies in American Indian Literatures*, Series 2, Vol. 18, No. 2 (Summer 2006), 105-31

Indeed, much of the recent scholarship on Eastman and the SAI has taken the form of either dismissal or apology. What an assimilationist reading of Eastman overlooks, though, are the ways in which he historicizes precisely those institutions and events which have led to a state of what he sees as native degradation and dependency on the federal government. And often, "recoveries" or apologies for Eastman's assimilationist language tend to focus on formal issues of genre and positions of utterance rather than at deployments of indigenous concepts and how these concepts entailed a revision of US ideals of property and citizenship. One notable exception is Tova Cooper's "On Autobiography, Boy Scouts and Citizenship: Revisiting Charles Eastman's *Deep Woods*," *Arizona Quarterly*, Vol. 65, No. 4 (Winter 2009).

¹⁸ Lucy Maddox, *Citizen Indian* (Ithaca: Cornell UP, 2006), 132.

¹⁹ Maddox, 137.

²⁰ Eastman, *The Indian To-day*, 88-91.

²¹ Martinez, 35.

²² Smith, 33.

²³ Eastman, *The Indian To-day*, 973.

²⁴ Eastman, 957-58.

²⁵ See Melissa Meyer's *The White Earth Tragedy*

²⁶ See Rifkin, *Erotics of Sovereignty* (Minneapolis: U Minnesota P, 2012), and *When Did Indians Become Straight? Kinship, The History of Sexuality, and Native Sovereignty* (New York: Oxford UP, 2011).

²⁷ Mark Rifkin's *Erotics of Sovereignty* examines, for instance, how heteronormativity served as a tool for effacing traditional kinship relations.

²⁸ Eastman, *The Indian To-day*, 973.

²⁹ Mark Rifkin, in *The Erotics of Sovereignty*, might call these omissions "shame histories," which are those family stories that have little or no currency in a heteronormative reproductive framework.

³⁰ Eastman, *The Indian To-day*, 974-980.

³¹ Eastman, *Indian Scout Talks A Guide for Boy Scouts and Camp Fire Girls* (Kindle Locations 770-771). . Kindle Edition.

³² *Ibid.*, 775.

³³ *Ibid.*, 784.

³⁴ *Ibid.*, 779.

³⁵ In *Sensual Relations: Engaging the Senses in Culture and Social Theory*, anthropologist David Howes describes how attention to a culturally-defined sensorium, or sensory world, has only recently become a legitimate object of inquiry within anthropology. Following World War I, "the study of the senses was disadvantaged by its close association with the categorization of racial types.... Attention to [the sensory domains of fragrance, flavors, and textures] seemed to denote a sensationalist interest in exotica on the part of the ethnographer. The study of social systems—kinship terminology, political structure, land tenure—characterized much of the 'serious' anthropology of the day." *Sensual Relations* (Ann Arbor, U Michigan P, 2003), 6.

³⁶ Smith, 51.

³⁷ Helen Hunt Jackson, *A Century of Dishonor: A Sketch of the United States Government's Dealings with some of the Indian Tribes* (1881, Rpt. Norman: U Oklahoma P, 1995). 74.

³⁸ Jackson 77.

³⁹ Max Horkheimer and Theodor Adorno, *The Dialectic of Enlightenment* (Palo Alto: Stanford UP, 2007), 22.

⁴⁰ *Ibid.*, 23.

⁴¹ Eastman, *Indian Scout Talks*, 1274-75.

⁴² Horkheimer and Adorno, 78.

⁴³ *Ibid.*, 1.

⁴⁴ This evacuation or transformation of nature into “a mass of material” has several important consequences. For one, it replaces dialectical thought with the unified concept; thinking becomes instrumentalized, always “in the service of” some purpose. Thinking becomes merely useful and one-dimensional. Horkheimer and Adorno characterize the domination and disenchantment of nature as resulting in estrangement: namely, in estrangement of humans from nature, of humans from one another, and of humans from themselves. This estrangement is key to Horkheimer’s and Adorno’s concept that the subject of experience no longer exists, but has been exchanged for a reified consciousness: “Not only is domination paid for with the estrangement of human beings from the dominated objects, but the relationships of human beings, including the relationship of individuals to themselves, have themselves shrunk to the nodal points of conventional reactions and the modes of operation objectively expected of them.” This shrinking of individuals to “conventional reactions,” the characteristic of “coldness” that is apparent between individuals, is implied in the phrase, quoted by Adorno in *Minima Moralia*, that “life does not live.” There is still life, the biological fact of life, but there is no living among people “who actually are incapable of true experience” and who “for that very reason manifest an unresponsiveness that associates them with...schizoids” (*Critical Models*, 199). This coldness, this non-living, is symptomatic of those caught within the spell of a reified and unreflective consciousness. With the instrumentalizing of the subject, thought finds itself critically impoverished, like a radicalized version of the emperor who surrounded himself with subjects who were unable to tell him he was no longer wearing any clothes. The concept now finds itself without the means to oppose itself critically. It becomes affirmative only: “In reflecting on its own guilt, therefore, thought finds itself deprived not only of the affirmative reference to science and everyday phenomena but also of the conceptual language of opposition” (*Dialectic of Enlightenment*, xv). The concept, in other words, becomes undialectical; it becomes myth.

⁴⁵ As Eric Cheyfitz writes, Marshall’s decision equates cultivation with culture writ large, “For in the Western tradition that produces this opposition, the civilized is garbed in the figure of the farmer, who ‘settles’ the land in doing so converts it to property, whereas the savage is garbed in the figure of the hunter.” The native hunter, by contrast, and here Marshall is unequivocal in his analogy, gains no right of possession through his “wandering,” but exists in relation to land as something of a vagrant, as estranged from it: “[Indians] could have acquired no proprietary interest in the vast tracts of territory which they [the Indians] wandered over; and their right to the lands on which they hunted could not be considered as superior to that which is acquired to the sea by fishing in it.” This formulation is key for understanding Eastman’s deployments of citizenship as being a matter of sensual and ethical relation, as he essentially inverts Locke’s emphasis on the morality and necessity of accumulation, and identifies the moral basis for land tenure instead as subsisting in and through proper kinship relations to land. See Cheyfitz, “Savage Law,” in Amy Kaplan, ed., *Cultures of US Imperialism* (Durham: Duke UP, 1993), 116-17.

⁴⁶ Onur Ulas Ince, “Enclosing in God’s Name,” *The Review of Politics*, Vol. 73, Issue 1 (December 2011), 33.

⁴⁷ Jeffery Clymer’s essay, “Property and Selfhood in Herman Melville’s ‘Pierre,’” *Nineteenth-Century Literature*. Vol. 61, No. 2 (September 2006), 171-99, provides an important analysis of the close relations between law, individualism, and empire. Like Locke’s version of the convertibility of the individual self’s possession into ownership of land, what is maybe most compelling about Clymer’s argument is not his sense that Melville’s novel reads as an elegy for forms of subjectivity that are not overdetermined by market capitalism, but rather his analysis of how Native land “title” suffered conversion into the conceptual terms of western liberalism. Tracing proprietary individualism back to Locke, and following Eric Cheyfitz’s essay, “Savage Law,” Clymer reads the 1823 Supreme Court decision, *Johnson v. M’Intosh*, as converting and eliding Native land tenure through a discourse of conveyance. This discourse, he writes, “converts the Indians’ communal relation to the land into the individualized terms of Western property law’s concepts of title and alienability,” and so “not only misrepresents the traditional relation of Indians to the land, but... also allows the expropriation of that land to be understood within the putatively rational and orderly discourse of law, rather than as an episode of violent dispossession.” In *Nineteenth-Century Literature*, Vol. 61, No. 2 (September 2006), 175.

⁴⁸ Wald, 65.

⁴⁹ Cooper, 16.

⁵⁰ Frank Pommersheim, *Broken Landscape: Indians, Indian Tribes, and the Constitution* (Oxford: Oxford UP, 2009), 160.

⁵¹ *Ibid.*, 160-1.

⁵² Grace Lambert, interview with Eugene Hale, Dakota Wounspe Program, 1993.

⁵³ Pommersheim, 161.

⁵⁴ For a seminal history of the Carlisle School and assimilation programs for Native Americans, see Francis Prucha's *Americanizing the American Indians* (Cambridge: Harvard UP, 1973).

⁵⁵ Eastman, *The Indian To-day*, 881-82.

⁵⁶ David Martinez, *Dakota Philosopher: Charles Eastman and American Indian Thought*, 35.

⁵⁷ Colin Dayan, *The Law Is a White Dog: How Legal Rituals Make and Unmake Persons* (Kindle Locations 2599-2604). Princeton University Press. Kindle Edition

⁵⁸ Eastman, *The Indian To-day*, 145.

⁵⁹ *Ibid.*, 406-8.

⁶⁰ The 1851 treaty was between the US and Wahpeton and Sisseton bands of Dakota. See "TREATY WITH THE SIOUX—SISSETON AND WAHPETON BANDS, 1851," accessed online at <http://digital.library.okstate.edu/kappler/Vol2/treaties/sio0588.htm> on October 12, 2012.

⁶¹ Eastman, *The Indian To-day*, 911-12.

⁶² Arthur C. Parker, "Certain Important Elements of the Indian Problem," *The Quarterly Journal of the Society of American Indians*, Vol. III, No. 1, January-March, 1915, 32-3.

⁶³ A major purpose of this dissertation is to question a universal syncretism or "middle ground" approach to cultural change. Accordingly, I question the usefulness of metaphors of cultural "worlds" that may be "bridged" by cultural intermediaries. One reason I find this model lacking is because it assumes the blurring or elision or difference as a necessary outcome of cross-cultural exchanges. I find instead that individuals like Eastman often refuse either-or subject positions in favor of an inclusivist both-and approach that highlights, rather than elides, cultural difference.

⁶⁴ I use the term "philosophy" to describe Dakota kinship understandings as a way of distinguishing it from "the religious" or "the spiritual," and from the baggage of theistic traditions which these terms carry. My usage follows Vine Deloria's in *God is Red*, where he describes the inadequacy of the category of religion for capturing tribal philosophies of interrelatedness or kinship: "There are serious questions whether Indian tribes actually had any conception of religion or of a deity at all. Wherever we find Indians and whenever we inquire about their idea of God, they tell us that beneath the surface of the physical universe is a mysterious spiritual power which cannot be described in human images that must remain always the 'Great Mystery.'

There are, on the other hand, many other entities with spiritual powers comparable to those generally attributed to one deity alone. So many in fact that they must simply be encountered and appeased, they cannot be counted. In addition all inanimate entities have spirit and personality so that they mountains, river, waterfalls, even the continents and the earth itself have intelligence, knowledge, and the ability to communicate ideas. The physical world is so filled with life and personality that humans appear as one minor species without much significance and badly in need of assistance from other forms of life. Almost anyone can have almost any relationship with anything else. So much energetic potency exists that we either must describe everything as religious or say that religion as we have known it is irrelevant to our concerns." *God is Red: A Native View of Religion* (Golden, CO: Fulcrum Publishing, 1994), 152-53.

⁶⁵ Charles Eastman, "The North American Indian" in *Universal Races Congress*. Spiller, Gustav, ed. (London: P.S. King and Son; Boston, MA: The World's Peace Foundation, 1911), 369.

⁶⁶ Charles Eastman. "The Sioux Mythology," *Popular Science Monthly*, Vol. 46 (November 1894), 88.

⁶⁷ Raymond DeMallie. *The Sixth Grandfather* (Lincoln: U Nebraska P, 1985), 81.

⁶⁸ Alan Trachtenberg. *Shades of Hiawatha: Staging Indians, Making Americans, 1880-1930* (New York: Hill and Wang, 2004), 282.

⁶⁹ See Arjun Appadurai's *Modernity at Large* (Minneapolis: U Minnesota P, 1996), Chapter 2.

⁷⁰ Rifkin, *When did Indians Become Straight?*, 23.

⁷¹ Charles Eastman, "What Can the Out-of-Doors Do for Our Children?" *Education*, Vol. 41, 599.

⁷² See for instance Lucy Maddox's *Citizen Indians*, which notes Eastman's frequent turning to a "generic type" to describe all Indians. While this is not a misreading, exactly, since Eastman did appeal at times to a pan-Indian ideal in order to gain political traction, it is an incomplete reading of Eastman's idealism, which mobilized specifically Dakota content in order to leverage ethical critiques of US law and material culture.

⁷³ Eastman, *The Indian To-day*, 94.

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- ⁷⁴ Ibid., 94-5.
- ⁷⁵ Arthur C. Parker, "The Legal Status of the American Indian," *Quarterly Journal of the Society of American Indians* (July-September, 1914), 214.
- ⁷⁶ Ibid., 213.
- ⁷⁷ Ibid., 214.
- ⁷⁸ Eastman, *The Indian To-day*, 1472-73.
- ⁷⁹ Ibid., 1551-54.
- ⁸⁰ Ibid., 1204-5.
- ⁸¹ Ibid., 1214-18.
- ⁸² Ibid., 1206-7.
- ⁸³ Eastman, "What Can the Out-of-Doors Do for Our Children?", 602.
- ⁸⁴ Ibid., 603.
- ⁸⁵ Joseph Epes Brown, *The Sacred Pipe: Black Elk's Account of the Oglala Sioux* (Norman: U Oklahoma P, 1989), 31.
- ⁸⁶ Eastman, *The Indian To-day*, 108-13.
- ⁸⁷ Eastman, *Indian Scout Talks*, 159-60.
- ⁸⁸ Brown, 41.
- ⁸⁹ Joanne Barker, "Recognition," *American Studies*, Vol. 46, No. 3/4, Indigeneity at the Crossroads of American Studies (Indigenous Studies Today, Issue 1, Fall 2005/Spring 2006) (Fall/Winter 2005), 154.

FOURTH INTERCHAPTER

Grace Lambert, March 10, 1993

Eugene Hale: What is your name?

Grace Lambert: Grace Lambert.

EH: Do you have any stories, or any teachings. We want to know, if you could tell us? About the things that happen around Fort Totten, stories, and other things, or the things you remember. Did you grow up here?

GL: Yes, I grew up here; I was born here. I grew up here, went to school here, I finished school elsewhere

EH: Do you know any stories?

GL: What kind of stories?

EH: Stories like what the Dakotas did a long time ago for entertainment, powwows, or Sundances?

GL: Long time ago when I was little, our grandma raised us. They tried to teach my mother and father how to farm. They gave them land, horse, a wagon, and farm tools. All the tools a farmer needs. They must've been the first ones here. They picked certain ones that could work. They were given a homestead to support their families. That's why my mother and father were given those things. We always lived with our grandmother. Our grandmother raised us. I had two younger sisters, a brother, an older sister. She stayed around until she got married and moved away. When we lived with our grandma, she was our teacher. She taught us things that were taught a long time ago to children. How to live and survive. These were teaching from our grandmother. Maybe that's why our grandma raised us. 'Listen!' my grandma used to say, 'and look around. Don't be daydreaming, because you aren't going to learn anything.' That's what grandma would tell us. 'During the day make use of your hands. Learn to do something and do it. Learn how to sew cause you're a woman.' That's what she used to say to me. She would tell my brother go to the barn and water the horses and feed the chickens. Help your mother and father out.

That's the way we grew up. 'If you listen well you won't have heartaches. Keep your eyes open because you're going to learn from that.' That's what she said. She even told us to watch an ant. 'These are the best workers.' All day they would run around. They would haul all their food into a hole for the winter. They would haul and get things ready. That's what she said. If you're willing to work, you're going to be thankful for it. You have ears for something, so listen! When someone talks foolishly, they always run into something, my grandchild. This is what she would say. If you hear something good and tried to live that way, you'll be thankful. Don't let your hands hang there; make use of your hands. Check the roads real well or you might get lost. As we were growing up, this is some of the teachings our grandma taught us. I remember these things to this day.

EH: Long time ago did they have Sundances around here?

GL: No, not that I remember, I never heard anything about it. But my dad, long time ago, he would say, 'Long time ago, before the Dakotas were given this reservation, they used to travel a lot. We are Santees. The ones that live out on the prairies. They're the ones that Sundance. The ones on the prairie, they're not close to water. Santees in Minnesota lived along the Mississippi River. That's where us Santees lived, and that's why we had plenty of water and made good use of it. The ones that live on the prairies—on some days the river would dry up. They would have it hard without water. Through that tree, they would pray to the sacred one [Great Spirit, God]. That is why they would dance to the sun. He gives them water so they can live in a good way. This is why they Sundance. That belong to the prairie people. The Tetonwan and Ihanktonwan lived along the Missouri River. One the days they didn't have water they would Sundance. The Santees never did that. Maybe they should have done that too. They used prayers and sacred dances [*wakan wacipi*]. This is what they used. These men were Medicine Men. They would gather together, perform this dance. If you were not one, you couldn't be there. It only belonged to that clan. Like a membership. They would gather together at a Sundance. One day out of the Sundance. They would cook their sacred food [kettle Dance]. This is one of their ways. That's all I know about the Sundance. That belongs to the plains people. Today, they call it traditional dancing. That one is a sacred dance. The woman stand up front with a feather. In the middle of the song they would wave this feather. When they honor a man with words in a song, they would wave this feather or fan

around at this time. Long time ago, they used to do that. They call it traditional honor dance. When a man goes to war and kills an enemy and scalps him, and takes the scalp back with him. It's an act of bravery. That's why they take the scalp. Then they honor these men.

The Dakota people always honor their people. The man never pretends. When a man brings it back, [a scalp] they put on an honor dance. The woman, like your wife, she would carry that scalp for him, and dance with that. They're not dancing because they killed. They're dancing because they feel sad. This is because [so that] the enemy's spirit would not bother them. That's why they do this. This is what they used to tell us, when we were little children.

EH: On this reservation, how many tribes are there and what kind of tribes? The Santees [Isanti], Cut-Throats [a general name for Dakota], is there more of them, that you know of? They're Dakotas, but different bands.

GL: You mean clans? Yes, Santees have seven different clans. Tetons have seven different clans or fire places. Tetons, I don't know their ways too good. Some Santees are called Sacred Lake Village People, Shoot the Leaf [*Waḥpékhute*], and Leaf Village People [*Waḥpéthuḥwan*]. The ones they call Sacred Lake People [*Bdewékha thu wa*] is because they live along the Sacred Lake. Shoot the Leaf People. They're called that because they shoot the leaves. That used to be a game for them. They would shoot at three leaves. That show they got their name from that game. The ones that are called Leaf Village Clan are Wahpetons. Then they're some, the names are Dry It On the Shoulder. This is one of the Santee Clans. When they go hunting, they get buffalo and dry the meat. Sometimes they get attacked or move to other campsite. While they are traveling, they put the undry meat on the horse's shoulders. This is what they do. That's how they got their name: Dry it on the Shoulder. Each one of these clans have their own leaders. Then the Sissitonwan [Sisseton]; the words Sisionton—wan, nobody can't translate or explain that word. There are different stories about that word, but I don't know the right explanation. The Mississippi River, Minnesota River and the Red River they stayed along these rivers. West from the Mississippi River this way. The Sisseton's tribes and all over this way. The Santees lived. The Tetons lived by the Missouri River and down South. Down the other way, Rosebud and the

Black Hills and down there. This is where they live. That reservation over there belongs to them.

I want to tell you something, and it's the truth. My dad used to say this the Dakotas never say, 'This is my piece of land.' That's what he would say. Because all the land belongs to them, they don't own an acre. They own the whole thing. This is one of their strong beliefs. In the beginning, they took their names down on paper and gave them land. A lot of them didn't want that. That's what they said. This was not their belief. They believed that all the land was theirs. All of it. Nobody had one acre. [translation missing] this is my land. They even got the Dakotas saying that.

EH: The Sacred Lake Heart [Mni Wakan Chante] or Sacred Lake and some call it the Backbone. How did they get these names or did you hear it from somebody?

GL: The Sacred Lake always did have that name from a long time ago. It always has been Mni Wakan. Never was Devils Lake. Long ago before Christianity came here, nobody believed in the evil spirit ways. The Dakotas only believed in the spiritual ways. They only believed in the Holy One [GOD] and respected him. There wasn't such a thing called Devil, and I never heard of it. When ever we did something wrong, they would say, 'Don't do that: it's sacred [he wakanye].' Our grandma, Whenever we do something wrong she would never say 'Don't do that, it's evil.' Instead she would tell us, 'Don't touch that, it's sacred' This is the way we listen. Now days we tell them don't , that's bad, it's a challenge for them, they would go ahead and do it. This is the way I understand it. These are my own understanding; the things I've told you.

Oh about Mni Wakan each family has a different story. And they understand it and tell it differently. And the stories aren't the same. I'll tell you something, but this is me and my family's belief. There were some men sitting on Crow Hill looking toward the lake, and they saw something big come out of the lake. And the men that were sitting on the hill. At that time, the lake was right below here and clear to Minnewaukan. That isn't the real name, it's Mni Wakan. That town, they call it Minnewaukan. By Minnewauken there is a land mark and that's how far the lake was. From there and back this way was all water. Over there by Wilson Howard—I mean Dwayne Howard. By his house there is a hill, maybe you seen that. That hill used to be an island. Our family, which is the stories are about [sic]. This thing that comes to the top of the water. That creature is real

big. The ones that were sitting on the hill. That creature would look in their direction. They seen its eyes and it looked like there was fire in its eyes. It started to swim west on top of the water. Over here towards where the sun goes down [west] and it was rainy, windy, and a big thunderstorm, bad storm anyway. They said one was coming. The creature and the thunders had a battle. This thing, this, this, the creature the one that was swimming. The electricity, I forgot how to say lightning.... He battled with the Thunder Beings. The thunders would shoot lightning bolts at the creature, and the creature would fire back. And it looked like flames of some kind. It got as far as the Island and the Thunder Beings fired a lightning bolt for the last time. From then on, that thing [creature] was never seen again. The people that were sitting on the hill saw the whole thing. They're the ones, that said, 'that lake is sacred [wakan].' This is how it got its name, Spirit Lake. That's how I heard it. That's what they told us. Nobody said or wrote about it, that's all I know about it. This is what we been told by our family.

EH: How about that rock over there [Devil's Tooth]?

GL: That rock. I never heard too much about it. They always had sacred ceremony over there and leave offerings there. One time there was an old lady, she left an offering. Did they tell this before? This old lady went to the store to buy some groceries. She started home with her groceries. Where that rock is, there was a man, who got drunk the night before. When he woke up, he layed down by that rock and went to sleep. The old lady was walking toward that rock. She stopped by the rock and in them days they only buy Bullduram [tobacco]. She pulled her BUlldurham out. First she put some material on top [of the rock]. She said, 'Grandfather, I brought you some offerings and have pity on me and pray for me.' She was saying, 'Grandfather I brought you some tobacco.' By that time the man with the hangover was laying behind the rock. He woke up by that time and he said, 'Han.' He scared the old lady. She ran all the way home from there. That's the only story I know about Devils Tooth. After Christianity came everything was labeled Devil. The backbone I don't know too much about that one. They just started that one not too long ago.

The Heart of Spirit Lake [Mni Wakan Chante] that was there a long time ago. The people, I think, it was the Tetons that used to make offerings up there. That's what they said When the Black Robe People came. The Spiritual People were showing the Black Robe people the Dakota spirit ways. One of the Black Robe People said, 'The Dakota spiritual ways are

no good; it's towards the Devil. I'm going to make a cross and put it on top of the hill to show this is the right way.' So he built a big cross and he carried it to the top of the hill and stood it up on top of the hill. From that I used to think. Long time ago the Dakota ways they believe in the Great Spirit for a long time. They always say, 'The holy ones [taku wakan].' They never say, 'It's an evil being.' They always say, 'The Great Spirit told us this. This is a way of life. We lived her on earth for thousands of years and nobody knows for sure. Nobody can't tell us how long we lived here. This is what I believe you believe in Great Spirit you're going to live. This is how I understand it. Today I'm a Christian. Whatever beliefs that my grandfather and grandmother had that belongs to them. I have respect and believe in these things. I can't live like that because it's different today. Even that days are different. The days are not the same, so you can't go back. Long ago the Dakotas had Indian names. Do you remember any of them?

Yes, well I forgot. I can't remember a thing. The Indian names? I don't know. I can't think of one.

EH: Long time ago, a man or Medicine Men, they used to call them long time ago. There was one or two of them that could change themselves into animal forms like a bear or a snake. Do you know any? That someone told you? Do you remember any stories? There used to be a lot of men like that. They called them spiritual persons and there were many. They used to be on our reservation. Do you know any of them?

GL: No. There was one, a man, my mother's male cousin, my grandmother, my mother's mother. Her brother or her cousin. That's her boy. That's my grandmother's cousin. She said he was blind. That's what my mother told me. My mother's cousin, that's the one who was blind. My mother said her grandmother raised him too; she raised all of them. They all lived together as a family. Some were orphans, so my grandma raised them too. The cousin, the one that was blind. There was a log cabin. A small log cabin next to the house, and nobody was living in it. They moved him in there. For many days they had the windows blinded, and they always kept the door locked. So he sits there in the dark. His grandma always brought him food. She took him some food one time. He said, 'Grandma, next time you come, bring a piece of paper and a pair of scissors.' So his grandma took him a piece of paper and scissors. My grandma wasn't blind, so she left the door open, because she wanted to see what he was doing. And here he cut a snake out of paper. He said, 'Watch

this grandma.’ The cut out paper snake—he threw it on the floor. It turned into a snake and started to crawl towards his grandma. His grandmother screamed and ran out the door. From that time on that man was sacred. He did a lot of spiritual things.

