The Meaning of Land in Nineteenth-Century American Political Thought

By

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This dissertation is dedicated to my parents,

parents-in-law,

grandparents,

and to Aila, always,

for showing me where to land.

With apologies to Tippecanoe, Mà-ka-tai-me-she-kià-kiàk, the entire thirty-second U.S. Congress, Mama Bess, and even ol' Tommy J. This marks the end of the interrogation. Rest in peace.

Pull your hair back tight

Head right for the extraction point

And if you don't hear from me

Let them all go free

—The Mountain Goats, "Extraction Point" (2022)

I thought I knew this city

Thought I knew all about it

—The Proclaimers, "Then I Met You" (1988)

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***

I also want to say thank you to the land in and around Madison, especially the lakes and the horrible hills of the Driftless Area. For over a decade you have borne me up, kicked my ass, and never failed to inspire. Situate on this landscape is the University of Wisconsin-Madison, which

has changed my life—and saved it—more times than I can count. Since love is imperfect without honesty, the following should be read as an act of love.

What many today call Madison, Wisconsin, has been known to the Ho-Chunk as Teejop, or Four Lakes, since time immemorial. In an 1832 treaty, Ho-Chunk villagers living amongst their ancestral burial mounds on the banks of Lake Mendota were violently coerced by the United States to cede the land. Part and parcel of Andrew Jackson's policy of "Indian removal," the U.S. was emboldened in this instance by the outcome of the so-called Black Hawk War, in which thousands of Sauk and Meskwaki men, women, and children fled northward from Saukenuk (present-day Rock Island, Illinois) under pursuit from U.S. regulars and Illinois militiamen. Their route took them through Teejop, and they were starving when they reached the swamplands of the isthmus that today forms the heart of Madison. It is likely many Sauk and Meskwaki elders died of exhaustion not far from where the university's oldest buildings now stand. On the American side, the Black Hawk War was waged by one Henry Dodge, a frontier mercenary whose notoriety as an Indian killer would elevate him to the office of territorial governor and then on to the U.S. Senate. From these eminences, he became one of the earliest advocates for a state university. Decades later, the fledgling University of Wisconsin was granted 235,000 acres of Ojibwe (Anishinaabe) land as a result of the Morrill Act. Signed into law by Abraham Lincoln in the same year he approved the hanging of 38 Dakota men—the largest mass execution in American history—it is the reason his statue sits atop Bascom Hill to this day. Over the years, the state sold the acreage for *twenty-four times* the value (in inflation-adjusted dollars) the Ojibwe received for the land in 1837. The proceeds seeded a rich university endowment that continues to grow. Theft is property, as Robert Nichols puts it; apparently, crime pays.

Thus, the University of Wisconsin-Madison continues to benefit from the immiseration and attempted elimination of (at least) four Native American tribes and thousands of Indigenous people. In this context, what could it possibly mean to "acknowledge" the land? In 2019, the university unveiled "Our Shared Future," a plaque that purports to recognize the "circumstances" of Ho-Chunk removal and pledges to "[respect] the inherent sovereignty" of the tribe. At the time, several tribal leaders rightly questioned the real import of such statements. Since then, UW-Madison has taken more concrete action—such as covering the costs of tuition for undergraduates from any of Wisconsin's eleven federally-recognized tribes—but much more remains to be done. I hope this dissertation, and especially the chapter on Black Hawk's (Sauk) land-based sovereignty, accomplishes what Ho-Chunk President Wilfrid Cleveland called on non-natives to do: "dig a little deeper" into the meaning and history of a place and understand "the sacredness [the Ho-Chunk] hold for this land." Shared futures require finding common ground, which in this case means making the literal ground uncommon, unusual, and uncanny so we may all better understand—not just "acknowledge"—what has been done on, with, and through it, and together imagine what futures the land may hold. In this spirit, let the excavation commence.

Introduction

The Meaning of Land: From Essence to Function

"Land is the most important thing in the world."

—B.F. Powell, III

The sun sank low as I stepped out the back door of my grandparents' home. The western sky was a haberdashery of rose, orange, gold, and peach, bleeding into the blues and violets of dusk in the east, and suffusing the verdant hues of August in a somnolent, amber softness. This all to say, summer looked good on central Wisconsin. Show me a beautiful vista anywhere in the world, and I will raise you the view from my grandparents' porch, where the surrounding landscape is flat enough to see far, yet punctuated with enough hummocks and hills for you to know where you are. It was a scene I knew intimately: my grandmother's gardens, which had become weedy and overgrown; a thin strip of rocky lawn; a fenced-in horse pasture that gave way to a stand of red pines. These had grown so tall as to threaten the view my grandparents' dining-room window was designed to frame: the northern slope of Rib Mountain, a granite monadnock that is the tallest prominence in Wisconsin, which was ten miles in the distance, as the crow flies.

New on the scene was the reason for our visit that evening: earth-moving machinery, quieted after a long day of work, which had crawled their way up the long driveway and behind the house in order to dig a new mound for the septic system (those familiar with country living will relate to such unglamorous realities). Such improvements had to be made, as the house was being put up for sale. In fact, though I didn't know it at the time, this would be my final visit to the land my grandparents had owned for sixty years.

It turns out there's not much to see when a new mound goes in. It is, basically, a big, gravel-lined hole in the ground that functions like a sieve for the "effluvia" of rural households. We weren't even there for the gravel installation. Yet, what I saw stopped me in my tracks. I had been researching the meaning of land in American political thought for over a year at that point, and there, before my eyes, was the object of my study. A bright yellow excavator had dug out a perfect cross-section of what could only be described as a chunk (the technical term) of land, ground, *terra firma*. It consisted of a thin layer of grass atop a band of dark soil and, further down, layers of light-brown clay. Even in the dramatic tones of twilight, it didn't seem all that complicated. It was humble, ubiquitous, and pedestrian. The only reason it caught my attention in that moment was because approximately a cubic meter of it wasn't benignly underfoot where it normally is. It certainly did not seem worth, say, writing an entire dissertation on. Maybe the meaning of land was as plain as that lump of dirt, which didn't require any explication on my part. Alternately, maybe land didn't mean anything at all. Maybe all the interesting stuff happened on top of it.

Still, I knew my project was on firm ground. I was hardly the first person to study land, and as I stepped off the porch onto the cool grass I mentally perused the articles and books I had read. Most obvious to my eye as I took in the natural surroundings was the ecological perspective on land, which tends to define it as "the tangible ecosystems including all biotic and abiotic aspects as they can be recognized visually at the Earth's surface."[1] Aldo Leopold, the author of the ecological "land ethic" and a favorite of my grandfather, is only slightly more poetic when he writes land is "not merely soil; it is a fountain of energy flowing through a

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[1] Isaak Zonneveld, "The Land Unit: A Fundamental Concept in Landscape Ecology, and Its Applications," *Landscape Ecology* 3, no.2 (1989): 68.

circuit of soils, plants, and animals."[2] Today, the burgeoning field of land change science (or land system science) declares its foci to be the "ecosystem goods and services" of landscapes, such as:

> impacts of landscape fragmentation on keystone species and the consequences for other biota and landscape functioning; the spread of invasive species as a consequence of land use; land-change consequences for water and food supply and amenity values; various consequences of increased areas of forest edges, from the loss of biota to the opening of corridors for disease vectors; and the impacts of changing crop-fallow practices on tropical forest succession and nutrient dynamics.[3]

Far removed from the large-scale models and projections of more quantitative scientists, William Cronon takes a similarly ecological perspective in his history of the New England landscape, describing land as the site of "fundamental reorganizations.... in [a] region's plant and animal communities."[4]

Though laypersons (myself included) may not be able to discern the ecological nuances of a landscape, this is largely what we see when we gaze upon the land. That evening at my grandparent's house, I saw—at least in my mind's eye—Leopold's "fountain of energy" flowing through groundwater, soil, and micronutrients, springing up into goldenrod, milkweed, burdock, wild raspberry, and other plants which nourish the insects, birds, and mammals that call the woods and fields home. Mammals that included, of course, my grandparents, whose "land-change" decisions included using portions of their land as pasture for horses and cattle, planting and cutting down trees, and harvesting sap from a carefully-tended grove of *acer*

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[2] Aldo Leopold, *A Sand County Almanac* (New York: Ballantine Books, 1969 [1943]), 253.

[3] B.L. Turner, Eric F. Lambin, and Anette Reenberg, "The Emergence of Land Change Science for Global Environmental Change and Sustainability," *PNAS* 105, no. 7 (2007): 20,668.

[4] William Cronon, *Changes in the Land: Indians, Colonists, and the Ecology of New England* (New York: Hill and Wang, 1983), vii.

saccharum, with which they made maple syrup each spring. On the ecological view, then, my grandparents' land was a terrestrial ecosystem, being a "solid portion of the Earth's surface," inclusive of all "biotic and abiotic aspects" upon it, with vast consequences for the flow of energy and the health of plant and animal communities.

Indeed, it's hard not to see terrestrial ecosystems when looking at land, but this is not the whole story. Additional meanings of land overlay that of the ecological perspective. Consider the legal perspective, which conceives land as a paradigmatic instance of property. To employ Hohfeld's schema of jural "opposites" and "correlates," one party can have a *right* to land which all other parties have a *duty* to respect, and which the state has the *power* to enforce. Technically speaking, my visit to the land that evening was a *privilege* extended to me by the rightful owners of the land—my grandparents.[5] Though the various systems of landownership currently in practice—to say nothing of those that existed at earlier times—are too numerous to summarize here, contemporary legal scholars tend to endorse one of three different justifications for owning land as property.[6] The first casts land in terms of the economic utility that accrues to both individual owners and their communities. Harold Demsetz provides the classic statement of this view, arguing landowners who are rational and desire a return on their investment will dispose of their property in socially responsible ways.[7] Property rights must be protected, then, to encourage the owner to improve their land and increase its value.[8] The

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[5] Wesley Newcomb Hohfeld, "Fundamental Legal Conceptions as Applied in Judicial Reasoning," *The Yale Law Journal* 26, no. 8 (1917).

[6] For a primer on different forms of landownership, see Daniel H. Cole and Elinor Ostrom, "The Variety of Property Systems and Rights in Natural Resources," in *Property in Land and Other Resources*, ed. Daniel H. Cole and Elinor Ostrom (Cambridge, MA: Lincoln Institute of Land Policy, 2012).

[7] Harold Demsetz, "Toward a Theory of Property Rights," *American Economic Review* 57 (1967).

[8] Richard Epstein, "Playing by Different Rules? Property Rights in Land and Water," in *Property in Land and Other Resources.*

second justification frames property in terms of "personhood." Margaret Radin, for example, argues owning land is essential to human flourishing.[9] Similarly, Eduardo Peñalver advances an account of land ownership premised on Aristotelian virtue theory. Owning land is a space to practice virtues like industry, justice, and humility that are essential to a fully-developed human character, and not merely a site for value maximization.[10] A third group of scholars, led by Joseph Singer, treats property rights as a "social system composed of entitlements that shape the contours of social relationships."[11] In other words, how a society chooses to allocate land and justify landownership reflects a broader set of attitudes and ideals that ought to be debated democratically in a public forum. In each instance, however, these different legal theorists agree land is an object to be owned.

While I knew my grandparents' land was property—the apostrophe alone indicates the land was the *possession* of my grandparents—evidence of this was more difficult to see. Aside from a few dilapidated fences I knew to be scattered throughout the woods, suggesting someone, at some point, attempted to stake a legal claim to the land, there were few visible markers announcing the land itself as an owned object (my grandparents did not go in for the familiar "PRIVATE PROPERTY—NO TRESSPASSING" yard ornaments). Yet, a sheaf of yellowed titles, abstracts, and deeds that now rests on my bookshelf substantiates the grammatical clue. On February 19, 1859, Benjamin Dodge obtained a patent from the United States to the northwest quarter of the northwest quarter of the twelfth section in Township Twenty-Nine North of Range 6 East, and forty acres of public domain was transformed,

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[9] Margaret Jane Radin, "Property and Personhood," *Stanford Law Review* 34, no. 5 (1982).

[10] Eduardo M. Peñalver, "Land Virtues," *Cornell Law Review* 94 (2009).

[11] Joseph W. Singer, "Property and Social Relations: From Title to Entitlement," in *Property and Values: Alternatives to Public and Private Ownership*, ed. Charles Geisler and Gale Daneker (Washington, D.C.: Island Press, 2000), 9.

alchemy-like, into private property. Over the years, these same forty acres would be owned by Heinemanns, Moellendorfs, Kneisses, Reiches, and, finally, Powells—my grandparents—in conjunction with each party's various mortgage lenders. At some point in the 1950s, a Moellendorf leased timber rights to the Jesdahl Lumber Company, demonstrating how systems of landownership can get complicated quickly. I do not know who owns the land now, but these documents make clear that as surely as the land I gazed upon was a bountiful terrestrial ecosystem, a "fountain of energy," it was also, simultaneously, someone's legal property.

The first justification for property rights recited above points the way to a third way of seeing land. That is, in economic terms. Land can be bought and sold like any other commodity. However, being a scarce, excludable, but not entirely "rivalrous" good—meaning it frequently supports multiple users—land has a unique monetary value, its "rent," which affects the prices of all other commodities that depend upon it (agricultural products, housing, etc.). As Adam Smith observes in *Wealth of Nations*, the price of corn involves three parts: "*one part pays the rent of the landlord*, another pays the wages of maintenance of the labourers... and the third pays the profit of the farmer."[12] When a farmer cultivates land he owns, he effectively pays himself the rent portion of the price his goods command. On this logic, contemporary economists like Hernando de Soto have advocated for widespread land-titling as a tool for increasing general prosperity and reducing economic inequality.[13] Yet, Smith presages Karl Marx when he observes "landlords, like all other men, love to reap where they never sowed," and will enclose uncultivated landscapes to "demand a rent even for its natural produce."[14] This is what Marx refers to as "primitive accumulation," a violent process whereby land to which all

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[12] Adam Smith, *Wealth of Nations*, I.iv.11. Emphasis added.

[13] Hernando de Soto, *The Mystery of Capital* (New York: Basic Books, 2000).

[14] Smith, *WN*, I.iv.8.

have access for subsistence and petty agriculture is converted into the capitalist's property and means of production.[15] Following Marx, contemporary critics of capitalism like David Harvey and Neil Smith show how land markets dominated by corporations facilitate the geographic "unevenness" of capital and create a "spatial fix" that deepens economic exploitation.[16] In each case, however, land is a unique economic good—a "fictitious commodity," as Karl Polanyi called it—that, because of its immobility, relative scarcity, and indispensability for the production of other goods, is highly valuable.

The titles and abstracts mentioned above record how the monetary value of my grandparents' land changed over time. The forty acres had been purchased by some of the original owners for approximately $1,500, whereas my grandparents bought it for around $16,000 in 1963. In their six decades of ownership it was "improved" with a house and barn, among other things, and its value also increased with the growth of a nearby city and the diminishing availability of land. The amount the current owners paid for the same forty acres, far greater than the previous transactions even after accounting for inflation, reflects just how much the rent of the land has appreciated. My grandparents had long resisted overtures from developers eager to transform their land into a subdivision, yet I couldn't help but see the dollar signs as I took in the stands of hardwood trees, the lush fields, the ambiance of a quiet country evening, and the splendid view. There was no doubt about it: the terrestrial ecosystem that was also property was, at the same time, a source of serious economic value.

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[15] Karl Marx, "Capital, Volume One" in *The Marx-Engels Reader*, ed. Robert C. Tucker (New York: W.W. Norton & Company, 1978), 431-434; cf. Karl Marx, "The Grundrisse" in *The Marx-Engels Reader*, 241-243.

[16] David Harvey, *Spaces of Capital: Towards a Critical Geography* (Edinburgh, UK: Edinburgh University Press, 2001); Neil Smith, *Uneven Development: Nature, Capital, and the Production of Space* (Athens, GA: The University of Georgia Press, 2008).

Finally, one can see land from an explicitly political perspective. In a basic sense, property rights, economic value, environmental concerns, and related questions of land use are all subjects of public concern and therefore "political." However, scholars tend to think about the political dimension of land in more precise ways. Land is the material substrate of "territory," referring to a state or other municipality's geographic jurisdiction, and "territoriality" has significant political implications, as both normative and positive political scientists have shown. Arguing against those who question the validity of states and borders on democratic grounds, political theorists like Margaret Moore and Anna Stilz defend group claims to sovereignty over particular lands. Moore argues a people, or a sufficiently large, cohesive, and cooperative group of individuals with a "shared subjective identity," can form attachments to places that generate rights thereto.[17] For her, political identities "are not free-floating identities but are located in a specific place," such that territory is often a locus for the way of life that constitutes a people.[18] Similarly, Stilz claims the territorial state is legitimate because it is not only the best enforcer of basic justice in the local lives of its inhabitants, but is also a vehicle for self-determination that allows its inhabitants "to use specific geographical places to realize the social, economic, and cultural practices they care about."[19] There is no shortage of empirical evidence to support—and complicate—these arguments. For example, Nadav Shelef has demonstrated how nation-states often aspire to reclaim or expand their "homelands," though the locus and scope of these territories is often contingent on other

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[17] Margaret Moore, *A Political Theory of Territory* (Oxford: Oxford University Press, 2015), 54–59.

