

Editor's Introduction

The rules of legal culture rule out tribal stories and abolish chance in favor of causative binaries.

—Gerald Vizenor, *The Heirs of Columbus*

European settlers built the post-1492 Americas on stolen Indian land with stolen African and Indian labor. The very European name “Americas” marks the moment of the beginning of this institutional theft. The United States is no exception. Where the Spanish invaded and settled in North America, stolen Native land and labor were part and parcel of the same violent movement to dominate Native territory and labor through a system of *encomiendas* and *repartimiento* (Weber 124–26; citations in this introduction can be found in “Works Cited” at the end of part I).¹ The Catholic Church joined the state in playing a significant role in this violence. The Pueblo Revolt of 1680 was a rebellion against this system, which also included the suppression of Native spiritual practices by the Church. After the Spanish reconquest of the Pueblos between 1692 and 1696, the Indians found ways to create spaces for these practices under a somewhat chastened Spanish regime, which also began issuing grants to the Pueblos for their lands, thus recognizing them as communal freeholders. In their quest for colonial domination, the British and subsequently the United States never accorded such recognition to Indian communities.

The patterns of exploitation in the British Americas and particularly in what would become the United States and Canada varied from the Spanish design. In the United States, the focus of this volume, control ranged from the antebellum period plantation system in the South, worked largely by the slave labor of Africans, to the smaller freehold farms of the Northeast and the Ohio Valley. But whatever the form of labor needed to work the land, farm, or factory, invading European settlers, with the implicit and explicit—that is, *legal*—support of the federal government, stole the land itself from hundreds of Indian communities (tribes or nations): Wampanoag, Narragansett, Pequot, Micmac, Passamaquoddy, Niipmuc, Mahican, Mohican, Anishinaabe (Ojibway, or Chippewa), Cayuga, Seneca, Onondaga, Oneida, Tuscarora, Mohawk, Seminole, Cherokee, Chickasaw, Creek, Choctaw, Piankeshaw, and Potawatomi, to list only a few in order to suggest the legibility of all. The invasion and theft of land, and the genocide that accompanied it (see Thornton), extended into the trans-Mississippi West after the signing of the Treaty of Guadalupe Hidalgo in 1848—the result of the U.S. imperial war with Mexico—and intensified after the Civil War. In the western as in the eastern arena, with civilian pressure for land supplying the impetus, the military waged a series of pre-emptive wars, marked by the use of terrorism against noncombatant Indian populations (women, children, and the elderly). As the historian Richard Drinnon has argued, U.S. imperialism did not begin in Vietnam (and certainly not in Iraq), but has its roots in the Puritan wars against the Indians and the Anglo-American policy of wars of dis-

possession that developed from the first colonial settlements. Acoma poet Simon J. Ortiz rehearses this history and its repression with a powerful reticence in his long poem *From Sand Creek*, memorializing the slaughter on November 29, 1864 of “105 women and children and 28 men” (n.p.) by the Colorado Volunteers of Colonel John Chivington:

In 1969
XXXX Coloradans
were killed in Vietnam.

In 1978
XXXX Coloradans
were killed on the highways.

In 1864
there were no Indians killed.

Remember My Lai.

In fifty years,
nobody knew
what happened.

It wasn't only the Senators.

Remember Sand Creek. (15)

As in the East and South, Native armed resistance was strong in the West. From the 1850s until the massacre of Sioux at Wounded Knee in 1890, the U.S. military fought a series of wars and implemented or condoned massacres of southwestern, northwestern, California, and Plains tribes: Navajo, Apache, Modoc, Miwok, Comanche, Kiowa, Cheyenne, Sioux, Nez Perce, Crow, Assiniboine, Blackfeet, and Paiute, again, to name a few in order to suggest a multitude. But ultimately armed Native resistance, largely decentralized except for temporary pantribal organizations, was overcome by the invading forces of the nation-state. Demographics certainly played a part. From 1492 onward, Native populations in the Americas decreased radically while European populations increased at the same or greater rates. From a Native population in what would become the continental United States estimated by the Cherokee demographer Russell Thornton at between four and five million at the time of the Columbian invasion, there remained 250,000 to 300,000 Indians by the end of the nineteenth century due to war, cultural attrition, and disease. While there was an inoculation for smallpox, first used in Boston in 1721, the English, who used smallpox-infected blankets as weapons of biological warfare against the Indians, did not make the controversial cure available to stricken Native communities; and vaccination, developed at the end of the eighteenth century, was not made available to them in the United States until the end of the nineteenth (Thornton 78, 82). The increasing efficiency (deadliness) of Western military technology also hastened Native armed defeat, particularly when coupled with the discrepancy in numbers.

The organization of Native society in decentralized extended kinship communities, governed through a system of egalitarian consensus, worked against focused armed resistance, even as it worked for social and natural balance in everyday life, in ways that the West has

failed to grasp as it sinks deeper into environmental and social crises. Also, there were hundreds of tribes, culturally diverse, speaking hundreds of different languages, making transtribal organization difficult at best. Nevertheless, from the late seventeenth-century Pueblo Revolt, to the simultaneous Wampanoag/Narragansett resistance to the Puritan military, to maroon resistance (the joining of escaped African slaves with Native communities), to the Iroquois confederacy, to the rebellions of Pontiac and Tecumseh in the mid-eighteenth and early nineteenth centuries, to the Sioux/Cheyenne resistance against the U.S. military in the 1860s and 1870s, Indian communities managed alliances with one another in order to deal with imperial invaders both militarily and diplomatically. Although, for the most part, armed warfare between Indian nations and the United States ceased after the Seventh Cavalry massacre of Big Foot's band of Lakota Sioux at Wounded Knee in 1890, transtribal alliances in the form of political action groups such as the Congress of American Indians and the American Indian Movement have been an important part of the political landscape in Indian country throughout the twentieth and into the twenty-first century.