Then there was a man. His name was Black Pumpkin and he was a Medicine Man. They said he was a strong Medicine Man. Black Pumpkin was a twin. Then there was another man, a twin, too. His name was Flat Wood. His real name was Announces Good. That was his real name, Announces Good. I don’t know why they called him Flat Wood. This man was really kind-hearted. Him and this Black Pumpkin, I mean Announces Good. These two were different twins. The elderly used to say twins are sacred people, because they are different. They’re born in twos. Normally, we are born one at a time. Then they are born in a pair; they’re sacred people. And here, this man, one that made that snake, He does a lot of sacred things. He even doctored himself. So that he could see. He even cured his blindness. They considered him a sacred man so they always depend on him. They know that he knows about different medicines. Black Pumpkin went to this person. ‘Grandson, they said you’re a holy man. I want to challenge you.’ He said, “Okay, where are we going to do this?” “We are going to the back of the woods. You can use your spiritual powers, and I’ll use mine. You see this tree?” “Yes!” They said it was an oak tree. It was big, really big. ‘From this tree we will take several steps backwards. This is where we’ll have that stand off. This is one of my powers,’ and it was a deer hoof, they said. He held it in his hand and threw it at the oak tree. You could see the hoof sink half way into the tree. This one, my mother’s cousin said, ‘This is one of my powers,’ and it was a dawn [down]. You know , dawn! Fine feathers. Plumes. Oh! plumes. HE said, this plume here is one of my sacred things. So he got into a good position. He held his red dye plume, and he threw it at the tree. The plume went through the oak tree and came out the other side. This old man knew he was getting old. Black Pumpkin said, ‘Grandson you won.’ And he shook his hand..

EH: How did Crow Hill get its name?

GL: You mean, you know that. You from here?

EH: Yes! I’m from here. We want to know about these things.

GL: Oh! well, it goes like this. Below Cross Hill, that valley where Jr. Joshua, Paul Yankton, and Boke Thomas that whole valley the other way, where Walking Eagles live. The Dakotas used to camp al over there. They always put scouts out so they can watch out for danger and trouble for the people. These scouts they were walking through the woods towards Crow Hill. When they got up there, in Crow Hill, the biggest hill, that's the one they call Crow Hill. On top of the hill there were some Crow scouts. They must have checked out the camp to see where the horses were at. They like to steal horses. The Dakota people stole good horses from the Crow. Maybe they were going to steal them back. Maybe that's why the Crow scouts check out the camp. The scouts came down and told somebody to spread the word. So the people got ready. The ones that were warriors got word and sneak up the hill. They said they killed all the Crow scouts and buried them right there. That's why they call it Crow Hill.

CHAPTER 6

“WHERE THEY ARE GOING, SPIRITUALLY”: KINSHIP AND GENDER IN ELLA CARA DELORIA’S *WATERLILY*

All that which lies hidden in the remote past is interesting, to be sure, but not so important as the present and the future. The vital concern is not where a people came from, physically, but where they are going, spiritually.

Ella Cara Deloria (*Inhanktonwan Dakota*), *Speaking of Indians*

I notice that in the Sioux country, children of white men and Indian mothers are steeped in folklore and language, but children of white mothers and Indian fathers are often completely cut off from the tribal folk-ways. If every Dakota woman disappeared today, and all the men took white wives, then the language and customs would die, but otherwise I do not see how they would.

Ella Cara Deloria to Franz Boas, August 7, 1940

1. Introduction

Born in 1889 at White Swan on the Yankton Reservation and raised in Wakpala on the Standing Rock Reservation, *Ihanktonwan* (Yankton) anthropologist Ella Cara Deloria (*Anpetu Waste Win*, or Beautiful Day Woman) is one of few Native novelists of the first half of the twentieth century. During her lifetime her only novel, *Waterlily*, remained unpublished. Deloria’s father was Philip Joseph Deloria (*Tipi Sapa*, or Black Lodge), one of the first Episcopal priests to be ordained among the Dakota. Her mother, Mary Sully Bordeaux, was French-Dakota and had been raised speaking Dakota, which remained the first language in the Deloria home. The linguistic and cultural backdrop of Ella Deloria’s early life established her as a fluent speaker of both English and Dakota, setting her in good stead for her work with Franz Boas at Columbia University, and for her subsequent collecting and transcribing of traditional Dakota tales and texts from the

late nineteenth-century.¹ As a Christian steeped in Dakota values, Deloria, like Charles Alexander Eastman, was also a cultural broker well-positioned to think and write a discursive space where apparently seamless cultural wholes could be interrogated, gleaned, and reworked into contemporary articulations.

Her novel, *Waterlily*, written during the 1940s but unpublished until 1988, is set in the 1830s, prior to not only the start of the reservation system for the Dakota, but even before the arrival of missionaries like those of the Episcopalian American Board Commission of Foreign Missions. *Waterlily* tells the story of a young *Titunwan* (Teton) woman named Blue Bird, whose *tiyospaye*² (Deloria translates this as “camp circle,” but it can also mean “band,” as well as extended family) is destroyed by an enemy war party on a raid. She and her grandmother “wandered blindly” across the plains, but for only two days, when they are taken in by another camp circle whose “people were their kind and spoke their dialect.” As with *Speaking of Indians*, a major preoccupation of *Waterlily* is the centrality of kinship bonds to Dakota people. The ideal of “progress” Deloria envisioned for Dakotas is one that depends crucially on women’s creative transformations over time of traditional gender roles like teaching and storytelling, as well as roles expressed in forms of economic production like quilting, beading, and hide-tanning. By invoking the determinate language of “gender roles,” I should add a precautionary note here that in so doing, I do not fail to regard gender performatively, and so as being fundamentally revisable. My readings of Dakota gender constructions, whether in Deloria’s work, in the ethnographic record, or in living oral histories, begin from the assumption that gender, as a discourse about the sexed body, would be almost infinitely variable, were it not for that variability being foreclosed, as Judith Butler puts

it, “by certain habitual and violent presumptions.”³ These presumptions appear not only in heterosexual ontologies of sex, gender, and desire, though, but, as was the case in federal allotment policies, in the powerful intersection of these ontologies with notions of an isolated bourgeois individual, and of a nucleated family whose members owe no social responsibility to anyone but one another.

This chapter examines *Waterlily*'s depictions of kinship hospitality and gift-giving within Teton sociality as a critique of the bourgeois individualism that had not only strained *tiyospaye* relations post-allotment, but also attacked the relational logics of a historical femininity with which Deloria linked Dakota dignity and the responsibility for cultural survival. I highlight how gendered kinship formations worked as sites of resistance to colonial universalizing of masculinity and femininity according to the heterosexual imaginary of the state, that bound gender understandings tightly to the nucleated family and to the isolated individuals who comprised it. My reading of *Waterlily* thus draws significantly on Mark Rifkin's own analysis of Deloria and the IRA in *When Did Indians Become Straight?* (2011). Rifkin argues that Deloria's novel, *Waterlily*, mobilizes the political potential of kinship in the *tiyospaye* to provide alternative ways of imagining social relationship that allotment policies had suppressed,⁴ and that remained the de facto objects of administrative regulation in spite of the IRA's claimed commitments, as John Collier put it, to “set up permission to the Indians to work out self-government which is appropriate to the[ir] traditions.”

My reading of *Waterlily* seeks to complicate Rifkin's basic question—“how is the ‘self’ of ‘self-government’ in the IRA present haunted by the persistent dynamics of the allotment-saturated past?” by attending to female agency and forms of resistance to those

structural features that Rifkin highlights. My argument unfolds in three main parts. First, I examine the ethnographic contexts for Deloria's writing of *Waterlily* and what I find to be an experience of revulsion, on Deloria's part, as the impetus behind her writing the novel. Second, I review the discursive framings of gender in the IRA through a critique of Rifkin's argument, and detail the specific ways that Dakota heteronormativity differed crucially from the heteronormativity enshrined in both the General Allotment Act and the IRA. What especially deserves to be queried in Rifkin's analysis is his linking of a US colonial heteronormativity with heteronormativity *as such*. Treating the hegemonic heterosexuality of the US state as contingent and particular, stands to clarify how a gender binary, while naturalizing heterosexuality, does not necessarily entail patriarchy. By examining the social ordering of relationships within a historical form of heterosexuality, I hope to demonstrate how Deloria viewed traditional Dakota gender understandings as a means to critique oppressive gender ontologies.⁵ Just as Nicholas Black Elk did through his ceremonial performances for tourists in the Black Hills (see Chapter 3), Deloria's portrayal of the culturally-renewing and *critical* power of historical gender roles and relationships makes a trans-ontological gesture, offering to restore relations of generosity and respect where they have been sundered by hierarchies of class, race, and gender. I argue that *Waterlily's* depictions of a kinship-based ethics of gifting and mutual care occur within a matrix of gendered relations, and that traditional female (hetero-) gender roles and responsibilities for reproducing Dakota social life, and in particular its central ethics of gift-giving and care, survived structural suppression through the social labor women's church societies, forms of economic production such as needlework (especially quilting, quilling, and beading), and storytelling. This chapter

focuses on the last of these: the storytelling that Ella Deloria herself did in *Waterlily*, but also in the pageants she wrote for Dakotas and Lumbees during the 1930s and 40s.

As in my other chapters, I supplement a structural reading of federal Indian law and policy with a reading of communal and individual agency, magnifying some of the most relevant details of a tension between structure and agency. I'm maybe most interested in Deloria's attempts to re-humanize a female Dakota subject who had been rendered less-than-human through racialized laws aimed at exterminating, through the adoption of bourgeois values and the dislocation from kinship relations, the last drop of "Indian blood,"⁶ as well as stripping her of social roles that had historically been at the core of Dakota femininity. In so doing, we may see Deloria's attempts to recover what Beatrice Medicine has called "the tribal, viable, residual, and syncretic roles of indigenous women."⁷ Accordingly, I argue that a critical approach that attends to power relations, or hegemonic discursive structures (such as law) without attending equally to the contextual, lived forms of social life within (and against) those structures, creates at least a couple of important effects. For one, it relegates the evocative stories about Dakota ways of being to the level of abstract language of social theory. But what are the lived and living meanings, the interstitial realities of gendered, embodied encounter, within the *tiyospaye*? By keeping both structural process *and* context alive in my readings of Deloria's novel, I hope to draw out some of the temporal connections between *Waterlily's* imagined 1830s, Deloria's 1940s, and the present. This temporal re-orientation leads to the last strand of my argument, which has to do with Deloria's audience, and with the transformative potential of imaginative literature. In the last section of this chapter I focus on how *Waterlily's* depiction of gender ideals, rather than

being a simple rehearsal of ethnographic data, works to make a decolonizing gesture. In this Fanonian strand of the argument, I identify the ways that *Waterlily* not only asserts the survival of *tiyospaye* ethics that “still persist, hidden but strong,” but argues for their enduring capacity to heal or transform Dakota consciousness that has been distorted by the double forces of an internalized racism and bourgeois self-interest. I hope to detail the connections that Deloria’s granddaughter, Joyzelle Godfrey, makes between on the one hand, the nationalist agenda of tribal survival, and on the other hand, the gendered agenda of promoting women’s physical, mental, and spiritual well-being, when she observes that “the health of the nation rests on the backs of the women.”

2. “All Those Unseen Elements”

My first epigraph, from Deloria’s most accessible account of Dakota life, *Speaking of Indians* (1944), shows her attempting to relate Dakota kinship ethics to a non-Native audience. Part of her project in this popularized ethnography was to call into question the relevance to Native peoples of the Land Bridge theory of human migration from southeast Asia, or Beringia. The Land Bridge theory had gained initial empirical confirmation with the discovery of spear points at Clovis, New Mexico from 1929 to 1937 that matched artifacts from Beringia. Deloria’s opening section of the book, titled “This Man Called Indian,” thus begins with an evolutionary narrative of human migration from Asia, in which “science tells us that the Native Americans came from northern Asia and that they may have arrived here from ten to twelve thousand years ago.” But as she continues, she complicates this “family of man” narrative by describing even earlier “inhabitants of this continent” who left traces of their lives in “implements of stone...left

beside ancient campfires fifteen to eighteen thousand years ago, some even say twenty thousand.” These most ancient of North Americans were apparently hunters, and bore some resemblance to more contemporary Plains tribes, as their projectiles “have been found deep in the earth, together with the skeletons of a prehistoric species of bison.” After drawing this momentary analogy to the hunting relationship Dakotas also had with the buffalo, an analogy more tacit and suggestive than anything else, Deloria concludes that “we cannot know what became of them—whether they had all vanished before the ancestors of the modern Indians arrived, or whether some were still wandering about and were absorbed by the newcomers.” What matters more than the physical origins of a people, writes Deloria, is a different sort of trajectory, consisting not in physicalized race or in historical genealogy but “where they are going, spiritually.”

Much of how that term, “spiritually,” gets freighted in the rest of *Speaking of Indians*, and in much of Deloria’s other writings, reflects her striving to convey, and to live in her own life, the existential postulates that she saw as making Dakota life possible in the first place. “We may know a people,” she writes in *Speaking of Indians*, “but we cannot truly know them until we can get within their minds, to some degree at least, and see life from their peculiar point of view.” While this is a fairly typical description of what would later be called an “emic” or descriptive approach to culture, Deloria inflects it toward the ethical, arguing that to understand “life from their peculiar point of view” requires that we “learn what goes on in their ‘spiritual culture area.’” She continues,

By that fancy phrase I simply mean what remains after the tangible and visible part is cleared away. I mean such ethical values and moral principles as a people discovers to live by and that make it a group distinct from its neighbors. I mean all those unseen elements that make up the mass sentiment, disposition, and character—elements that completely blend there, producing in an integrated

pattern a powerful inner force that is in habitual operation, dictating behavior and controlling the thought of all who live within its sphere.⁸

It is telling that Deloria draws an equation here between “ethical values and moral principles” and “all those unseen elements that make up the mass sentiment, disposition, and character,” elements that arguably comprise a far more nebulous category than does ethics. At the very least, it is suggestive of how Deloria understood her ethnographic project less through an objectivist optic and more through a relational Dakota framework of kinship that held “all Dakota people...together in a great relationship that was theoretically all-inclusive and co-extensive with the Dakota domain.”⁹ By “domain” Deloria suggests here what it means to occupy ancestral lands, as an analogue to “territory,” perhaps, but including among her connotations the affective and ethical textures of lived experience and relation with other Dakota persons. Deloria’s introduction to *Speaking With Indians* is thus a refusal of theories of racial purity and racial evolution, that owes much to her close friendship with Franz Boas, but also to her deep understandings of kinship, having been raised in a *Ihanktonwan* family. In one especially Boasian move, Deloria links the notion of progress, with the exchange of ideas among different peoples, and quotes Boas commenting on the promiscuous nature of “ideas and inventions” that “proofs without number are forthcoming [presumably through the work of ethnologists like Boas and his students] to show that ideas have been disseminated for as long as people have come in contact with one another, and that neither race nor language nor distance limits their diffusion.”¹⁰ As all races have worked together in the development of civilization, we must bow to the genius of all, whatever group of mankind they may represent.” From this description of the benefits accruing from cross-cultural exchange to a “civilization” construed not in opposition to cultural

isolation rather than to primitivism, Deloria constructs an apology for “slow” Indian progress.

Deloria navigates here between two entangled discourses that have been particularly damaging to Native people as legitimations of colonialism. For one, she attempts to deconstruct a biological ideal of race by detaching it from a grounding in biology and linking it instead to a kind of technological schema of producing, and being produced by, “ideas and inventions.” And she also attempts to navigate, largely through a process of reinscription, a civilizational discourse of cultural “progress.” The fact that she feels compelled to use the term “progress” at all is itself historically contingent in a number of important ways. Not least of these is the significance of racialized ideas of “progress” enshrined within US federal Indian law, not only in the Marshall trilogy’s doctrine of Native “wardship” but also in later federal policies, including the 1887 General Allotment Act and in the 1934 Indian Reorganization Act, despite the latter legislation’s attempts to end a policy era of Native assimilation to mainstream white culture.

Maybe most significant about Deloria’s move away from racialized constructions of “this Indian man,” though, is its simultaneous refusal of race alongside an assertion of the “spiritual” as embodied in and practiced through relations among kin, where kinship is not coupled strictly to the biological, heterosexual family but applies to a wider field of social relations comprising a totality that Deloria glosses simply as “Dakota.” Part II of *Speaking of Indians*, “A Scheme of Life That Worked,” is Deloria’s scholarly meditation on the Dakota ideal of kinship. She argues there that the main purpose of kinship was to insure against the existence of social atomization, or “haphazard assemblages of

heterogeneous individuals” who would be left outside of relation as such, and so outside of being human. Without the aim of obeying kinship rules and being “a good relative...the people would no longer be Dakotas in truth. They would no longer even be human. To be Dakota, then, was to be humanized, civilized.” Deloria’s linking of the “human” with being “Dakota” through kinship—or more precisely, through the performance of kinship, by upholding of kinship law, rather than simply by accident of birth—invokes historical meanings of the adjective “dakota” as one who feels affection for another, or is friendly.¹¹ This reworking of the meaning of civilization not only inverts the imperial binary of center and periphery, asserting the utmost periphery—the “tribal”—as the location for humanness and civilization, but also transforms the criteria by which civilization may be known. Like Charles Eastman did through his animal stories and autobiographical works, Deloria rewrites “civilization” as a function of ethical relation, rather than being evidenced through material power, and as the negation of uneven economic development or unequal distribution of capital, rather than their guarantor. She comments, “By kinship all Dakota people were held together in a great relationship that was theoretically all-inclusive and co-extensive with the Dakota domain.”¹²

By linking kinship with the utilitarian suggestion of her section title, “A Scheme of Life That Worked,” though, Deloria attempts an especially difficult mediation. How to make the illiberal concept of kinship intelligible within a liberal framework of rights that accrue to, as Deloria calls them, “heterogeneous individuals”? Legal historian Gloria Valencia-Weber describes the core of this problem of intelligibility in her claim that “the unique collective right that tribal sovereigns insists on retaining does not fit the usual

constitutional conversation about the individualized ‘who’ and ‘what’ activities shall be cognizable and protected.”¹³ For Deloria’s fellow Dakota and Progressive-era author, Charles Eastman, one strategy was to sue for rights from the US government through claiming the legal subjectivity of a unified “people,” as I show in my fourth chapter. Eastman’s lobbying for a changed legal status for Natives, as US national citizens, was accompanied by a discursive reformulation of key terms attaching to that status, and I spell out his articulations of a “sensual citizenship” deriving from Dakota philosophies of place and persons in my fifth chapter. But despite her negotiating forms of scientific racism and a cult of anthropological salvage that regarded indigenous peoples, languages, and lifeways as artifactual things to be preserved in the name of objectivist thoroughness, Deloria’s response to liberalism was less mediated than Eastman’s: it was more of an outright separatism. Indeed, her defining of kinship against the bourgeois individual is a refusal of liberal constellations where race, class, and gender have converged around heterosexual, monogamous marriage and the nucleated family, composed as it is of bourgeois individuals. By widening the “domain” of kinship to include animals, spirits, and the land, Deloria disturbs the distinction between nature and culture, and so sets the stage to recover, as a site of political resistance, a discredited “nature” that federal Indian law has instrumentalized and regarded only as property.

In considering the political dimensions of Deloria’s writings, we would also do well to keep the question of audience at the front of our minds. Although *Speaking of Indians* was published by the Missionary Education Movement, and appealed to non-Natives to raise general consciousness about the continued existence and vitality of Native peoples, its emphasis on futurity and the socially-cohering work that kinship has

done and continues to do suggest that her purpose was not pedagogical in a universal sense, but that she wanted her ethnographic work to be, above all, instructive to Dakota audiences. Whatever her intentions, *Speaking with Indians*, along with Deloria's other ethnographic and literary work, certainly continue to provoke questions within Dakota communities, despite Deloria's own disavowal of *Speaking* being "informal and sugar-coated, so that people who read it might be interested enough to study Indians," as she commented in a letter to Margaret Mead after the book was published. In an interview with Deloria's social granddaughter, Joyzelle Godfrey, Godfrey asks what the implications of her grandmother's work are for Dakota in the present. "We have to look at Ella's material and think about what *we* want to be; who do *we* want to be? Who *are* we, truly? That's something we need, as Indian people; we need to look at our true history, the reality of who we really were, as human beings, so that we can *be* human beings, so that we're *not* trying to live up to those thoughts, pictures, something that we never were" (465). Godfrey calls for the mobilizing of cultural knowledge, an important fragment of which Deloria spent her life documenting, into a source of future group identity and ethics. There's a certain longing in this call, but I would hesitate to call it a longing for authenticity, or at least not for an authenticity that could be apprehended wholesale from descriptions of the past. Rather, it seems to be a longing to form a desirable cultural whole out of the fragments of "Ella's material" as they relate to residual knowledge and practices as they are lived and performed in the present.

This orientation toward futurity as a process of bricolage, choosing from a host of past cultural elements, though limited in that choosing by enduring social forms such as kinship, is very much a part of Deloria's own vision of her work. As she wrote in a 1952

letter to her friend, H.E. Beebe, her scholarly aim was to “study everything possible of Dakota life, and see what made it go, in the old days, and what was still so deeply rooted that it could not be rudely displaced without some hurt.”¹⁴ Deloria, in part, articulated in this letter her sense that, had early missionaries not assumed that the Dakota “had nothing, no rules of life, no social organization, no ideals,” they would not have tried “to pour white culture into, as it were, a vacuum.” While this comment indicts not only the mistaken assumptions of missionaries but US assimilation policies more generally, and while it seems to speak to a remote past, there is a strong sense of *presentness* in its assertion that “it was not a vacuum after all.” In other words, Deloria’s preoccupation with a moment of cultural translation gone wrong—inaugurated by the arrival of “those who came out among them to teach and preach”—strongly shapes her purpose in revisiting, and revising, that moment through her fiction.

3. Deloria’s Revulsion at the “Liberal Bargain”

In this section I want to introduce my reading of *Waterlily* as a decolonizing text whose representations of Dakota life promotes a gender binary—different from the heteronormative gender binary of US law in its emphasis on extended family and the decentering of straight, male authority—as a core part of Dakota ethics, and that recovering these gender roles may perform an ethical transformation of a metaphysics of race which pathologized Dakota norms of family and affection.¹⁵ *Waterlily* responds to the damage wrought by adopting aspects of whiteness and to the subsequent damage of disavowing one’s kinship with other Dakotas by declaring them to be inferior. Sociologist Amalia Sa’ar describes this dynamic of internalized racism as one effect of

taking the “liberal bargain”: the process by which “members of disadvantaged groups become identified with the hegemonic order, at least to a degree.” The specific mode of identification she examines is one whereby a member of what she calls a marginalized group stands to gain benefits from liberal orders, despite their “hierarchical and selective character.” Rather than viewing such identification simply as necessarily a sellout or betrayal of other forms of identity, Sa’ar sees the liberal bargain as a site of socially “intermediate and dynamic states” in its adoption of “modes of knowing” that are alien, even reprehensible, within illiberal home communities, and includes “different levels of commitment... [which] tend to range from internalizing and actively promoting liberal authority, to working with it for short-term gains while avoiding conflicting emotional investment, to passive and active forms of resistance.”¹⁶ While Sa’ar’s analysis focuses on the liberatory potential of performing the “liberal bargain” in a contemporary Palestinian context, highlighting how it may be used by people living under oppressive conditions, I would stress its opposite potential to disable and disarticulate existing forms of subjectivity and personhood.

Deloria’s most productive period of writing in the 1930s and 40s was framed by a sea-change in federal Indian law which would affect all of Indian Country. *Speaking of Indians* and *Waterlily* were both written in the decade following the 1934 Indian Reorganization Act (IRA), also called the Wheeler-Howard Act. The IRA declared the formal end of federal allotment policy and the beginning of what was, rhetorically at least, an era of greater Native self-determination, proclaiming its intents “to conserve and develop Indian lands and resources; to extend to Indians the right to form business and other organizations; to establish a credit system for Indians; to grant certain rights of

home rule to Indians; to provide for vocational education for Indians; and for other purposes.”¹⁷ The IRA as it was passed by Congress had three main goals, which historian Frederick Hoxie summarizes as halting the individualization of indigenous community resources, restoring tribal institutions and forms of collective decision-making (such as the Dakota *tiyospaye*), and endorsing the compatibility of US and tribal citizenship. In total, these goals would help to ensure that “Indianness” would have a continuing place in American life.¹⁸ Like allotment, though, the IRA was substantially invested in an ideal of progress, no longer cast in terms of outright assimilation to “civilizational” ideals of bourgeois individualism and property, but instead as a matter of establishing tribal business and governance in bourgeois and representational democratic molds. In so doing, declared John Collier, “it does not seek to impose on the Indians a system of self-government of any kind,” but only “sets up permission to the Indians to work out self-government which is appropriate to the traditions, to their history and to their social organization.”¹⁹

While the IRA proclaimed in this way a *de jure* end the forms of “detrribalization”—via the imposition of liberal forms of land ownership and individualism—inaugurated by the General Allotment Act of 1887, in effect it did not constitute a radical make-over of federal Indian policy. For one, allotment had created a fair number of “assimilated” Native individuals who objected to a systematic return to older social forms, and in particular to forms of communal life. One prominent institution that promoted an assimilationist discourse in its most radical rhetoric was the American Indian Federation, a national organization founded in June 1934 that aimed to repeal the IRA, remove Indian Commissioner John Collier, and abolish the Bureau of Indian

Affairs. The arguments made for these abolitions were multiple, of course, and not entirely attributable to a disavowal of Native kinship bonds or other markers of Native identity. For one, the AIF held that the IRA was emergency legislation designed to end further Native land loss, and was therefore most applicable to nations like the Oneida in Wisconsin, who had lost 99 percent of their lands under allotment policies, but irrelevant to other Native peoples such as the Seneca, who had not been allotted, and who had an elected system of governance since 1848.²⁰ This critique was essentially of the federal “one size fits all model” of Native governance.