[18] Moore, *A Political Theory of Territory*, 40.

[19] Anna Stilz, *Territorial Sovereignty: A Philosophical Exploration* (Oxford: Oxford University Press, 2019), 10.

variables and can change dramatically over time.[20] In *Homelands*, Richard Nostrand and Lawrence Estaville collect scholarship on sub-national groups within the boundaries of the United States to show how the politics of land does not always depend on clear and enforceable national borders, and that "micro-territories" can overlap and imbricate in complex ways.[21]

A quick perusal of a map shows my grandparents' land is nested within a number of geographic jurisdictions: the town of Stettin, Marathon County, the state of Wisconsin, and, finally, the United States. Each territory bears a political valence that may be either active or latent depending on the context. However, there are many other territories and spatial identities that circulate through the land. For instance, the land is situate on the westside of a city with a deep east-west rivalry. It is also in the rural outskirts of a mid-sized metropolitan area, and my grandparents—who moved to Wisconsin from Chicago on what might be generously called a "whim"—long felt themselves in the vise of urban-rural animosities. Additionally, their part of the county is interspersed with islands of Old Order Amish and Mennonites, who, despite being legal residents of town, county, and state like anyone else, have a unique relationship to place. Finally, like much of the land in that part of the state, my grandparents' forty acres is part of the ancestral homelands of the Anishinaabe. These lands were ceded to the United States in the Treaty of St. Peters (1837), paving the way for a century of heavy logging, paper-making, and settlement by German and Scandinavian immigrants—as the list of the surnames of the previous owners readily attests. I could not see these various identities and their politics on the landscape in front of me, but I knew of their existence and had often felt my involvement in their articulation as I grew up. In addition to being a

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[20] Nadav G. Shelef, *Homelands: Shifting Borders and Territorial Disputes* (Ithaca, NY: Cornell University Press, 2020).

[21] Richard L. Nostrand and Lawrence E. Estaville, eds, *Homelands: A Geography of Culture and Place Across America* (Baltimore, MD: The Johns Hopkins University Press, 2001).

terrestrial ecosystem, a unit of property, and a commodity, my grandparents' land was the scene of overlapping and often contentious political jurisdictions and identities.

Thus, land was clearly more than the mute prism of dirt and grass that had caught my attention. While this assuaged my worries for the time being, I was met with another thought as I made my way back into the house: While land does not lack for meaning, is it possible to decide between the ecological, legal, economic, and political perspectives? Moreover, is this question about the fundamental *essence* of land the right one to ask? It struck me that whenever land is discussed in contexts beyond the four disciplines described above—that is, in everyday speech—it invokes each of these perspectives and much more. Instead of inquiring about what land *is*, one might better understand its meaning by asking *how* it works. What is the "discursive function" of land in any given context? How is it conceptualized by a speaker, and with what other concepts does it articulate?

Consider an example. My grandfather wrote a letter of advice to his grandchildren, and one of his lessons was: "Land is the most important thing in the world. Own as much of it as you can. But remember: It doesn't belong to you. You belong to it." Here one can easily discern the four perspectives on land: it is something to be owned as property, which implies an economic transaction, but it is also a site of identity and belonging that seems tinged with a Leopoldian commitment to ecological stewardship. On this last point, however, I have already begun to infer from what I know about my grandfather's intellectual context. For a deeper understanding of what land meant to this particular speaker, and why he deemed it "the most important thing in the world," it would help to know when and why he initially purchased land, what his other experiences with ownership were, how he participated in the affordances and obligations of "belonging" to land, and even where his higher-level ideas about freedom, community, and morality came from. In this case, one would not reduce the meaning of land to a single, "fundamental" perspective, but register its numerous imbrications with other events and discourses to embed its meaning in a specific discursive context. What is more, meaning would flow in both directions: just as the meaning of land is influenced by other concepts, it in turn shapes the meaning of these. The result is a never-ending but ever-deepening hermeneutical circle in which an interpretation of land turns into an interpretation of a host of related ideas before revolving back again, veering from the presumed finality of questions about land's essence and circulating indefinitely through the boundless complexity of land's discursivity.

This is the methodological approach I take in the following dissertation: asking not about the meaning of land in an essentializing, isolating, and reductive sense, but inquiring into the ways land colors the meanings of the other concepts with which it is always already connected. The hermeneutical indeterminacy involved in this alternate approach to the meaning of land requires precision with regard to the context under examination, as it is only in a discrete context that one can trace discursive reciprocity with any rigor. The context across which I will trace the many meanings of land in this dissertation is not the world in which my grandparent's purchased, lived upon, and belonged to their land, but that of the preceding century. Though there is much to say about the way discourses around land configure with twentieth-century environmentalism, urbanism, and numerous "back-to-the-land" movements in the United States, it is in the nineteenth century that some of the most durable meanings of land gained traction in American political thought.

This was a time of aggressive territorial expansion and (eventually) massive distribution of public domain which dramatically changed the American landscape. Consider how, in 1800, the United States was a handful of colonies-turned-states situated on a narrow strip of land between the Atlantic Ocean and the Appalachian Mountains, with a largely unexplored and highly contested federal territory extending to the Mississippi River. By 1900, the United States spanned the width of the North American continent, Frederick Jackson Turner had announced the "closure" of the western frontier, and the government had begun to search in earnest for new lands in places like Alaska, Cuba, and the Philippines. In the nineteenth century, questions of what should be done with America's expanding land base—who should own how much and for what purposes—was on everyone's lips, from Founding-era adversaries like Alexander Hamilton and Thomas Jefferson, to pivotal figures like Andrew Jackson and Abraham Lincoln, to countless other politicians, reformers, writers, and ordinary people. Nor was this question always answered affirmatively; staunch opponents of American expansion, particularly Native American leaders and activists, weighed in as well. The answers this diverse ensemble of voices generated, though varying widely and often disagreeing openly, tend to coalesce around two themes: sovereignty and freedom. And while Americans today rarely entertain the same sort of questions (even though the federal government still owns 28% of U.S. land), the answers of the nineteenth century—the discursive articulations of land with various conceptions of sovereignty and freedom—have stayed with us. To trace the meaning of land in nineteenth-century America, then, is to gain a critical purchase on deeply-seated ideas and, perhaps, to learn to ask old questions in new ways.

While the analysis in the chapters that follow will be methodologically ecumenical, selecting the interpretive tools that best suit the discourses in question, much of the material will be read in light of a specific body of knowledge: settler colonialism. In his path-breaking work, *Settler Colonialism and the Transformation of Anthropology*, Patrick Wolfe explained:

> the primary object of settler-colonization is the land itself rather than the surplus value to be derived from mixing native labour with it… The logic of this project, a sustained institutional tendency to eliminate the Indigenous

> population, informs a range of historical practices that might otherwise appear distinct—invasion is a structure, not an event.[22]

Unlike "conventional" colonialism, which exploits Indigenous populations to extract resources and bolster trade, settler colonialism allows us to see where and how colonizing projects instead or also eliminate these populations, expropriate their land, and establish new societies thereon. Simply put, settler colonialism reveals the unique structures at work when a colonizer *stays* in places today known as the United States, Canada, Australia, New Zealand, South Africa, and Israel. Leveraging this analytic, scholars have shown how settlers throughout modernity have deployed race, gender and sexuality, history, religion, and a panoply of other concepts to defend their ever-precarious status against both Indigenous populations and the colonial metropole.[23]

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[22] Patrick Wolfe, *Settler Colonialism and the Transformation of Anthropology: The Politics and Poetics of an Ethnographic Event* (London: Cassell, 1999), 163. Though pivotal, Wolfe was hardly the first to define settler colonialism. See also Arghiri Emmanuel, "White-Settler Colonialism and the Myth of Investment Imperialism," *New Left Review* 73, no. 1 (1972); Donald Denoon, "Understanding Settler Societies," *Historical Studies* 18, no. 73 (1979); Alan Lawson, "A Cultural Paradigm for the Second World," *Australian-Canadian Studies* 9, no. 1-2 (1991); Davia Stasiulis and Nira Yuval-Davis, eds., *Unsettling Settler Societies: Articulations of Gender, Race, Ethnicity, and Class* (London: Sage, 1995). Since Wolfe's intervention, settler-colonial theory has only been enriched. See Caroline Elkins and Susan Pedersen, eds., *Settler Colonialism in the Twentieth Century: Projects, Practices, Legacies* (New York: Routledge, 2005); James Belich, *Replenishing the Earth: The Settler Revolution and the Rise of the Angloworld* (Oxford: Oxford University Press, 2009); Lorenzo Veracini, *Settler Colonialism: A Theoretical Overview* (New York: Palgrave Macmillan, 2010). For a history of this literature, see Lorenzo Veracini, "'Settler Colonialism': Career of a Concept," *The Journal of Imperial and Commonwealth History* 41, no. 2 (2013).

[23] On race, see Patrick Wolfe, "Settler Colonialism and the Elimination of the Native," *Journal of Genocide Research* 8, no. 4 (2006); J. Kēhaulani Kauanui, *Hawaiian Blood: Colonialism and the Politics of Sovereignty and Indigeneity* (Durham, NC: Duke University Press, 2008); Tracey Banivanua-Mar and Penelope Edmonds, eds., *Making Settler Colonial Space: Perspectives on Race, Place, and Identity* (New York: Palgrave Macmillan, 2010); Evelyn Nakano Glenn, "Settler Colonialism as Structure: A Framework for Comparative Studies of U.S. Race and Gender Formation," *Sociology of Race and Ethnicity* 1, no. 1 (2015). On gender and sexuality, see Scott Lauria Morgensen, *Spaces between Us: Queer Settler Colonialism and Indigenous Decolonization* (Minneapolis, MN: University of Minnesota Press, 2011); Mark Rifkin, *When Did Indians Become Straight? Kinship, the History of Sexuality, and Native Sovereignty* (Oxford: Oxford University Press, 2011); Mishuana Goeman, *Mark My Words: Native Women Mapping Our*

Much recent and richly historical research leaves little room for doubting the United States was and remains a settler empire, nor that settler-colonial dynamics persisted and, in fact, intensified following its independence from Great Britain (the "colonial metropole"), nor that what is bloodlessly referred to as U.S. expansion, or more sanguinely as "manifest destiny," was anything but a concerted, multi-pronged, on-going effort to dispossess, immiserate, assimilate, and, at bottom, eliminate the Indigenous peoples of North America.[24] To study the meaning of American land in any century, but especially the nineteenth, without taking settler colonialism into account would be tantamount to studying slavery without attention to antebellum theories of race and racialization, or studying contemporary reproductive policy without a concept of gender. It simply doesn't work. For this reason, my frequent deployment of theories and concepts developed by scholars of settler colonialism is less a scholarly choice than an acknowledgement of historical reality.

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Nations (Minneapolis, MN: University of Minnesota Press, 2013). On history, see Jean M. O'Brien, *Firsting and Lasting: Writing Indians Out of Existence in New England* (Minneapolis, MN: University of Minnesota Press, 2010); Kevin Bruyneel, *Settler Memory: The Disavowal of Indigeneity and the Politics of Race in the United States* (Chapel Hill, NC: The University of North Carolina Press, 2021). On religion, see David Lloyd, "Settler Colonialism and the State of Exception: The Example of Palestine/Israel," *Settler Colonial Studies* 2, no. 1 (2012); Levi Gahman, *Land, God, and Guns: Settler Colonialism and Masculinity in the American Heartland* (London: Zed Books Ltd., 2020).

[24] Kevin Bruyneel, *The Third Space of Sovereignty: The Postcolonial Politics of U.S.-Indigenous Relations* (Minneapolis, MN: University of Minnesota Press, 2007); Lisa Ford, *Settler Sovereignty: Jurisdiction and Indigenous People in America and Australia, 1788-1836* (Cambridge, MA: Harvard University Press, 2010); Walter L. Hixson, *American Settler Colonialism: A History* (New York: Palgrave Macmillan, 2013); Aziz Rana, *The Two Faces of American Freedom* (Cambridge: Cambridge University Press, 2014); Adam Dahl, *Empire of the People: Settler Colonialism and the Foundations of Modern Democratic Thought* (Lawrence, KS: University Press of Kansas, 2018); Robert Nichols, *Theft Is Property! Dispossession and Critical Theory* (Durham, NC: Duke University Press, 2020); Lorenzo Veracini, *The World Turned Inside Out: Settler Colonialism as a Political Idea* (New York: Verso, 2021).

The four substantive chapters of this dissertation track the articulation of land and sovereignty (chapters 1 and 2) and land and freedom (chapters 3 and 4) from the dawn of the nineteenth century to its closing decades—or, more accurately, to a mid-twentieth-century retrospective on those decades. The first chapter clears the way for more dynamic theorization about land by revealing the obverse of what has been called "democratic agrarianism," a time-honored cultural ideal often attributed to Thomas Jefferson wherein widespread landownership guarantees popular sovereignty. If such conditions ever obtained outside of Jefferson's mind, they were not representative of early-nineteenth-century American sovereignty. Tracking the treaty-making activity and official correspondence of one of Jefferson's frontier emissaries, a young William Henry Harrison, I show how a very different logic of sovereignty, which I label "benevolent dominion," defined settler-Indigenous relations on the colonial border and was predicated on a unique configuration of land I refer to as "terrain." Proposed by Jefferson and implemented by Harrison, benevolent dominion presumes a lack or deficiency in Indigenous lifeways that positions the United States as a ready benefactor. Then, it single-handedly arrogates all political, legal, and economic authority to the United States as the means of best distributing its "benefactions." The result is an evisceration of tribal authority and modes of governance, concurrent with the extension of U.S. (counter)sovereignty on the shallow pretense of helping tribes "acculturate" to settler law and society. Drawing on the work of Stuart Elden and Henri Lefebvre, "terrain" describes a landscape with rigidly hierarchal borders, a unidirectional temporality, and specific, "fetishized" land uses. It is on and through a landscape so construed that benevolent dominion took shape.

Not only was this little-studied combination of sovereignty and land (hypocritically) simultaneous with Jefferson's louder odes to yeoman farming and popular sovereignty, it also functioned as the historical predecessor and conceptual precondition of democratic agrarianism.

That is, the dream of a polity defined by widespread, egalitarian landownership and its conceptual opposite, the logic of benevolent dominion, are both based upon a configuration of land as terrain. Consequently, efforts to rebuff exclusive state authority through "agrarian" approaches to land will founder if they do not account for this shared conceptual lineage.

The second chapter takes up the matter of land and sovereignty from the perspective of one of the tribes Harrison dispossessed. *Life of Black Hawk* (1833) is an autobiography dictated by the Sauk warrior Mà-ka-tai-me-she-kià-kiàk, or Black Hawk. It is a rich text that, among other things, lays out a logic of sovereignty I call "interdependence." Instead of insisting on unity, supremacy, and independence—the bywords of most theories of sovereignty in western political thought—Black Hawk demonstrates how tribes are sovereign when they cooperate, reciprocate, and exercise compassion. Most impressively, this holds true even between enemies who, according to Black Hawk, can practice a shared sovereignty over the land by reciprocating rights of access with each other. In both intratribal and intertribal contexts, then, sovereignty inheres when actors acknowledge the mutually-reinforcing authorities and responsibilities divided among persons and groups that must rely on each other in the pursuit of common ends.

In *Life of Black Hawk*, sovereignty as interdependence twines with the configuration of land as life, or as the source of biological subsistence and cultural meaning. After showing what land means to Black Hawk, the chapter uses the resulting articulation of sovereignty and land to reappraise a most curious phrase from the autobiography: "my reason teaches me that land cannot be sold." If Black Hawk conceives land as life—specifically, a life of shared human yearning for subsistence and meaning in which all may participate—then it cannot be alienated or in any way comprehended as exclusive property. The chapter concludes by applying the lessons from *Life of Black Hawk* to contemporary understandings of tribal sovereignty, and argues true tribal sovereignty and justice for Indigenous peoples will not obtain until settlers exchange their conceptualizations of land as bounded, alienable, and fetishized terrain for a conception of land as life.

The third chapter pivots from sovereignty to freedom and also jumps forward in time to 1852: the year a homestead bill first gained real traction in Congress. While contemporary approaches to land and freedom focus on the "negative liberty" supposedly guaranteed by private landownership, an examination of the congressional rhetoric in favor of homesteading reveals different articulations between land and freedom. Namely, a grant of "free land" was supposed to liberate mid-century urbanites, in particular, from structural domination and the social envies and resentments that undermined individual moral autonomy. Taken together, I call these land-based liberties "freedom from the city." Advocates of homesteading advanced these freedoms by framing land as a "phenomenological" *terra nullius*. That is, not as a "land belonging to no one" that was ready to be converted into property, but as a (hyperbolically) empty, abundant, and vast space that facilitated experiences of "freedom from the city." Congressmen figured the (imagined) experience of abundance as supporting a new mode of living in which laborers-turned-homesteaders would be free not only from the oppressions of the urban workplace, but from the need to work at all. Likewise, landscapes coded as vast and empty proffered the psychosocial insulation necessary to relieve urbanites of their overwhelming resentments and foster their moral autonomy.