What needs to be emphasized about the European invasion and colonization of the Americas is that it began and continues under the name of law. Writing in the 1830s, the era of the forced removal (ethnic cleansing) of eastern tribes to the trans-Mississippi West, Alexis de Tocqueville put it succinctly: "It is impossible to destroy men with more respect for the laws of humanity" (I:355). The engine of this destruction was federal Indian law. And it is federal Indian law that today maintains the colonial structure of Indian country. In *Cherokee Nation v. Georgia* (1831), Chief Justice John Marshall grounded this structure in the Commerce Clause of the Constitution, which gives the Congress the right "To regulate commerce with foreign nations, and among the several States, and with the Indian tribes" (Article I, § VIII, ¶ 3). Some contemporary scholars have pointed to the fact that this one clause in the Constitution is at best shaky ground for justifying the "plenary power" of Congress in Indian affairs, a power that, accumulating over the years through congressional acts and Supreme Court decisions supporting and elaborating those acts, has extended federal control over Indian lands and Indian self-governance.²

Through an essay by Eric Cheyfitz on the intersection of U.S. federal Indian law and U.S. American Indian literatures, followed by a set of genre essays covering fiction (Arnold Krupat and Michael Elliott), poetry (Kimberly Blaeser), drama (Shari Huhndorf), nonfiction (David Murray), and autobiography (Kendall Johnson), the two aims of *The Columbia Guide to American Indian Literatures of the United States Since 1945* are to provide readers familiar with these literatures a specific political context within which to read them, in line with a paradigmatic shift taking place in the field of U.S. American Indian literary studies; and to introduce new readers to these literatures within that context. Cheyfitz defines the shift as one from an ethnographic-formal approach, which characterized the earliest phase of Indian literary studies, from the 1970s until approximately 1990, to a (post)colonial approach, for which the history of U.S imperialism sketched in the opening paragraphs of this introduction is the ongoing context. As Cheyfitz explains, the "post" in "(post)colonial" is in parentheses because while Indians became citizens of the United States by an act of Congress in 1924, tribally enrolled Indians simultaneously remained citizens of colonized tribes. This dual status is the status quo today. The essays that follow, then, are intended to construct a literary history of U.S. American Indian literatures that understands them as primarily responsive to colonial situations. At the intersection of culture and politics, these are literatures of resistance and liberation.

As a history, the *Columbia Guide* is necessarily a representative rather than a comprehensive project. The contributors to this volume cannot claim to present here all the significant *Native* writing since 1945 (an impossible task in any event, given the rich abundance of this writing); but rather, through the use of examples, to suggest a historical-theoretical framework or frameworks within which to read U.S. American Indian literatures of or related to “Indian country.” As Cheyfitz explains in his essay, while all American Indians are Native Americans, not all Native Americans (Native Hawaiians and Alaska Natives, to be specific) are Indians. Thus, the use of “Indian” rather than “Native” to modify “Literatures” in the title of this volume points to its primary focus on the citizens of and the exiles from “Indian country,” a legal term used to designate the land held in “trust” by the federal government for the 334 federally recognized tribes in the lower 48 states (*Federal Register*, vol. 67), those individual Indian allotments also held in trust, and any Indian communities that do not have a land base but are still federally recognized, which is relatively rare. Indian country is predominantly composed of reservations (tribal lands held in federal trust). It is in relation to Indian country that the critical mass of U.S. Native written literatures has been developed in the twentieth century by both tribally and non-tribally enrolled Indians.

In discussing examples of Indian writing³ within the (post)colonial framework, this volume also suggests how indispensable a knowledge of this literature is for understanding the cultures and histories of the United States in its local and global contexts. For U.S. American Indian writing, in its explicit narratives and implicit references, gives a thoroughgoing critique of the violence of post-1492 European history, which has brought us to the local and global environmental and social crises of today. This writing also offers alternative visions to the violence, *if we pay attention*. We offer the *Columbia Guide* as one way of paying attention.⁴

Notes

1. Weber notes: “The *encomienda* never took root in southeastern North America” (125), but the system of *repartimiento* (forced labor) did. The *encomienda* itself represents the first “trusteeship” of Native lands in the Americas, in which tribute was collected from the Indians. And while it was against “Royal policy” for the Spanish to settle on “native land,” this policy was breached in practice (Weber 125). The “trust” relationship devised by the U.S. government, under which title to Native lands in the lower forty-eight states is held by the federal government, might be usefully understood as a form of *encomienda*. I discuss the “trust” relationship in part I of this volume.

2. The legal history of the recent Supreme Court decision in *U.S. v. Lara*, which upheld Congress’s authority to reverse a prior decision (*Duro v. Reina*) through legislative amendment, raises questions about the constitutional limits of the “plenary power” doctrine and about whether or not Congress’s “plenary power” is located in the Constitution or is a matter of federal common law.

3. It is necessary to note that when we refer to U.S. Indian writing or Native “literatures” in this volume, we are referring to writing in English; for from the time that the Cherokees adopted Sequoia’s syllabary for their language in 1821, various U.S. Indian tribes have transliterated their Native languages into orthographies for the purpose of creating reading materials for Native speakers. For example, the *Cherokee Phoenix* newspaper, first published in 1828, appeared in a bilingual form.

4. Because many Indian writers work in multiple genres, the reader will find commentary on some of the writers represented in this volume located in more than one of the genre essays in part II.