Other arguments levied by the AIF asserted that the IRA would increase, rather than lessen, federal supervision over Indian Country, and that the Act’s defining of Indianness according to blood quantum perpetuated allotment’s racial logic, rather than devolving the definition and regulation of tribal citizenship to Native nations, many of which followed kinship logics matrilineal or patrilineal descent to determine enrollment.²¹ In its more radical statements, though, the AIF decried the IRA’s advocacy for a return to communal forms of land ownership and decision-making using a far-right rhetoric. Historian Laurence M. Hauptman notes that “the organization frequently red-baited and thus received nationwide attention. It accused to the commissioner and his program of being anti-Christian, atheistic, having the support of the American Civil Liberties Union, and being communist inspired.”²² Mediating these critiques was another position which deployed a rhetoric of rugged individualism, and which viewed government intervention as damaging to individual initiative. This view was represented most prominently by an Oklahoma faction of the AIF leadership. One Cherokee named Lone Wolf, at one of the congresses where community members debated the IRA,

insisted on Native incorporation within the federal economy (and ideology), and declared that he would rather “pay taxes and be a man among men than a useless Indian forever.”²³ The AIF revealed a vocal contingent of Native politicians who did indeed see the liberal bargain as a means of promoting individual *and* tribal autonomy.

In a Dakota/Lakota context, Ben Reifel (Brulé), in an interview from 1967 that appears in the anthology of oral histories, *To Be An Indian* (1971), recalls the intra-tribal factions that coalesced around the IRA legislation. Calling one group the “so-called old dealers” (opposed to the supporters of the IRA, or “Indian New Deal”), Reifel describes that these were the “old generation of leadership... the older people [who] were largely full-bloods” (124), who opposed the IRA in large part because it invested in the handful of tribal council members what had been a more diffuse power of consensus-making. These “older people, those who were opposed, said, ‘Well, here’s a group of people that are governing our people. They are a small group; they aren’t representing all the people. And the older people didn’t think they were being represented adequately.’” Reifel goes on to elaborate how the issue of land ownership was complicated by the governance of a tribal council generally, but also more specifically by the federal charter of the corporation, which “authorized the tribe to accept gifts and property, and also to hypothecate tribal property for any loans that they may get from the Federal Government.” By turning tribes into corporate entities, and so also into debtors whose primary collateral was land, the US government could continue to erode the tribal land base, effectively continuing the spirit, if not the letter, of allotment law: “And if they borrowed the money, the Federal Government would come along later on, and if they want to claim this would be an offset against the claim. There are many things like that—

every kind of ghost was raised against it [adopting the IRA] that they could imagine. And some of it had just enough fact to give it a color of truth. And I could understand their apprehensiveness on this regard.”²⁴

Here, a brief gesture towards a fictive context by a contemporary of Deloria’s, the Cherokee playwright Lynn Riggs, may be useful in establishing some of the shared challenges to communal solidarity. His 1932 play, *The Cherokee Night*, written just before the IRA, depicts the challenges faced by post-allotment Cherokee families, and usefully highlights some of the continuities between these major federal Indian policies. It also serves as a hinge between my discussion of the IRA and *Waterlily*, as Riggs dramatizes the problematic afterlives of racial identities whose legal origins pre-date allotment, going back further to Marshall’s declaration of US guardianship over Native nations whose “wardship” consisted largely in their existential priorness to the ownership of property. The third scene of *The Cherokee Night* is set in a tarpaper shack in rural Oklahoma, where a mother and her daughter, Sarah and Maisie, sit. Maisie, the stage directions tell us, is “pathetically thin and white,” and Cherokee, and is the seventeen year-old “child wife” of another Cherokee named Roll Hensley. They sit together in expectation of a visitor, their daughter/sister Viney Clepper, who is “unmistakably complacent, righteous, and patronizing.” And as they sit waiting for her, the impoverished pair sings church hymns to Maisie’s playing on a wheezy organ. The contrast between poverty and small-town affluence, and between the pious, family-oriented Sarah and the diffident, unrooted Viney might seem maudlin or cartoonish to contemporary audiences. Certainly its effect is rhetorical, with the contrast dramatizing some of the divisive intra-familial politics experienced in many native communities as

the result of assimilation policies. As Riggs writes it, perhaps pessimistically, these tensions are deep and insurmountable, and are, at base, the result of introjected racism.

Indeed, what Eric Cheyfitz, in his essay, “What is an Indian?” terms a “bio-logic” of “blood” dominates the sisters’ conversation, as it does the rest of the play. As Cheyfitz understands the term, “blood,” or “race as a scientific category,” emerged in the early nineteenth century simultaneously with the rise of “scientific racism as a mode of justifying both the enslavement of African Americans and the genocide of American Indians.” Cheyfitz goes on to declare that “we can read it today as a particular form of cultural logic,” suggesting that its dominance as an ideology is no longer hegemonic. However, the persistence of blood quantum as a defining feature of federal recognition of Native peoples, and its role in Native governments as a legitimate marker of individual identity, may unfortunately trouble or at least postpone any such pronouncement.²⁵

Discourses of “blood”—whether asserted and upheld, or disavowed—are complexly entangled with bourgeois gender roles that were inscribed into law, and consequently onto Native bodies, as a result of the 1887 Dawes Allotment Act.²⁶ As such, they are an integral part of the “liberal bargain.” And as Riggs’s scene shows, “blood logic,” is joined in an inverted way—as an assertion of whiteness, and a disavowal of Cherokeeity—to Viney’s appearance as a consummately modern, liberal woman. On the one hand, Viney is an ideological caricature, the mouthpiece for a definition of identity that equates social standing with phenotype. To be “part Indian,” or “Indian” at all, is to be *necessarily* poor. Neither particularly rich nor as poor as her sister, Viney supposes that the marks of middle-class sufficiency—her clothing, her ability to buy 50 cent liniment—will mask, and even obliterate all trace of, her own Cherokee “blood.”

Becoming a middle-class US citizen also negates other markers of social belonging, such as kinship. While Viney does visit Sarah, for instance, her contempt for Sarah's poverty effectively negates any kinship relationship. Cut loose from intimate familial and community ties by her petit bourgeois ideology, Viney is self-possessed and financially independent. As much as she is a caricature of anti-Indianism, she is also the caricature of a liberal feminist.

In utter contrast to her sister, Sarah refuses bio-logic and feminist autonomy alike, instead asserting her identity as a Cherokee through her concern for upholding kinship roles and obligations. It's in this sense, in the sense of a communal memory of one's being an insider, that being Cherokee will "tell on you," as she reproaches Viney: The differences between the characters over the relative importance or irrelevance of kinship intersect most clearly in a civilizational scheme, through their sense of what "progress" means. For Viney, being "part Indian" stands in for a paralyzing disorientation and refusal to progress. When asked about her old beau, Hutch, Viney says "viciously" that he "came close to ruining my whole life. That dumb Indian, that's all he was!" His chief failure, though, was a kind of inertia: "he didn't have any *change* in him, he was stuck some way. He was broody and sullen, he couldn't seem to get hold himself, like a lot of part Indians around here." When Sarah observes that "You're more Cherokee than Hutch," using a bio-logic ironically to provoke her sister to see the contradictions within it, Viney disavows the phenotype, and her identity as a Cherokee woman: "Well, I'm thankful to say it doesn't show."

This staging of one family's struggle for coherence within the fractured and fractious post-allotment context of blood quantum is typical of Riggs's entire play.

Allotment's "blood talk" reaches widely across many aspects of native life: from temporal notions of progress to the relational boundaries of self, family, and community. Here, the fact that a debate over competing discourses of Cherokee identity occurs among female characters is significant in that it suggests the extent to which discourses of blood, and their effects, were powerfully and divisively gendered, and as Viney's example shows, this gendering also had a significant class dimension. Also apparent from Riggs's imagined version of post-allotment Native femininities are forms of discursive push-back or resistance to allotment's narratives of "Indian progress." These representations and resistances of course appear in other Native contexts, as well, and are a kind of preoccupation or even polemic in *Waterlily*

Like Riggs's character, Sarah, Ella Deloria was at pains to assert forms of tribal survival and sovereignty which would be intelligible within allotment's "blood" imaginary of individual Native identity. One of her manuscript's editors, Dorothy Stein, expressed her belief that Deloria's novel was important precisely because of the sympathies it created between reader and the novel's female point-of-view characters. In a letter to Deloria, Stein wrote,

The reader *cares* what happens to the characters. And the background against which the story develops becomes thoroughly plausible as a way of life, different though it is from ours....We...realize that *Waterlily*'s people were not the savages traditionally pictured in most of our Indian literature, but a well-organized social group functioning smoothly and intelligently, from their point of view. In a more general sense, we realize, too, how *uncivilized* is our tendency to evaluate a society by its plumbing rather than by its apprehension of human relationships.²⁷

Here Stein is critical of "our tendency to evaluate a society" instrumentally, in terms of abstract structure (as does anthropology) and economic development, or "plumbing." But her skepticism towards structuralist accounts of culture, despite being a linguistic

ethnologist, also maps onto the person of Deloria herself, or more exactly, onto Deloria's unique position of utterance. As someone who negotiated professional and personal loyalties, on the one hand, in tandem with national and tribal belongings, Deloria mobilized her position of utterance in prophetic ways by calling for a reorientation toward difference that's based in the "apprehension of human relationships," and specifically in the kinship laws of the *tiyospaye*. Like the Progressive Era Dakota writers Charles Eastman and Zitkala Ša, Deloria uses the subject of the traditional jeremiad to implicitly call for ethical reform of the United States' "uncivilized" civilization to be more Dakota, and the "smooth" and "intelligent...functioning" of Dakota society is something that Deloria attributed to the continued relevance of kinship laws.

Deloria's ethnographic work for Boas in the 1920s may have allowed her an almost-singular perspective on the extent to which allotment had affected Dakota kinship laws and bonds. In Deloria's 1937 unpublished transcripts of her interviews with Dakota men and women, "Dakota Autobiographies," one interviewee, an Oglala woman named Emmy Valandry, reveals an introjected racism as she recounts her memories of the aftermath of the Wounded Knee massacre. The excerpt, worth quoting at length because it lays out the (liberal) contrast to Deloria's kinship-based depictions of gender and ethics, begins with Valandry musing about the Ghost Dancers she had seen before the massacre, and wondering why they did not assimilate as she and her husband had done:

"Why are they so foolish? why don't they simply give themselves up and settle down somewhere peaceably and unmolested," I was thinking to myself.

With such goings-on, when the sky was all reddened by the setting sun, we started homeward; and not long after, the event of the massacre took place.

"There is fighting at Wounded Knee, and the Indians have been surrounded, and killed," was heard everywhere; and besides, we could very well hear the booming of the canons, we they were fired for as you must know; it was not so very far away.

Then, even more than ever, there was great unrest and fear, and it seemed as if at any moment, there might be fighting right there at the agency itself. Billy came home, saying, "Don't go anywhere you don't have to; not even right in the settlement. You might be accidentally hit with a bullet," and then especially it seemed very uncertain.

Perhaps it was the following morning when the saying went out: "Those who were wounded at Wounded Knee have been brought here, and they are lying right now in the church, filling it up," so my mother and I hurried to the church.

People kept going there to look on, but as for me, I only went that once; I didn't like them, so I didn't go again. Smelling of blood, looking so dirty, they were spoiling our church; they were yelling so hard now, when really it was their own fault for being intractable.

One of the wounded was a young woman with a gunshot wound this big, opening into a dark hole, and her gown was all but torn completely off her; and she sat with her hair coming unbraided, and she moaned with every breath.

There was another one who sat leaning against the altar; and she was saying, "Do call that white man whom they call holy; I am about to die." She had heard the white doctors called "holy white men," but she got it wrong, asking for that white man whom they say is holy.

Men, women, and children were left indiscriminately together; and some infants were lying on the benches or pews; and many adults sat lined up on the bare floor, with their heads leaning against the walls. And some here and there had expired.

Without a pause they called for water, and the missionary and his wife passed it around, and in some cases too they stopped to bind the wounds for them.

There was one whose leg had been broken by a bullet, and he was shrieking in such agony that all outside could hear him, and they came and stood looking in at all the windows.

When we got back to our tent, Billy returned from working, saying, "The agent says this: 'Tell your mother-in-law to requisition what beef she needs, and also other staples of food according to her judgment and obtain it from the food commissary. She is to take food to those wounded, for they are now very hungry,'" So I went with my mother to the commissary, and she selected deliberately the cuts of beef and other foods, and they were turned over to her.

An employee brought the things to our place and immediately my mother made a broth, and coffee, and several women assisted her in taking the food to the sick.²⁸

In her description of the church that served as a makeshift hospital for survivors of the massacre, Valandry faults the wounded and dying for their unwillingness to modernize: "People kept going there to look on, but as for me, I only went that once; I didn't like them, so I didn't go again. Smelling of blood, looking so dirty, they were spoiling our

church; they were yelling so hard now, when really it was their own fault for being intractable.” Almost unbelievably, Valandry not only shows no compassion toward the dying, but lays blame for their deaths on their lack of a civilizational identity—one born of allotment, and fusing allotment’s emphases on Christianity, farming, and individualism. This lack is indicated most clearly by their “intractable” practice of Ghost Dancing. Here, racism is conjoined with classism and religious intolerance, while all of these forms of objectification are mediated through repressed loyalties to kin, as well as through older or “traditional” constructions of gender, which, ironically, her mother and other women enact in their preparing of food and coffee for the sick. What results is a complex picture of the disabling ambivalences of this particular bicultural subject

Emmy Valandry’s narrative suggests the extent to which these bars on key forms of Native sociality could be internalized as interpellations of particular gender identities. What Deloria arguably finds most aberrant in Valandry’s story is her disavowal of a kinship relation to a grandchild who has “brown eyes.” Deloria’s notes to the transcribed interview show her revulsion at what seems to her a double betrayal: first, in refusing affective bonds to one’s grandchild, and second, in citing race to render that refusal somehow legitimate. She writes,

This informant loves to stress her unfamiliarity with things Dakota, but she does speak the [Dakota] language as shown in this paper. It will be noticed she takes extra pride in being the child of a white soldier and the stepchild of a white teacher, and that he wanted them to dress un-Indian, and live in a house, etc. Incidentally, she is particularly proud of one granddaughter who married a white man with blue eyes and idolized the youngest of their children because he also had blue eyes; and when they lost that youngest child, this old grandmother with her whiteman complex was so exercised that she made some ridiculous remarks about how extra hard it was to lose that one--that she could spare either of the others more easily as their eyes are dark anyway.²⁹

Deloria's disgust appears here as prolepsis—that is, it becomes the critique that Valandry, as an interpellated subject, *should* have made herself, *of* herself. The “whiteman complex” that Deloria sees in Valandry's admiration for blue-eyed progeny demonstrates the pervasive and invasive ways that bio-logical features associated with settler culture came to be trump filial love for one's other, dark-eyed grandchildren. What Deloria finds “ridiculous” is arguably not the love of blue eyes as such, but how this bio-logical supplanting of affective bonds based in kinship and love threatened families with disintegration.

Contrast this scene with one from the opening of *Waterlily*, where Blue Bird, having left the caravan of Tetons moving to another camp to give birth, looks into her child's eyes for the first time. Before she does, though, her eyes are drawn to “the waterlilies in full bloom” all around her, as she kneels at the water's edge to wash the birth blood from her hands:

Then, hardly knowing why, she rained a few drops gently on the little face that fitted nicely into the hollow of her hand. But, try as she would, she could not concentrate on the wonder she held there. All around the waterlilies in full bloom seemed to pull her eyes to them irresistibly, until she turned to gaze on them with exaggerated astonishment. How beautiful they were! How they made you open your eyes wider and wider the longer you looked—as if daring you to penetrate their outer shape and comprehend their spirit.³⁰

Here, the blurring of boundaries separating flower from self might at first suggest a typical instance of the sublime, which appears through negation of sensory detail and leaves only subjectless “gaz[ing]” behind. But the individuating work that “spirit” does in this passage is significant as a refusal of sublimity: indeed, the “spirit” of the blooms is only a potentiating force for the scene of motherly recognition that follows, a recognition which creates the bond of love:

She glanced from one [bloom] to another, and suddenly it was impossible to distinguish them from her baby's face. A new sensation welled up within her, almost choking her, and she was articulate for the first time. "My daughter! My daughter!" she cried, "How beautiful you are! As beautiful as the waterlilies. You too are a waterlily, *my* waterlily." She sobbed with joy.

Shocked by the cool water, the baby struggled vigorously, moving her head quickly from side to side. And then, wonder of wonders, she looked up at her mother and smiled—Blue Bird was certain of it. Forthwith Blue Bird forgot every care, even her unhappy life with a foolishly jealous husband.

Blue Bird's likening of her newborn daughter to the waterlilies demonstrates one typical scene of Dakota naming, where a person would receive a name after an event that occurred during or near the time of their birth. But *Waterlily's* naming is something more than a commemoration. Based in Blue Bird's existential recognition of a life force held in common by flowers and infant, her encounter with this force, or power, and her recognition of personal responsibility for its safeguarding ("You too are a waterlily, *my* waterlily"), stand as an originary analogue for the kinship bonds that Deloria's novel goes on to elaborate and celebrate. As a trans-ontological gesture, kinship recognitions/creations like the one exchanged between Blue Bird and *Waterlily* dissolve the racial logics and phenotype fetishes of Emmy Valandry's account. Deloria's reply to the metaphysics of race, in other words, is not to assert an ontology of her own, but instead to recover a space where existing racial categories are nascent but not yet cemented into being, and so assert a relational logic of kinship that uses metaphors of familial while not limiting the application of those metaphors to the realm of sheer biological descent. In so doing, the social labor that *Waterlily* performs is not only pedagogical, but decolonizing, and performs also the critical task of negation implied by Fanon's claim that, "in an age of skepticism when...sense can no longer be distinguished

from nonsense, it becomes arduous to descend to a level where the categories of sense and nonsense are not yet in use.”

3. Images of the (Abject) Native Woman

Valandry’s example, and what I see as Deloria’s prophetic/decolonizing reply to it, trace some of the complex ways in which “Native subjects”(that is, the racialized subjects of federal Indian law) narrate themselves and one another antagonistically, that the terms of this antagonism are dictated largely by US colonial discourses like that of allotment, and finally, that those discourses sought to regulate gender identities as a means of controlling Native reproduction in both biological and social senses. In *The Erotics of Sovereignty* Mark Rifkin argues that displays of negative affect or hatefulness that manifest, as Valandry’s example suggests, even when common sense would suggest their impossibility, signal the naturalization of administrative forms of control:

The pursuit of federal acknowledgment requires that a people narrate themselves in ways that fit the *tribal* mold of U.S. administrative discourses.... What aspects of Native sociality and history are occluded in that effort to legitimize *Indian* collective selfhood? Or put another way, how does the need to stage collective identity in these terms affect intratribal relations—the narratives the people tell of themselves to themselves and the kinds of community dynamics those discourses engender and propel?³¹

Rifkin is interested in capturing, through a queer optic, those “occluded” moments he gathers under the term “shame histories.” These forms of abjection include, broadly speaking, any features of life “that are pathologized when measured against a racializing, heteronormative standard.” Although his analysis centers on the uses of genealogies to establish tribal rolls, and implicates how biologically reproductive logics are bound up with the reproduction of social forms such as membership and citizenship, Rifkin’s

methodology is portable to other contexts through which such discourses generate collective structures of feeling. Emmy Valandry's case, for instance, reveals the flipside of Rifkin's claim: for her, there was no need "to stage collective identity" in order to gain federal recognition for tribal existence. On the contrary, her asserting of an individual identity that was legible within the boundaries of allotment law worked to distance herself from those traits with which allotment law and policy had negatively invested the "tribal." Those investments specifically had to do with imagining the "tribal woman" according to a logic of not only blood quantum, or racial identity, but further, in ways that pathologized affective relations and forms of expressing communal solidarity—such as caring for the sick or dying—with which Dakota women would have been traditionally charged. In this way, allotment regulated gendered identities and activities through the imposition of ostensibly non-gendered norms of "civilized" life such as individual property ownership, thrift, and agriculture. Valandry's response to these forms of interpellation is thus a rage misplaced. Like the fictional Pomo characters that Rifkin examines, Valandry's feelings of deep insecurity at being made a gendered subject by the state don't take "the form of a critique of the *craziness* of settler superintendence of their identity." Instead, her insecurity becomes directed at other Native subjects, as bourgeois condescension and racialized hatefulness.³²

More, this hatefulness towards what is non-white within the self reads as an attempt to exorcise images of female abjection, whose history reaches back long before 1887. That the Allotment Act came with gender proscriptions is obvious. For instance, the civilizing ritual (see Chapter 5) that accompanied the allotment of land displays the basic outlines of the Dawes Act's gender imaginary: Native men would fire off a

symbolic last arrow to demonstrate their renunciation of warfare, then place their hands on a plow, while Native women would take hold of a purse as a sign of their commitment to ideals of thrift and saving. Regardless of existing native family and social structures, allotment assumed a patriarchal and heterosexual imaginary of the individuated, “nuclear” family.

Being outside of this imaginary, Native genderings and forms of sociality appeared as not only divergent, but immoral. Allotment was in many ways a positive (in a structural sense) version of an earlier law that sought quite explicitly to criminalize key forms of Native sociality, the 1883 Code of Indian Offenses. The code, and the courts it established, were the brainchild of Secretary of the Interior Henry M. Teller, whose descriptions of Native “feasts or dances” in his letter to the Commissioner of Indian Affairs reveal, albeit in grotesquely exaggerated form, his keen sense of a social institution that sustained intra- and inter-tribal kinship relations. As it captures something of what was at once a hysterical reaction to a perceived immoral “savagery” as well as a clinically precise diagnosis for ethnocide, it is worth quoting in full:

I desire to call your attention to what I regard as a great hindrance to the civilization of the Indians, viz, the continuance of the old heathenish dances, such as the sun-dance, scalp-dance, etc. These dances, or feasts, as they are sometimes called, ought, in my judgment, to be discontinued, and if the Indians now supported by the Government are not willing to discontinue them, the agents should be instructed to compel such discontinuance. These feasts or dances are not social gatherings for the amusement of these people, but, on the contrary, are intended and calculated to stimulate the warlike passions of the young warriors of the tribe. At such feasts the warrior recounts his deeds of daring, boasts of his inhumanity in the destruction of his enemies, and his treatment of the female captives, in language that ought to shock even a savage ear. The audience assents approvingly to his boasts of falsehood, deceit, theft, murder, and rape, and the young listener is informed that this and this only is the road to fame and renown. The result is the demoralization of the young, who are incited to emulate the wicked conduct of their elders, without a thought that in so doing they violate any law, but on the contrary, with the conviction that in so doing they are securing for

themselves an enduring and deserved fame among their people. Active measures should be taken to discourage all feasts and dances of the character I have mentioned.³³

Teller's fixing on "the old heathenish dances" and the feasts which accompanied them doesn't target Native sociality in general, but rather the particular gendered performances that took place. As he reads them, the feasts were essentially precursors to war, "intended and calculated to stimulate the warlike passions of the young warriors of the tribe," and helped to indoctrinate "the young" in immoral behaviors. Arguably, the perceived powerful, violent sexuality of these men (who boast about their "treatment of the female captives, in language that ought to shock even a savage ear") is a greater threat in Teller's account than the warriors' stirring up of military resistance; at least, it is this kind of eroticized pedagogical function he seeks to disrupt with his Indian code and courts.