To further underscore how a phenomenological *terra nullius* need not recapitulate conceptions of land and freedom based on property, the second half of this chapter illustrates how congressmen also leveraged *terra nullius* of western landscapes to address a palpable "male panic," or an anxiety over what it meant to be a man in an urbanizing society. "Empty" western landscapes were figured as both an emasculating reminder of a manhood that was temporally past, as well as an opportunity to develop an alternate manhood in the present. The rhetoric of the homestead advocates leveraged the figure of the historically-distant "hardy pioneer," whose eliminatory violence "emptied" the frontier and exemplified his masculinity. Though this figure could critique mid-century men, the historical sense of settler colonialism prevented them from performing the same type of masculinity. Instead, framing present frontier landscapes as already-"emptied" and awaiting settlement, homestead advocates pitched the "re-masculinized" urban man as a provider and protector of a patriarchal family. The exclusions and erasures perpetuated by the gendered freedom on "no man's land" are outlined in the conclusion, and the problems involved in casting "free land" as both a form of settler escapism and a futile cure for a panoply of social ills is considered.

The fourth chapter makes another leap in time to the end of the nineteenth century as recalled in the mid-twentieth century by the children's author, Laura Ingalls Wilder. Wilder was herself the child of homesteaders, and her *Little House* novels tell the story of her family's quest to become self-sufficient farmers on the frontier. In many ways, the novels reify the patriarchal and settler-colonial ideologies circulating through the homestead advocates' rhetoric. Yet, at times, Wilder also experiments with the subversion of these very ideologies. In these episodes of subversion, Wilder's protagonist practices "reflexive freedom," or a disposition that generates a productive tension between self and world, which culminates in intense experiences of individuality and discovery that mark her (momentary) liberation from ideology. In the novels, reflexive freedom and these resulting experiences happen on distinctive frontier landscapes that, instead of being empty, vast, and abundant, are enveloping, peripheral, and, on one significant occasion, "queer." Even when Wilder's subversions fail (as they inevitably do) and her plots tack back to an uncritical ideological position, the protagonist's experience with liberation stays with the reader in way that suggests new ways of seeing and being on the land are always possible. This, in the end, is itself a form of freedom: the openness to radical possibility on and through the land.

Although this dissertation is largely a historical study of nineteenth-century conceptualizations of American land, the conclusion briefly considers how the insights collected throughout may help us see, in the manner distinctive of political theorists, the promises and pitfalls of land in the twenty-first century.

Chapter 1

The Terrain of Jeffersonia: William Henry Harrison and the Countersovereignty of Benevolent Dominion

The Indian became a redskin, not by loss in battle,
but by accepting a dependence on traders
that made *necessities* of industrial goods.
This is not merely history. It is a parable.

--Wendell Berry, *The Unsettling of America*[1]

1

In late autumn of 1804, a young man of sleight stature strode into St. Louis. As governor of Indiana Territory, his visit was occasioned by the recent Louisiana Purchase, which had significantly extended his jurisdiction. His orders from the president, Thomas Jefferson, were to arrange the newly-acquired land into districts, and to organize its white male population into militias. An ambitious man who, by the age of thirty-one, had already served as aide-de-camp to General "Mad" Anthony Wayne, distinguished himself as a territorial representative in Congress, and personally negotiated half a dozen land-cession treaties with tribes of the Ohio River Valley, one might imagine him buoyed by the prospect of leaving his mark on a region poised to become the heart of American commerce. Still, Louisiana would quickly become its own territory and the governor's sojourn to St. Louis ought to have been entirely forgettable. That is, were it not for a lightning strike of historical coincidence, the consequences of which would roll like thunder across the next three decades.

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[1] Wendell Berry, *The Unsettling of America: Culture and Agriculture* (San Francisco, CA: Sierra Club Books, 1977), 6.

The same autumn, leaders of the Sauk and Meskwaki nations traveled to St. Louis from their villages in what is today northern Illinois. Their purpose was to make reparations for the murder of a white settler by a member of their tribe, who was imprisoned in an American barracks. The diplomats intended to "cover the dead" with the customary payment—horses and other goods—in exchange for the prisoner's release, but the governor, sensing an opportunity, interceded in the negotiations. He made what his Indigenous interlocutors would have understood to be a bizarre request: for the return of the prisoner, he wanted land. The diplomats were not authorized to make any decisions about territory claimed by the Sauk and Meskwaki, which required consensus in a full tribal council. Nonetheless, Quàsh-quà-me (Sauk), Pà-she-pa-ho (Sauk), Oú-che-quà-ka (Meskwaki), Hàshe-quar-hí-qua (Meskwaki), and a mysterious man named Layalurva (Sauk) joined the governor in signing the Treaty with the Sauk and Foxes (also known as the Treaty of St. Louis) on November 3, 1804.[2] In so doing, they ceded over 50 million acres to the United States in exchange for $2,234.50, plus an annuity of goods worth $1,000. Even compared to other U.S.-tribal land cessions, this treaty grossly undervalued the land in question: the Sauk and Meskwaki ceded their precious river valley for less than a penny per acre. The governor had indeed made is mark.

This young man was William Henry Harrison. Long before he was the ninth (and shortest-lived) president, and even before he became the "Hero of Tippecanoe," Harrison occupied a pivotal role in the young federal government. As a territorial governor, he was head liaison to the Native American tribes of the Old Northwest—the present-day midwestern states—and lead treaty commissioner. It was through scores of treaties like that with the Sauk and Meskwaki that the early United States literally took shape. Harrison himself is personally

[2] "Fox" is the anglicization of the French exonym—"renard"—for the Meskwaki people. When quoting sources that use "Fox," this word will be preserved. When writing in my own voice, I use the tribe's current preferred endonym.

responsible for acquiring over 100 million acres of Indigenous land, an area only slightly smaller than California. Yet, Harrison was more than the nation's chief land broker. In collaboration with Thomas Jefferson, he was also the architect of an understudied form of sovereignty predicated on a unique conceptualization of land. In this chapter, a careful examination of each will call into question one of the most enduring political and cultural endowments of the Jeffersonian era, and initiate a reconsideration of the meaning of land in American political thought.

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During his visit to St. Louis in 1804, Harrison stood on the newest appendage of Indiana Territory. Soon it would become Louisiana Territory, then Missouri Territory, then the state of Missouri. If Jefferson had his way, it might have been named something like "West Polypotamia."[3] Yet, Harrison also stood on the western border of "Jeffersonia," an imaginary version of the United States that bloomed in the mind of the man from Monticello and took root in the historical and political sensibilities of succeeding generations. Picture Jeffersonia as a fertile, verdant landscape, riven with sprightly waterways and carved into small, prosperous, family-run farms. The occupants of these homesteads—"yeoman farmers," as they are sometimes called—are the preeminent citizens of Jeffersonia. As Jefferson famously put it in his *Notes on the State of Virginia* (1787):

> Those who labour in the earth are the chosen people of God, if ever he had a chosen people, whose breasts he has made his peculiar deposit for substantial and genuine virtue. It is the focus in which he keeps alive that sacred fire, which otherwise might escape from the face of the earth. Corruption of morals in the mass of cultivators is a phenomenon of which no age nor nation has furnished an

[3] See Thomas Jefferson, "Report on Government for Western Territory," March 1, 1784, in *Thomas Jefferson, Writings*, ed. Merrill D. Peterson (New York: The Library of America, 1984), 378.

> example... Dependance begets subservience and venality, suffocates the germ of virtue, and prepares fit tools for the designs of ambition.[4]

Such vaunted language might lead one to think Jeffersonia is primarily a *moral* utopia wherein the value of agriculture consists in the ethical lessons it can teach. Yet, the final sentence of the passage conveys its political import: those who work the earth and eat the bread of their own fields are economically independent, which translates into political independence. An electorate comprised of yeoman farmers who own themselves and their land, in a Lockean sense, shall never become subservient to an ambitious aristocracy or tyrant. Granted, self-ownership is gendered and racialized in Jeffersonia, where institutions like coverture and chattel slavery render female and non-white bodies the *objects* of ownership. "Democracy" refers narrowly to relative economic equality in Jeffersonia, where widespread landownership is the foundation of popular sovereignty for all white men. Thus, policies such as those proposed by Jefferson in his draft constitution for Virginia are put in place: "Every person of full age neither owning nor having owned [50] acres of land, shall be entitled to make an appropriation of [50] acres... in full and absolute dominion" out of the public domain.[5] In short, the opportunity to own land renders all (white, male) citizens equally independent, rural life makes them virtuous, and the combination of freedom with morality empowers them to govern themselves to a degree that would make even ancient Athens envious. As the Solon of this yeoman utopia, Jefferson rightly

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[4] Thomas Jefferson, "Notes on the State of Virginia," in *Thomas Jefferson, Writings*, 290-291.

[5] Thomas Jefferson, "Draft Constitution of Virginia," June, 1776, in *Thomas Jefferson, Writings*, 343. This particular clause was never ratified. For additional examples of democratic agrarianism in Jefferson's corpus, see Thomas Jefferson to John Jay, August 23, 1785, in *Thomas Jefferson, Writings*, 818; Thomas Jefferson to Jean Nicolas Démeunier, April 20, 175, in *Thomas Jefferson, Writings*, 1026-1027; Thomas Jefferson to Jean Baptiste Say, February 1, 1804, in *Thomas Jefferson, Writings*, 1143. For analysis of these and other letters that demonstrate Jefferson's agrarian commitments, see José Augusto Salatino Indelicato, "Thomas Jefferson and the Agrarian Myth: A Reappraisal of Sources," Ph.D. diss., Universidad de Valladolid, 2013-2014.

earns the accolade bestowed on him by Alexis de Tocqueville: "the most powerful apostle of democracy there has ever been."[6]

Jeffersonia is a cartographic fiction, but the political and ethical vision it describes has coalesced over time into an ideology known widely as Jefferson's "democratic agrarianism." Many scholars have explored this ideology, some more critically than others.[7] Richard Hofstadter asserts the widespread landownership at the core of democratic agrarianism failed to obtain even by the mid-nineteenth century, coining the phrase "the agrarian myth."[8] Yet, this hardly discounts the cultural staying power of the ideology. From the dreams of the homesteaders (examined in Chapter 3), to Frederick Jackson Turner's "frontier thesis," to various strands of twentieth-century populism, Progressivism, *and* conservatism, to the latest iteration of the back-to-the-land movement, some version of democratic agrarianism has always been in vogue in American politics and letters. Today, one can find the same basic connection between land, economic independence, and popular sovereignty in the writings of the immensely popular contemporary agrarian, Wendell Berry, who is but the latest in a long line of Jefferson's acolytes.[9] For a readership that spans the political spectrum, Berry has spent the last fifty years linking the character and community requisite for self-government with specific

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[6] Alexis de Tocqueville, *Democracy in America*, ed. J.P. Mayer, trans. George Lawrence (New York: HarperCollins 2006 [1835]), 261.

[7] A. Whitney Griswold, "The Agrarian Democracy of Thomas Jefferson," *The American Political Science Review* 40, no. 4 (1946); Henry Nash Smith, *Virgin Land: American West as Symbol and Myth* (Cambridge, MA: Harvard University Press, 1950); Lisi Krall, "Thomas Jefferson's Agrarian Vision and the Changing Nature of Property," *Journal of Economic Issues* 36, no. 1 (2002); M. Andrew Holowchak, "Jefferson's Moral Agrarianism: Poetic Fiction or Normative Vision?" *Agricultural Human Values* 28 (2011); Scott M. Roulier, *Shaping American Democracy: Landscapes and Urban Design* (Cham, Switzerland: Palgrave Macmillan, 2020), 27-46.

[8] Richard Hofstadter, *The Age of Reform: From Bryan to F.D.R.* (New York: Vintage Books, 1955), 23-59.

[9] Kimberly K. Smith, *Wendell Berry and the Agrarian Tradition: A Common Grace* (Lawrence, KS: University Press of Kansas, 2003), 11-36.

forms of agriculture and landownership. Paraphrasing Jefferson, he writes, "a democratic state and democratic liberties depend upon democratic ownership of the land."[10] While Jefferson, the man, is today subject to ruthless—and warranted—reassessment, Jeffersonia remains a utopia that evokes a longing for a more agrarian past and, for many, hope in a more democratic future.

This chapter does not respond to democratic agrarianism on its merits, but, instead, takes a different view of Jeffersonia. Swiveling the frame from the barns and fields of the self-owning yeoman farmer, now looking "outward" to the boundary of the United States at the turn of the nineteenth century, one does not find widespread landownership and popular sovereignty proceeding neatly across the continent. Rather, one finds the hierarchy, exploitation, and dispossession of settler empire. Sojourning with William Henry Harrison, treaty in hand, to the fringes of the vast western territories, one encounters a configuration of sovereignty and land designed *not* to promote self-government among small-holders, but to expropriate and disenfranchise the Indigenous inhabitants of North America as it asserts the United States as the sole legal, economic, and political authority on the continent. This is not an aberration from democratic agrarianism, but, as will be argued, its historical and conceptual precondition. Once we explore the margins of Jeffersonia, we will no longer be able to sing the praises of democratic agrarianism, of the link between landownership and popular sovereignty, without hearing the echo of a "countersovereignty" I call "benevolent dominion," which is predicated on a far less romantic conceptualization of land as "terrain."

This chapter begins by providing background information on William Henry Harrison, his relationship to Thomas Jefferson, and the materials that will be analyzed herein. The following section makes the case for conceiving sovereignty not as a power, person, or quality

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[10] Wendell Berry, *Citizenship Papers* (Berkeley, CA: Counterpoint, 2014), 148-149. See also Berry, *The Unsettling of America.*

of modern states, as political scientists usually do, but as a more diffuse "logic of legitimate public action." It then reads Jefferson's correspondence and Harrison's treaties to develop "benevolent dominion" as the prevailing logic of sovereignty on the border of the U.S. settler colony. This logic legitimates the arrogation of authority from tribes to the United States on the pretense of "civilizing" supposedly deficient Indigenous lifeways. The third section demonstrates how the logic of benevolent dominion works through "terrain," a way of thinking about land inspired by Henri Lefebvre that converts dense, multifarious landscapes into hierarchal, temporally-fragmented, "fetishized" space. The chapter concludes with a reassessment of democratic agrarianism in light of both benevolent dominion and terrain.

On the Margins of Jeffersonia

Our twenty-first-century recollections of William Henry Harrison (1773-1841) are unusual, to say the least. What should have been the crowning achievement of a lifetime, the ascendency to the presidency, is factoid fare for Harrison. His death just nine weeks after his inauguration—mistakenly attributed to a case of pneumonia picked up during an overlong speech delivered in the rain, and actually the result of an infection from the White House's fetid water source—is usually all that is remembered. In his own time, Harrison's star had long been on the wane in the years leading up to his presidential victory in 1840. Referred to as "Granny" Harrison even by supporters, the sixty-eight-year-old general had spent the years after the War of 1812 on the margins of national politics: a couple partial terms in the House (1816-1819) and Senate (1825-1828), as well as a brief and mishap-laden tenure as minister to Colombia (1828-1829), are the extent of his palmarès in that time. However, the first half of Harrison's life, all but forgotten today, was nothing short of meteoric.

Born in Virginia to a family of the plantation aristocracy that had been ruined by the Revolutionary War, Harrison realized early that his future lay beyond the Tidewater. A brief study in medicine gave way to an army commission, which found him stationed at Fort Washington (present-day Cincinnati) in 1791. This year marked the nadir of the American offensive against the confederated tribes of the Ohio River Valley, and Harrison arrived on the frontier not long after "St. Clair's Defeat"—a rout led by Little Turtle (Shawnee), Blue Jacket (Shawnee), and Buckongahelas (Lenape) that exacted more than 800 American casualties from a force of just over a thousand men. From the American perspective there was nowhere to go but up, and Harrison quickly earned the respect of Arthur St. Clair's replacement, "Mad" Anthony Wayne. Harrison was on hand when General Wayne redeemed the earlier defeat at the Battle of Fallen Timbers (1794) and likely served as scribe during the Treaty of Greenville council, which signaled the end of the once-powerful Northwest Confederacy. Harrison's rising reputation as Wayne's aide-de-camp soon found him appointed secretary of the Northwest Territory in 1798 and then elected as the territory's congressional delegate the following year. Though a non-voting member of Congress, Harrison was instrumental in passing the Land Law of 1800, which reduced the minimum purchasable acreage from 640 to 320 acres of public domain—technically more feasible for "small-holders," but still far in excess of what most Americans could afford.[11]

Then, in May 1800, President John Adams nominated Harrison to be governor of Indiana Territory (the remainder of the Northwest Territory after Ohio became a separate territory on its path to statehood). He was only twenty-seven years old, but his shrewd reaction to the appointment defied his age. Recognizing the impending partisan reversal, Harrison

[11] Benjamin Horace Hibbard, *A History of the Public Land Policies* (New York: Peter Smith, 1939), 69-70.

sought assurances from Jeffersonians that the Democratic-Republican would keep a Whig appointee.[12] These in hand, Harrison moved his growing family from Cincinnati to the more stagnant frontier town of Vincennes, the capital of Indiana Territory. Once there, he commenced the mundane work of territorial administration: creating counties, appointing judges and other officers, approving ferry licenses for the many streams and rivers that crisscrossed the countryside and fell under federal purview, and occasionally submitting his constituents' concerns to a distant and uninterested Congress. The latter included a failed attempt to carve out a legal exception for slavery in the territory, which was expressly prohibited by the sixth article of the Northwest Ordinance (1787).[13]

Far more dynamic were the governor's concurrent responsibilities as "superintendent of Indian affairs and commissioner plenipotentiary of the United States for concluding any treaty or treaties which may be found necessary with any of the Indian tribes north west of the river Ohio."[14] From his arrival in Vincennes in 1801 to his appointment as general of the Army of the Northwest upon the outbreak of the War of 1812, it was in this role that Harrison made his most significant contributions to the American imperial project. He negotiated eleven land-cession treaties in that span, extending U.S. authority into a region that was still under the sway of a long-standing British-Indigenous alliance. He had tense, face-to-face encounters with notable tribal leaders like Little Turtle and Tecumseh (Shawnee), the latter of which flouted Harrison's authority in his efforts to resuscitate a pan-Indian confederacy. And he engaged in a

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[12] Robert M. Owens, *Mr. Jefferson's Hammer: William Henry Harrison and the Origins of American Indian Policy* (Norman, OK: University of Oklahoma Press, 2007), 51.