Teller's proposed banning of "feasts" was only a portion of the more comprehensive criminal code which came to ban "plural marriages," ritual specialists ("medicine men"), mourning and memorial give-aways (regarded as "the destruction of property" that left the family of the deceased "in desolation and want"), the paying of dowries, and alcohol. The Code also established the Indian Police, consisting of tribal members chosen, paid, and supervised by the federal Superintendent of each reservation, as well as tribal courts. In effect, the Code was a comprehensive substitution of Native governance and justice systems with US jurisprudence, whose adoption was facilitated by the representation of forms of immorality, construed as deviations from the nucleated, conjugal family, but also just as crucially, as oppositional to ideals of individualism and bourgeois property.³⁴

Looking further back in time, we can see that allotment's and Indian Code's attempts to reconstruct Native gender roles build on images of Native savagery that had been in circulation since at least the late eighteenth-century. As Katherine Weist argues in her essay, "Beasts of Burden and Menial Slaves: Nineteenth Century Observations of Northern Plains Indian Women," at the conceptual core of the category of "the savage" "was the position of Indian women, who were frequently referred to as 'beasts of burden,' 'slaves,' and 'sexually lax'" by white travelers and traders.³⁵ Weist then traces the trope of the "Native drudge" through several examples, the earliest of which comes from an early trader of the North West Company, Duncan M'Gillivray, who after seeing the death of a woman in childbirth, lamented "the miserable conditions of Women in this Country, where they are considered as Slaves of the men and treated accordingly. Weist ends her brief genealogy with a passage from Captain William Clark (no relation to the Clark of the "Voyage of Discovery"), who in his *Indian Sign Language* (1885) opined that while "in savagery and barbarism women are merely beasts of burden," such "a life of filth, drudgery, and exposure, sustained by the coarsest of food, is not conducive to female perfection of form and feature." Clark imagines a Native female subject who could be stripped of "coarse" cultural features to reveal a fundamental, and quite physicalized, "perfection."

Such a denuded subject, of course, would also be, in Clark's view, a liberated woman, no longer a slave to despotic husband; a husband who, in other accounts, appears in Orientalist terms, as a petty tyrant whose relationships with women was defined, as in Montesquieu's *Persian Letters*, by an indifferent, economic logic. Duncan M'Gillivray wrote that the Native husband viewed his wife "in the same light as any other part of his

property, entirely at his disposal, possessing the Power of life and death over her with no other restrictions, than the resentment of her relations, which if he is a brave Indian gives him little concern.”³⁶ Here, a property metaphor reconstructs Native gender relations within marriage as being devoid of affective attachments, while the imagining of Native women’s fungibility elides their presence and personhood within Native systems of ethics. Although this Toronto fur trader’s views pre-date allotment by nearly a hundred years, their enduring obscurations of the lived realities of Native gender relations can be seen in remarks made by the Dawes Act commissioners, who struggled after the act was passed to implement a tribal rolls system. Historian Kent Carter observes that, in addition to the commissioner’s distinguishing among people with the same name, there was also

Sometimes...even confusion about gender; the commissioners reported that the Indian languages recognize no such thing as gender. The full-blood...persistently names his daughter “Willie,” “Joseph,” “David,” and the like. Strapping youths with no outward mark of effeminacy [sic] sometimes answer to such remarkable names as “Lillian,” “Pearl,” or “Josephine.”³⁷

The commissioners’ surprise at names being “improperly” used—that is, at not signifying according to the logic by which one’s gender could be discerned by a name alone—reveals a heteronormativity which would be scandalized at the marriage of “strapping youths” with “effeminacy,” and this sense mingles in their report with a condemnatory sense of Dakota fathers’ carelessness or lack of regard for his children, perhaps because they are seen as fungible. Accordingly, the administrative logic of naming performs with neat efficiency the social labor that tropes of Native savagery, as immoral gender relations, had long done: namely, to help make legitimate the settler state’s intrusion into intimate domestic spaces. In so doing, Native constructs of gender that did not fit the mold of Victorian sexual identities, such as the Dakota *Wi kte*—a term

that may be translated as “wishes to be a woman,” or womanlike, but that encompasses a range of behaviors forms beyond the male/female dichotomy and sexuality—were made illegible through the same discursive translation that abjected Native gender ethics of generosity, respect, and equality.

These occluded identities are the focal point of queer approaches to Native gender and sexuality like Mark Rifkin’s in *When Did American Indians Become Straight?* (2012). Rifkin has shown in his nuanced reading there of the IRA, “Allotment Subjectivities and the Administration of ‘Culture,’” how John Collier’s condemnation of past US paternalism in matters of Native governance inadvertently reproduced certain key logics through which Natives were infantilized, and within which Native political formations were occluded. Rifkin’s discussion of *Waterlily* and the IRA are foundational to my own readings of them, in that we are both interested in how the *tiyospaye* does certain kinds of social labor that cross-cut liberal conceptions of community, individual, and somewhere between these two terms, the family. But because I find his analysis—which is structural rather than culturally-specific—obscures much of the affective dimensions of Dakota gender within the *tiyospaye* life, I find it to be a provocative but problematic entrée into *Waterlily*’s gender depictions. Accordingly, I want to spend a moment unpacking his analysis before turning more fully to a reading of Deloria’s novel.

4. Queer Indians? Straight Indians? The Problem of a Universal Heteronormativity

In his chapter on the IRA, Rifkin argues that “Reorganization does not so much eliminate the administrative apparatus, subjectivities, or effects of the allotment program as selectively deploy them within a framework in which the goal has shifted from

detrimental to self-government.” Put otherwise, the IRA marked an ideological shift away from an agenda of tribal destruction towards one of self-government; however, the modes of sovereignty which Collier was prepared to recognize were by and large liberal ones based in the recognition and protection of bourgeois or property-owning individual rights, and orchestrated around a fraternal vision of governance based in the decision-making power of enfranchised males. Specifically, the IRA meant not only the law ending allotment of Native lands, but also the modeling of Native constitutions after the US constitution, and the conferring on tribes the status of corporations. Addressing specifically the continuities in “the technologies, discourses, and ideologies of privatization” that hold over from the Allotment Act’s transforming of tribal lands into parcels of property to be divided up and farmed by Native and non-Native owners alike, the main and maybe most insightful line of Rifkin’s critique is in his linking these forms of privatization to a heterosexual imaginary within which the nuclear family was enshrined as paradigmatic. Rifkin extends the scope of this imaginary to include Anglo-American common-law traditions more generally, arguing that within those traditions “the conjugally centered home not only has been cast as the fundamental building block of social life but has been envisioned as itself prior to and outside the sphere of law and policy, appearing as that which government was created to defend as well as that which must be defended from governmental intrusion.”³⁸ This imaginary was viewed by Collier himself as inevitable, or at least as a matter of historical inheritance and so of some necessity, when he notes, “allotment has created individual valid property rights in individuals. That fact is there and has to be dealt with.”

The tension between Collier's (paternal) good will and his historical entanglements appears again in the opening exchange of the 1934 Plains Indian Congress, held in Rapid City. Collier's opening question to the Native delegates is whether they would prefer "to have an Indian chairman or have one of the Government men preside as Chairman." This framing immediately positions Native decision-making within the individualist model of a representative government, and would have elided significant tribal differences through the election of a single "Indian chairman," while also eroding possibly tribal sovereignty with the choice of "one of the Government men." The interpreter of the Rosebud delegation gave their reply, which is telling of the clash of political systems that occurred within the IRA despite Collier's best intentions:

This is Mr. Collier's meeting and this is not strictly our meeting. We are here to listen, and therefore I think it is the proper thing to have a Superintendent or some Government official preside over this meeting. We are here as listeners. Each man who is here in a delegation from different reservations is here with the sole purpose of listening and we are not here to pass on questions. We are here to listen and whatever we learn we will take back with us to our own people. Therefore, I think it is proper that we should have a Government official to preside over this meeting.³⁹

After this quite nuanced and critical reading of the purpose of the congress from the Rosebud delegates' point of view, which reveals a form of political representation that emphasizes latency and extensive consideration prior than individual action ("We are here to listen and whatever we learn we will take back with us to our own people"), the minutes show Collier rushing an up-or-down vote, assuring the rest of the tribal delegations that further meetings would allow for the airing of "your sentiments," adding later that "I ask you to believe that our coming to you is because we want and expect you, yourselves, to reach the final decision about these matters."⁴⁰ While Collier's call for a vote on who would preside was in good faith, as it signaled his willingness to devolve

some oversight of the meeting to Native representatives, it effectively bypassed the structure of decision-making (where power is invested not in the individual delegate but in the *tiyospaye*), as well its temporality (which is not immediate, but instead highly mediated by a logic of the pause, or deep and possibly prolonged consideration).

Rifkin locates this failure of *tiyospaye* political dynamics to cross over to liberal structures of governance in a heteronormativity emanating from allotment's model of the conjugal household:

Expanding the domain of intimacy and affection associated with the conjugally defined household in this way reveals how the notion of 'domestic relations' circulating within the discourse of reorganization depends on a broader liberal logic of social domains, in which there is a privatized place of care from which the possessive individual emerges as a public agent. (i.e., "citizenship predicated on sentimental subjectivity")

This insightful reading of the IRA's construction of "domestic relations" is undoubtedly useful as a way of denaturalizing the conjugal, heterosexual, family as the normative model of a national domesticity, as well as of US citizenship, and opens valuable critical room for reading Native resistance to colonial and exclusive forms of citizenship in and through the working of institutions like the *tiyospaye*. But I find Rifkin's queering of federal Indian policy to be wanting as an approach to Deloria's depiction of kinship poetics and politics, first of all in its conflating of heteronormativity with the nuclear family and its bourgeois individuals, and second, in the obscuring of individuals and individual agency within his structural account. Rifkin's joining of class and sexual identities within the term of heteronormativity potentially bars, for instance, a view of the ways that Dakota forms of normative heterosexuality trouble what has become commonplaces in both queer and feminist critiques of heteronormativity: namely, that heterosexuality is founded on not only gender differentiation but on gender inequality,

and that heterosexual bodies, subjects, norms, and practices are always articulated and naturalized in relation to nonnormative genders and sexuality.⁴¹

With these critical insights in view, my reading of *Waterlily* attempts to recover its gender politics as articulating forms of heterosexuality that were not only critical, in that they asserted kinship in ways that deviated from the state imaginary, but were also pedagogical and deeply invested in the project of tribal nation-building. *Waterlily* thus reads as a nationalist gesture of shame that has its genesis in Deloria's revulsion at Emmy Valandry's disavowal of kinship duties: a disavowal linked strongly to Valandry's identifying with a class position that had been racialized as white, and gendered as female through a logic of maternal care which had likewise been transformed by bourgeois whiteness. Deloria's revulsion is made possible by her seeing in Valandry a distorted reflection of older forms of Dakota femininity; that is, her revulsion signals the presence of a normative Dakota femininity that is neither classist nor racist, and that ontologically confers heterosexual female power that is equal to heterosexual male power. In these ways, the universalizing of a class-specific form of heteronormativity stands to obscure other (non-state) articulations like those in *Waterlily*, which emphasize nonpaternal, equal distributions of power between men and women. The novel's non-nucleated and occasionally polygamous families, even while themselves being normatively heterosexual, further transgress state-imposed forms of heteronormativity like the marriage contract and genealogical allotment rolls that record only the biological offspring of "recognized," enrolled tribal members. Put somewhat differently, Rifkin's equating of "the heteronormative" with state regulation of Native American domesticity stands to miss the important ways in which Dakota forms of gender identities and roles, and the

ways these intersected with the family and *tiyospaye*, were historically and predominantly heterosexual, but not patriarchal. When this Dakota constellation of heteronormative gender is placed within the context of a Victorian nucleated family, it becomes by juxtaposition *transgressively* hetero-.

5. *Waterlily's* Gender Binary

Waterlily's rendering of Dakota sexuality is quite explicitly and normatively heterosexual; indeed, it is so as a pedagogical concern of the novel's characters, who inculcate "proper" gendered behaviors in children, and reinforce these behaviors over the characters' lifetimes. However, it may be mistaken to call this depiction "heteronormative," since gender identity doesn't appear in the novel as a function of patriarchy. If anything, Dakota gender identities stand as refutations of sex-based inequality. Perhaps Deloria's most dramatic depiction of this pedagogical process, or rather of its lack, occurs near the end of the novel, when a traveling group of Dakota encounter an isolate family in the middle of a blizzard. At this point in the narrative, which began with *Waterlily's* birth, *Waterlily* is expecting the immanent birth of her own child, though her husband, Sacred Horse, had recently died, and she was living with his family. Seeing her daughter's homesickness, *Waterlily's* mother-in-law arranges for her to make a winter trip back to her home camp. In the middle of their trip, accompanied by a war party for their protection, *Waterlily* are forced to stop by a blizzard when they meet "some strange people":

Some strange people came in one evening, a surprise because it was far from any human habitation. There was a man and his wife, both well over fifty, two girls, their daughters, and three small children. One of the daughters was with child. As if she were their mother the little ones kept close to the man's wife, a stupid-

looking woman who said not a word more than necessary. Only the man talked, plausibly enough, accounting for their unexpected presence out there. But he was plainly evading the truth.⁴²

Here, a Dakota family's isolation from the rest of the *tiyospaye* would signal not only an unusual anti-sociality, but the possibility that other, more serious, kinship rules had been transgressed. Here, the narration's point-of-view registers Waterlily's condemnation of the ostracized husband's wife as "stupid-looking" and closed-mouthed. Her scorn comes out of a sense of female responsibility, not just to safeguard one's children's emotional and physical well-being, but to censure and, if necessary, divorce a husband who has violated their trust. The wife is "stupid," that is, for not asserting the power accorded to her within Dakota understandings of sexual difference.

As the scene continues, the responses of the (male) warriors in the migrating party register their disgust, but unlike Waterlily's, theirs is couched in kinship terms: "'It is unspeakable,' the war chief went on. 'No wonder that those who offend so heinously against kinship do not have the courage to mingle with decent folk, preferring to hide out where the other beasts are. He would not have ventured here, but hunger drove him in.'"⁴³ Despite their distrust of the strangers, the travelling party received the visitors and "extended hospitality to them and, out of human decency, sent them away with quantities of jerked meat and other foods." In their observance of these masculine forms of hospitality, the warriors were protecting "their own reputation as hosts," with the unstated rule saying "in effect, 'Treat as a man any stranger in your tipi who bears the physical resemblance of a man.'" That such honor was self-referential to members of the *tiyospaye* is perhaps evidence of a differential understanding of gendered forms of care, as we see a

much different response from Waterlily and her social mother, Gloku, to the unusual behavior of the stranger family.

We learn, for instance, that “it was the little ones...who excited Waterlily’s real pity,” as she turns to the children, who had already shown that “they had no manners at all” when they “devour[ed] the food offered them, forgetful of their surroundings [i.e., their position as guests] in their eagerness to eat.”⁴⁴ Since their exchange (or lack of it) is revealing of how Deloria draws together issues of kinship, respect, and gender, the passage is worth quoting in full:

With a smile she reached out a friendly hand to them and was shocked by their sudden reaction. All together they shrank back and began wrinkling up their noses belligerently at her with a lightning rapidity and a precision that made it comical. Then they settled back against their mother, who made no show of correcting their unfriendly action. And next, from the folds of her wrap, they stuck out their tongues repeatedly while Waterlily gazed on them in amazement. Instantaneously they had turned into wild cubs, ready momentarily to resist being picked up and carried away. After such a complete rebuff, Waterlily sat listening to the men’s talk and forgot the strange children for a time. Much later when accidentally she again looked their way, there they were, all quietly staring at her with fear and hostility in their shining black eyes, which never wavered once, lest she make another attack and they be caught off guard. Friendship had been omitted from their experience, along with everything else that makes life warm and pleasant (215).

The daughters’ near-feral responses to Waterlily’s gestures of care are rhetorical examples of affect that has been uncoupled from *tiyospaye* sociality. In the absence of kinship relations, and of course, in the aftermath of the father’s sexual violence, “fear and hostility” replace the possibility of friendship. In an inversion of hegemonic meanings of the civilized and the savage, Deloria’s narrator describes the children of the stranger family as being not just unsocialized to proper kinship rules, though but because of that, being caught “in a benighted state.” What’s more, Waterlily notes that a certain ethic of hospitality, which did not work through according to strict rules, such as those of the

Dakota kinship system, but rather was marked by adaptability, an openness to relation as such, and was the unspoken and highest ethic of Dakota sociality: “It was better to stay with other people and try to do your best according the rules there. Waterlily of course did not say this in so many words, to herself; nevertheless, it was what she sense keenly as she sat watching the children.”⁴⁵

What the stranger episode illustrates is a negative account of Dakota kinship ethics—that is, what kinship is not—as they relate to particular performances of gender. At other moments in the novel, femininity, and the pedagogical role of elders in gendering children, shows up in positive forms. When one of the main female characters, Blue Bird, is preparing for the birth of her daughter, Waterlily, she is showered with attention and favors from her sisters-in-law, who are themselves reminded to do these favors by Blue Bird’s mother-in-law, Gloku:

Secretly she prodded her daughters to be dutiful toward their brother’s wife. “Daughter, set up your sister-in-law’s tipi for her when we make camp; drive the anchoring pegs for her. That wooden mallet is none too light,” she would say to one of them as they journeyed, when the people were moving about again. To the other one she suggested, “Why not cook enough for your brother’s family as well as you own tonight. Your sister-in-law seems tired.” (58)

These “translat[i]ons of]...kinship obligation...into a helpful deed” for the expecting mother would become pampering, however, were it not for the expectation that Blue Bird would begin to refuse them beyond a certain point, as a sign of her continuing independence. Indeed, the “prevailing attitude” is that it is “much more becoming for a woman to be independent” rather than to expect “special consideration” for being pregnant, and in the build-up to the birth, we see Blue Bird negotiating a complex web of gender and kinship expectations in order to gain her in-laws’ respect.

As this process continues, Deloria gives an ethnographic commentary that positions such gender role-playing as being in the service of not only biological, but social, reproduction:

Here then was Blue Bird's delicate role: to accept the attention showered on her by Rainbow's sisters with appreciation and grace, and at the same time with tact and restraint. These intense loyalties between collaterals of opposite sexes were deep-seated, the result of lifelong training. They had been going on long before her time and would continue long after she was gone—as long as Dakotas remained Dakotas and their kinship sanctions endured. Everyone knew and accepted them and aimed to play his or her part within their framework, and then relationships remained smooth. (60)

The equivalences drawn here between a core Dakota identity, “kinship sanctions,” and the “intense loyalties” between those of “opposite sexes” suggest Judith Butler's analysis in *Gender Trouble* of the metaphysical unity of sex, gender, and desire. In Deloria's fiction, however, the last term is pitched toward desire for long-term social reproduction of peoplehood more than toward individual erotic desire for an oppositional gender. While this is certainly also what Butler, after Foucault, calls a “regulatory fiction,” or a “culturally restricted principle of order and hierarchy,” it is the nature of that “order and hierarchy” that I wish to query in Dakota custom and culture, as well as accounts of the particular metaphysics—the particular substances—that attach to its gender ontology and to institutions like marriage which attach to it.

I read Deloria's extensive comments on Dakota kinship in her ethnography and in *Waterlily* as supplementing Rifkin's analytical focus on Native forms of land use and governance by detailing how Dakota affects and ethics of a heteronormative “family,” which was figured as both intensive (as one's *tiyospaye*) and extensive (as band, then council fire, and ultimately as *people*), both endured in the era of the IRA, and could serve as future forms enabling social cohesion. Put somewhat differently: her imagining

of a Dakota gender imaginary—predominantly heterosexual, yet complicated and cross-cut other gender possibilities like the *Wi kte* and “manly-hearted woman,” or warrior woman, as I’ll discuss in a moment—is in its communal orientations and affective attachments beyond the individual meaningfully different from the heteronormativity enshrined in federal law by allotment. But Deloria’s gender depictions are also, in their celebrations of matrilineality and matriarchy, refusals of the paternal aspects of US colonial heteronormativity.

The history of images of female abjection I sketched earlier suggest the endurance of ideas about Native peoples as being abusively, even monstrously, patriarchal, and how such limning of Native men worked as foils for US national forms of patriarchy. In his book chapter, “Male and Female in Traditional Lakota Culture,” anthropologist Raymond DeMallie attempts to refute “popular” images of Native patriarchy in the particular case of the Lakota. Citing Royal B. Hassrick’s *The Sioux: Life and Customs of a Warrior Society* (1964), DeMallie criticizes Hassrick’s essentialist, psychological perspective, in which “the Sioux man was conditioned to consider woman as an adversary,” or “as foes to be conquered and quelled,” and that, furthermore, the (gendered) feeling was mutual, with “Sioux women [being]...no less straight forward in their opinion of men as dangerous predators.”⁴⁶ As DeMallie notes, Hassrick wrongly emphasizes the portability of the male warrior role (stripped to a core of pure aggression) and hunter to marital relations.

Dakota sources offer a much different view of women’s status in Dakota society. For one, Dakota society was historically matrilineal, as Charles Eastman writes in *The Soul of the Indian*: “The wife did not take the name of her husband nor enter his clan, and

the children belonged to the clan of the mother.” Eastman adds that within this matrilineal structure, “all of the family property was held by her, descent was traced in the maternal line, and the honor of the house was in her hands.”⁴⁷ Through his phrase, “honor of the house,” Eastman expands the sphere of female activity beyond the material present, and into a vision of Dakota futurity. This futurity, in turn, certainly has biological continuation as part of its make-up, but to a far greater degree, it is comprised of a *tiyospaye* ethic that places responsibility for communal survival squarely with women. Joyzelle Godfrey notes that all of children’s daily activities “were supervised by their mother” or by other female family members, and “this is the traditional way of being.” She corroborates Eastman’s statement that Dakota society was historically matriarchal, citing Deloria’s interviews with “the traditional people” (presumably Godfrey is referring to Deloria’s interviews with Dakota individuals whose living memory extended beyond the beginning of reservation life):

The papers—Ella’s papers of interviews with the traditional people--the Sioux culture was actually “matriarchal,” where the women owned the home, and everything in it. They owned the front yard and the back yard. Even though that “front yard” and “back yard” really changed a lot, as they roamed over the prairie. But everything in the home belonged, *belonged* to the women. The man owned his regalia--his war regalia--and his clothes, and his shoes, and his personal things, and his horses. But his items of ownership were away from the home. The woman’s ownership was the home and everything that was in her domain. So men didn’t interfere in the raising of the children. Women had that responsibility.

This sketch of gendered notions of property fits the gender binary more generally described in *Waterlily*, as well, with masculinity inhering largely in war and hunting “away from the home.” Given this gendered division of labor that might be said to begin in marriage but does not require that institution beyond a certain point—say, when a Dakota woman divorced her husband—we might find that the responsibility for ensuring

the survival of Dakota kinship is somewhat disjoined from the institution of marriage. Children could be raised, after all, outside of marriage: since they belonged to the lineage of their mother, and women were not dependent on men for recognition of lineage. Waziyatawin corroborates this lack of dependency with a positive evaluation of female responsibility, writing that “there was never a fear that if a woman left her husband that her children could not be claimed.”⁴⁸

So central to Dakota kinship ethics is female independence as well as female camaraderie that *Waterlily* begins with a scene of a marital disavowal, where Blue Bird has just left her abusive husband, Star Elk, to join another Teton band. The novel’s narration, however, withholds all mention of her husband until after she has given birth. This delay works to magnify her apparent isolation from the rest of her band, but also to set apart the birth, and its moment of kinship recognition/creation, from male involvement. As the narrative continues, we her isolation couched in terms of kinship laws of respect, which Deloria uses interchangeably with the term “avoidance.” At first, Blue Bird feels unable to tell her mother-in-law that she needs to dismount from her horse and walk, since her mother-in-law is walking with her father-in-law:

The young wife Blue Bird could scarcely sit her horse another instant. Oh, to dismount! But the kinship rule of avoidance kept her silent as long as it was her father-in-law who walked ahead leading her horse. At last, mercifully, he handed the rope to his wife and dropped behind to walk with a friend.

“Now I can speak. She too is a woman; she knows how it is with me.” But even then Blue Bird waiting as long as she dared before saying, “Mother-in-law, let me get down. I must walk.”

“Very well. If you must you must. But say when you want to ride again,” the older woman replied, then added, sighing, “Ah, child, we do you wrong to travel today—but try to bear up. Already we have made the three stops, so the next will be the last. It can’t be far now.” That was all. The respect customary between two persons in their relationship made them hesitate to discuss freely the cause of their mutual anxiety.⁴⁹

While Blue Bird's ability to share her anxiety over the immanent birth is normal within kinship rules governing the relationship between mothers- and daughters-in-law, it may seem overly restrictive or even dangerous to us. The "kinship rule of avoidance" here, though, is the "respect relationship in the family of marriage," as Deloria discusses in her ethnographic notes, *The Dakota Way of Life*. The Teton term for this is *wistelkiya*, which Deloria translates as "to be bashful towards," adding that "it is a formal 'bashfulness'" that is observed in the presence of certain relatives, but especially among in-laws, who occupy a class Deloria terms "respect relatives."⁵⁰ She writes, "In all kinship etiquette the respect relationships are the most demanding. When a respect relative is present, one must behave in a dignified and formal manner unvaryingly [sic]. And whenever possible, it is best to avoid such a relative altogether."⁵¹ Deloria gives the reason for this avoidance according to a distributive logic: "the reason why the entire network of kinship seemed to be so regulated is that in any given group those whom some persons must respect and avoid are sprinkled randomly."