[13] Owens, *Mr. Jefferson's Hammer*, 67-74.

[14] This particular rendering of Harrison's title, a version of which may be found at the beginning of almost every treaty he negotiated, is sourced from "Treaty with the Kaskaskia," August 3, 1803, in *Indian Affairs: Laws and Treaties*, vol. 2, ed. Charles J. Kappler (Washington, D.C.: Government Printing Office, 1904): 67.

pivotal battle at Tippecanoe (1811) against Tecumseh's brother, Tenskwatawa—the "Shawnee Prophet"—which spelled doom for this confederacy and earned Harrison a heroic nickname that would resurrect as the slogan for his presidential campaign three decades later: "Tippecanoe and Tyler, Too."

Harrison's political star was at its zenith in these gubernatorial years, which were more or less coextensive with the Jefferson administration. If the two men ever met in person there is no record of it, and the letters between them are relatively few. However, as the following will demonstrate, their understanding of imperial strategy on the western frontier was remarkably aligned, such that Robert M. Owens describes a "syncretic relationship" between Jefferson and Harrison.[15] If the president gave the governor a "free hand" in Indian affairs, this was largely because Harrison usually implemented the exact policy Jefferson would have prescribed.[16] For example, both shared an aversion to selling alcohol to Indigenous people, both pressed settler methods of cultivation onto tribes (more on this below), and both recognized that "purchasing" Indigenous lands—a policy Jefferson had long endorsed as the only legal way to acquire the continent—was mostly a matter of bribing leaders and playing tribes off each other. While they were hardly the only men to hold these opinions, the affinities across distance and political context are nonetheless striking. For comparison, Secretary of War Henry Dearborn, who would have had much more interaction with Jefferson, tended to chastise the young governor when he caught wind of such things as "unfair means used for obtaining the assent of some of the Chiefs," and seemed generally nonplussed by Harrison's elaborate plans to extend

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[15] Owens, *Mr. Jefferson's Hammer*, 51.

[16] Owens, *Mr. Jefferson's Hammer*, 66.

territorial boundaries as far as possible.[17] No such chastisement ever came from Jefferson himself, only suggestions on how to outwit tribal diplomats. Thus, the work of colonizing the middle of the continent was neither masterminded from Monticello, as some have suggested, nor was it the personal project of a functionary basking in the light of executive indifference, but a genuine collaboration between an interested principal and his eager agent.[18] It is really the case that Harrison was, as Owens more colorfully puts it, "Mr. Jefferson's hammer."

To ascertain how the Jefferson-Harrison brain trust hammered the Indigenous-held Upper Mississippi Valley into American empire, the following will focus on the seven treaties Harrison negotiated with tribes of that region between 1801 and 1805. This range includes the pivotal Treaty with the Sauk and Foxes (1804), which will be given especially close attention, but also represents a discrete spate of treaty-making in Harrison's gubernatorial tenure that left off abruptly in 1805 and did not resume until 1809. The evident goals of this first set of treaties were, first, extending the boundaries around Vincennes and, second, "filling in" the territory between Vincennes and the Mississippi River—basically present-day Illinois. The latter was an urgent task prior to the Louisiana Purchase, when the United States feared a muscular French empire on their western border. In these treaties, Harrison clearly draws upon but also redevelops the principles set down in the Treaty of Greenville (1795), which, as General Wayne's aide-de-camp, he witnessed come into form. Thus, when illuminating, the text of the Treaty of Greenville will be referenced. This treaty can be found in the first volume

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[17] Secretary of War to Governor Harrison, February 21, 1803, in *The Territorial Papers of the United States*, vol. 7, ed. Clarence Edwin Carter (Washington, D.C.: Government Printing Office, 1939), 86.

[18] A.F.C. Wallace describes Jefferson as desperate for total control over policy, Wallace, *Jefferson and the Indians: The Tragic Fate of the First Americans* (Cambridge, MA: The Belknap Press, 1999), 13-16. Owens, the title of his work notwithstanding, calls Jefferson "indifferent" on territorial matters, Owens, *Mr. Jefferson's Hammer*, 99.

of *American State Papers: Indian Affairs*, whereas all of Harrison's treaties are contained in the second volume of Kappler's *Indian Affairs: Laws and Treaties.*

Although the treaties themselves are remarkably rich artifacts of empire, additional materials provide useful context and offer unique insights into the motivations and perspectives of the participants. Letters and speeches of Harrison's cited herein are sourced from the first volume of Logan Esarey's *Governor's Messages and Letters: Messages and Letters of William Henry Harrison*, while letters penned by Jefferson are drawn from the Library of America's *Thomas Jefferson, Writings*, edited by Merrill D. Peterson. Fortunately, the council minutes from Greenville and some of Harrison's negotiations with tribes are also preserved, the former along with the treaty itself in *American State Papers* and the latter in *Governor's Messages and Letters* as well as, on a few occasions, Douglas Clanin's more comprehensive collection, *The Papers of William Henry Harrison, 1800-1815.* Though imperfectly translated into English by biased interpreters, these contain the perspectives of the Indigenous parties to treaty-making that, for present purposes, draw an instructive contrast with the ideas articulated by Harrison and Wayne, respectively.

I refer to these documents as the "margins" of Jeffersonia, not only because they describe what was occurring on the colonial border of a settler empire posing as a yeoman republic, but also because they function as important "marginalia" to some of the more recognizable ideas being developed at the time, such as democratic agrarianism. As with the relationship between marginalia and "main text," the relationship between these documents and the more familiar texts of early American political thought deepens our understanding of both. One goal of the following analysis is to push political theorists to these margins, to demonstrate how they are not only helpful addendums to our current understanding of a period, but can radically transform its meaning.

Countersovereignty as Benevolent Dominion

As both the present and following chapter explore the connection between land and sovereignty, a definition of the latter must be sketched before beginning. Sovereignty is often taken to mean supreme, indivisible, and independent authority over territory and population. Joan Cocks describes it as the "command and control [of] everything inside a physical space," and the accepted genealogy emphasizes the secularization of divine omnipotence accomplished by the likes of Jean Bodin, Hugo Grotius, Thomas Hobbes, and Jean-Jacques Rousseau.[19] For these early-modern thinkers, sovereignty is, ontologically speaking, a *power*, and the sovereign is the *person*—individual or collective—who wields that power. Bodin and Grotius conceive the sovereign as singular and supreme, the ruler who is not ruled, while Hobbes and Rousseau link sovereignty to specific locales and constituencies. In so doing, they democratize sovereignty by relocating its source from the physical might or "divine right" of a monarch, to a discrete group of original covenantors (Hobbes) or the more amorphous membership of the social contract (Rousseau), such that today we can speak of "popular sovereignty" in a manner that embraces both political equality and the more hierarchical, inegalitarian power to "command and control."

Even contemporary critics of sovereignty, including those who study it through lenses of settler colonialism and Indigenous politics, tend to endorse this definition. For example, Cocks traces a self-defeating conception of freedom to the physical and moral violence of "command-and-control" sovereignty, but she does not reconceive the term.[20] Joanne Barker recognizes the historical contingency and imperial residue of sovereignty, but holds onto it as a

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[19] Joan Cocks, *On Sovereignty and Other Political Delusions* (London: Bloomsbury, 2014), 2.
[20] Cocks, *On Sovereignty*, 35-45.

means of "self-government, territorial integrity, and cultural autonomy" for tribal nations.[21] Critiquing the imposition of sovereignty by the two North American settler states, Kevin Bruyneel theorizes Indigenous "third spaces," while Audra Simpson and Adam Dahl highlight arresting, disrupting acts of political refusal.[22] These studies illuminate the political effects of sovereignty in colonial contexts and foreground Indigenous variations, but the conventional ontology endures; while it may be temporally-nuanced, embedded, or overlapping, sovereignty remains the power to rule invested in a (artificial and perhaps collective) person.

A recent exception to this pattern is David Myer Temin, who, recognizing colonial sovereignties often take the form of "command and control," proceeds to "remap" the conceptual coordinates of sovereignty by defining it as a "justificatory apparatus."[23] Ontologically, sovereignty is less a power than a way of conceiving and articulating power relations, which reframes the conventional definition of sovereignty as total authority over territory and population as but one species of a much broader genus. Along these lines, this chapter recasts sovereignty as a *logic of legitimate public action*. At bottom, sovereignty consists not in designated persons exercising the power to act, but in a more diffuse set of speakers justifying public activity to precise audiences. On this view, if the discrete population of a delimited territory accept the laws or edicts of a supreme, indivisible, and independent lawgiver as authoritative, this is only because such qualities and the lawgiver-population-territory formation (i.e. the nation-state) have attained a level of legitimacy for those involved. In other

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[21] Joanne Barker, "For Whom Sovereignty Matters," in *Sovereignty Matters: Locations of Contestation and Possibility in Indigenous Struggles for Self-Determination*, ed. Joanne Baker (Lincoln, NE: University of Nebraska Press, 2005), 14.

[22] Bruyneel, *The Third Space of Sovereignty*; Audra Simpson, *Mohawk Interruptus: Political Life Across the Borders of Settler States* (Durham, NC: Duke University Press, 2014); Dahl, *Empire of the People*,157-183.

[23] David Myer Temin, *Remapping Sovereignty: Decolonization and Self-Determination in North American Indigenous Political Thought* (Chicago, IL: The University of Chicago Press), 5-8.

words, there is no conceptual magic inherent in activities deemed "supreme," "indivisible," and "independent" that makes them sovereign, nor even in the real threat of monopolized violence that often underwrites "command and control." Only a justificatory logic can distinguish activity that is sovereign from that which is not, and logics—unlike power or persons—are intersubjective and (re)interpretable. Thus, a claim to act on behalf of or with consequences for a public, justified in some manner to that public, constitutes sovereignty. A claim that does not rise to the level of "public action," or for which no justification is offered, does not.

This definition draws upon Temin's work, but also Jens Bartelson's conceptualization of sovereignty as symbolic or "parergonal," and Karena Shaw's efforts to think how "discourses and practices of sovereignty 'work' to construct the space of the political."[24] However, sovereignty as a logic of legitimate public action finds its clearest expression in the thought of Michel Foucault. It is widely known that Foucault defines sovereignty as "the right to take life or let live," which is eclipsed in the nineteenth and twentieth centuries by "the right to 'make' live and 'let' die," a concept he would eventually call "biopower."[25] Foucault insists we move beyond the staid definition of sovereignty to understand better the ways modern power functions as discipline, but his oft-overlooked distinction between the *structures* of these two powers—not simply the actions they describe—is instructive. According to Foucault, disciplinary power functions as a "closely enmeshed grid of material coercions."[26] While these coercions can speak as "natural rule" or "norm," their tendency is to impress silently upon the

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[24] Jens Bartelson, *A Genealogy of Sovereignty* (Cambridge: Cambridge University press, 1995); Karena Shaw, *Indigeneity and Political Theory: Sovereignty and the Limits of the Political* (London: Routledge, 2008), 9.

[25] Michel Foucault, *"Society Must Be Defended": Lectures at the Collège de France, 1975-76*, ed. Mauro Bertani and Alessandro Fontana, trans. David Macey (New York: Picador, 2003): 241.

[26] Foucault, *"Society Must Be Defended,"* 36.

body, rather than make claims to a receptive, evaluating audience.[27] Sovereignty, on the other hand, is an "ideology of right" and a "juridico-political theory" that functions precisely through the claims a speaker makes to an audience that can accept, dispute, or reject them.[28] On this reasoning, all the power in the world would not be sovereign without a "garrulous and explicit" justification of its exercise. Whatever its use for Foucault, sovereignty is not in the act—be it "taking life," "letting live," or any other—but in the logic that legitimates it.

To be clear, defining sovereignty as a "logic of legitimate public action" does not imply it proceeds neatly from premises to conclusions (this would be closer to the "natural rule" of disciplinary power). On the contrary, claims to sovereignty can be quite illogical, a fact embedded in the very definition posited here: what distinguishes "public" from other types of action (e.g. "private") will itself be a claim that must be justified—that must become, in a sense, "sovereign." This tautology means we should expect inconsistencies, slippages, and lacunae as speakers and their audiences advance defenses or critiques of so-called "public activity." Furthermore, a speaker may justify such activity in terms incomprehensible to one or all intended audiences. While these will likely be instances of political conflict, they do not indicate theoretical breakdown; sovereignty does not require all (or any) to understand, only that there is something to be understood. In sum, treating sovereignty as a logic means it is fundamentally *articulable*; whether such articulations are "logical" or even comprehensible is secondary.

Finally, the logic of legitimate public action that will be traced in the following section is, properly speaking, a "countersovereignty." According to Manu Karuka:

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[27] Foucault, *"Society Must Be Defended,"* 38.

[28] Foucault, *"Society Must Be Defended,"* 36, 34.

> "'countersovereignty' proceeds… from a sense that settler invocations of sovereignty require recognition of Indigenous modes of relationship, however muted or displaced, in order to maintain any semblance of stability or coherence… [it] is always necessarily a reactive claim."[29]

When Jefferson and Harrison articulate their justifications for intervening in tribal politics and lifeways, they do so as a reaction to a perceived state of Indigenous affairs: whether or not tribes are powerful, stable, healthy, just, and so on. This is more often than not a negative reaction, wherein tribal practices perceived as weak, disorderly, unproductive, or immoral warrant U.S. intervention of some kind. The justificatory apparatus that legitimates this activity, and which *is* U.S. sovereignty in the Upper Mississippi Valley, would cease to function without a (fabricated) Indigenous subject at its center. The result is a thicket of assumptions, projections, and reflections that sustain a complex relationship between Native Americans—as imagined from Washington, D.C., and Vincennes—and the United States as (counter)sovereign.

Having canvassed the way (counter)sovereignty will be treated herein, the following subsections define the two components of Jefferson and Harrison's countersovereign logic that I call "benevolent dominion," and trace that logic along political, legal, and economic dimensions in Harrison's land-cession treaties.

"By Everything Just and Liberal…": Defining "Benevolent Dominion"

When studying relations between the Jefferson administration and Native Americans, scholars often distinguish these from the more notorious approach of Andrew Jackson. Whereas the latter aggressively enforced brutal removal policies that constitute blatant genocide, Jefferson

[29] Manu Karuka, *Empire's Tracks: Indigenous Nations, Chinese Workers, and the Transcontinental Railroad* (Berkeley, CA: University of California Press, 2019), 2.

is said to have practiced "benevolence" towards Indigenous peoples.[30] Shot through with the cultural progressivism typical of the Enlightenment, benevolence repudiated the rigid racialism of the likes of Comte du Buffon, who asserted Native Americans and Europeans were different species of human that could never exist in a state of genuine equality. In contrast, Jefferson theorizes in *Notes on the State of Virginia* that only time and "benevolent" intervention are required to prove Native Americans "are formed in mind as well as in body, on the same module with the 'Homo sapiens Europæus.'"[31]

In practice, Jeffersonian benevolence, or "philanthropy," mainly consisted of providing tribes with agricultural implements and other goods to help them "acculturate" to the paragon of American settler society: the small-holding, yeoman farmer. Yet, philanthropy was never free. For the "gift" of civilization, Jefferson desired vast swathes of Indigenous land. The tactics of this exchange are outlined in a strikingly candid and confidential letter to Harrison, in which Jefferson describes his "more extensive view of our policy respecting the Indians."[32] As Jefferson counseled, Harrison was to take care to "live in perpetual peace with the Indians… cultivate an affectionate attachment from them, by everything just and liberal… and [give] them effectual protection against wrongs from our own people."[33] Justice and liberality seem

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[30] Bernard W. Sheehan, *Seeds of Extinction: Jeffersonian Philanthropy and the American Indian* (New York: W.W. Norton & Company, Inc., 1973); Christian B. Keller, "Philanthropy Betrayed: Thomas Jefferson, the Louisiana Purchase, and the Origins of Federal Indian Removal Policy," *Proceedings of the American Philosophical Society* 144, no. 1 (2000); Robert M. Owens, "Jeffersonian Benevolence on the Ground: The Indian Land Cession Treaties of William Henry Harrison," *Journal of the Early Republic* 22, no. 3 (2002).

[31] Jefferson, "Notes on the State of Virginia," *Thomas Jefferson, Writings,* 187. For more on Jefferson's understanding of Native American "civilization," see Wallace, *Jefferson and the Indians*; Peter S. Onuf, *Jefferson's Empire: The Language of American Nationhood* (Charlottesville, VA: University Press of Virginia, 2000), 23-29.

[32] Thomas Jefferson to William Henry Harrison, February 27, 1803, *Thomas Jefferson, Writings,* 1117.

[33] Jefferson to Harrison, February 27, 1803, *Thomas Jefferson, Writings,* 1118.

little more than a façade, though, once Jefferson describes how Harrison was to obtain Indigenous lands: by plying tribes with goods, he could ensure "the good and influential among them run into debt, because we observe that when these debts get beyond what the individuals can pay, they become willing to lop them off by a cession of land."[34] Then, as land cessions diminished tribal hunting grounds, tribes will be compelled to either adopt a strictly agricultural lifestyle or follow game to other regions. "In this way our settlements will gradually circumscribe and approach the Indians, and they will in time either incorporate with us as citizens of the United States, or remove beyond the Mississippi," Jefferson writes, "the former is certainly the termination of their history most happy for themselves."[35] Turning his attention specifically to the Upper Mississippi Valley, Jefferson reasons that "the Cahokias [now] extinct, we are entitled to their country by our paramount sovereignty," and proposes a plan for buying the submission of the Peoria and Kaskaskia tribes still living there.[36] Efforts had to be taken, however, to insinuate "all those considerations which prove the advantages they would receive by a cession… [rather] than by abruptly proposing it to them at a formal treaty."[37] Finally, while Jefferson assumes the tribes understood the United States "[has] only to shut our hand to crush them, and that all our liberalities to them proceed from motives of pure humanity only," he enjoins Harrison that for "their interests and their tranquility it is best they should see only the present age of their history."[38] In other words, they were not to perceive their eventual ruin—by either violent or "benevolent" means—in Harrison's activities.

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[34] Jefferson to Harrison, February 27, 1803, *Thomas Jefferson, Writings*, 1118.

[35] Jefferson to Harrison, February 27, 1803, *Thomas Jefferson, Writings*, 1118.

[36] Jefferson to Harrison, February 27, 1803, *Thomas Jefferson, Writings*, 1119.

[37] Jefferson to Harrison, February 27, 1803, *Thomas Jefferson, Writings*, 1120.

[38] Jefferson to Harrison, February 27, 1803, *Thomas Jefferson, Writings*, 1118, 1120.

What is significant about this first-hand account of Jeffersonian benevolence is how it presumes a lack or deficiency in Indigenous lifeways that positions the United States as a ready benefactor. On Jefferson's view, Native Americans needed money, agricultural implements, and protection, all of which the United States could supply. If tribes did not otherwise need these things, Harrison was charged with creating conditions of neediness. For example, tribal indebtedness would facilitate land cessions, which would favor a more agricultural lifestyle, which would position the United States as a benefactor in more ways than one: it would become creditor, land buyer, and farm supplier to the tribes. Rarely has the open hand of philanthropy appeared so underhanded, and one is tempted to condemn "benevolence" as yet-another example of Jefferson's hypocrisy. Yet, this cycle of manufactured dependence was more than a land-grab (though this it certainly was): it was also the logic that legitimated the public activity of Jefferson, Harrison, and the United States as a whole over the tribes. In other words, so-called "benevolence" was a claim to sovereignty.

Attention to the logical pathways not fully taken in Jefferson's letter to Harrison underscores the legitimating function of benevolence. For example, Jefferson might have based Harrison's authority on what he calls "our paramount sovereignty." The other occurrences of "paramount sovereignty" in Jefferson's papers suggest a Doctrine of Discovery-style right of preemption to all territories ceded to the United States in the Treaty of Paris. On this reasoning, U.S. sovereignty over Indigenous lands could have been confirmed through a simple purchase.[39] Yet, if this were sufficiently legitimate, Jefferson would not have been at pains to

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[39] Jefferson makes almost the exact same point about paramount sovereignty and "the Cahokias" in his Memorandum for Henry Dearborn on Indian Policy, December 29, 1802. *Founders Online*, National Archives, https://founders.archives.gov/documents/Jefferson/01-39-02-0208. George Hammond, British Minister to the United States (1791-1795), draws the same conclusion about preemption following a conversation with Jefferson in 1792. See the note to Thomas Jefferson, "Enclosure: Report on Public Lands, 8 November 1791," *Founders Online*, National Archives, https://founders.archives.gov/documents/Jefferson/01-22-02-0258.

adorn and disguise the land cessions he proposed as "everything just and liberal" towards the tribes. Likewise, Jefferson might have invoked pure American might. His reference to the absence of "the Cahokias" could be read to imply a regional power vacuum that might be filled with American arms. In this case, however, Jefferson would not have hesitated to "shut our hand." Evidently, the United States did not endeavor to dominate the political landscape, at least not openly. What was needed to legitimate U.S. intervention was the material and ideological fulfillment of an Indigenous lack. For Jefferson and Harrison, it is only by bestowing the "gift" of civilization that the United States could be genuinely sovereign over Indigenous peoples and land.

A presumed (and often manufactured) Indigenous lack is that to which Jefferson and Harrison respond with their legitimating benevolence, and, thus, that which converts their resulting claim to sovereignty into a claim to *countersovereignty*. The United States has authority over the tribes not only because they are strong, but primarily because the tribes are perceived as weak—and weak in a way that requires American assistance. As will be demonstrated, Harrison frequently identified and deplored Indigenous customs and lifeways that needed to be replaced by settler governance, not because they were a threat to U.S. sovereignty—though they were—but, more expressly, because they threatened to undermine the Native Americans themselves. One is reminded of the seventeenth-century seal of Massachusetts Bay Colony, which displayed an Indigenous figure crying, "Come over and help us." Jefferson and Harrison plant the flag of U.S. countersovereignty on Indigenous lands not through a militaristic show of force, but by a more benign show of benevolence that reacts to a distorted perception of Indigenous life.

Whenever Jefferson uses the adjective "paramount," he tends to refer to something superseding something else: as in, federal law is "paramount" to state law.

Still, benevolence as countersovereignty could have taken many forms. It might, for example, have promoted some kind of bilateralism between the United States and the tribes, with the former acting as a more powerful ally that actively supported tribes while respecting their independent authority. Instead, in Harrison's work as treaty commissioner and territorial governor, benevolence most often correlated with an exclusive, arrogating, and reductive mode of governance that stripped tribes of their authority under the guise of protection and support. While the nature of what I call "dominion" is most thoroughly exemplified in Harrison's treaties, its main contours are encapsulated in a speech he delivered to a gathering of tribal diplomats in 1802. Speaking in the familiar idioms of the "middle ground," Harrison declares:

> When the tomahawk was raised some time ago by some of your inconsiderate and rash young men, and your blood already began to flow, you know what pains I took to arrest the fury of the bloody weapon and bury it where I thought it could never again be found.
>
> My children, the great tree of peace which was planted at Greenville, I have watered and cultivated with the greatest care, and I have cherished the hope that this tree would spread its branches over the whole great Island... But in spite of all my care, this fair and flourishing tree has been severely wounded by the rash and inconsiderate men of both colors... a most terrible gash... will endanger the very existence of those large branches which hang over the Illinois river.
>
> My children... let us cut off the branches which are withered and decayed, and extirpate the weeds which have hitherto retarded its growth, and then let us entwine our arms around its trunk, that the vicious and unruly may be unable to injure it.[40]

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[40] William Henry Harrison, "Address to Indian Council," August 12, 1802, in *Messages and Letters of William Henry Harrison*, ed. Logan Esarey, vol. 1 (Indianapolis, IN: Indiana Historical Commission, 1922), 52. Hereafter, *MLWHH*.

In this remarkable speech, Harrison repurposes the symbol of the Great Tree of Peace from the Iroquois Deganawidah epic, in which a prophet tells Hiawatha how to stop the cycle of bloodshed between the Mohawk, Onondaga, Oneida, Cayuga, and Seneca. Indeed, by "burying the hatchet" and agreeing to rules of diplomacy based on consolation and confederation rather than revenge and domination, the five tribes learned to live together peacefully. According to Robert A. Williams, Jr., the original Great Peace called for "communication, connection, solidarity, and trust between all peoples, linked together in reciprocating relations of trade, friendship and goodwill."[41] The image of a tree represented how "all nations that desired to follow the roots of the Tree of Peace could be led by the council fire smoke to Iroquoia to receive the news of peace."[42] These principles and arboreal image reflect the intertribal order envisioned by the Deganawidah epic and are critical elements of the "justificatory apparatus" that legitimates the Iroquois Confederacy's continuous claim to sovereignty.

While Harrison parrots these principles in the first two paragraphs quoted above, he conspicuously centers himself as the lone guarantor of peace ("*I* have watered and cultivated... *I* have cherished... in spite of all *my* care..."). However, his greatest deviation comes in the third paragraph. Where the Great Law of Peace called upon participants to renew their relations through trust and reciprocity, Harrison's version prunes all that is "withered and decayed" and "extirpate[s] the weeds" which have hindered a U.S.-tribal alliance from extending deep into the continent. That is, Harrison sought to achieve peace through exclusion rather than inclusion. Case in point, those who commit to his Tree of Peace are to entwine their arms and form a defensive hedge that will keep out the "vicious and unruly."

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[41] Robert A. Williams, Jr., *Linking Arms Together: American Indian Treaty Visions of Law and Peace, 1600-1800* (New York: Oxford University Press, 1997), 59.

[42] Williams, Jr., *Linking Arms Together*, 96.

As in the Deganawidah epic, Harrison's goal was to prevent violence, but the method his speech illustrated could not be more different from Indigenous custom. Instead of renewal, trust, and reciprocity, he relied on repudiation, suspicion, and isolation to maintain order on the frontier. Harrison's retelling shows how American countersovereignty in the region depends on both the fulfilment of an Indigenous lack and the benefactor's lone capacity to assert exclusive control: that is, a twining of benevolence *and* dominion. The material and ideological "gifts" the United States gave were always simultaneously a usurpation of Indigenous authority. I call this compound form of countersovereignty the logic of "benevolent dominion." It signals American legitimacy in terms of the United States' self-assigned role as the sole protector, arbiter, and trading partner to the tribes, a benefactor who required complete supremacy in order to supplement the deficiencies it identified in Indigenous society. The following analyzes the treaties Harrison negotiated in the Upper Mississippi Valley to show how benevolence intertwined with dominion along political, legal, and economic dimensions to advance a claim of American countersovereignty over Indigenous people and lands.

Benevolent Dominion in Three Dimensions

First, the logic of benevolent dominion is evidenced in Harrison's arrogation of political authority over and between tribes. With an eye to both local dynamics and geopolitics, Harrison used treaties to institute exclusive rule where he perceived instability and violence. On the level of geopolitics, a number of Harrison's treaties reacted to the multiple and often conflicting alliances maintained by tribes with the British, French, and other foreign powers in the region. The Treaty with the Sauk and Foxes states, "the United States receive the united Sac and Fox tribes into their friendship and protection, and the said tribes agree to consider themselves under the protection of the United States, *and of no other power whatsoever*."[43] In 1795, General Wayne used remarkably similar language when dictating terms at Greenville: "the said Indian tribes again acknowledge themselves to be under the protection of the said United States, and no other Power whatever."[44] Likewise, the Treaty of Kaskaskia (1803) declares the tribe to be "under [the United States'] immediate care and patronage, and will afford them a protection as effectual against the other Indian tribes and against all other persons whatever as is enjoyed by their own citizens."[45]

In each case, "protection" is presented as a gift the United States alone can give, and both the promised material defenses and the activity of giving them to tribes are integral to its sovereign claim. By "receiving" the tribes into his "friendship" and "care"—implying an Indigenous need to which he can respond—Harrison simultaneously reinforced American "benevolence" and severed all other allegiances a tribe may have had, thereby positioning the United States as the sole guarantor of safety and order. Of course, this is part of a strategy to drive the British and French out of North America, just as a tribe's multiple alliances are a strategy for playing European traders and diplomats off each other to obtain the best value for furs and other goods. What matters here is how, in Harrison's hands, American geopolitical strategy manifests as a claim to exclusive authority predicated on "reception" that is both friendly and reductive in a manner characteristic of benevolent dominion.

This claim also manifests more locally with regard to what tribes could and could not do in their territory, separate from their relationships with European powers. Specifically,

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[43] "Treaty with the Sauk and Foxes," November 3, 1804, *Indian Affairs*, vol. 2: 74. Emphasis added.

[44] "Treaty of Greenville," in *American State Papers*: *Indian Affairs*, ed. Walter Lowrie and Matthew St. Clair Clarke, vol. 1 (Washington, D.C.: Gales and Seaton, 1832), 563.

[45] "Treaty with the Kaskaskia," *Indian Affairs*, vol. 2: 67.

Harrison sought to curb intertribal warfare. In treaties with the Kaskaskia (1803) and Piankeshaw (1805), Harrison generally forbade tribes from going to war without U.S. consent. He was more detailed in the Treaty with the Sauk and Foxes, where he states: "In order to evince the sincerity of their friendship and affection for the United States and a respectful deference for their advice... the said tribes to hereby solemnly promise and agree that they will put an end to the bloody war that has heretofore raged between their tribes and those of the Great and Little Osages."[46] All three treaties evince Harrison arrogating a fundamental political decision—one that, according to tribal custom, was highly decentralized and individualized—and reducing the Kaskaskia, Piankeshaw, Sauk, and Meskwaki to the status of wards who must ask permission from a guardian before defending themselves or exacting retribution.[47]

While his reasons for limiting warfare likely have to do with the effects of intertribal violence on trade and white settlement, Harrison framed this exclusive arrogation as what is due a benefactor for whom tribes ought to feel affection and respect. What is more, the "common Father of all the nations of the earth" required peace, which suggests Harrison was merely helping the tribes conform to divine law.[48] Here, authority consisted not only in "protection" the United States alone can provide, but in paternalistic advice to cease all violence the more "civilized" benefactor did not condone. Taken together, the logic of benevolent dominion restructures what had been a multi-nodal political environment to one in which the United States had final say over matters central to tribal survival.

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[46] "Treaty with the Sauk and Foxes," November 3, 1804, *Indian Affairs*, vol. 2: 76.

[47] It is worth noting Harrison effects this particular reconfiguration of U.S.-tribal relationships over a quarter-century before John Marshall wrote the "guardian-ward" relationship into American jurisprudence in *Cherokee Nation v. Georgia* (1831).

[48] "Treaty with the Sauk and Foxes," November 3, 1804, *Indian Affairs*, vol. 2: 76.

Second, and related to the arrogation of political authority, Harrison's treaties instituted a legal mechanism for adjudicating disputes on the frontier. This appears to be a reaction to what Harrison, like many Americans of his time, perceived as gratuitous blood-letting in the Old Northwest. When between Native Americans and white settlers, such violence was undeniably destructive. Nevertheless, many instances of *intertribal* violence—murders or kidnappings separate from warfare—were examples of long-standing, rule-bound custom (as will be discussed in Chapter 2). Harrison did not see the distinction, and outlawed all interpersonal violence no matter the identities or citizenship status of those involved. As he phrases it in the Treaty with the Sauk and Foxes, "lest the friendship which is now established between the United States and the said Indian tribes should be interrupted by the misconduct of individuals... no private revenge or retaliation should take place."[49] Instead, Harrison required all injured parties—Indigenous and settler alike—to submit complaints to the "superintendent of Indian affairs" (himself), who would forward the complaint to the perpetrator. If the perpetrator was Indigenous, "it shall be the duty of the... chiefs... to deliver up the person or persons... to the end that he or they may be punished agreeably to the laws of the state or territory."[50] If the perpetrator was a settler, "the person or persons so offending shall be tried, and if found guilty, punished in the like manner as if the injury had been done to a white man."[51] Harrison applied the same principle to settler intrusions on Indigenous land: "If any citizen of the United States or other white person should form a settlement... upon

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[49] "Treaty with the Sauk and Foxes," November 3, 1804, *Indian Affairs*, vol. 2: 75.

[50] "Treaty with the Sauk and Foxes," November 3, 1804, *Indian Affairs*, vol. 2: 75.

[51] "Treaty with the Sauk and Foxes," November 3, 1804, *Indian Affairs*, vol. 2: 75.

complaint being made thereof to the superintendent... such intruder shall forthwith be removed."[52]

This process of reporting injuries to a supposedly neutral arbiter for adjudication and restitution seems familiar to us today and, by many accounts, is a basic component of legal fairness. Indeed, Harrison's letters from the time of his arrival in Vincennes express genuine distress over the frontier violence he encountered, especially when waged by settlers upon innocent Native Americans. In 1801, he lamented to Henry Dearborn that many Native Americans had been murdered with impunity in the Old Northwest, and that "a great many of the Inhabitants of the Frontiers [i.e. white settlers] consider the murders of Indians in the highest degree meritorious." Harrison also complained of the lack of any boundary separating the U.S. outposts created by the Treaty of Greenville from the surrounding Indigenous land, which prevented him from prosecuting the "monstrous abuse" of frequent settler intrusions.[53] He was less passionate about intertribal violence, though he worried settler commerce would suffer if "*our laws* for a murder committed on *their own lands*, or on a road leading through their country" are unenforceable.[54] Thus, Harrison's legal mechanism in the Treaty with the Sauk and Foxes would have seemed to address these quandaries in a way that acknowledged the real grievances of Native Americans, rendered Indigenous victims equivalent to white victims in the eyes of the law, and promoted "friendship" between the tribes and the United States by reducing violence. Against the backdrop of the injustices he identified in his correspondence, it is a classic example of "benevolent" intervention.