Emergent from this random distribution of heightened formality is a variety of affects, often simultaneously negotiated. For instance, one's encounter with a formal relative "causes one to make a quick change of manner to suit the moment," but this change can be done "quietly while still associating with informal relatives....If talking excitedly in frivolous mood, one feels oneself suddenly on guard and one's erstwhile exuberance gradually dying down." Deloria's ethnographic example demonstrates the suppleness of relational regard and respect such "avoidance" creates:

A group of women collaterals were lounging about and chatting uninhibitedly, as sisters and female cousins may, when their new avoidance relative (mother of the new brother-in-law) came around the corner. Thereupon, without "seeing" her, they sat up and focused their united attention on a cunning child playing near, and

so they preoccupied themselves while their “mother-in-law” passed swiftly out of sight, without “seeing” them. They were not acting in order to deceive their new relative into supposing them to be remarkably poised and quiet women habitually. Nor was she so naive as to suppose that of them. She knew that they had toned down their talk and laughter out of respect for her. She also had made a quick adjustment out of respect to them as soon as she saw them obliquely. Had she known they were sitting there she would have gone another way so as spare them any necessity to alter their behavior on her account.

These examples of avoidance are unified also by forms of respect that did the social work of self-effacement, which in turn allowed one to forego “any need to claim such a relative’s direct attention on oneself.” Self-effacement works to safeguard the dignity of one’s in-laws, a dignity which relations between relatives of opposite sexes, “remains so essential that it is actually preferable to ignore the other’s inevitable moments of embarrassment rather than offer help and sympathy directly.” Indeed, Blue Bird’s upholding of this rule forbade her from dismounting until her father-in-law was no longer nearby. But her observing of avoidance rules in extremis, while being in labor, should perhaps be seen as an especially overly-zealous case, rather than a normal example of “Teton modesty,” as is her decision to leave the group to give birth alone.

Her exaggerated performance of the dictates of such modesty allow us, however, to witness her childbirth, whose narration identifies clear possibilities of female agency within quite prescribed Dakota gender understandings. Woven into the narration of Blue Bird’s childbirth is her recollection of her own grandmother’s advice, or sayings, creating a dialogism that portrays the close linkages between generations of Dakota women:

On the young girl’s brow stood beads of sweat icy cold. Against a spinning world she struggled to think coherently. Just what was it her grandmother once told a woman—something about the best position to induce an easy birth? Or was it quick birth? What was it, anyway? She groped for it in her confused mind. Suddenly it came like a flash. And with it something else the grandmother once said: “No woman cries out like a baby; people ridicule that. To carry a child is an

awesome thing. If one is old enough to bear a child, one is old enough to endure in silence.⁵²

As with the novel's accounts of how children are directed toward gendered forms of behavior and identity, Blue Bird's memory of her grandmother again underscores the pedagogical role in kinship relations among Dakota, and particularly between members of the same sex. The modesty of avoidance rules becomes here a gendered injunction to "endure in silence" while giving birth, in part because to cry out while the entire camp was on the move might draw the attention of enemies, but also because, as Deloria writes in her unpublished ethnography, *The Dakota Way of Life*, "self-control was always admirable, even under severest pain."⁵³ But the grandmother's logic, while quite demanding in some ways, also invokes—indeed, as a justification for its demands—the privileged position of children within Dakota culture. This position is different in kind from a heteronormative premium on biological reproduction, though, because in the widened "family" that is the *tiyospaye*, one could be childless while also having extensive responsibilities (as an auntie or uncle, say), for helping to care for children.

Deloria's unpublished ethnographic notes corroborate this ethic of mutual caretaking, and the indulgence with which children were treated by non-biological kin. Describing how children were, "on the whole...trained to keep still," she elaborates on how this was not any sort of harsh disciplining, but rather the effect of group care for the child, who would be still as a consequence of being "humored" constantly by relatives.⁵⁴ "In a home, or family group of several homes," she writes, describing the physical layout of the camp circle and its clusters of "several homes," there was always "some grownup that was free to humor the child, thus giving it no chance to whine or scream. Only orphaned children, those for whom nobody cared, are, as a rule, reported as crying so the

entire camp could hear. ‘Why is she crying here, like an orphan?’ someone will say.” Here, Deloria speculates for a moment as a detached ethnologist, giving a functionalist explanation of a shared need “for the tribe’s safety” for the communal ethic of caring for children: “I think it was partly the need in each family group to keep the babies quiet, so as not to seem anti-social, so as not to seem irresponsible of the tribe’s safety.” She immediately softens her detachment by adding that an instrumental concern for safety transformed into affection, which “made every grownup feel it her duty to guard, amuse, and humor the children, and made the children become very much attached in return, to the one who spent so much time with them.”⁵⁵

In *Waterlily*, too, we see how an expansive set of inter-family relations among members of the *tiyospaye* are reflected in a web of mutual care for children, even when grown. During the novel’s Sundancing scene, a young man named Lowanla, who Waterlily would eventually marry, foolishly vows to receive one hundred cuts as his part in the ceremony. He does so after his father dies, when Lowanla “‘ran away to the hills and prayed and wailed all day, ‘Great Spirit, you alone have the power to give my father back to me. Give him back, and you shall have one hundred pieces of my living flesh.’”⁵⁶ At sundown he returned home and found his father just coming back to life.” Because of his entering into this reciprocal exchange with the “Great Spirit,” and having made a vow—the honoring of which is the crux of the Sundancers’ displays of courage and scarification, rather than the spectacle itself—Lowanla is obliged to follow through with his promised sacrifice. This is something the rest of the *tiyospaye* finds at once admirable and pitiable, as such a vow, though “‘not unheard of, certainly,” were made by “fighting men...seasoned warriors, with great fortitude, who nevertheless knew from many battle

wounds how it would hurt.” The scene of Lowanla’s actual scarification shows the depth of affection shared between non-biological kin. When Lowanla had had ten pieces of flesh taken from each shoulder, “with eighty to go,” his female relatives stage an intervention.

The grieving people watched in silence, knowing that this was something that must be done and that any protesting in his behalf would be out of order. But after the man had taken ten pieces from each side, with eighty to go, two elderly women who were the youth’s aunts rushed out, frantically tearing away their gowns and baring their shoulders as they went, and demanded that the remaining cuts be made on them instead. This was extraordinary. Nothing like it had ever been known before.

Despite their hesitation at the lack of precedent for the aunts’ action, some of the male “mentors” present decided to allow them to stand in as proxies for their nephew, declaring that “it is admirable of sisters to honor a brother by being good to his child.”⁵⁷ After these aunts in turn received fifteen cuts on each side of their shoulders, having given “sixty pieces and would have given more,” Lowanla’s two elder sisters step in and “quietly offer to give the remaining twenty.” The distribution of suffering that the Lowanla scene depicts is powerfully evocative of how a gendered identity may be constitutive of novel (though still heteronormative) forms of pleasure—experienced collectively as astonishment at the “extraordinary,” but also individually in the womens’ barring of further suffering from their beloved kin—in its disruption of an expected or scripted gender performance. What’s most compelling about the scene is not the fact of transgression leading to newness, though, but the particular, communally-oriented forms that newness takes.

Just as the Lowanla scene dramatizes the power of affective bonds to provoke caring, even maternal, responses beyond the immediate, biological family, Deloria’s

accounts of multiple marriages also articulate Teton notions of family as being transgressively different from those of the allotted family. Polygamy, one of the “immoralities” that the Code of Indian Offenses sought to regulate, forms an integral part of the *tiyospaye* life. When Blue Bird comes to the new camp with her grandmother, they are regarded as falling “into the category of the humbler folk of the community,” as they had no “male relatives to give them backing.” Rather than signaling a subordinate position in the camp, though (we are told “their lowly station in no way degraded them in the popular esteem”), they are only exempted from certain social obligations like the giving of feasts and give-aways. It is in this context of how Tetons discerned (or refused) class differences partly through a gendered marriage economy that the narration broaches the subject of multiple wives. Far more threatening, both to individual honor and to the *tiyospaye*, were forms of sexuality unregulated by marriage. Consequently, afraid that her granddaughter might “come to ruin” by the wooing of “reckless young men,” Blue Bird’s grandmother speculates that a marriage arrangement would be timely. “I am too old for this,” she laments, “perhaps I should simply give the girl away in marriage now, to some kind and able householder, to be a co-wife. Then she can be honorably married before any trouble can befall her. Yes, that would be best.”⁵⁸

This avoidance of sexual “trouble” may seem to repeat settler society’s prohibitions of sex outside the conjugal marriage as deviant. If this is a repetition, however, it is one with significant differences, first of all in its construal of morality in terms of the survival of the *tiyospaye*, where unregulated (biological) reproduction would have strained the people’s subsistence. Also, the normal presence of polygamy among Dakotas signals a profound difference from settler society’s marital norms. Where the

Indian Code pathologized multiple marriage partners as an instance of unchecked erotic desire, the “co-wives” of *Waterlily’s tiyospaye* worked to increase social cohesion by creating new kinship bonds. Deloria’s ethnographic notes, for instance, give evidence for how multiple wives also served as multiple mothers. Writing in *The Dakota Way of Life*, Deloria observes that in a “partial check” of “six families where there had been plural wives” revealed that in three of the families, “the co-wives were already sisters or cousins and were therefore ‘Mothers’ to one another’s children anyway, even if they had different husbands.” By “sisters” here Deloria does not restrict her meaning to a biological relation, but rather is describing how polygamous marriage founded kinship relations between co-wives, who “as co-wives...became sisters, as was the custom.”⁵⁹ This multiplying of the maternal role in turn helped to ensure *tiyospaye* stability, since “if one co-wife died, there was no question where he [sic] own children should go. They remained in their father’s home where the surviving wife was their mother, and her children their siblings, according to the kinship system.” By extending kinship relations and responsibilities beyond immediate kin, polygamy obviated patriarchal notions of lineage “legitimacy”: “All my informants spoke with gratitude and affection regarding the mother who brought them up. And unless I asked, they did not separate themselves in a different camp from their half-siblings. They were all brothers and sisters without distinction.”⁶⁰

These examples of multiplicity in the Dakota family imaginary suggest an articulation of kinship that differs significantly from the heteronormative kinship of the state, and perhaps above all because Dakota gender constructions and ways of reckoning kin were and remain in the service of sustaining Dakota peoplehood. Just as Deloria’s

accounts of kinship are in very definite ways a refusal of the biological, so too is “the people” a social-political entity whose existence may be said to consist in the performances of ethical behavior toward one’s *tiyospaye* kin. This leads to something of a tautology: to be Dakota is to perform the (clearly gendered) kinship roles and responsibilities befitting a Dakota. However, despite the apparent fixity of the historical gender binary depicted in Deloria’s novel and ethnographies, there are important slippages within its genders.

6. Slippages in the Dakota Gender Binary

There are important exceptions to the stark gender binary depicted in *Waterlily*, and these exceptions complicate any determinate reading of Dakota gender constructions. Deloria introduces the gendering process in the novel as a kind of prophylactic against the appearance of a third gender, or *Wi kte* (the spelling is *Wi kta* in Dakota):

The tribe’s concern was that its girls should become women and its boys men through normal and progressive steps without complications. And in the case of boys, this was a peculiarly delicate matter because of the belief that a boy who was allowed to play girls’ games and wear female dress was liable to come under a spell that would make him behave in a feminine manner all his life.⁶¹

Here, Deloria describes gender crossing as a one-sided affair, applicable only “in the case of boys” but not of girls. As if to illustrate the affective consequences of gender boundary transgressions, Deloria follows her mimetic theory of how one becomes a *Wi kte* through imitating normative gender behaviors and dress with an account of Little Chief being scolded for sleeping in on the morning of a hunt. Reproached by his social uncle, Bear Heart, who is the brother of the clan leader, Black Eagle, Little Chief feels most wounded by Bear Heart’s attack on his fledgling masculinity. Bear Heart, glaring in at Little Chief

and his cousins, who are still lying in their grandmother, Glosku's, tipi, chides the boys: "What? Are they still in bed?" he appeared disgusted. 'Up with you, every one of you! Up with you—unless I have been mistaken in thinking you were males!' This, the narrator explains, "cut deeply. To be a female was all right if one was born so, but for a male to be called a woman was intolerable."⁶² This passage recasts a story from Deloria's ethnographic notes, about a man named Makula whose father woke him during an especially cold morning to announce that buffalo were nearby. Like Bear Heart, who is the novel's prototypical warrior, and who plays a key role in training the young boys, Makula's father told his son "Come, come! Women may stay warm in their beds at a time like this but real men must go forth!"

Deloria's comment on the Makula story suggests that the gender binary and techniques of "training" young Dakota gender norms were sometimes quite stark:

It was the reference to his maleness that challenged him. For to be compared to a woman was the worst possible insult, whose effect was to drive many a boy into assuming a man's role regardless of danger and possible death. Even as small boys they were reminded from time to time by fathers and grandfathers that "*Wi ica yelo!*" [You are male!]. And...they were argued into good behavior by their male collaterals, or dared to take risks—"because they were male." If a small boy cried, they remarked, "Here is a girl crying," and that was enough. Courage and endurance were thus inculcated and induced.

Anthropologist Raymond DeMallie has commented in *The Hidden Half* that Dakota gender differences constellated around notions of courage, or "hardness of heart." The contradictions between the symbolic freighting of male courage through acts of war, and the reluctance of families actually to see their sons go to war, registers some of the psychological fissures and symbolic slippages in the Dakota gender binary, and in the presumption of strongly overdetermined gender expectations—such as male courage

as/in warfare. After an attack on the Black Eagle camp leaves three children dead, and one girl “spirited away,” Bear Heart assembles a war party. When Little Chief, who is at this point in the narrative no more than nine years old, implores his uncle to allow him to come, Bear Heart observes a distinction in the types and purposes of warfare, and consequently, of courage. After he “puffed away” on his pipe “for some time,” considering his nephew’s naïve bravery, he answers, “I have to say no, for a good reason. This is no trip for you, my nephew. This is an angry errand, a determined one. Unless we are victorious, we mean to die on the battlefield. There may be no one to bring you back safely.”⁶³ Bear Heart’s response evokes a do-or-die form of masculine courage, a tragic, sacrificial courage that may have been familiar enough to Deloria’s white audiences even in 1944, when film stereotypes of Native “braves” abounded. But as Bear Heart continues his explanation to Little Chief, he draws out a more nuanced dimension of masculine courage oriented around sporting displays of mock-killing, as in the practice of “counting coup: “If this were to be the usual kind of warpath, a mere seeking after adventure for the sport and glory of it, then I would say yes. But let me make you a promise. When next I go on such a warpath, you shall go with me.”

When Deloria describes the six “ancient societies” in the camp circle she identifies an exception to compulsory male soldiering: “The executive Chiefs’ Society and the advisory Owl Headdress were composed of elderly, venerable worthies who did much sitting and deliberating. The remaining four, known as Badgers, Stout Hearts, Crow-keepers, and Kit Foxes, were military orders ever alert for action. It was not demanded of them, or of any man, to go to war unless he wanted to go.”⁶⁴ The suggestion here that going to war was a voluntary choice for Teton males, as well as the distinction

between a retributive warfare and a symbolic one based in “sport and glory,” outline a theory of courage that, while certainly gendered in clear ways, cannot be seen as a straightforward analogue or overlay for post-IRA US gender constructions. If anything, Deloria’s underscoring of the dual, and somewhat contradictory, roles of voluntarism and courage, and of cordoning off discursive space for forms of courage that refuse warfare, seems something of a protest to US drafting of soldiers during World War I and II.

So, too, does the Dakota “third gender,” or *Wi kte*, interfere with determinate readings of *Waterlily’s* gender politics, suggesting the possibility of reading an oppositional politics in Deloria’s articulations of gender. The term *Wi kte* or *Wi kta* can be translated as “wants to be a woman,” or “would be a woman” (*Wi* - “woman,” *-kte* “shall or will”). Mark Rifkin views Deloria’s aversion to the *Wi kte*, or rather, her ascribing it a marginal place within Teton society, as evidence of her overlaying a heteronormative model of family and gender identities onto her characters, perhaps to gain sympathy with a non-Native readership. That is, Rifkin sees Deloria reproducing the heteronormative gender norms which formed a key part of allotment discourse, even while she resists it in other ways, as through her emphasis on communal politics and affective sociality of the *tiyospaye*. This would be a more compelling claim if not for two important facts. First, the status of *Wi ktes* varied across the divisions of the *Oceti Sakowi*. Among many of the Eastern Dakota bands, they were quite severely ostracized, to the point of exile, while among the Teton bands, including Deloria’s *Ihanktonwan*, *Wi ktes* held a certain esteem, as *wakan* persons, or persons with some unusual degree of power. Sue-Ellen Jacobs notes that, for *Wi ktes* and female “warrior women” alike, there was a similarity in the sanctioning of gender reversals through what she calls

“supernatural” means, with women changing gender identities through recurrent dreams, and men doing so through vision quests, or *hanbleceya*.⁶⁵ Second, and following from the differential valuing of *Wi ktes* across Dakota communities, the Teton category of the *Wi kte* historically involved more than sexuality alone, often including the performance of ritual roles among the people. As Beatrice Medicine has commented in *Learning to Be an Anthropologist and Remaining “Native,”* the equation of *Wi kte* “with male homosexuals in most introductory anthropology texts and classes” obscures “other facets of action...bounded within the winkte gloss—ritualist, artist, specialist in women’s craft production, herbalist, seer, namer of children, rejecter of the rigorous warrior’s role, ‘mama’s boy.’”⁶⁶ In performing these roles, adds Medicine, *Wi ktes* continued to engage in masculine activities such as accompanying war parties, and often supported themselves through hunting.

While Rifkin is right to observe that the pages of *Waterlily* are conspicuously devoid of *Wi ktes*, at least named as such, this omission, or perhaps avoidance, is not tantamount to an endorsement of state heteronormativity or to a kind of pandering to straight white audiences. Indeed, there are gender-indeterminate characters like the storyteller Woyaka, who demonstrates the characteristic power and respect according to *Wi ktes*, as do the “perpetual virgins” like White Dawn, whose “indisputable purity” allows her to “move with ease and serenity, and to look any man in the face without flinching.”⁶⁷ And besides these presences, Deloria’s depictions of gender binary diverge significantly from allotment gender subjectivities, perhaps most of all in their differing purposes: where allotment aimed at severing ties between Dakota gender identities and kinship ethics, Deloria asserted these ties as crucial to Dakota decolonization and the

long-term project of remaking Dakota peoplehood. My next and last section will read how she invested especially the role of the female storyteller—expansively defined to include grandmothers, novelists, and academics, among others—with this critical, decolonizing responsibility.

7. “Speech is Holy”: Storytelling and Pageantry in the Performance of Dakota Femininity

In the opening pages of *Black Skin, White Masks*, Frantz Fanon asserts what he anticipates will be a controversial claim (“running the risk of angering my black brothers,” he warns), namely, that “a Black is not a man,” by virtue of his identification with a metaphysics of race that, whether white or black, is “often highly destructive.” I have tried to explicate the relevance of this claim in the context of federal Indian policy of allotment that attacked traditional forms of gender. Before going on to examine its relevance to Deloria’s depictions of gender in *Waterlily*, I would like to quote further from Fanon’s introductory remarks, as I view his call for an end to ontological distinctions as being key to Deloria’s own literary and ethnographic projects:

Man is not only the potential for self-consciousness or negation. If it be true that consciousness is transcendental, we must also realize that this transcendence is obsessed with the issue of love and understanding. Man is a “yes” resonating from cosmic harmonies. Uprooted, dispersed, dazed, and doomed to watch as the truths he has elaborated vanish one by one, he must stop projecting his antimony into the world.⁶⁸

In this chapter’s closing section, I attempt to place what Fanon calls here an obsession “with the issue of love and understanding” into conversation with Deloria’s representations of gender roles that were an integral part of the fabric of kinship life. My second epigraph at the start of this chapter suggests the crucial role that grandmothers play in the transmission of Dakota culture. Something of this importance comes across in

the Dakota word for grandmother, *kunsi*, or, *unci*, a term that also appears in the Dakota ritual language used by *wicasa wakan* and healers to communicate with spirit beings.

There, *unci* is the name for the sun, and carries with it the connotation of munificence.

Waterlily narrates early nineteenth-century Dakota life from the vantage of two generations of Dakota women. More than a humanizing account of Dakota life generally, it reveals the central importance of women's roles for Dakota cultural survival.

Storytelling is one of those roles, although here the term "story" must itself be bracketed as having specific gendered and ethical meanings. Waziyatawin (Angela) Wilson notes in *Remember This!* that of the several genres of traditional Dakota storytelling, some are the province of women only. The category of stories from elders "that teach about the past and often involve things of a mysterious nature,"⁶⁹ called *hitu ka ka pi*, are most often told by women, although this is not exclusively the case. Charles Alexander Eastman's animal stories that I read in Chapter IV are a good example of *hitu ka ka pi*, as are Black Elk's tellings of the "how they came to be stories" and stories of the Oceti Sakowi that I discuss in my third chapter. The capacity of these stories to influence their listeners is part of their ethical texture, and this imprinting is captured in the Dakota term *owa ke*, which literally means "to resemble." Wilson writes that her grandmother, Naomi Cavender, described the action of *hitu ka ka pi* in terms of "how a child is influenced by someone with whom they spend time. A man, for instance, may have certain habits, and if a child sees this he may also develop these habits because he has been marked by his relationship to the man. These stories may have this same kind of influence in that they become imprinted on you and become a part of your thoughts. In essence, they become a part of you."

Like Wilson, Deloria dramatizes the central importance of storytelling through a male character, Woyaka, who is a gifted “storyteller and historian.” Far from being a gender prescription, though, this character serves to illuminate what Deloria, as a Dakota woman, did in some of her other literary work, especially in her scripting of pageants.⁷⁰ Woyaka’s recounting of his training by his grandfather points, in other words, to common conceptions of the importance of the story, an importance that Deloria marks in her own life as belonging most fully to women. In giving the winter count, the preeminent historical form for Dakota storytelling, which summarizes key events that fall within living memory, Woyaka remembers being chastened by his own grandfather for failing to remember what he had just heard:

“Well might you think my childhood was austere, for at any instant and without warning my grandfather would grip me firmly by the shoulder until I winced, he being a powerful man. ‘Now tell me,’ he would say, ‘what was that you heard last night?’ And woe to me if I could not give it step by step without a flaw! Gravely he would then tell me, ‘Grandson, speech is holy; it was not intended to be set free only to be wasted. It is for hearing and remembering.’ Since I did not like to disappoint him I refused to trifle my time away on nothing. If I wakened during the night or too early to get up at dawn, I fixed my mind on remembering a new story or in going over what I already knew or in recalling some incident in all its details, just for practice.”⁷¹

As Wilson observes, stories’ importance in the Dakota oral tradition were part of a matrix of relational responsibilities that informed who one would be or become. The learned stories’ importance comes through in the ferocity of the grandfather’s gesture that attempts to convey, if not an equation, then at least a strong correlation between language and being. Just as Wilson notes how the performative, embodied aspects of *hitu ka ka pi* may mark their listeners ethically, as the stories often highlight some aspect of kinship law, Deloria’s portrayal of Woyaka signals a key means by which Dakota ethics were

reproduced. The power of such reproduction was not marked off as exclusively male, though; on the contrary, it is a power that's very much accorded Dakota women.

Fiction and ethnography were not the only literary genres through which Deloria herself performed the role of the powerful (female) storyteller who culls "tradition" and represents it for the consumption of future Dakota generations. Deloria also wrote and produced community historical pageants over twenty years for a number of Native communities, the Episcopalian Diocese of South Dakota, the Haskell Indian Institute in Lawrence, Kansas (now called Haskell Indian Nations University), and the YWCA. Susan Gardner argues that this form of colonially-"embedded" pageantry developed over time from an accommodation within Euramerican institutions to more resistive performances of "Indian identities under siege," and reveals Deloria's growing ability "to encode a rhetorical strategy of dissidence within hegemonic and canonical Euramerican narrative forms." Indeed, Deloria's statement from a 1927 letter to the Episcopalian Bishop Hugh Latimer Burleson that "pageantry is great" because "you can show so much that you would not dare to talk about" would seem to validate Gardner's reading of Deloria's pageants as expressive vehicles for the "secret transcript" of Dakota political critique. While this may be the case with some of the pageants, others reveal forms of resistance that are perhaps not so apparent in their content, but more in the formal fact of Deloria having authored and produced them.

We can see Deloria working within a fairly orthodox, even colonial, narrative frame in her 1940 pageant, "The Life-Story of a People, for the Indians of Robeson County and adjacent areas."⁷² The work had been commissioned by the US Department of the Interior's Office of Indian Affairs and the federal Farm Security Administration as

part of a community-building effort for Native peoples who had suffered greatly during the Depression. Telling the story of the Lumbees through the narration of a “Modern Questor,” which is effectively a persona for Deloria in her guise as ethnographer, the pageant frames the Lumbee people and their “folk-ways” (chief among them, unsurprisingly, is “hospitality”) as having survived colonization, enslavement during the American Civil War, and ultimately making “consistent progress in all fields: Religious, economic, social, and educational.” The last third of the play especially reads as a resume of “civilized” traits, and one senses that one of Deloria’s purposes was to help Lumbees in their cause to gain federal recognition.

An earlier pageant from 1928, titled *The Wohpe Festival*, offers a more compelling comparison to Deloria’s gender portrayals in *Waterlily*. The pageant is based on a Lakota girl’s puberty ceremony, and had as its audience and performers non-Natives, being “arranged especially for Schools and Summer Camps.” Its subtitle elaborates on the person of *Wohpe*: “Being an all-day celebration, consisting of ceremonials, games, dances and songs, in honor of Wohpe, One of the Four Superior Gods of the Dakota Pagan Religion; Goddess of Nature and Patroness of Games, of Adornment and of Little Children.”⁷³ As I have discussed in my other chapters, the theistic terms “God” and “Goddess” is a mistranslation (though an interesting confusion of *Wohpe*’s gender) of the powerful aspects of an other-than-human person like *Wohpe*, who in Lakota cosmology appears as one facet of *Wakan Tanka* (literally “Great Mystery”), a conceptual nexus for Dakota kinship understandings. Deloria’s gloss, “one of the four superior gods” seems to cite directly the amateur ethnographies of James R. Walker, who lived for eighteen years (1896-1914) on the Pine Ridge reservation as

agency physician. Walker notes in a 1915 letter to anthropologist Clark Wissler from the American Museum of Natural History in New York that Walker's recent interviews with Oglala man, Finger, had turned up information that challenged Walker's earlier understandings: "Finger's discussion of *Wakan Tanka* agreed with that given in part of my paper on the sun dance submitted to you, except relative to *Skán* and the relative existence of the four superior Gods." Walker goes on to summarize the Lakota mapping of *Wakan Tanka*'s different aspects, in which *Wohpe* appears as a feminine power who was ontologically identical with "The Earth":

For instance he gave *Inyan*, The Rock, as the first in existence, and the grandfather of all things; *Maka*, The Earth as the next in existence, and the grandmother of all things; *Skán* next in existence after the Earth, because He gave life and motion to all things; *Wi*, The Sun as the last in existence, but also the most powerful and august of *Wakan Takan*, being *Wakan Tanka Kin*, The *Wakan Tanka*. He also said that the Associate *Wakan Tanka*, *Wi Han*, The Moon; *Tate*, The Wind; *Wakinyan*, The Winged; and *Wohpe* were as the other self of the four Superior Gods; that is, that *Wi* and *Wihan* are as one; *Skán* and The Wind are as one; The Rock and The Winged are as one; and that The Earth and *Wohpe* are as one. That while there are eight personalities that are *Wakan Tanka*, four Superior and four Associate, they are all as one and there is but one *Wakan Tanka*. This is The Great Mystery known only to the wisest shamans.⁷⁴

Walker's incantatory, bewildered summary of what is admittedly a complex and confusing roll call of cosmological persons is significant for how it captures the multiplicity of Lakota concepts of power and person. In relation to Deloria's own pageant about *Wohpe*, it also emphasizes the strong linkages between Lakota gender understandings and originary narratives, not just of *Wohpe*, but of her guise in the person of *Pte Skán Wi* , or White Buffalo Calf Woman.

Maybe most emblematic of Dakota regard for women's power is the figure of *Pte Skán Wi* . Although unmentioned in Deloria's work, *Pte Skán Wi* 's her role as a female

culture hero who founds an ethic of respect for women is everywhere evidence in Deloria's regard for women as culture-bearers.⁷⁵ The story of *Pte Skan Wi* remains moreover, as Beatrice Medicine notes, a "charter for Lakota belief systems," and describes the arrival of a beautiful young woman to encamped Lakotas.⁷⁶ Finger, the same Lakota informant who recounted the cosmology in which *Wohpe* appears, describes *Pte Skan Wi* as an incarnation of *Wohpe*. Finger's account is quite long, and so a full recounting of it here is perhaps not appropriate, but some of its more relevant details bear mentioning. The story begins with two young Lakota men who

lay upon a hill watching for signs. They saw a long way in the distance a lone person coming, and they ran further toward it and lay on another hill hidden so that if it were an enemy they would be able to intercept it or signal to the camp. When the person came close, they saw that it was a woman and when she came nearer that she was without clothing of any kind except that her hair was very long and fell over her body like a robe. One young man said to the other that he would go and meet the woman and embrace her and if he found her good, he would hold her in his tipi.⁷⁷

The narrative's opening with a scene of sexual threat poses the ethical question of how best to respond to otherness, but specifically to an otherness that has been sexed in desirable ways. Thus we see the desiring man's companion "caution[ing] him to be careful for this might be a buffalo woman who could enchant him and take him with her to her people and hold him there forever," an injunction that captures Lakota understandings of the presence of power in other persons as being ambiguous (and so promoting ethical comportment toward all unknown others). Indeed, unchecked desire leads the young man to throw aside such caution:

His companion saw him attempt to embrace her and there was a cloud closed about them so that he could not see what happened. In a short time the cloud disappeared and the woman was alone. She beckoned to the other young man and told him to come there and assured him that he would not be harmed. . . . When he got there, she showed him the bare bones of his companion and told him that the

Crazy Buffalo had caused his companion to try to do her harm and that she had destroyed him and picked his bones bare.

Here, the reference to the power of the “Crazy Buffalo” is not simply a metaphor for sexual aggression, but again points to an ontology where power can be variously efficacious or dangerous, and consequently to the need for an ethical circumspection.

Wohpe ultimately enters the Lakota camp, which she has directed to prepare a feast in honor of her arrival, and which she binds to a promise of restraint, saying “the men must all sit with their head bowed and look at the ground until she was in their midst. Then she would serve the feast to them and after they had feasted she would tell them what to do: that they must obey her in everything; they if they obeyed her in everything they would have their prayers to the *Wakan Tanka* answered and be prosperous and happy....”⁷⁸ Following these injunctions, the feast is prepared, and *Wohpe* arrives, drawing “low exclamations of admiration” from all the women. What follows is a scene of hospitality that becomes mapped onto subsequent gender roles, as does the implied connection between *Wohpe*’s femininity and her power to both create and, as with the young scout, destroy:

Then the woman entered the circle and took the food and served it, first to the little children and then to the women and then she bade the men to look up. They did so and saw a very beautiful woman dressed in the softest deer skin which was ornamented with fringes and colors more beautiful than any woman of the Lakota had ever worked. Then she served the men with food, and when they had feasted she told them that she wished to serve them always; that they had first seen her as smoke and that they should always see her as smoke. Then she took from her pouch a pipe and willow bark and Lakota tobacco and filled the pipe with the bark and tobacco and lighted it with a coal of fire.⁷⁹

In bringing the pipe to the people, *Wohpe* gives a ritual means of renewing affective bonds of *tiyospaye* solidarity, and does so in part by prescribing gender roles that in their day-to-day performance will help to ensure the survival of Lakota as a people. Her

serving the men with food, in other words, becomes at once a figure for the nourishment that she (as pipe) would provide ceremonially to Lakota peoplehood, as well as articulating the sexual deference men would pay to women, and the affective harms that would come of it they failed in that obligation.

To return briefly to Deloria's rendering of *Wohpe*, we see one of its sections, "The Peace Pipe Ritual," reenacting *Wohpe*'s gift of the pipe to Lakotas. There, the pipe is filled with "kinnikinnik," or tobacco, by "The Server," who then speaks "mystically the following chant: 'I can bring my people good,/ I can bring my people good,/ When my friend does this for me/ I can bring my people good,'" which Deloria glosses as "I can give my people pleasures and good things when my friend the Sun grants me a favorable day."⁸⁰ As in Finger's account of *Wohpe*'s distributing food to the people, the "giv[ing]...my people pleasures and good things" here invokes a gesture of hospitality that is physically and ethically restorative. As the pipe ceremony continues, and the pipe carrier addresses the different directional powers, who are identical to the cosmological powers enumerated by Finger, Deloria's references become more coded: "Next he [the Server] kneels on one knee and lays the Pipe for a moment on the ground murmuring 'All-Mother!'" which the people repeat. Rising and pointing the stem upwards he says aloud: 'Great One Above; accept this Pipe. We have also offered the spirit of the smoke to your messengers, the Four Winds and to the All-Mother. Westwind will tell you when you pass by his tipi this night that today we honor *Wohpe* the Beautiful, and through her, the Mysterious Four-Four.'" Whether non-Lakota performers of the pageant would have any reference point for "the Mysterious Four-Four," let alone the invoking of the directional powers or the story of the pipe's origin is unclear from Deloria's notes,

although she is explicit about the pageant being “a device for teaching the people that they must, as children of Nature, recognize a kinship with all her other works,--all animals, birds and growing things.” The overall rhetorical effect she envisioned for white performers, however, was more aesthetic than ethical, and she reports having found, “in experimenting with this material, that it helps for everyone to play Indian all that day,” adding that “with a beaded band around the head, a feather in the hair, a pair of moccasins when possible, and a blanket here and there, an entire camp or school is instantly changed into an Indian tribe before the days of Columbus, and the events are carried through with charming spontaneity.”⁸¹

What I have sought to show in this chapter are some of the ways that Deloria’s fiction and ethnographic work call for, as a matter of “spirit,” the renewal of kinship bonds through the performance of gender roles that have their origin in the *tiyospaye*, or camp circle. These roles, while heteronormative in their assumption of a gender binary, emphasize collective forms of care and affection, and power-sharing rather than hierarchy; this is, in other words, a tenuous and perhaps unrecognizable heteronormativity at best. Deloria marks this Dakota construal of gender as both historically anterior to liberalism as well as, in its utopian guise, that *Waterlily* promotes again and again, posterior to it. While Deloria’s gendering of the *tiyospaye* kinship network does, indeed, assert a gender ontology, calling for her readers to recognize the historical forms of femininity and masculinity that have worked to sustain Dakota peoplehood against the gender redefinitions of the state, it is an ontology holding within itself the possibility of its own critique. Whether through the *wakan* status attributed to individuals falling outside the gender binary, through same-sex friendships like that

between male *kolas* or between female co-wives, or through the ceremonially-sanctioned renunciation of marriage and child-bearing, Deloria's representation of gender binaries underscores both their slippages, and their being in the service of a higher ontology: that of peoplehood. As I have suggested elsewhere in this dissertation with the phrase, "trans-ontological gesture," *tiyospaye* ethics of gifting and sacrifice constitute an invitation to continue making vital and relevant those kinship ethics of generosity that cut across and potentially redefine metaphysics of race, class, and gender. Deloria's giving voice to Dakota women's experiences, in her ethnographies and pageants, but above all through *Waterlily's* female protagonists, show her making this gesture, and doing so not as an anthropologist, or as a novelist, but as a Dakota woman and storyteller.

¹ For a more complete account of Deloria's wide-ranging literary and scholarly work, see especially Beatrice Medicine's "Ella Deloria: The Emic Voice," *MELUS*, Vol. 7, No. 4 (Winter, 1980), 23-30.

² Deloria unpublished ethnography, *The Dakota Way of Life*, describes the *tiyospaye* or "larger family of related household units," considered "as a whole rather than the single family that was the significant social unit." (62-3). Accessible online through the Ella Deloria Archive at http://zia.aisri.indiana.edu/deloria_archive/browse.php?action=viewpage&id=3346.

³ Judith Butler, *Gender Trouble: Feminism and the Subversion of Identity* (New York: Routledge, 2002), xiii.

⁴ For a comparative account of Allotment's epistemological assumptions, see Adrea Lawrence and Brec Cooke's "Law, Language, and Land: A Multimethod Analysis of the General Allotment Act and Its Discourses," *Qualitative Inquiry*, Vol. 16, No. 217 (2010), 217-29.

⁵ For instance, Stevi Jackson's article "Heterosexual Hierarchies: A Commentary on Class and Sexuality," calls for examining the social ordering of relationships within heterosexuality as a supplement to studies of "the ways in which LGBT lives are framed by heterosexual assumptions, practices and prejudices." In *Sexualities*, Vol. 14, No. 12 (2011), 12-20. Likewise, Tor Folgero, in "Queer Nuclear Families? Reproducing and Transgressing Heteronormativity" *Journal of Homosexuality*, Vol. 43, Issue ½ (2008), 124-49, argues that women and men raising children in homosexual family constellations challenge heteronormative assumptions about childhood, fatherhood, motherhood, family, and kinship, even as they draw upon them to understand and define their own family practices. These approaches contrast strongly, however, with a critique like Judith Butler's in "Is Kinship Always Already Heterosexual?" *Differences: A Journal of Feminist Cultural Studies*, Vol. 15, No. 1 (2002), 14-44. There, she argues that "desiring the state's desire," especially in the form of kinship defined through marriage and the raising of children through either adoption or reproductive technology, forecloses the sexual field such that "the life of sexuality, kinship, and community that becomes unthinkable within the terms of these norms constitutes the lost horizon of sexual politics...." My approach in this chapter attempts to navigate among these competing critiques of heteronormativity by asserting key differences of Dakota sex and gender understandings, as depicted in Deloria's work and in the ethnographic record, from liberal heteronormativity, but also to

inquire into how such understandings (which are normatively heterosexual) call for a widening of the term “heteronormativity” itself.

⁶ Eva Marie Garroutte has written that, in contrast to the “one-drop rule” which historically and legally defined blackness, Native Americans “are generally required—both by law and by popular opinion—to establish rather *high* blood quanta in order for their claims of racial identity to be accepted as legitimate, the individual’s own opinion not at all withstanding. Although people must show only the slightest trace of ‘black blood’ to be *forced* (with or without their consent) into the category ‘African American,’ modern American Indians must *formally* produce *strong* evidence of often rather *substantial* amounts of ‘Indian blood’ to be *allowed* entry into the corresponding racial category. The regnant racial definitions applied to Indians are simply quite different than those that have applied (and continue to apply) to blacks. Modern Americans, as Native American studies professor Jack Forbes puts the matter, ‘are *always finding ‘blacks’* (even if they look rather un-African), and...*are always losing ‘Indians.’*” Allotment constructs of blood quantum were thus a key means, along with the sort of introjected racism and disavowal of Native kinship that Valandry shows, for “‘losing Indians.”” Garroutte, “The Racial Formation of American Indians: Negotiating Legitimate Identities Within Tribal and Federal Law.” *American Indian Quarterly*. Vol. 25, No. 2: 231.

⁷ Beatrice Medicine and Sue-Ellen Jacobs, *Learning to Be an Anthropologist and Remaining “Native”*: *Selected Writings* (Urbana: U Illinois P, 2001), 109.

⁸ Ella Deloria, *Speaking of Indians* (Lincoln: U Nebraska P, 1998), 12.

⁹ *Ibid.*, 24.

¹⁰ See Franz Boas’s 1931 speech to the American Academy of Sciences, “Race and Progress,” reprinted in *Science*, Vol. 74, No. 1905 (1931), 1-8.

¹¹ Stephen R. Riggs, *A Dakota-English Dictionary*, James Owen Dorsey, ed. (St. Paul: Minnesota Historical Society Press, 1992 (1890c)), 106.

¹² Deloria, *Speaking of Indians*, 24.

¹³ Gloria Valencia-Weber, “Racial Equality: Old and New Strains and American Indians,” *Notre Dame Law Review*, Vol. 80, No. 1 (2004), 335.

¹⁴ E. Deloria letter to H. E. Beebe, 2 December 1952, cited by Raymond J. DeMallie, “Afterword,” in *Waterlily*, by Ella Cara Deloria (Lincoln: U Nebraska P, 1988), 218.

¹⁵ The legal treatment of Native American peoples as a “race” is a highly contentious matter. On the one hand, as Gloria Valencia-Weber notes, Native nations “are a political entity sui generis in the Constitution,” being “neither states nor foreign nations, nor another racially distinct minority.” On the other hand, she points out how “American Indians are also racially distinct for some laws, as in their inclusion in the Civil Rights of 1964 and the federal Voting Rights Act of 1965. While these legal ambivalences are no doubt important, I find a *de jure* account of race as it has been applied to Native peoples ignores the *de facto* policies which constructed Natives as savagely sub-human, but not beyond the possibility of civilizing/humanizing (see my Chapters III and V).

¹⁶ Amalia Sa’ar, “Postcolonial Feminism, the Politics of Identification, and the Liberal Bargain,” *Gender and Society*, Vol. 19, No. 5 (Oct., 2005), 681.

¹⁷ “The Indian Reorganization Act (Wheeler-Howard Act), June 18, 1934,” accessed online at <http://www.cskt.org/gov/file/reorganizationact.pdf>.

¹⁸ Frederick E. Hoxie, “The Goals of the Indian Reorganization Act,” accessed online at <http://www.indian.senate.gov/hearings/upload/Frederick-Hoxie-testimony.pdf> on February 28, 2013.

¹⁹ John Collier, *Minutes of the Plains Congress* (1934), in Vine Deloria’s *The Indian Reorganization Act: Congresses and Bills* (Norman: U Oklahoma P, 2002), 38.

²⁰ Laurence M. Hauptman, “The American Indian Federation and the Indian New Deal: A Reinterpretation,” *Pacific Historical Review*, Vol. 52, No. 4 (No., 1983), 390.

²¹ Paul Spruhan’s “A Legal History of Blood Quantum in Federal Indian Law to 1935” gives a valuable overview of the development of the use of blood quantum, arguing that blood quantum was not widely used in federal law until the twentieth century. My analysis in this chapter, and throughout this dissertation, takes issue with this claim, however, in that I see the race logic of blood quantum as foundational to federal policies directed at regulating Native peoples in terms of not only individual identity, but as collectivities. See Spruhan, “A Legal History of Blood Quantum in Federal Indian Law to 1935,” *South Dakota Law Review*, Vol. 51, No. 1 (2006), 1-50.

²² Hauptman., 395.

²³ Ibid., 392.

²⁴ “Ben Reifel,” in *To Be An Indian* (St. Paul, MN: Minnesota Historical Society P, 1971), 124-25.

²⁵ Kimberly Tallbear argues that the dominant framework for Native American identity operates on the level of citizenship, but that tribal citizenship is predominantly reckoned by tribal rolls created as a result of the General Allotment Act, which systematized non-tribal identities (i.e., blood quantum). See also Francie Latour’s “The Myth of Native American Blood,” *Boston Globe*, June 1, 2012, accessed online at http://www.boston.com/community/blogs/hyphenated_life/2012/06/the_myth_of_native_american_bl.html on March 2, 2013.

²⁶ While there have been many good studies of how the Dawes Act broke up native land holdings, as well as its effects on kinship relations, little attention has been paid to the responses of native writers in the Progressive era to liberal universalizing of gender norms and relations. One recent exception is Beth Piatote’s (Gros Ventre) insightful essay, “Domestic Trials: Indian Rights and National Belonging,” which places intra-tribal conflicts over competing notions of gender into the context of Canadian and US marriage laws at the turn of the twentieth century. Detailing how legal personhood for indigenous peoples “was imperiled by choices in love,” Piatote illuminates how literary tropes of native women so “violently in love” with white men that they would commit suicide to restore settler-native harmony took material form in laws that regulated Indian political subjectivity. The problem her essay wrestles with is the problem of white masculinity as the focal point of the legal gaze. As she argues, “white men as patriarchal heads of households became the stable center through which Indian political rights could be defined and assigned.

²⁷ Dorothy Stein, as quoted in Susan Gardner, “‘Though it Broke My Heart to Cut Some Bits I Fancied’: Ella Deloria’s Original Design for *Waterlily*,” *American Indian Quarterly*, Vol. 27, No 3&4 (Summer/Fall 2003), 679.

²⁸ This excerpt from Valandry’s interview, and all other quotations from it, appear in Julian Rice’s article, “‘It Was Their Own Fault for Being Intractable’: Internalized Racism and Wounded Knee,” *American Indian Quarterly*, Vol. 22, Issue ½ (Winter/Spring 1998), 63-82. Valandry’s interview, and others collected by Deloria, are in the American Philosophical Society’s Boas Collection, under “Dakota Autobiographies,” MS.X 8a.4.

²⁹ Deloria, “I am Admitted to the Hunka.” 1937: MS X 8a.4, 29.

³⁰ Deloria, *Waterlily*, 6.

³¹ Mark Rifkin, *The Erotics of Sovereignty: Queer Native Writing in the Era of Self-Determination* (Minneapolis: U Minnesota P, 2012), 159.

³² Ibid., 165.

³³ Henry M. Teller, “Courts of Indian Offenses,” in *The History and Culture of the Standing Rock Oyate*, accessed online at http://www.ndstudies.org/resources/IndianStudies/standingrock/docs_courts.html on March 1, 2013.

³⁴ Mark Rifkin notes that the major dramatic episodes in *Waterlily* stage the Indian Code’s outlawed forms of Native sociality (Sundancing, “Ghostkeeping” (Keeping the Soul), give-aways). In the last section of this chapter, I look briefly at the novel’s Sundancing scene, reading its depictions of sacrifice and scarification (traditionally the privilege of males only) that both blur and reconstitute a hetero- gender binary.

³⁵ Katherine Weist, in Beatrice Medicine and Patricia Albers, eds., *The Hidden Half: Studies of Plains Indian Women* (Lanham, MD: University Press of America, 1983), 29.

³⁶ Ibid., 33.

³⁷ Kent Carter, *The Dawes Commission and the Allotment of the Five Civilized Tribes, 1893-1914* (Orem, UT: Ancestry Publishing, 1999), 49.

³⁸ Rifkin’s approach draws upon recent works that have questioned hegemonic notions of kinship (as biological) and of Euramerican heteronormativity. See especially Butler (2002), Franklin and McKinnon (2002), Schneider (1984), and Varela et al (2011), to name just a few.

³⁹ In Vine Deloria’s *The Indian Reorganization Act: Congresses and Bills*, 25.

⁴⁰ Ibid., 26.

⁴¹ Stevi Jackson writes in “Heterosexual Hierarchies: A Commentary on Class and Sexuality,” that “it is necessary to consider not only the intersections between class and heterosexuality, but also between both and gender, since heterosexuality is founded on gender differentiation and equality.” *Sexualities*, Vol. 14, No. 1 (2011): 14-20. Also see Ward and Schneider 2009; Halberstam 2005; Warner 1991.

⁴² Deloria, *Waterlily*, 213-14.

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- ⁴³ Ibid., 214.
- ⁴⁴ Ibid., 215.
- ⁴⁵ Ibid., 216.
- ⁴⁶ Medicine and Albers, *The Hidden Half*, 237.
- ⁴⁷ Charles A. Eastman, *The Soul of the Indian: An Interpretation* (New York: Houghton Mifflin, 1911), 41.
- ⁴⁸ Waziyatawin Angela Wilson, *Remember This! Dakota Decolonization and the Eli Taylor Narratives* (Lincoln: U Nebraska P, 2005), 132.
- ⁴⁹ Deloria, *Waterlily*, 4.
- ⁵⁰ Deloria, *The Dakota Way of Life*, 204.
- ⁵¹ Deloria, *The Dakota Way of Life*, 201.
- ⁵² Deloria, *Waterlily*, 5.
- ⁵³ Deloria, *The Dakota Way of Life*, 306.
- ⁵⁴ In *The Dakota Way of Life*, Deloria describes the “humoring” of children who were “very dear” by reason of some unusual circumstance: “A very dear child—boy or girl, Dakotas welcomed both—who had been wished for, and perhaps prayed for, or one who almost died at birth but lived, was often not succeeded by another child for some years, and such a child was humored in every way.”⁵⁴ Part of this humoring was to allow the child to nurse, since “to deny him what was deemed his right was unthinkable.”
- ⁵⁵ Deloria, “Eta. About Children,” page 9, *Dakota Ethnography, Box 2: Untitled Ethnographic Notes Manuscript*, Ella Deloria Archive, accessed online at http://zia.aisri.indiana.edu/deloria_archive/, on March 2, 2013.
- ⁵⁶ Deloria, *Waterlily*, 122.
- ⁵⁷ Ibid., 127.
- ⁵⁸ Ibid., 12.
- ⁵⁹ Deloria, *The Dakota Way of Life*, 62.
- ⁶⁰ Ibid., 60.
- ⁶¹ Ibid., 61.
- ⁶² Deloria, *Waterlily*, 62.
- ⁶³ Ibid., 88.
- ⁶⁴ Ibid., 97.
- ⁶⁵ Sue-Ellen Jacobs, “Berdache: A Brief Review of the Literature,” *Colorado Anthropologist*, Vol. 1: 25-40. In Beatrice Medicine, “‘Warrior Women’—Sex Role Alternatives for Plains Indian Women,” *The Hidden Half: Studies of Plains Indian Women*, Patricia Albers and Beatrice Medicine, eds. (Lanham, MD: University Press of America, 1983), 268-9.
- ⁶⁶ Beatrice Medicine, *How to Be an Anthropologist and Remain “Native”: Selected Writings* (Urbana: U Illinois P, 2001), 122.
- ⁶⁷ Deloria, *Waterlily*, 137. Deloria also describes in *The Dakota Way of Life* both male and female ceremonies through which young men or women could be declared as being exempt from the norm of marriage. See “Beta. The Virgin’s Fire [and other women’s rites],” in the Ella Deloria Archive.
- ⁶⁸ Frantz Fanon, trans. Richard Philcox, *Black Skins, White Masks* (New York: Grove P, 2008), xii.
- ⁶⁹ Waziyatawin Angela Wilson, *Remember This!*, 63-4.
- ⁷⁰ Susan Gardner has written two excellent articles on Deloria’s pageants which provide a more comprehensive historicizing than I provide here: “‘Weaving an Epic Story’: Ella Cara Deloria’s Pageant for the Indians of Robeson County, North Carolina, 1940-1941,” *The Mississippi Quarterly*, Vol. 60, No. 1 (Winter 2006-2007), 33-57; “Piety, Pageantry and Politics on the Northern Great Plains: an American Indian Woman Restages Her People’s Conquest.” *Forum on Public Policy* (online journal of the Oxford Round Table). Spring 2007 edition. <http://www.forumonpublicpolicy.com/>
- ⁷¹ Deloria, *Waterlily*, 50.
- ⁷² The pageant appears in Deloria’s unpublished manuscripts under the title, “Pageant of the Robeson County Indians, Pembroke, North Carolina,” available through the online Ella Deloria Archive at http://zia.aisri.indiana.edu/deloria_archive
- ⁷³ Ella Deloria, “Pageant: The Wohpe Festival, page 1,” accessed online through the Ella Deloria Archive at http://zia.aisri.indiana.edu/deloria_archive on March 2, 2013.
- ⁷⁴ James R. Walker, *Lakota Belief and Ritual* (Lincoln: U Nebraska P, 1991), 35.