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[52] "Treaty with the Sauk and Foxes," November 3, 1804, *Indian Affairs*, vol. 2: 75.

[53] William Henry Harrison to Secretary of War (Henry Dearborn), July 15, 1801, *MLWHH*: 25, 27.

[54] William Henry Harrison to Secretary of War (Henry Dearborn), February 19, 1802, *MLWHH*: 37. Emphasis added.

Nevertheless, this benevolence functioned by positioning the United States as sole arbiter of all conflict in the region, to the detriment of tribal methods of justice. In this case, Harrison diverged from the principles set down in the Treaty of Greenville. In that document, Wayne vaguely gestured to Congress as a potential arbiter of settler-Indigenous conflict, but in the sixth article he explicitly endorsed a tribe's authority to prosecute settler intrusions: "If any citizen of the United States, or any other white person or persons, shall presume to settle upon the lands, now relinquished by the United States [to the tribes], such a citizen or other person shall be out of the protection of the United States; and the Indian tribe... may drive off the settler, or punish him in such manner as they shall think fit."[55] What is more, the United States "shall be at liberty to... remove and punish settlers as they shall think proper, and so effect that protection of the Indian lands herein before stipulated." Wayne imagined a deliberately complex legal environment in which both the tribes and the United States had jurisdiction over the same set of crimes. By instituting shared legal authority, the Treaty of Greenville created something new and genuinely egalitarian in U.S.-tribal relations; no such principle existed in Wayne's own model, the Treaty of Fort Harmar (1789). For Wayne, then, the interests of bicultural justice seemed to legitimate public activity in the form of adjudication—in other words, the sovereignty—of both settler *and* Indigenous legal authorities.

In contrast with Wayne at Greenville, Harrison's decision to include Native Americans as plaintiffs and defendants in an expansive legal mechanism, with the United States alone at its apex, *diminished* tribal sovereignty and inscribed an American countersovereignty based on clear hierarchies and a single, supreme arbiter. Just as Harrison had arrogated all matters of war and peace to himself in the name of "respectful deference," he benevolently arrogated all legal authority as a means of maintaining "friendship" and preventing settler abuses—even

[55] "Treaty of Greenville," *American State Papers: Indian Affairs*, vol. 1: 563.

though he was well-aware of the opposite principle in his predecessor's treaty. On this point, it is worth remembering the Indigenous signatories to the Treaty with the Sauk and Foxes were in St. Louis to resolve a legal dispute according to their established customs. Not only did they fail to obtain the freedom of their fellow tribesman, but, in the eyes of the United States, they departed St. Louis without the legal authority they had when they arrived.[56] In a second key way, the logic of benevolent dominion allowed Harrison to usurp Indigenous practices of adjudication as part of his claim to countersovereignty in the Upper Mississippi Valley.

Third, and perhaps most visibly in Harrison's land-cession treaties, benevolent dominion restructured economic relationships in the region. With regard to the land cessions themselves, the Treaty with the Sauk and Foxes reinforced the preemption policy mentioned above: "the said tribes to hereby engage that they will never sell their lands or any part thereof to any sovereign power, but the United States, nor to the citizens or subjects of any other sovereign power, nor to the citizens of the United States."[57] In other words, the treaty created a monopsony in which the U.S. government was the sole purchaser of Indigenous lands.

Harrison did not explicitly justify this monopsony in terms of benevolence—rather, the implications for geopolitical strategy are clearest—but Jefferson mobilized benevolence in the analogous case of licenses for traders and trading houses. In the letter of February 1803, Jefferson advised Harrison to establish government-run trading houses, or "factories," that would "promote [the tribes'] disposition to exchange lands, which they have to spare and we want, for necessaries, which we have to spare and they want." To service this supposed

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[56] The fate of the imprisoned Sauk has always been shrouded in mystery, at least in American accounts. It seems likely, however, that his assassination just beyond the prison walls—whether he was released or escaped is the matter in dispute—was the product of American deviousness.

[57] "Treaty with the Sauk and Foxes," November 3, 1804, *Indian Affairs*, vol. 2: 75. Cf. "Treaty of Greenville," *American State Papers*: *Indian Affairs*, vol. 1: 563.

Indigenous desire in a manner that consolidates U.S. power, Jefferson insisted government traders must "sell so low as merely to repay us cost and charges, so as neither to lessen or enlarge our capital. This is what private [i.e. foreign] traders cannot do, for they must gain; they will consequently retire from the competition, and we shall thus get clear of this pest without giving offence or umbrage to the Indians."[58] On this reasoning, monopsony both benefitted the Native Americans and rid the region of the British and French, who had dominated the fur trade for centuries. Importantly, Jefferson's intention was not to corner that particular market—after all, he hoped to curtail Indigenous hunting—but to limit the number of authorities with which the United States had to compete for control of Indigenous lifeways.

For his part, Harrison tightly controlled the licensing of traders as territorial governor, and proclaimed traders must "confine themselves to the Towns and not follow the Indians to their Hunting grounds."[59] In the Treaty with the Sauk and Foxes, he forbade anyone without a license from trading with the tribes and called for the establishment of a trading house "in order to put a stop to the abuses and impositions which are practiced upon the said tribes by the private traders." Enacting Jefferson's vision, Harrison combined paternalistic protection with exclusive control over Indigenous commerce in a way that undermined established customs (such as traders accompanying tribes to their hunting grounds) and, as he put it in a letter to Dearborn, "confirm[ed] the dependence of the Indians on us."[60]

Lest this maneuvering be misconstrued as merely securing a trade advantage, two additional examples illustrate how Harrison asserted a reductive, arrogating mode of governance upon Indigenous economies. First, control over commerce converged with control

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[58] Jefferson to Harrison, February 27, 1803, *Thomas Jefferson, Writings*, 1118.

[59] "Proclamation: Against Trading with the Indians," August 31, 1801, *MLWHH*: 32.

[60] Harrison to Secretary of War, February 19, 1802, *MLWHH*: 39.

over territory in the eleventh article of the Treaty with the Sauk and Foxes. Having already insisted tribes must "from time to time give notice to the superintendent... of all the traders that may be in their country," Harrison went onto demand that tribes "at all times allow traders and other persons travelling through their country under the authority of the United States a free and safe passage for themselves and their property of every description." What is more, "for such passage they shall at no time and on no account whatever be subject to any toll or exaction."[61] Perhaps cognizant of the control some bands of Teton Sioux then exercised over traffic on the Missouri River, Harrison was at pains to protect American travel and commerce even in territory beyond U.S. borders.[62] However, he did not extend the same privilege to the tribes. Hence, second, upon discovering a valuable salt spring near the Wabash River in Indigenous territory, Harrison explained to Dearborn that it would be best for the United States to extinguish all Indigenous title and manage the spring as a public utility, rather than permit a private tenant to lease it from the tribes. The latter option would result in inefficiencies and "produce a disagreement among the Indians themselves."[63] For their part, the tribes refused any extinguishment of title. In council with Harrison they "could not be prevailed upon to name what compensation they would have [for the spring]... Neither would they agree to say that it was sold or given, but that it might be used by the United States, so

[61] "Treaty with the Sauk and Foxes," November 3, 1804, *Indian Affairs*, vol. 2: 76.

[62] William Clark informed Harrison of the Teton Sioux in 1805, Clark to Harrison, April 2, 1805, *MLWHH*: 118-121. However, it seems likely Harrison would have been aware of such "toll or exaction," as it had been in effect for years. See the editor's detailed but highly partial and antiquated account in *The Journals of Lewis and Clark*, ed. Bernard DeVoto (New York: Houghton Mifflin Company, 1997 [1953]), 24-25, 33-34.

[63] William Henry Harrison to Secretary of War (Henry Dearborn), March 25, 1802, *MLWHH*: 47.

long as the Great Spirit produced water there."[64] Nonetheless, the Treaty with the Delawares, Etc. (1803) states that "the United States being desirous that the Indian tribes should participate in the benefits to be derived from the said spring, hereby engage to deliver yearly… a quantity of salt not exceeding one hundred and fifty bushels."[65] An apparent gift, this stipulation disregarded explicitly-stated tribal preferences and implicitly limited Indigenous movement to and from the spring. Whereas Harrison carved out privileges of toll-free movement for American traders in Indigenous lands, he countermanded a proposal to share land and resources with a modest material allowance that presumed total U.S. control of the salt spring.

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In both the creation of monopsony via land cessions and trade arrangements, as well as the advancement of American commerce over and against Indigenous authority and preferences (though typically framed as a "benefit" to the tribes), Harrison articulated, once again, the logic of benevolent dominion. When combined with parallel articulations in the domains of politics and law, this completes Harrison's case for countersovereignty over Indigenous peoples and land. In each instance, Harrison amplified American "liberality" in the form of protection, adjudication, and trade, even as he undermined tribal authority and neglected Indigenous voices in the process. Acting out his own (per)version of the Deganawidah epic, he established a new mode of regional order that channeled all political, legal, and economic authority to himself as the representative of the American federal government and supreme benefactor of imagined Indigenous deficiencies.

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[64] "Negotiations at an Indian Council," September 12-17, 1802, in *The Papers of William Henry Harrison, 1800-1815* (microfilm), ed. Douglas E. Clanin (Indianapolis, IN: Indiana Historical Society, 1999).

[65] "Treaty with the Delawares, Etc.," June 7, 1803, *Indian Affairs*, vol. 2: 65

Benevolent dominion as a logic of countersovereignty is not only *over* the land, however. It also draws conceptually upon a specific configuration of land itself. As the next section explores, the benevolent dominion dictated by Jefferson and implemented by Harrison is grounded in the conceptualization of land as "terrain," or a representation of the landscape that inheres decisive borders, a unidirectional temporality of possession, and the culturally chauvinistic organization of people in space.

The Terrain of Countersovereignty

In one sense, "terrain" may seem a mere synonym for land, insofar as it refers to a geographic area or a parcel of the Earth's surface. Yet, even this preliminary definition points away from a bare equivalence between land and terrain, as the latter already connotes cartographic abstraction and the division of land into discrete portions. This is closer to what Stuart Elden means by terrain. Whereas Elden (too narrowly) defines land as "a relation of property, a finite resource that is distributed, allocated and owned, a political-economic question," he distinguishes terrain as "a relation of power, with a heritage in geology and the military, the control of which allows the establishment and maintenance of order."[66] In this way, the concept of terrain reinforces the modern nation-state, and manifests in "defensible borders, homogeneity and the promotion of territorial cohesion."[67]

Elden's definition of "terrain" consciously builds upon the thought of Henri Lefebvre. In his most well-known work, *The Production of Space* (1974), Lefebvre briefly departs from a genealogy of "abstract space" to discuss a seemingly tangential subject: sovereignty. "Sovereignty implies 'space,'" Lefebvre writes, "and what is more it implies a space against

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[66] Stuart Elden, "Land, Terrain, Territory," *Progress in Human Geography* 34, no. 6 (2010): 804

[67] Elden, "Land, Terrain, Territory": 806.

which violence, whether latent or overt, is directed—a space established and constituted by violence."[68] Such violence is not raw power of a purely physical nature, but rather "a specific rationality, that of accumulation, that of the bureaucracy and the army—a unitary, logistical, operational and quantifying rationality which would make economic growth possible and draw strength from that growth for its own expansion," all of which tends toward "a unified and hence homogenous society."[69] In other words, sovereignty as a "rationality" (or a logic), while not purely physical, is also no Platonic form. Rather, it both inheres and develops in extended space. If this space appears neutral and orderly, like the coordinates on a map, Lefebvre argues this is only an *effect* of sovereignty, which transforms local, complex, and dissimilar spaces into homogenous units a central authority can surveil, bound, and control as it grows in power and extent. Thus, according to both Lefebvre and Elden, sovereignty and terrain are mutually reinforcing. Public activity is legitimated by the rationalized violence and capitalist expansion of the modern state, which itself depends on a configuration of terrain as simplified, ordered, and quantifiable space.

Though they are not identical, there is enough similarity between the logic of benevolent dominion and Lefebvre's "unitary, logistical, operational, and quantifying rationality" to warrant the application of terrain in an analysis of American countersovereignty in the Upper Mississippi Valley. This section interprets terrain as a configuration of land that permits the public activity legitimated in terms of benevolent dominion to identify and fulfill

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[68] Henri Lefebvre, *The Production of Space*, trans. Donald Nicholson-Smith (Oxford: Basil Blackwell Ltd., 1991 [1974]), 280. Although these few pages of *The Production of Space* encapsulate Lefebvre's thought on space, sovereignty, and the state, Elden and a co-author systematically trace these ideas across Lefebvre's entire corpus. See Stuart Elden and Neil Brenner, "Henri Lefebvre on State, Space, Territory," *International Political Sociology* 3 (2003).

[69] Lefebvre, *The Production of Space*, 280-281.

Indigenous deficiencies as it consolidates authority over space and people. Consisting of three facets, it is land that is, in Lefebvre's words:

> first of all *global*, and maintained as such—the space of sovereignty, where constraints are implemented, and hence a fetishized space, reductive of differences; a space, secondly, that is *fragmented*, separating, disjunctive, a space that locates specificities, places or localities, both in order to control them and in order to make them negotiable; and a space, finally that is *hierarchical*, ranging from the lowliest places to the noblest, from the tabooed to the sovereign.[70]

For the sake of clarity, this section reverses Lefebvre's list and begins, first, by analyzing hierarchal space, which draws rigid borders to determine where and when sovereignty applies—in effect, a spatialization of countersovereignty. Second, it examines a "fragmented" temporality in Harrison's treaties that casts the United States—the purchaser and, therefore, present possessor of the lands—as the only party with a claim thereto, though one that can extend "privileges" to the tribes it displaces. Finally, this section tracks "fetishized space" across both Jefferson and Harrison's promotion of settler modes of agricultural cultivation among tribes, which functions to reduce cultural differences in order to "preserve" Indigenous populations. For each of these three facets of terrain, it will be demonstrated how terrain facilitates, articulates, or imbricates with benevolent dominion and, thus, American countersovereignty.

Hierarchal Space

The first way terrain facilitates the logic of benevolent dominion is via "hierarchy," which Lefebvre defines as the demarcation of space "ranging from the lowliest places to the noblest,

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[70] Lefebvre, *The Production of Space*, 282.

from the tabooed to the sovereign."[71] Such language (e.g. "tabooed") seems to suggest a quasi-mystical significance or power inherent in specific spaces. For present purposes, "hierarchal" simply means the permissions and prohibitions of sovereignty—the legitimacy, or lack thereof, of public activity—are discontinuous across space; that sovereignty is *spatialized* and abides rigid boundaries that indicate where it does and does not apply. In our (western, capitalist, non-Indigenous) present, we tend to take this link between sovereignty and space for granted, as when we speak of an official's "jurisdiction." For Harrison, however, hierarchal terrain needed to be asserted. This can be seen, first, in the border-drawing practices of U.S. treaty commissioners as compared with their Indigenous interlocutors, and, second, in Harrison's enforcement of these borders as territorial governor.

Nearly every land-cession treaty from the turn of the nineteenth-century begins with an article describing the new border between the United States and the signatory tribes. When articulating the border, treaty commissioners—Harrison included—proceeded from point to point along rivers and roads until a complex polygon emerged. With ponderous sentences such as "thence up the Mississippi to the mouth of the Ouisconsing [Wisconsin] river and up the same to point which shall be thirty-six miles in a direct lie from the mouth of the said river," this mode clearly drew upon the practices and technologies of modern surveying that allowed settlers to see North America as an empty grid plotted by platoons of federal surveyors and ready to be filled with neat, rectangular property claims.[72] Having described the new border in this way, the treaties then claimed possession of and authority over everything within the

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[71] Lefebvre, *The Production of Space*, 282.

[72] "Treaty with the Sauk and Foxes," November 3, 1804, *Indian Affairs*, vol. 2: 74. On the history of modern surveying in America, see Andro Linklater, *Measuring America: How an Untamed Wilderness Shaped the United States and Fulfilled the Promise of Democracy* (New York: Walker & Company, 2002); C. Albert White, *A History of the Rectangular Survey System* (Washington, D.C.: U.S. Government Printing Office, 1991).

resulting polygon for the United States, while relinquishing—for the time being—the land beyond it to the tribes.