⁷⁵ Carol A. Markstrom gives an account of *Wohpe* and *Pte Skan Win*, drawing on a non-scholarly, and quite problematic text (problematic, in large part, because it is an “as-told-to” account by a non-Lakota, Mark St. Pierre), *Walking in the Sacred Manner: Healers, Dreamers, and Pipe Carriers—Medicine Women of the Plains Indians* (New York: Touchstone P, 1995): “The Lakota term *Whope*’ [sic] refers to the embodiment of feminine ideals and is the most descriptive term of White Buffalo Calf Woman according to St. Pierre and Long Soldier (1995). Indeed, these authors stated that the puberty ceremony is ‘so strongly related to Whope’ that it is also known as the White Buffalo Calf Ceremony’. In the Lakota creation story, Whope’ was actually the daughter of the male Sun and the female Moon, and she is regarded as the precursor to White Buffalo Calf Woman. Hence, the identification of the female pubescent with White Buffalo Calf Woman is consistent with the theme of the centrality of a female supernatural [sic] being in the puberty ceremony and the goal of transformation of the initiate into this personage.” In Carol A. Markstrom’s *Empowerment of North American Indian Girls: Ritual Expressions at Puberty* (Lincoln: U Nebraska P, 2008), 321.

⁷⁶ *Pte Skan Wi* appears among other Plains peoples, too, including the Mandan and Hidatsa, who have historically had White Buffalo Cow Woman societies. The German explorer Prince Maximilian of Wied-Neuwied observed such societies in 1834, noting that they were always composed of post-menopausal women. See Tom McHugh’s and Victoria Hobson’s *The Time of the Buffalo* (Lincoln: U Nebraska P, 1979) and David C. Hunt, ed. *Karl Bodmer’s America* (Omaha: Joslyn Art Museum, 1984).

⁷⁷ Walker, 109.

⁷⁸ Ibid., 110.

⁷⁹ Ibid., 111.

⁸⁰ Deloria, “Pageant: The Wohpe Festival, page 2,” accessed online through the Ella Deloria Archive at http://zia.aisri.indiana.edu/deloria_archive on March 2, 2013.

⁸¹ Ibid., “Introduction.”

FIFTH INTERCHAPTER

Lillian Chase, Feb. 26, 1993

Lillian Chase: At one time... This creature you could see his shining eyes and people would run and hide. They would all stay in their tipis. They'd stay in their homes because his breath was bad. At certain times he would go back in the water. On the west side, the Dakotas built a bridge out of great big rocks, you know. They used it for a road. They said whatever that is that comes out from the water would bust up the bridge—three times. Yeah, that's what they said.

Eugene Hale: They said it was a big snake?

LC: Yah, my grandma used to tell a lot of stories because she was just a little girl then and she grew up here.

EH: Where did Devil's Heart and Devil's Tooth get their names? Do you know?

LC: Ahhh. The white people keep saying that—Devil's Heart. They're giving names to them. And then backbone, they say that. Then that big rock [*inyan watanka*] over here. These guys should put that rock up and honor it. They call that the Devil's Tooth. They've been calling it that for a long time, but my grandma said that it is a woman. That stone, that's a woman sitting there. They had a 4th of July on top of that hill. There was a bunch of them there and they were all busy. Then there was this guy and this girl. He must have hit her, so that girl was running away with her baby on her back. She went down the hill and that guy followed her. He was getting close so she sat down like this and, here, she turned into a stone. So he lost his wife there [laughs].

My grandma used to tell me that. So that's a woman sitting there. She had a baby on her back and she made herself into a rock. They should write out a big story about that and honor that rock. Now the white people themselves call it Devil's Tooth and it's not like that. And then there's Devil's Heart. My grandma used to say that it's just a hill.

On top of there a long time ago, when just Indians [Dakotas] lived here, they made a big cross and they put it on top [aside: that was hard to do...]. They said when the thunders came they destroyed it into splinters so that had to take it away. There must be something in there, they said, in Devil's Heart [*Wakan Cante*]. I said nobody should live close to that place. It might blow up [laughs].
My grandma used to tell me a lot of things like that.

At one time over here, a creature used to come out of the lake. This creature, you could see his great, big, shining eyes and people would run and hide in their tipis. The Indians all had to go in. They would stay in their homes, because his breath was bad—poison. Over here, that bridge, three times they fixed it over, because that creature would destroy it.

EH: A long time ago, did you ever see them make horses dance?

LC: Huh?

EH: They said there is a man in Montana who is really good at that.

LC: There was one that did that here. I seen it with my own eyes, because I followed it. You know how kids are, they're nosey. They like to see everything. That's how we were, me and another girl. We followed it. He must not be spiritual [*nina wakan*] because that evening the thunders [*Wakinyan*] came: rain and wind and it was terrible. They said that old man was seen between the two feather mattresses [laughs]. I don't know how true that is, but that's what they were telling.

Well, I seen it. He [the horse dancer] had, I think it was a gunny sack on his head. On his forehead he had a mirror. He had that all over himself. He had four horses that followed. One was Alex Yankton's. The others, I don't know. Those four were on horseback and they're the ones that's supposed to dance. Three of them didn't dance, just the one Alex Yankton was riding. It was dancing real nice, like this [gestures with hand in air, a chopping motion]. That's the only one that danced. The other three, they tried to make them dance, but they got out of hand. Maybe they were scared of him. There were four women. I remember them women, too. There was Mike Yankton's mother and her sister and then Lou Merrick's wife. The last one I don't remember. They all had their hair down and they had red dresses on and they were following the ones who were dancing,

like this [gestures again]. They were following him with small pans, like this. In the meantime they tried to make the horses dance, but they didn't want to. Alex Yankton's horse was the only one that danced. And here there was a woman behind them, too.

This women, her name was Gun [*Mazaka*]. She was on horseback. She had on a red outfit. She let her hair hang loose and she was riding a horse. The horse was kind of jumping around. Something happened and she fell off her horse. Maybe she wasn't supposed to do that. Instead it's supposed to be a man. But still she rode that horse. And then he didn't finish it.

By that time the thunders were coming back, so they had to quit. Everybody started pounding their tents, the stakes down on their tents. It was just awful. That big tent, how do you say that now—big top? It was a big white one that they set up. That's where they were dancing. They were sitting underneath there pounding on a drum. The whole thing fell on them. They said them guys couldn't get out of there [laughs].
[pause]

And then over there by the dump grounds, from there, the other way. The hills go like this some place over there. It goes like that. That's the Devil's Backbone. That rock over there is called Devil's Tooth. They said that's a woman. She ran away from her husband and here, she turned into a stone. [leans in] Long time ago there were a lot of sacred people. They could do anything to you. It was scary. *Kunsi* [grandma] used to tell there's a gang. They gathered on a certain day. They would rub sacred herbs on their arms and legs and they would fly around. They fly around. The ones that are home have to tie a bundle of medicine above their front door. The ones that didn't have those, they raise hell with them. That's what grandma would tell us. It was really scary long time ago.

She said when they were moving camp, there's an old lady that's got an eagle. She has a gift for eagles, that's why they were always together. That bird was lazy. My grandma said 'he doesn't try to fly. He likes to ride horseback, that eagle. He didn't want to fly [laughs]. When they moved camp he would ride on a horse and follow along.' She used to tell me that, whenever the enemy was coming... That eagle would let her know. So they all get ready.

One time she told a story about three lady cousins. The older one said, 'We'll stop here. There's wild turnips all over. We'll get off here and dig out turnips. There were three of them got off. The rest of the family members kept on going. They got off and they started digging wild turnips. One of them stopped and said, 'listen!' There was something making loud noises. They all straightened up. It must be in a coulee. They looked up toward the hills. They saw the enemy on the hills all around then. The young one started to cry. She cried, 'If we make a run for it, we're gonna be dead. They're gonna kill us.'

The older one said, 'don't cry! Whatever I tell you, do it. That's the only way we're gonna live.' So they went along with her word.

She turned them into little rabbits; those small ones, those little gray ones.

She turned them into rabbits. She said, 'Now go hide the tall weeds.' So they did. She turned herself into one and hid, too. She also ran and hid. By that time the enemy closed in, but they were not there. So they started looking for them. They just layed still in the weeds someplace. So they stayed hiding for a long time.

One of them said, 'I don't think there's anybody out there, let's run home.' The older one said, 'Lay still, I'll go up and look around.' In the form of a rabbit she went to the top of the hill. She looked around and didn't see anything and said, 'Come on! There's nobody around.' And they came running as rabbits.

And she turned them back to girls again. 'Just leave the turnips so we could catch up.' When they moved camp they used them poles, you know, to drag their belongings. They left a trail so they would know where they go.

So they followed the trail. My sister, Grace, was sitting here and I was telling that story. She was sitting like this, 'And then what?' And then she's so anxious to hear, I... 'And then what?' I kept on telling that story.

Those girls were running, following the marks on the ground. They ran until they found the camp. The people found a place and they were pulling out their tipis. They were setting up their tipis.

And then Grace said, 'And then what?' she said.

Ya, they got back and then they were gonna tell the chief. He came from someplace. They told the chief what they seen. They saw a war party. 'Stay alert. They might attack.' That was their message.

And then Grace said, '...and then what.'

The chief came out from his tent and then they told him about it. The chief went in he was bringing out his loud speakers and was putting up his loud speakers.

By that time Grace god mad. She said, 'You're just lying to me.'

It wasn't like that, but I just said that, you know. But that's how it was. That's what they said. They took all the women and they put them in the middle of the camp. Some climbed trees. The men were ready for them. They had their bows and arrows. On the tip of the arrows they put poison medicine. They said when you hit somebody they died right away.

Grandma told me those stories. Them are true stories. She always told those stories.

There was one. A man, he went buffalo hunting way up in them big mountains.

He was laying there on one of them hills looking down. He seen a cloud of dirt and, here, that was a herd of buffalo. They were running along the river. There was one. Long time ago there used to one like that. They called them crazy buffalos. You gotta run away from them. They were no good. They're just skinny and they got no hair. They ran in a circle and liked to holler. They called them crazy buffaloes. They're buffaloes, but they're like that. They give the other ones a hard time.

There was one of those in that bunch. That man was laying on the hill looking down. He thought to himself, if he smells me he will charge after me. I think I'll take off back to camp. They said it was out in the flats (prairie), so that man started to run.

He got so far and he had a feeling it might come after him. He looked back. That crazy buffalo was following him,. It would make that noise. This is the sound it makes...

Whooh whooh whooh whooh, my Grandma said.

That thing was chasing him. It was running in circles, coming after him. That thing got close so he took off one of his moccasins and threw it backwards. Where that moccasin landed, that thing started fighting that moccasin. He started to throw that moccasin around. That man had a chance to get a little further away from him.

When that thing got tired of the moccasin he started after him again. When that thing got closer he took off the other moccasin. He stopped again and attacked the moccasin again and gave him a chance to get away again.

When he got through with that, he started after him again. When the runner looked back it was getting closer to he took off his sleeveless buckskin jacket. He threw it backwards. He came there and he fought that a little bit longer.

The man got a distance away.

He looked ahead and saw a big black thing in his path. He said, 'It must be one of those things [crazy buffaloes].' He got scared of it. He just kept on running. That buffalo got finished attacking the jacket and started after him again. His breechcloth is all he had left on.

When that thing got closer again, he threw his breechcloth backwards. They said he continued running. He ran in the direction of the black thing. When he got there that black thing was a big, huge black rock.

That was a big rock, a really big rock. A man could fit in there. It was open like that in the middle of that rock. When he got there he slid in. By that time that thing got there. They said that thing attacked and fought that rock for half a day. He fought that rock. That man stayed there that long. The man got tired and worked his way to the top. He sat on top. He thought to himself, maybe somebody would come after me. And that's the way he was thinking.

By that time Grace came back again. I told her a big lie again.

The man was looking west. A bunch of horseback riders were coming, you know, they were coming after him. The way I told it, I said a whole bunch of motorcycle riders came rumbling after him [laughs].

She was really mad at me.

But they said they came after him on horseback. Horses. Long time ago, way back, the horses were small. That's what grandma said. They called them Indian [*Dakota*] horses. That's what they were. They were small. They were really fast. Everybody had one. They had to, I guess. They all had one of those when they took their man home.

When I said they were motorcycles, Grace got mad.

I have a lot of stories like that, that grandma told.

When I was down at St. Jude's two white men came to see me with some big notebooks. They called me outside. So I went out there. They asked for old stories, Indian stories. I didn't want to tell too much, because they're going to make a lot of money.

When they hear Indian stories they tell it different.

There's one like that over here. His name is Louie Garcia. He came here and wanted stories, way back stories. I was sitting here with Grace. That's when he came. He even showed us some pictures. Way back pictures, a whole bunch of them. I wonder where he got them. He said, 'There's a picture I have. In Tokio I took this around and nobody knows who that guy is.' He said, 'I'll bring it over,' and he brought it over.

As soon as I saw that picture I knew who he was. I said, 'That's Joe Merrick. That's the way he dresses when he's gonna dance.' He wrote his name down right away. He said, 'I took it around in Tokio. Nobody knows who he is there.' He never wears a whole outfit. He only wore a shirt over his pants. He tied a fur thing around here and his breechcloth. That's all he wore when he danced.

Joe Merrick, I used to see him dance a lot of times. Louie Merrick also danced.

There was a big, big dance hall at Woodlake. You know where Rosalie Bear is living? There used to be a big round dance hall. Gee, they used to dance good there. A lot of people danced there. Old White Horse and old... what's his name? And there's Chaske, old man Chaske. He danced, too. Crazy Dog also danced there.

There's one. I can't remember his name. When he danced he takes his cane and rides it like a horse and whipped it [laughs].

Yup.

JC: On this reservation, how many different tribes?

LC: *Isanti* [Santee]. The Santees came here first. They came from South Dakota and settled here first. A man named Ignatious Court was, he was like a chairman. Like what Belgarde is. That was Ignatious Court. He was an old man, but he was a smart man. He was always going to Washington D.C. He kept bringing money back for the people. Ignatious Court.

And then from over here, Fort Yates, the Ihanktowan (Yankton) came. They had no place to go, because Waanatan was the chief, I think. The white people brought some liquor and got him drunk till he passed out. His tribe was pitiful, but he did that. Then the white people made him put his thumbmark on different documents while he was passed out. He didn't know. They did that to him, then they left.

After he came to, the papers were gone. His tribe [*oyate*, "people"] felt bad. Some cried, but he couldn't do anything about it. He told his people not to worry about it. 'The white people are going to take care of us and feed us from a white dish,' he told his people. But there was nothing. They were from Fort Yates, but they're here now. That is Alvina and her family and the ones from Crow Hill. When they all moved here the (BIA) superintendent was already here and...he was passing out land to the Indians. He gave them land to live on, too.

The Waanatan man and Ignatious Court, they never got along. Waanatan was always after Ignatious Court. They didn't get along. Ignatious Court didn't pay any attention to the other guy. He would travel to Washington D.C. and bring money back. I remember. I must've been around 7 years old, 8 years old.

That was when my sister Grace was born; May 2, maybe, 1909. That's when they gave money away here.

On the hill up there, do you remember where the store burned up [by the C.S.A.P. building]? Right next to it there was a little house. Alphone McKay used to live there a long time. That was the office. They blocked off half the door.

Then Ignatious Court and the superintendent passed out money, at that time there was a bunch of white tents in the trees and all over. It looked white all over. The people were standing in a big long line. I was just a little girl sitting there watching. They were giving out checks. I don't know how much they gave out. I was small, so my mother took my check. So, I don't know how much they gave out.

And then in the twenties, it must've been somewhere in there, they gave land, I mean money, out again. We got, I think, \$55.00 apiece. From there it goes on to 1930. In the thirties, I think, they gave out money. That was the payment for Sully's Hill. We all got \$4.00 a piece [laughs]. Louis Good House sold it, they said.

They tried to hit him and gave him a hard time because of that. They even drug him out of the office. At that time below there there was a house,.. That house that's standing by the road (the court house). That was the office at that time. He was sitting in there. There was four women. They went in there and just drug him out. They got him by the legs and drug him out. They kicked him and pulled his hair and scratched up his face and everything.

And here he crawled back in there. They tried to throw him out again, but they didn't.

And then these guys, what do you call them guys that dance? There were two Chippewas who were running that. They used to call them something. A whole bunch came.

Over by Mary Salome's (Hill) they had a dance. Somebody shot at them from the hills. And, here, Roger Yankton was a policeman that time. He grabbed a gun and ran up that hill. When he got to the top of the hill they all ran into the woods. They chased after them, but the woods were too thick. They let them go. And the ones that were dancing, some kind of

outfit...they have a name...what was their name? There's a name for it, but I can't remember. Remember that new jail? They all moved in there so nobody couldn't go near the jail. All the prisoners that were in there, they let them all go. Then they locked all the doors inside. Nobody couldn't go near the jail, because all the ammunition is in there, they said. They were scared to go near the jail. Florence Adams was one!

Was it the AIM? Do you remember that?

EH: No, I wasn't around here.

LC: Oh, Florence Adams was one. Her and who? And then there was Israel Gourd. Uncle Israel was in it. He and Pete, they almost got into a fight.

And then Florence Adams' outfit, they had a protest right across the road. They had a real big pile of tires.

I don't know where they got them from. They started them on fire.

So this way... the smoke was really coming this direction.

So they were doing bad things.

And the next day they all went into that jail and locked it up from the inside.

So everybody was scared to go there,

Because they had all the police ammunition inside, they said. They were scared to go near that jail. They let all the jailbirds go. They sent them all away and then they all went in and took over. Then there was a guy...

That guy that went there and made them open the door, was ah, Sylvester DeMarce, they said.

They said he just walked right to the door and knocked on the door easy... And he talked to them just good so they opened the door for him. For a little while they were doing the wrong things.

And over at the office here, there was a bunch of them up there...
...and the Superintendent was up there, but they were after him, so he
locked himself up in a room.

We went over there that time. We was watching.

JC: How did Crow Hill get its name, do you know?

LC: Let's see [phone rings]...

... a long time ago a crow made a nest.

So that's why they call it Crow Hill [goes to answer phone].

Ya, there's a lot of things [*taku nina*]... But my mind is getting bad. Well
I'm 90 years old and so my mind is getting bad. When I want something, I
go in the other room to get it and I forget what I went in there for.

I was in St. Jude's for a long time, too. I almost died from loneliness, so I
moved back out here. I sold all my furniture, too, so I didn't have anything
when I came back. These things were given to me.

JC: So, is that all then?

[cut]

LC: In October or September, there were a lot of tents. Remember that big
high hill where you barely crawl up there (Sully's Hill)? Right there
someplace, they used to camp there. They piled up wood. They called it
Woodpile. They cut wood and stacked it up like hills, all over. And then
before the snow flies they hauled it toward Crow Hill. So in winter they
used it, all through the winter. They used that for the winter.

That used to be Indian land [*Dakota Makoce*] (Sully's Hill National Game
Preserve). I remember my dad, they used to live in there, mama. They
made their own tent. There was something they called Woodpile. They
stacked the wood on top of each other [makes gesture with hands, one
over the other]. The last thing they did was hauled it home over here in
hayracks, so you could carry lots, you know. They hauled wood. Every
fall they do that. That used to all be Indian land [*Dakota Makoce*], but they
gave it all to the white people.

They took all the good things from us and forced us into a small ground. I don't like this at all, they way we're living now. They put us in a bad way, the white people. All the good land, from Minnewaukan and this way, Dakotas used to live there [points west]. And from Oberon this way, a lot of Dakotas used to live along there [points east]. And then this way towards Sheyenne [points south], I know Frank Demarce and them used to live there. There never used to be anything around here; no wood, no trees, nothing, just grass. Over that way, too [north]. They planted trees all over and now we live in the weeds.

A bunch of old guys, my Papa, Rufus, was one of them. He did his work sitting on the ground. They made them plant all those Christmas trees over there. They planted them too close so they can't grow out. Instead they grow straight up [chuckles]. There were no trees at all. Nothing. Yup. No one lived here at all.

When the school was running, there were only young men and it was very good. They had a carpenter shop and every day they had the young men do something. They had a band, too. When they had the band on Sunday evenings they would clean up the Square Center really nice. Then they would all sit up there and play. And all the young girls would sit around and listen. It was really good then. It's not like that anymore. It's bad now. It seems like you have to look out all the time.

Someone came here one time and I said, "When you look out like that, somebody is looking at you already," I said.

Pasu (Percy Cavanaugh)—Louie Goodhouse used to live over here, somewhere. Pasu, he was living in a shack right below Grace, right below there someplace.

He had binoculars. He adjusted them. He was gonna look in there [toward Louie Goodhouse's] to see what they were doing. He was looking that way. Just then Louie Goodhouse's wife was looking at him [laughs].

Yah... this whole lake used to be ours at one time, they said. One time I heard Belgarde was going to get a lawyer and fight for it, they said. I don't know if he did or not. They claim the lake now, those white people. They don't have any business.

And there's another thing I'm going to tell. Camp Grafton, where those soldiers are, that's only in lease. They're there on lease, that's all. They leased that from Ignatius Court, they said. So he loaned it to them. A long time ago they had Fourth of July there,...the Indians. Three times they had Fourth of July that I went to. I was just a young kid. It was really pretty. Charlie White and Walt Cavanaugh used to take care of it. Then Ignatius Court leased that land out to the soldiers. They he died away. They didn't pay their lease. Just then Ignatius died, so they took it. We should look for that, you know. It all belongs to Dakotas. Nobody looked into it so... it's bad.

And then this school. The school used to be a fort. It was full of soldiers. When they were going to move out, they gave it all to the Dakotas. Dakotas only had tipis. Nobody had a house like this. They all lived in log houses. Then they gave them that. Then the white men took that. I said, "If they fix those up, a lot of these couples that have no place to go could stay there." But they said Louie Goodhouse sold all those good tubs in Belcourt.

There's a lot of things that aren't right, but nobody pays attention to them. In the future if we don't pay rent they'll kick us out and where are we going to go?

JC: Is that it?

LC: Ha [yes]

AFTERWORD

1. National Ambivalences

Translated Nation has examined how Dakota writers interrogated exclusions from US social life, citizenship, and even existence as human, theorizing forms of collective identity and agency as being embodied in a range of social practices, including ceremonies, kinship laws and customs, oral traditions and histories, and creation stories. These writers performed a sovereign Dakota peoplehood as originating in and continuing through kinship relations, often dramatically representing how kinship constitutes an ethics that governs not just (human) personal relations, but relations between humans and animals, and between human beings and the sensual worlds they inhabit.

Kinship thus emerges from the diverse texts presented here as a foundation for Dakota political theory and action, and is most visible as an ethic of gifting and of mutual care—what I have sometimes glossed as “friendship,” but with crucial differences from modern articulations of friendship as fraternity. A Dakota ethics is most clearly represented in Dakota kinship laws that receive their charter in origin stories, as I discussed in Charles Eastman’s adaptations of the Dakota storytelling genre of *ehanna woyakapi*. These laws provided the means with which Dakotas engaged not only with one another, maintaining bonds of solidarity intensively—within the local band or community of close relatives—but also extensively—as part of the confederacy of Dakotas, the *Oceti Sakowin*, or Seven Council Fires. Kinship ethics also crucially formed a means of engaging with US national demands for assimilation and later, incorporation through citizenship, as Dakotas filtered through ethical norms of being good kin those liberal ideals of bourgeois equality, citizenship, and self-determination, as well as the

subjectivities of autonomous individual freedom, that were most significantly expressed in legal form first in the treaty-making period of the middle-nineteenth century, and later in the federal policy of Allotment. Because one could be a good Dakota to one's kin while at the same time being a good, or least nominal, American citizen, I have also sought to show that kinship was often a muted form of political resistance, one marked by a nuanced and vexed engagement with liberalism.

My approach to the texts I have read over the course of these chapters—some of which are more self-consciously “literary” than others, such as Eastman's children's books, political tracts, and Deloria's novel, *Waterlily*—have placed into conversation what I and others have identified as the key terms for Native survival and self-determination: land, language, treaty, and kinship. Drawing this constellation together is an ethics of friendship that is more pointedly an ethics of kinship and of survival, ethics which appear most crucially in oral traditions. Dakota historian and activist Waziyatawin Angela Wilson describes how *okiciyaka unyanpi* (oral tradition) is not simply a repository for cultural knowledge, but is “an interpretation of the past that becomes active only when a relationship has been developed between a storyteller and a listener.” This relational quality of Dakota history, she argues, “distinguishes it markedly from the Western academic historical interpretations of the Dakota past, which rely largely on documents written within the framework of the Western-European worldview.” Wilson's privileging of the oral as a location for Dakota relationships and cultural survival is certainly appropriate. Not only is the relationship between storyteller and listener crucial as an ethical performance, as what we might call a formal setting for the enactment of ethics, but the content of stories likewise enable cultural transmission and survival even

in cases of traumatic removals from homelands. While the various bands of Dakota have occupied relatively the same territories for at least the past two hundred years, many other tribes have not, but have, as Louis Owens has asserted, through dispossession and relocation “move and in doing so, carry with them whole cultures within memory and story.”¹ Refusals of the tragic, these memories and stories speak to radical transformations without nostalgia.

I’ve characterized some of these radical transformations, their embodied and written locations for ethical and political engagement, through the trope of translation, a term I’ve used to describe generally a movement across boundaries of difference in ways that preserve rather than annul difference. The translations that Dakotas performed under US colonialism, some of which took the form of actual textual translation (as with treaties and missionary’s bibles) and others which involved negotiating the subjectivities promoted by the US government, tended to underscore and maintain the distinctiveness and validity of Dakota truth systems, engaging the dialectic of modernity and tradition in ways that kept both terms of the dialectic in play. I positioned Dakota writers’ translations between social and political formations as a polylogue, in part as a response to critics of cultural nationalism who want to jettison the term of “nation” because of its frequent linkages with an essential “culture” or “tradition.”

Notably, Aijaz Ahmad criticizes in his work *In Theory* (1992) this equating of nation and culture, “whereby all that is indigenous becomes homogenized into a singular cultural formation which is then presumed to be necessarily superior to the capitalist culture which is identified discretely with the ‘West,’ and the tradition/modernity binary, whereby each can be constructed in a discrete space and one or the other is adopted or

discarded”² While the indigenous/capitalist and tradition/modernity binaries that Ahmad identifies here are precisely the ones which concern me in my readings of Dakota authors in this dissertation, it is not because they are the necessary accomplices of cultural nationalism. Rather, I find in the Dakota examples reveal a species of nationalism that, indeed, draws on “cultural” materials as well as posits Dakota peoplehood as a totality and site of anti-imperialist resistance. But these examples and authors do so in ways that escape the view of Ahmad’s version of Marxism, and its “struggle...against the nation/culture equation...and the tradition/modernity binary” might recognize.

I have read a deep and constitutive ambivalence at the heart of cultural performances on both sides of the colonial encounter. However, what Dakota kinship ethics imparts to Dakotas wrestling with such ambivalence is a capacity for multiplicity and for an inclusive stance toward the other that doesn’t domesticate the other, doesn’t annihilate her difference. This is the upshot of “peace” that Dakotas negotiated in treaties, and its ethics of inclusive kinship, literalized through the Dakota *hunka* or adoption ceremony, is distinct from either hybridity or just a perpetual vacillating between cultural poles.

The philosophical and political throughlines of Dakota kinship ethics stabilize and makes sense of the outward appearance of vacillation, revealing such vacillation or ambivalence to then be different from hybridity in important ways. Arnold Krupat in *Ethnocriticism* (1992) asks whether “one might..., in consideration of tribal narratives old and new, say: what if we told the story *this* way, or spoke conditionally of it *that* way, where these ‘ways’ are neither tragic nor comic, not romantic or ironic, but, to adopt Gerald Vizenor’s term, *mixedblood* narrative forms.”³ Krupat tries to evoke these

“mixedblood” forms by interrogating an ethnographic case: that of the Mashpee Indians of Cape Cod who in 1976 brought suit for federal recognition as a tribe. Using James Clifford’s account of the trial, Krupat argues that Clifford’s conclusion about the trial, and indeed about the process of recognition, results in a perplexing either/or. Despite or because of its unfortunate framing of Mashpee identity between the poles of “Indian” or “American,” tribe or not-tribe, the real story of Mashpees, according to Clifford, “was a series of cultural and political transactions, not all-or-nothing conversions or resistances.”⁴ In reply, Krupat asks whether there is “then *no* single story appropriate to Mashpee transactional or relational identity,” and whether “one can do nothing but oscillate and *veer perpetually* to do justice, at least representationally, to the Mashpee?”⁵ In keeping with his structuralist approach, he conjectures that one such “single story” may lie in Wampanoag story forms or “the paradigmatic structures of Wampanoag narratives.” Rather than wagering the existence of something like authenticity on such structures, though, Krupat places them within his theorizing of an ethnocritical practice where newness enters the world not through “being caught between,” but through a kind of cosmopolitan or committed relativism, “as freely choosing a commitment to the production of whatever narratives—and it is impossible to predict with any accuracy the forms these will take—may serve to tell the emerging story of culture change today and in the future.”⁶

The outward appearance of hybridity, which can also seem to an outsider like cultural confusion or an everything-goes cosmopolitanism, begs the question: does peoplehood survive all this back-and-forth? It’s a question addressed compellingly in Melville Herskovitz’s 1937 study of Haiti, *Life in a Haitian Valley*, where this vacillation

signaled for him a unique psychology created by colonialism. Herskovits was trying to account for the multiple influences on “the Haitian Negro”—Europe and Africa, Catholicism and *vodun* intersect and intertwine within the Haitian individual “who must meet the demands of two traditions which, in many aspects, are in anything but accord.” Herskovits’s term for this meeting and commingling which is the cultural equivalent of linguistic code switching is socialized ambivalence, and his lengthy definition of it is worth quoting in full:

The kind of adjustment that seems to dominate may perhaps best be called *socialized ambivalence*, since, more than any other phrase, it describes this tendency to manifest those rapid shifts in attitude toward people and situations that character the responses of the Haitian peasant to such a marked degree that the same man will hold in high regard a person, an institution, an experience, or even an object that has personal significance to him, and simultaneously manifest great disdain and even hatred for it. . . . In its broader implications, as a matter of fact, it is entirely possible that this socialized ambivalence underlies much of the political and economic instability of Haiti, so that, arising from a fundamental clash of custom within the culture, it is responsible for the many shifts in allegiance that continually take place, as it is for the change in attitudes in everyday association.⁷

It would be easy enough to read this ambivalence as creating either a Haitian hybrid or, more dismally, a disabled Haitian subject: one permanently arrested by an interior war, the result of having “fallen heir to conflicting traditions.” Avoiding a racial explanation (“racial psychosis” that is the result of “living on nerves”), Herskovits argues that a hybridized newness emerges at the level of culture from this inheritance, one within which “the elements of the contributing cultures” have been “revamp[ed] and recombin[ed]” so that “the ensuing combinations, though of recognizable derivation, differ from their aboriginal forms.”⁸

Like Herskovits, I have tried to privilege the ambivalence of the Dakota authors I examine as an enabling quality, a political practice that is also a philosophical orientation

toward negativity. When Eastman vacillates, he also dodges, remaining elusive within the imperial binary that would have locate and fix him precisely as being all civilized or all savage. This vacillation ties obliquely, then, to what I have called a temporality of the pause, which is the deliberate suspension of activity for the sake of upholding a logic of limitation, of sufficiency. In the moment of suspending activity and movement, which may also signify a moment of not-taking, as in several of Eastman's animal stories, pausing marks a relief from capitalistic accumulation. Unlike Herskovits, though, I have found that "the ensuing combinations" or older and newer cultural forms is not always or necessarily marked by difference from those "aboriginal forms," especially in the moral laws that govern interpersonal relations among kin.

My readings of Dakota authors, and their tellings and retellings of Dakota narrative old and new, have emphasized that one common "way" of telling a story as a Dakota is to do so as an affirmation of one's kin and their historicity, and that even if one does so in the midst of other narrative frameworks of dominance (like Eastman's use of "wild Indians" and "savagery"), kinship remains. It remains because there are still Dakotas who remember not only who their relatives are, but how those relatives should be properly addressed, regarded, cared for. And kinship remains, in affective bonds and daily, observed laws of interaction, through its engagement with frameworks of dominance, having been sharpened by that engagement and through the irony its losses and suffering have required.

2. Rewriting Sovereignty

The uniquely Dakota form of nationalism I see as emerging from ambivalence, and as inhering in cosmological and ethical forms of kinship, provokes a categorical reframing of other key terms that derive from the Euramerican nation form. As Robert Warrior puts it, the project of developing a theory of Native American literatures that is responsive to categories like “sovereignty, self-determination, tribal and process” ought to “recognize that these words are problematic in spite of continuing to carry a certain political, emotional, and critical force.” He continues:

This is perhaps most true of sovereignty, a term from European theological and political discourse that finally does little to describe the visions and goals of American Indian communities that seek to retain a discrete identity. To simply abandon such terms, though, risks abandoning their abiding force and utility.⁹

I take the “abiding force and utility” of the term of sovereignty, especially, to be evident from its continuing centrality in deciding Native peoples’ legal claims of various kinds. That is, while political (statist) sovereignty may continue to be an inescapable category that is used both for and against Native American peoples’ struggles for self-determination in the present-day United States, its “abiding force and utility” need not foreclose other constructions and construals of sovereignty and politics, indigenous or otherwise.

In order to evoke these alternative theories and practices of political power, I have argued that Dakota notions of gifting contain within them a temporality that is distinct from that of the capitalistic “empty homogenous time” of the nation-state. I see this Dakota temporality as being grounded, first of all, in a ceremonial calendar that corresponds to traditional seasonal movements of Dakota bands in pursuit of buffalo herds. A rather literal grounding, then, in the relational networks between human and other-than-human peoples, gives rise to a view of time as being itself relational. But

Dakota temporality is also importantly grounded in what I have called “the pause”—that marking-off of narrative and economic sufficiency, seen literally in the telling of *hitunkapi* tales over many winter nights and, figuratively, in their interrupting the “progressive” temporality of US capital and colonial expansion.

My use of “interchapters” that are narrations by elders from the Spirit Lake Nation has formally enacted this sense of pausing, not for the sake of etiquette, perhaps, but hopefully to allow readers to reconsider words and their force in the act of remembering—and occasionally misremembering or forgetting, too—a shared past. As the interchapters suggest, kinship is a guiding trope which is equally important, if not moreso, to that of translation. The imaginative works of Charles Alexander Eastman, Ella Cara Deloria, and Nicholas Black Elk emphasize forms of kinship and solidarity that are not based on violence and warfare, but on maintaining proper social relations through practices of giving and receiving. Even in cases of ritual sacrifice, as in the Sun Dance and Horse Dance, the tendency is for ritual sharing to transgress boundaries of difference, rather than affirm or strengthen them. The ritual specialist in the Horse Dance, for instance, by invoking the fear-inspiring western powers or thunder beings called *Wakinyan*, may then appropriate some part of their power, and in this act of appropriation, transform his own fear into courage. He may then share this power of courage-making with others, even with non-Dakota others, as Black Elk did in his mock-ceremonial performances for white tourists. What has emerged from my readings of the Dakota authors in this dissertation are particular techniques—for bodily performances of many different kinds of ceremonies, for hunting deer, for feasting relatives, and so on—which among them constitute ethical knowledge.

Put somewhat differently, the Dakota theory of kinship is an ethical *techne* that places a premium on sharing power, rather than on maintaining ontological distinctions between self and other, us and them, and does so in ways that do not necessarily imply violence (not even the implicit violence of a broadly inclusive view of kinship, which says “become one of us...or else!”). This insight has led me to interpret the ritual sharing of a ceremony like Black Elk’s Horse Dance as an inclusively Dakota mode of nationalism, through which individuals do not dissolve their roots at home, but rather by becoming *more* rooted, in the moral truths of a Dakota community, may extend kinship non-violently to others so that they may be healed of their own national (and imperial) attachments.

Both the chapters and interchapters in this book confront the problem of Dakota Progressive Era writers and intellectuals asserting what Taiaiake Alfred calls “prior and persistent indigenous power” within the context of ongoing US colonialism. This has meant taking an approach that focuses on the vexed relationship between Dakota people and state sovereignty. Dakota people have survived—as individuals and as peoples—within discursive structures and material circumstances that can only be described as repressively colonial. These structures include, most basically, being recognized by the US federal government as historically-continuous “tribes,” a concept that is itself bound up with racial constructs of individual identity based in blood quantum. But the discursive framing of Dakotas as hostile to the advances of white American civilization, and the Congress’s abrogation of treaties made between the US government and Dakotas, all clearly serve as well the projects of dispossession, ethnocide, and genocide.

I have tried to highlight the survivals of Dakotas as a *people*, as the *Oceti Sakowin*, through my focus on shared frameworks of ethical meaning, drawing as clear a line as I've been able to distinguish these practices from the sovereignty of the settler state. I have done so at the peril of being charged with some form of essentialism. Against that charge, I would like now to direct a few thoughts on how my readings of the ethical continuities depicted and deployed by the Dakota authors in this volume may challenge any simple notion of essentialism, and especially in relation to Dakota peoplehood. My hope is to think how Dakota peoplehood may be thought as inclusive, rather than fundamentalist and exclusively-bounded. I will close with some thoughts on the relevance of such a conception of peoplehood for thinking post-imperial values.

3. Peoples, Unbounded

In a chapter from his recent work, *The Future as Cultural Fact* (2013), titled "My Father's Nation," Arjun Appadurai places such questions of nation, blood, and kinship into the intimate context of his own family. While the purpose of his chapter is not to rehearse all the arguments that discredit what he calls "primordialist" approaches, or those approaches that tend "to account for newer and larger attachments by reference to older, smaller, more intimate ones, usually conceived in terms of blood and kinship," Appadurai's linking of narratives of purity, kinship, and the nation is nonetheless quite typical of a transnational critique of nationalism. This critique, which highlights the violent tendencies of such linkages, is also different enough from my own sense of how kinship and nationhood have appeared in late nineteenth- and early twentieth-century Dakota contexts that it deserves further reading and reply.

At the heart of a transnational critique of nationalism is the nationalist's tight linking of the nation with a sense of peoplehood, and peoplehood, writes Appadurai, "whatever the mix of *volkisch* elements involved in any particular case, depends on some sense of kind that is bounded and distinct."¹⁰ These boundaries of "some sense of kind," or senses of difference, are nearly always racialized. Indeed, he asserts, "since this sense of distinction has to cover large and complex spaces, it cannot avoid some racialized elements, and these racialized elements can and do become, under various conditions, mobilized as racism." Where Appadurai is concerned with reminding us that the ties between nation, ethnos, and race are violently exclusive before they manifest as overt forms of violence, other scholars like Scott Lyons in *X-Marks* (2010) have pointed out that race, or a logic of blood, is just one logic of purity among many, including linguistic and cultural ones, and that "culture cops" exist in Native communities as surely as they do outside of them. For this reason, Lyons quips that the notion of cultural purity stems problematically from the "problematic peoplehood paradigm" that is problematic for the fictions of purity that it holds to as being anything but fictive.¹¹

It's not my intent to question such a critique on the whole, since the fact of nationalistic violence as a function of purity narratives is everywhere evident, including of course the civilizational rhetoric so powerfully and dreadfully mobilized during the late nineteenth-century United States, which conflated a racialized whiteness with Christian morality, property ownership, and the nucleated family. But the implication that there is a *necessary* link between violence and notions of kinship, or that there is something like a universal form of kinship that is necessarily attended by violence, does need to be queried. As Appadurai continues to tell the story of his father, he describes in

compelling but also problematic ways the “inner affinity between nation, ethnos, and race” that emerges during times of social stress, and as an imagined extension of the (biological) family:

This inner affinity returns us to the question of blood, sacrifice, and war, by invoking the idiom of the shedding of blood, modeled as sacrifice, in just wars, usually in preparation for real or imagined defense of the national body and national soil, modern states are able to rewrite the family as a site of consanguinity and blood becomes the site both of purity and of connectivity. The strength of the metaphorical power of blood, so far as the nation is concerned, is that it connects the idea of the ethnos to the idea of the people and the soil, through the many languages of purity. It is thus no accident that in the era of globalization, we have witnessed a new concern with ethnic cleansing or purification, since the idea of blood allows an endlessly varied repertoire of ways to connect family and sacrifice with the fear of a contaminated national ethnos.¹²

The turn towards ethnic violence “in the era of globalization” becomes unsurprising as a retrograde form of community-making in part because of the ease and speed with which digital images of “a contaminated national ethnos” now circulate, but also because the movements across borders of various kinds, and particularly those literal border-crossings of migratory laborers, awakens recidivist urges to assert fictional boundaries of supposedly ontological difference. Appadurai’s fixing on the family as both source and target domain for narratives of blood purity, a purity that he insightfully observes may be a powerful source of exclusion and connection, or perhaps most commonly, of a “connectivity” that is exclusive in fundamentalist ways, is useful as a point of contrast to the inclusive theory of kinship that Dakota authors deployed.

By turning to Dakota literary productions as performances of what we might call an ethical sovereignty, in which political power derives from and is held responsible to the demands of human and non-human kin, I have aimed to provide more than just a Dakota rung to the ladder of Native literary nationalism. I have certainly drawn

inspiration from the critical approach that emerged in the 1990s among writers like Elizabeth Cook-Lynn, Craig Womack, and Robert Warrior. Their work positioned Native intellectual and philosophical traditions as the crucial basis for reading Native literatures, and demanded an orientation toward what Cook-Lynn called “the defense of tribal sovereignty and indigenusness.”¹³ In part, this first wave of Native literary nationalism aimed at a reclamation of Native lifeways via literary texts, and relied on a notion of Native nationalism as deriving from more or less clearly bounded conceptions of peoplehood.

I find that peoplehood has, however, a messy way of bleeding into other categories—ones like “the nation,” especially—in ways that challenge the asserted clarity of its boundaries. Given this intertwining, another of my purposes has been to recuperate and reinvest with new ethical and political possibility the term of the “nation,” a term that the Dakota authors I read used sparingly, if at all, even though it is now a commonplace among US indigenous critics. The frequent appearance of indigenous nations, designated as such, in contemporary discourse is a demand, voiced in the language of states, for recognition of historical treaty relationships and rights. But it is also an assertion of community that is philosophically distinct from, yet politically equal to, the imagined community of the nation-state. It is in this second sense, where Native “tradition” becomes the cohering force of peoplehood, that Native nations in the US have historically been most vulnerable to liberal charges of insularity, essentialism, exclusion.

Further vexing the notion of peoplehood is the fact that kinships of all kinds are now punctured by global circulation of capital. In the fall of 2012, leaders from the Rosebud Sioux Tribe, the Crow Creek Tribe, and Shakopee Mdewakanton Sioux Tribe,

gathered together under the historical name for the confederacy of Dakota, the *Oceti Sakowin*, or Seven Council Fires, orchestrated the purchase of the sacred site *Pe' Sla*, in the Black Hills of South Dakota. Rosebud Chairman Cyril “Whitey” Scott called the \$9 million purchase of lands “a historic day in Indian Country,” describing part of its magnitude as consisting in the declaration of restored bonds between Dakota communities that had been politically separated since the late nineteenth century. “We are coming together as the Great Sioux Nation,” he said, “We are one. No tribe will be left behind. The last time we had gathered as one was during the Battle of Little Bighorn. Today we are all back together as one.”

Such a declaration of solidarity is optimistic and timely in terms of reconsolidating sacred places historically occupied by Dakota people. And yet, what the *Pe' Sla* purchase strongly suggests is a capitalist addition to the playbook of tribal sovereignty, where money becomes a means—maybe a key means—to recovering ancestral lands that have important historical and ceremonial meanings for Native nations. The economic deployment of the *Oceti Sakowin* concept suggests new forms and ends that tribal cooperation might take. While some were critical of the purchase on the grounds that *Pe' Sla* is part of Lakota territory guaranteed by the Fort Laramie Treaty, so that Lakotas effectively were buying back their own property, I find the buy-back to be an intriguing instance of mobilizing capital to tribally-specific ends, effectively domesticating capital toward ethical ends of ceremonial Dakota and Lakota use. This is probably not a process that can or ought to be repeated many more times, though, not only because of the extreme drain on tribal resources (*Pe' Sla* cost the Dakota tribes involved \$9 million), but because of the criticism of complicating treaty relations and

allowing the dollar to serve as a proxy for sovereignty. Even more recently, the Lakota sacred site of Wounded Knee, where US Army troops massacred members of Chief Big Foot's band, was threatened by privatization. Writing in an April 11, 2013 op-ed piece, Joseph Brings Plenty, a former chairman of the Cheyenne River Sioux Tribe, described how the 40-acre Wounded Knee site "passed from the Oglala into private hands through the process of allotment," and how the private owner now "wants to sell it for \$3.9 million."¹⁴ As with the Pe'Sla purchase, Brings Plenty's appeal for help focuses on the possibility of recovering (and remembering) Wounded Knee as sacred ground, but does so entirely within the realm of the market economy.

These buyback efforts suggest some of the successes and complexities facing Native peoples in the contemporary United States. On the one hand, Pe'Sla demonstrates the historical persistence of the Dakota confederacy as a political ideal and entity that is still very much capable of generating emotional attachments and obligations for its members. And yet, as struggles to reclaim lands, memories, and ceremonial relationships become ever more deeply entangled with capitalist forces, we might rightly and seriously wonder about how such transactions inflect and infect our ideas about land. Should money be the final arbiter of claims to a place like Wounded Knee? What is the place, the relative value, or other sorts of claims, such as ethical ones made in the name of a historically continuous and powerful Native people? What are the discursive and geopolitical boundaries of such a people, of such a peoplehood, and how might a reconsideration of those boundaries challenge a secularist, transnational critique of peoplehood as tending inherently toward violence?

To return once more in closing to Eduouard Glissant's notion of the detour that I invoked in Chapter 2 as a figure for the political resistance of Dakota prisoners: the history of the Dakota encounter with these questions and issues I have given suggests that, beneath the sign of capital and its assimilationist ideals in the nineteenth century US, there is a striving for other meanings, meanings largely illegible to those in the dominant culture. Ella Deloria's scorn for the "liberal bargain" of assimilation, taken at the expense of keeping one's obligations to Dakota kin, registers something of this striving. Charles Alexander Eastman's ambivalence underscores even more powerfully the possibility of a subject who refuses any choice framed by the either/or of assimilation's logic. Rather than renouncing his Dakota attachments, sensual and interpersonal, he kept both Dakota and US identities in play, vacillating between the subject positions that had been so clearly traced by US law: Indian and American, savage and civilized. Beneath the skin of this vacillation, though, lay a commitment to the quite emplaced values of Dakota relationality.

¹ Louis Owens, as quoted in Daniel Heath Justice's "Go Away, Water!: Kinship Criticism and the Decolonization Imperative," 163.

² Aijaz Ahmad, *In Theory* (New York: Verso, 1992), 9.

³ Arnold Krupat, *Ethnoscriticism: Ethnography, History, Literature* (Berkeley: U California P, 1992), 119.

⁴ James Clifford, *The Predicament of Culture: Twentieth Century Ethnography, Literature, and Art* (Cambridge: Harvard UP, 1988), 342.

⁵ Krupat, 117.

⁶ *Ibid.*, 126.

⁷ Melville Herskovitz, *Life in a Haitian Valley* (New York: Alfred A. Knopf, 1937), 295.

⁸ *Ibid.*, 297.

⁹ Robert Allen Warrior, *Tribal Secrets: Recovering American Indian Intellectual Traditions* (Minneapolis: U Minnesota P, 1995), xxi.

¹⁰ Arjun Appadurai, *The Future as Cultural Fact: Essays on the Global Condition* (London: Verso, 2013), 104.

¹¹ Scott Richard Lyons, *X-Marks: Native Signatures of Assent* (Minneapolis: U Minnesota P, 2010), 143-44.

¹² Appadurai, 104.

¹³ See for instance Craig Womack's *Red on Red: Native American Literary Separatism* (Minneapolis: U Minnesota P, 1999), Jace Weaver et al., *American Indian Literary Nationalism* (Albuquerque: U New Mexico P, 2006), Craig Womack et al., *Reasoning Together: The Native Critics' Collective* (Norman: U Oklahoma P, 2008), Elizabeth Cook-Lynn, *Anti-Indianism in Modern America: A Voice from Tatekeya's Earth* (Champaign: U Illinois P, 2001), 25.

¹⁴ Chief Joseph Brings Plenty, "Save Wounded Knee," accessed online at http://www.nytimes.com/2013/04/12/opinion/save-wounded-knee.html?hp&_r=0 on April 12, 2013.

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