These borders can appear so natural and, therefore, unremarkable that it helps to contrast them with an alternate way of conceiving authority over space. In 1795, at the treaty council in Greenville, Little Turtle (Miami) described his tribe's territory very differently. Addressing General Wayne, he says:

> You have pointed out to us the boundary line between the Indians and the United States, but I now take the liberty to inform you that the line cuts off from the Indians a large portion of country, which has been enjoyed by my forefathers time immemorial, without molestation or dispute... It is well known by all my brothers present, that my forefather kindled the first fire at Detroit; from thence, he extended his lines to the head waters of the Scioto; from thence, to its mouth; from thence, down the Ohio, to the mouth of the Wabash, and from thence to Chicago, on lake Michigan; at this place I first saw my elder brothers, the Shawnese [Shawnee]. I have now informed you of the boundaries of the Miami nation, where the Great Spirit placed by forefather a long time ago, and charged him not to sell or part with his lands, but to preserve them for his posterity.[73]

Like Wayne, Little Turtle claimed a large amount of territory, and he also used familiar landmarks to delineate space. However, where the treaty language circumscribed and divided land in an ahistorical manner, Little Turtle described Miami territory as emanating outward in space and forward in time. It is a contingent evolution that parallels tribal history and, perhaps, Little Turtle's personal genealogy in the slow, organic accretion of space over generations. Furthermore, where the borders in the treaty clearly separate political authorities, Little Turtle's are fuzzier: the Miami "see" the Shawnee at Chicago, but it is not clear if this is where Miami authority ended and Shawnee authority began, or if the two tribes shared the locale. He

[73] "Treaty of Greenville," *American State Papers: Indian Affairs*, vol. 1: 571.

recalls a command of the Great Spirit "not to sell or part with" the lands, but this presumably did not forbid sharing land with others. On this point, Little Turtle certainly could not deny that several other tribes—many of whom were present at Greenville—occupied and exercised authority of some kind in the very territory he described. Thus, the dispute between Wayne and Little Turtle in this exchange was not only over where Wayne had drawn the border, but, implicitly, how each party spatialized their authority: the settler official divided land into circumscribed zones of exclusive authority, while the Indigenous diplomat envisioned an open-ended expansion of territory with indeterminate borders and the possibility of overlapping authority.

Backgrounded with this alternate configuration of space and authority, the significance of the borders articulated in land-cession treaties comes into relief. The stark division of inside from outside in a manner that maps (quite literally) the space of U.S. countersovereignty is by no means a natural feature of the landscape, but is an effect of terrain. Harrison's praxis of benevolent dominion at the border exemplifies this relationship. In both his actions and inactions as territorial governor, he spatialized his political and legal authority in ways that conflicted with tribal custom and showed how hierarchal terrain works to foreground American benevolence while it undermines Indigenous authority.

The first example is negative, though it shows Harrison clearly articulating the rationale of hierarchal terrain. The Treaty of Greenville is different from other treaties of the period in that it laid claim to over a dozen outposts, usually five or six square miles in size, far beyond the main boundary it drew (which more or less reinstated the boundary drawn by the Treaty of Fort Harmar in 1789). Vincennes, the seat of Harrison's governorship, was one such outpost. As the treaty promised, "whenever the United States shall think proper to survey and mark the boundaries of these [outlying] lands hereby ceded to them, they shall give timely notice to the said Indians, that they may appoint some of their wise chiefs, to attend and see that the lines are run according to the terms of this treaty." What reads like a gracious invitation to bilateral accountability had created problems by the time Harrison arrived in Vincennes in 1801, for the promised lines had not been run. By this time, arriving settlers were hunting on Indigenous lands and depleting game at a worrying rate. "One white hunter will distroy [sic] more game than five of the common Indians," Harrison wrote to Dearborn, "the latter generally contenting himself with a sufficiency for the present subsistence—with the other eager after game hunt for the skin of the animal alone."[74] Nonetheless, Harrison confessed:

> whenever I have ascertained that the Indian boundary line has been encroached on by the white people I have caused the Intruders to withdraw. But as the boundary line separating the Indian land from that to which the title has been extinguished has not been run—nor the manner in which it is to run precisely ascertained... it is impossible to tell when encroachments are made on the Indians...[75]

What might otherwise have been treated as an issue of resources, fairness, or frontier peace-keeping was cast as a problem of space. Harrison claimed not to know when he may redress overhunting without a clear border to indicate a trespass and invoke his authority. His pessimistic tone throughout the letter bespeaks a benevolence he cannot render, despite his cognizance of the real harm done to Native Americans. Without a border to determine where settler hunting was forbidden and, thus, where his intervention would have been legitimate, Harrison was unable to either compensate an Indigenous deficiency or maintain his exclusive order over frontier inhabitants; his sovereignty was imperiled by an unstable spatial hierarchy.

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[74] Harrison to the Secretary of War, July 15, 1801, *MLWHH*: 27.

[75] Harrison to the Secretary of War, July 15, 1801, *MLWHH*: 26.

A second, more positive example shows Harrison taking swift action on the grounds of hierarchal terrain. As he again told it to Dearborn, when an intoxicated Indigenous man "killed without provocation two of the Citizens in one of the Traders Houses… & it was found impossible to apprehend him alive, he was put to death."[76] Disregarding tribal methods of justice (such as those initiated by the Sauk and Meskwaki who visited St. Louis in 1804), Harrison admitted to having "so exasperated those of [the man's] tribe in the neighborhood that they actually assembled in the borders of the town… the Militia was ordered out and their resentment has subsided." In a move that only heightened tensions with the tribes, Harrison leveraged his exclusive authority to exact order in the town, where his spatialized sovereignty was most secure. What is more, some legible borders emerged in this episode: the disgruntled Native Americans, who would have practiced alternate logics of sovereignty to render justice in this scenario, "assembled in the borders of the town" in a manner that appears to acknowledge the hierarchal terrain of Harrison's authority. Without clear borders, Harrison seemed powerless; with them, he wielded supreme authority over life and death in Vincennes.

It is tempting, and not without warrant, to interpret Harrison's actions and inactions as merely serving settler interests. That is, he claimed to lack sovereignty when it would have meant curtailing settler hunting, while an Indigenous malcontent antagonizing the white inhabitants of Vincennes was made to bear the full brunt of his authority. If true, it is nonetheless significant that Harrison felt compelled to project his authority onto rigidly bounded space to determine where and when he could exercise the logic of benevolent dominion. Indeed, the concept of terrain would appear even more entrenched if ulterior motives, such as winking at settler intrusions, were so easily justified in terms of spatial hierarchy. Unlike Little Turtle, whose argument for Miami sovereignty seemed to come from

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[76] Harrison to the Secretary of War, July 15, 1801, *MLWHH*: 28.

history and the recognition of other tribes, the legitimacy of Harrison's activity depended upon the location of the colonial border. Regardless of his sincerity, his praxis enacted the boundaries articulated in the land-cession treaties and spatialized benevolent dominion.

Fragmented Time

Nested within hierarchy is a second facet of terrain Lefebvre calls "fragmentation." This also involves dividing the landscape, but for the distinct purpose of making it "negotiable." In the context of U.S. settler colonialism, fragmentation took the form of identifying a single, exclusive owner with any given area of land. As Stuart Banner as shown, the turn of the nineteenth century marked a time when notions of Indigenous landownership had not yet been fully replaced by the lesser claim of "occupancy" propounded by the Doctrine of Discovery.[77] Hence, acquiring Indigenous-held lands still required finding a tribe who could be either enticed or coerced to sign their lands over to the United States. Such a project required the fragmentation of space into separate U.S. and Indigenous territories, but also the fragmentation of time into a historical sequence of discrete possessions that justified the present owner's claim—a unidirectional "chain of title," as it were. In this way, even non-coercive cessions were destructive, as they reconstituted tribal sovereignty over and upon the land as merely an alienable legal claim. Thus, the "fragmented" time of terrain is another tool for U.S. countersovereignty; to position the United States as the sole authority over *space* in the Upper Mississippi Valley, Harrison also needed to fragment the *time* of Indigenous sovereignty. Specifically, Harrison's treaties rejected the temporal recursivity of Indigenous sovereignty, displaced the rights of alienating tribes into an irretrievable past, and voided any Indigenous

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[77] Stuart Banner, *How the Indians Lost Their Land: Law and Power on the Frontier* (Cambridge, MA: Harvard University Press, 2007), 150-151.

claim that may arise in the future, all while "benevolently" allowing tribes to remain on the land until the date of their predestined removal.

Among the Indigenous societies of the Ohio River Valley, access to land depended less on one tribe's acquisition at a specific moment in time, and more on political relationships between tribes that ebbed and flowed over time. Such recursivity was on display during the treaty council at Greenville, and likely observed by a young and impressionable William Henry Harrison. In one instance, a delegation of Wyandot asked General Wayne to fix boundaries between themselves and neighboring tribes, since "we wish to be by ourselves, that we may be acquainted how far we might extend our claims, that no one may intrude on us nor we upon them."[78] Complicating well-worn notions of collective landownership among Native Americans, certain intertribal relationships occasionally called for rigid and exclusionary boundaries. In other instances, tribal diplomats described amicably sharing lands not only with other tribes, but with Europeans, as well. When Wayne attempted to ground U.S. possession of the Ohio Valley on prior British and French purchases, Little Turtle again corrected him. According to Little Turtle, the British and French "never told us they wished to purchase our lands," but that, like them, the Americans were welcome to graze their cattle and live alongside the Miami: "Let us both own this place, and enjoy in common the advantages it afford[s]."[79] Regardless of their particular interests and positions, tribal diplomats regularly deployed the ceremonial rhetoric of renewal when discussing land: exchanging wampum, smoking the calumet, and burying the hatchet in order to open the ears, clear the throats, and set the hearts of their fellow negotiators in the "proper situation" to discuss the matter at hand.[80] Though these

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[78] "Treaty of Greenville," *American State Papers: Indian Affairs*, vol. 1: 575.

[79] "Treaty of Greenville," *American State Papers: Indian Affairs*, vol. 1: 576.

[80] "Treaty of Greenville," *American State Papers: Indian Affairs*, vol. 1: 566, 570, 571, 572, 574–575.

diplomats expressed hope that the results of their deliberation would last forever, the structure of these sovereign rituals—acts and speeches legitimating the intertribal activity—indicated such deliberations had happened before and would take place again as tribal relationships shifted.[81] The claims they made and borders they staked did not take the form of a finalized transaction, but, instead, were open to regular reinterpretation over time.

Even if Harrison failed to register these dynamics at Greenville, his tenure as territorial governor made him intimately familiar with the temporal recursivity of Indigenous land possession. In his haste to acquire more of the region surrounding his backwater capital, Harrison upset a complex network of tribal claims. Multiple tribes—the Delaware, Miami, Eel River, Wea, and Pottawatomie—possessed land around Vincennes, and acknowledged having negotiated access and use with each other in the past.[82] As came to light at Greenville, something approximating the exclusive use of space enjoyed by a single tribe (in this case, the Delaware) converged with the temporally open-ended right of all to renegotiate that use. What the other tribes disputed was the right of any one of them to sell the land without the approval of every tribe that participated, even occasionally, in these recurrent negotiations. Thus, when Harrison secured a cession from the Delaware alone in 1804, he sparked a year of tension and confusion that would only be resolved by an offsetting (and hopelessly convoluted) treaty with all the tribes in 1805. It is unclear if the latter treaty fully assuaged tribal concerns, but it is telling that Harrison ceased making treaties for four years following this debacle. His lesson, if indeed he learned it, was the insufficiency of exchanging annuities and other promises for swathes of the Upper Mississippi Valley with whoever he identified as the exclusive "owner." In

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[81] "Treaty of Greenville," *American State Papers*: *Indian Affairs*, vol. 1: 577.

[82] "Treaty with the Delawares, Etc.," August 21, 1805, *Indian Affairs*, vol. 2: 80; William Henry Harrison to the Secretary of War (Henry Dearborn), August 26, 1805, *MLWHH*: 162.

order to guarantee complete possession, Harrison needed to fragment the recursive temporality that undergirded tribal sovereignty over the lands.

To do this, Harrison's standard practice was to include in the article delimiting the boundaries of the cession a pat phrase that announced the tribes "do hereby cede and relinquish forever to the United States, all the lands within the above described-boundary."[83] So crucial was this precise language, "cede and relinquish forever," that when the Treaty with the Sauk and Foxes initially left out "forever," it was inserted at a later date (though no Indigenous signatories officially approved the insertion).[84] While this vocabulary seems exaggerated, it characterizes the transaction as unidirectional and irreversible—in modern parlance, "all sales are final." In the eyes of Harrison and other treaty commissioners who employed such language, when tribes ceded their lands they also renounced their political right to renegotiate the possession and use of said land. Their shared, inalienable, open-ended sovereignty over land, dependent on temporal recursivity, was transfigured by treaty discourse into a meager right of possession that was exclusive, alienable, and, most importantly, *closed* once it was purchased. Thenceforward, this right belonged exclusively to the United States, as purchaser, which then offered tribes the "privilege" of living and hunting on ceded lands, "as long as the lands which are now ceded to the United States remain their [i.e. the federal government's] property."[85] Yet, implicit in this offer was an understanding that the land would *not* remain the

[83] "Treaty with the Sauk and Foxes," November 3, 1804, *Indian Affairs*, vol. 2: 74. Cf. "Treaty with the Delawares," August 18, 1804, *Indian Affairs*, vol. 2: 70; "Treaty with the Piankeshaw," August 27, 1804, *Indian Affairs*, vol. 2: 72; "Treaty with the Wyandot," July 4, 1805, *Indian Affairs*, vol. 2: 77; "Treaty with the Delawares, Etc.," August 21, 1805, *Indian Affairs*, vol. 2: 80; "Treaty with the Piankeshaw," December 30, 1805, *Indian Affairs*, vol. 2: 89.

[84] "Treaty with the Sauk and Foxes," November 3, 1804, *Indian Affairs*, vol. 2: 77.

[85] "Treaty with the Sauk and Foxes," November 3, 1804, *Indian Affairs*, vol. 2: 76.

property of the United States, but would be transferred to third parties—namely, settlers, speculators, and other proprietors.

Just as effectively as lines on a map, the fragmented temporality of terrain rendered landscapes "disjunctive... in order to control them, and in order to make them negotiable," at least for buyers and sellers of a specific, settler cast.[86] That is, the lands of the Upper Mississippi Valley could be owned exclusively by the United States and, later, by the settlers that purchased a portion of the public domain, because Indigenous claims were relegated to a past that was fragmented from the present and future. In service of benevolent dominion, the fragmentation of past, present, and future consolidated all authority in the region around the temporal moment of "cede and relinquish forever." The United States was positioned as the sole authority over the land because, as the exclusive present possessor, it occupied the foremost position on a unidirectional timeline wherein the past had no rights and the future did not yet exist. Tribes could continue to dwell on the land during the indeterminate present of this fragmented temporality, but only at the pleasure of a government that extended its benevolence to an Indigenous "lack" it had itself created—the lack of any authority on and over the land, except as the bygone origin for the settler's property claim. According to Karuka, this temporal maneuver is a telltale manifestation of countersovereignty, wherein the integrity of U.S. territory depends on the recognition of a past purchase from an Indigenous owner, which must be simultaneously misrecognized as not sovereign.[87] By imposing a fragmented,

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[86] Lefebvre, *The Production of Space*, 282.

[87] Manu Vimalassery, "Counter-sovereignty," *J19: The Journal of Nineteenth-Century Americanists* 2, no. 1 (2014). Such temporal maneuvers are familiar to scholars of settler colonialism. For example, Jean O'Brien shows how settlers in nineteenth-century New England asserted their own modernity by describing Native Americans as relics of an "uncivilized" past and denying them a place in the present and future through narratives of extinction, O'Brien, *Firsting and Lasting*: In a similar fashion, Kevin Bruyneel describes how the United States presents itself as "temporally unbound and therefore capable of individual agency... while the colonized are seen

unidirectional timeline onto the landscape, and deranging the recursivity of tribal sovereignty in the process, terrain creates an alternate temporality wherein present benevolent dominion can ground a claim to countersovereignty.

Fetishized Agriculture

The final facet of terrain concerns the constant promotion of agriculture in land-cession treaties. In the Treaty with the Sauk and Foxes, as in many other treaties, Harrison suggested "if the said tribes... desire that a part of their annuity should be furnished in domestic animals, implements of husbandry and other utensils convenient for them," the United States would provide these.[88] These treaty stipulations rose to the level of official policy during the Jefferson administration, when the president applauded the increase in Indigenous "husbandry" in six of his eight annual messages to Congress. Jefferson's message in 1805 made a typical observation:

> Our Indian neighbors are advancing, many of them with spirit, and others beginning to engage in the pursuits of agriculture and household manufacture. They are becoming sensible that the earth yields subsistence with less labor and more certainty than the forest, and find it their interest from time to time to dispose of parts of their surplus and waste lands for the means of improving those they occupy and of subsisting their families while they are preparing their farms.[89]

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as temporally constrained—whether referred to as primitive or traditional—and therefore incapable of modern agency and independence," Bruyneel, *The Third Space of Sovereignty*, 2. Lacking the world-historical vision of O'Brien's New Englanders, Harrison's temporal fragmentation is closer to Bruyneel's account of colonial time.

[88] "Treaty with the Sauk and Foxes," November 3, 1804, *Indian Affairs*, vol. 2: 75.

[89] Thomas Jefferson, "Fifth Annual Message," December 3, 1805, *The American Presidency Project*, ed. Gerhard Peters and John T. Woolley, https://www.presidency.ucsb.edu/node/202789.

It would seem agriculture—at least the kind practiced and promoted by white settlers—was a positive development for the tribes, who gained from efficiency and trade with the United States. As such, it warranted the gentle encouragement Jefferson suggested and the treaties effected: the occasional exchange of "surplus and waste lands" for agricultural implements.

Yet, beneath these apparently benign offerings and observations was a deeply-seated fetishization of agricultural land and land use that was entwined with U.S. countersovereignty. As used by Lefebvre, "fetishization" refers to the Marxian notion of a naturalized and, thus, normalizing abstraction—the commodity, for example—that occludes the concreteness of its production and reduces the range of possible relationships with and through the material and social world to one.[90] In the passages examined here, from Jefferson and Harrison respectively, what had been a multifarious Indigenous space was fetishized as agricultural land requiring settler modes of cultivation. The resulting erasure of cultural differences and invalidation of other ways of using and relating to land—namely, hunting—facilitated the logic of benevolent dominion.

In February 1803, just ten days before he sent the above-mentioned instructions to Harrison, Jefferson penned a letter to Benjamin Hawkins, U.S. agent to the Creek Indians (Muscogee). Beginning with a familiar prognosis of Indigenous hunting, Jefferson writes:

> I consider the business of hunting as already becoming insufficient to furnish clothing and subsistence to the Indians. The promotion of agriculture, therefore, and household manufacture, are essential in their preservation... This will enable them to live on much smaller portions of land, and indeed will render their vast

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[90] On commodity fetishism, see Karl Marx, "Capital, Volume One," *The Marx-Engels Reader*, 319-329. On Lefebvre's understanding of fetish, see Lefebvre, *The Production of Space*, 81-83, 89-90; *Dialectical Materialism*, trans. John Sturrock (Minneapolis, MN: University of Minnesota Press, 2009 [1968]), 79-84. For a comparison of Marx and Lefebvre, see Chris O'Kane, "Fetishistic Concrete Abstraction, Social Constitution, and Social Domination in Henri Lefebvre's Writings on Everyday Life, Cities and Space," *Capital & Class* 42, no. 2 (2018).

> forests useless but for the range of cattle; for which purpose, also, as they become better farmers, they will be found useless and even disadvantageous... You are in the station... to promote among the Indians a sense of the superior value of a little land, well cultivated, over a great deal, unimproved, and to encourage them to make this estimate truly... In truth, the ultimate point of rest & happiness for them is to let our settlements and theirs meet and blend together, to intermix, and become one people. Incorporating themselves with us as citizens of the U.S.... it will be better for them to be identified with us, and preserved in the occupation of their lands, than to be exposed to the many casualties which may endanger them while a separate people.[91]

At first glance, this passage appears to describe the same state of affairs as the excerpt from Jefferson's annual message: Indigenous hunting was on the wane, agriculture would take its place, and this ought to engender a mutually-beneficial relationship between the tribes and the United States. A closer look reveals how Jefferson fetishized terrain to downgrade Indigenous culture and leverage the civilizational "gift" of benevolent dominion as countersovereignty. First, Jefferson invalidated hunting as outmoded and indicative of an Indigenous "insufficiency" or lack, and contrasted this with agriculture on "much smaller portions of land" as a more rational means of "preservation." He naturalizes this economic rationality when he writes, "the wisdom of the animal which amputates & abandons to the hunter the parts for which he is pursued should be theirs [i.e. the tribes'], with this difference that the former sacrifices what is useful, the latter what is not."[92] On this logic, once tribes realized where their real advantage lay, they would cede their hunting grounds to the United States in exchange for agricultural implements; though, as the former was no real "sacrifice," the latter still figured as a gift—in short, tribes got something for nothing and became indebted to American benevolence.

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[91] Thomas Jefferson to Benjamin Hawkins, February 18, 1803, *Thomas Jefferson, Writings*, 1113.
[92] Jefferson to Hawkins, *Thomas Jefferson, Writings*, 1113.

Crossing a vague civilizational threshold, tribes then qualified for "incorporation" into the United States, where they were to be "preserved in the occupation of their lands" not as "separate" (i.e. sovereign) people, but as American citizens.

Crucially, Jefferson was not advocating anything like removal in his letter to Hawkins. On the contrary, he envisioned a future in which the Creek *remained* on their lands. Nonetheless, by transforming Indigenous land use under the guise of "preservation," Jefferson aspired to alter Indigenous culture in a way that diminished tribal authority and extended U.S. sovereignty over people and land. Such an expansion only works if the land in question is fetishized as terrain, whereby the range of rational uses reduces to one, the remaining option is framed as a civilizational "gift," and the benefactor uses the resulting homogeneity to justify "incorporation," or, more accurately, exclusive political authority.

In a testament to the link between benevolent dominion and terrain, Harrison expounded a strikingly similar argument directly to tribes of the Ohio River Valley in 1802, five months *before* Jefferson's missives to Hawkins. Like Jefferson, Harrison invalidated Indigenous hunting and fetishized agriculture, but the arguments he deployed to reconfigure tribes' relationships to land and assert U.S. countersovereignty were distinct. In the same speech in which he appropriated the Deganawidah epic, Harrison deprecated the precarity of hunting: "the kind of life you lead is neither productive of happiness to yourselves nor acceptable to the Great Spirit... even in time of peace, the difficulty of procuring provisions at some seasons of the year is so great that your women are unable to raise a sufficient number of children."[93] In place of hunting, Harrison explained how the United States would instruct the tribes "in those arts, which the Great Spirit has long ago communicated to the white people,

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[93] Harrison, "Address to Indian Council," *MLWHH*, 53.

and from which they derive food and clothing."[94] He claimed those tribes that had adopted settler modes of cultivation, the Creek and Cherokee, had "wigwams... already filled with children," and encouraged the tribes with whom he spoke to at least attempt to farm "for the sake of the rising generation; although it may be difficult for an old man to change... [children] can be formed to any thing, can be made to assume any shape like the young shoots of the willow or the tender branches of the vine."[95]

Whereas Jefferson described Indigenous "preservation" in political and economic terms, Harrison added both a theological and biopolitical valence. First, Harrison framed agriculture as a divine gift to the "white people," which the United States in its benevolence transmitted to the tribes. To reject this benevolence would be not only ungrateful, but anathema. As Harrison puts it, "there is nothing so pleasing to God as to see his children employed in the cultivation of the earth. He gave command to our ancestors to increase and multiply... this command could not be obeyed if we were all to depend upon the chase for our subsistence."[96] On the universal logic of Christian theology, if "all" cannot depend on hunting, then none may do so, as it would constitute a misuse of divine creation. Second, the command to "increase and multiply" twines with Harrison's claims about hunting jeopardizing biological reproduction among Native Americans. Leveraging a vague idea of demographic "sufficiency," he meant to buttress tribal populations by disrupting cultural practices of child-rearing and intergenerational knowledge-sharing, since Indigenous youth "can be formed into any thing." He was, like Jefferson, evidently concerned with tribal "preservation," but only in a genealogical or biological sense. Harrison's chilling horticultural metaphor—that Indigenous children may be shaped "like the

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[94] Harrison, "Address to Indian Council," *MLWHH*, 53.

[95] Harrison, "Address to Indian Council," *MLWHH*, 55.

[96] Harrison, "Address to Indian Council," *MLWHH*, 55.

young shoots of the willow"—suggests tribes were not to endure in a cultural sense, with their current uses of land intact. Instead, their youth were to be molded into simulacra of white settler-citizens via the fetishization of agriculture.

The practical element of Harrison's "benevolence" was functionally the same as Jefferson's: tribes were to "assemble [their] scattered warriors, and... form towns and villages, in situations best adapted to cultivation... be furnished with horses, cattle, hogs, and implements of husbandry, and... persons provided to instruct... in the management of them."[97] The main difference consists in how each conceived the countersovereignty that proffered the "gift" of settler civilization as it undermined Indigenous authority. Jefferson's argument was expressly political: having become "civilized" agriculturalists, Native Americans will cease to live as "separate people" and incorporate with the United States. Likely due to his audience, Harrison made no explicit claims about political rule. Instead, he used theology to justify (agri)cultural tutelage that would buoy tribal populations as it simultaneously stripped them of all identities and customs in conflict with settler modes of cultivation. In both examples, however, the reductive effects of "fetishized" terrain, and concurrent dismissal of non-agricultural relationships to land, functioned to base authority over people and place on the logic of benevolent dominion.

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The logic of benevolent dominion legitimated the activity Jefferson counseled and Harrison executed in the Upper Mississippi Valley. It was a countersovereignty that reacted to Indigenous lifeways and authority structures so as to undermine and replace them with exclusive American rule. Conceptualizing land as terrain facilitated benevolent dominion in three main ways. First, terrain instantiated rigid borders that delineated where and when

[97] Harrison, "Address to Indian Council," *MLWHH*, 54.

unilateral authority applied, to the detriment of bilateral, intercultural governance. Second, terrain fragmented the temporality of possession to identify single, exclusive landowners who could grant "privileges" to tribes, but in a way that deranged the temporal recursivity that structured intertribal politics. Third, terrain fetishized settler modes of cultivation to invalidate Indigenous hunting and justify the "incorporation" of Native Americans into the U.S. polity, which severed alternate relationships with land and negated tribal sovereignty. In these ways, terrain functioned as the literal ground for countersovereignty.

Farewell to Jeffersonia

If democratic agrarianism bases popular sovereignty (again, limited to white, male citizens) on widespread landownership, then the logic of benevolent dominion on land *qua* terrain is its conceptual opposite. According to democratic agrarianism, economic independence begets political independence; yeoman members of the electorate are insulated from pressure by elites and empowered to enact their own interests in the political arena. According to benevolent dominion, a powerful benefactor presumes to know the interests of its "uncivilized" wards and takes measures to ensure it is the sole authority that can provide for them via assistances and protections that only further their disenfranchisement. In this case, land is not the locus of private property that buffets the anti-majoritarian intrusions of the more powerful, but a grid through which those very intrusions circulate. With its rigid boundaries, unidirectional and ahistorical temporality, and reductive, culturally-eviscerating land uses, settler empire apprehends, controls, and ultimately removes Indigenous populations from their land. On a landscape so construed, the logic of benevolent dominion can accomplish the "elimination of the native" no less effectively than the more openly violent policies of Andrew Jackson.

The irony, of course, is that democratic agrarianism and benevolent dominion sprung from the mind of the same individual (and his indefatigable agent), and were perpetuated and pursued more or less contemporaneously. Jeffersonia is a deceptively uneven place. What appears as the flat and uniform plane (metaphorically speaking) of the yeoman's egalitarian utopia is riven with steep gulches that maintain exclusive hierarchies between men and women, white and non-white, and, as this chapter has shown, settler and native. The sovereignty of one is not that of the other; while these figures may share ground, they live on vastly different lands.

Several conclusions may be drawn from this tension between Jefferson's democratic agrarianism and the logic of benevolent dominion, each of which should prompt us to retire Jeffersonia as a cultural heirloom and political aspiration. The first is that democratic agrarianism is simply naïve. In singing the praises of the yeoman farmer, we shut our eyes to the simultaneous disenfranchisement of Native Americans happening at the colonial border (a conceptual place of hierarchy and exploitation, not a physical line on the frontier—Native Americans were disenfranchised all over the continent). Our understanding of American sovereignty in the early years of the nation is incomplete if we fail to account for the countersovereign logic of benevolent dominion, the way it functions with terrain, and how this combination curtails and qualifies the celebrated link between private property and popular sovereignty.

The second conclusion one may draw is that benevolent dominion is the historical vanguard of democratic agrarianism. That is, Jeffersonian popular sovereignty could not exist without a preceding phase of countersovereignty. As a strategy for acquiring Indigenous lands, consolidating U.S. control, and ultimately displacing tribal populations, the combination of benevolent dominion and terrain cleared the literal ground for white settlement. In places that would become the states of Indiana, Illinois, and Wisconsin, Jefferson and Harrison's machinations rendered U.S. authority solitary and supreme, transformed the ground into purchasable plots, and ensured agriculture was the only acceptable way to use it. Only then could the yeoman's dream—if not always the reality—move in. By and large, this is the actual historical progression in regions like the Upper Mississippi Valley; it is no Turnerian tale of hardy pioneers and backwoodsman who are gamely followed by enterprising farmers, but a case of top-down, imperial state planning.

Third, American countersovereignty is not only the historical predecessor of democratic agrarianism, but also its conceptual precondition. Democratic agrarianism requires a reductive, uncontested, dehistoricized space in which to locate private property for the masses. Such a space must be cleared of prior claims, allow easy transfer between individuals, and be coextensive with national borders, since the purpose of democratic agrarianism is not only to increase private ownership, but to base a democratic state on a community of landowners. In other words, democratic agrarianism needs land conceptualized as terrain. This generates a quandary: if advocates of democratic agrarianism derive popular sovereignty from widespread landownership, and this requires conceptualizing land as terrain, do they unwittingly rely on the logic of benevolent dominion to achieve their aims?

Some of the most perceptive democratic agrarians, such as Wendell Berry, recognize the threat of benevolent dominion. Berry has spent his career condemning the encroachments of big government and industrial agribusiness upon the capacity of rural communities to support themselves. In attempts to make farming easier and more profitable, the helping hand extended by so-called "experts" dismisses the farmer's hard-won knowledge of his or her land, creates unhealthy economic dependencies, and ultimately pushes the farmer off their land and into the city, where they become dependent on a distant and uncaring employer for their subsistence. It is a near-perfect analog of the countersovereignty foisted by Jefferson and Harrison upon Native Americans. Berry even recognizes the colonial history of this dynamic, noting, in highly-charged language, how "the Indian became a redskin, not by loss in battle, but by accepting a dependence on traders that made *necessities* of industrial goods. This is not merely history. It is parable."[98] Ever the moral individualist, Berry discreditably blames Native Americans for the benevolent dominion to which they were subject. However, he is more on target when he describes how "one cannot help but see the similarity between this foreign colonialism and the domestic colonialism that, by policy, converts productive farm, forest, and grazing lands into strip mines... how deeply rooted in our past is the mentality of exploitation... how crucial to our history... is the question of how we will relate to land."[99] Here, Berry has benevolent dominion in his sights, and he asks the right questions, but, unfortunately, his powder isn't dry.

When agrarians recur to the conviction that "a democratic state and democratic liberties depend upon democratic ownership of the land," where this usually means nothing more than a wider distribution of private property, they find themselves caught in a trap: terrain provides the site for landownership that powers popular sovereignty, but it also facilitates the logic of benevolent dominion that democratic agrarianism is supposed to rebuff. Berry and others oppose exclusive and arrogating authority, and are especially disgusted when it masquerades as kindness, but they readily accept the maintenance of hierarchal borders (e.g. state-protected property rights), the on-going fragmentation of a settler present and future from a thick Indigenous past (e.g. the seamless alienation and acquisition of land), and the fetishization of a narrow range of cultural practices that determine who does and does not deserve to be on the

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[98] Berry, *Unsettling America*, 6.

[99] Berry, *Unsettling America*, 6.

land (e.g. the obsession with the virtues of small-scale farming). At bottom, the "center" and "margins" of Jeffersonia are the same; popular sovereignty coexists with and even *depends upon* the logic of benevolent dominion, since both run through the circuitry of terrain. Democratic agrarianism not only comes to us, as Marx said of capital, "dripping from head to foot, from every pore, with blood and dirt," but it leads us to a conceptual cul-de-sac, a contradictory dead end that impoverishes our efforts to theorize the multiple meanings of land.[100]

So: farewell, Jeffersonia. Henceforward, we seek other lands.

[100] Marx, "Capital, Volume One," *The Marx-Engels Reader*, 435.

Chapter 2

“My Reason Teaches Me that Land Cannot Be Sold”: Black Hawk on Sovereignty as Interdependence and Land as Life

> Even today I have watched Indian people look sadly
> over the miles of plowed ground of South Dakota,
> wishing that the land were returned to its primitive beauty,
> undefiled and giving to man and animal alike
>
> the life only land can give.
>
> Instead of beauty one sees a dust storm in the distance,
> ribbons of dirty highway going west,
> and the earth cut into a giant perverted checkerboard
> with no beauty and hardly even any symmetry.
>
> —Vine Deloria, Jr., *Custer Died for Your Sins*[1]

The Treaty with the Sauk and Foxes (1804), that instrument *par excellence* of benevolent dominion, was initially looked upon very differently at Saukenuk, the main village of the Sauk and Meskwaki living in the Upper Mississippi Valley. William Henry Harrison departed St. Louis knowing he had just swindled the Sauk and Meskwaki out of 50 million acres, but according to Quàsh-quà-me (Sauk), one of the tribal diplomats who signed the treaty, “they had agreed to give [Harrison] some [land] on the west side of the Mississippi, and some on the Illinois side opposite the Jeffreon [the present-day North River].”[2] Whatever the boundaries of

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[1] Vine Deloria, Jr., *Custer Died for Your Sins: An Indian Manifesto* (Norman, OK: University of Oklahoma Press, 1988 [1969]), 103-104.

[2] Black Hawk, *Life of Black Hawk*, ed. J. Gerald Kennedy (New York: Penguin Group, 2008 [1833]), 18.

this cession, it was nowhere near the amount of land described in the treaty, and certainly did not include the village of Saukenuk itself.

Years passed and the American presence on the Mississippi River steadily increased, though the British were still active in the region, as well. It may have seemed to the Sauk and Meskwaki that not much had changed, or was ever going to change, in their part of the world. Tecumseh (Shawnee) paid a visit to Saukenuk in 1809, hoping to enlist the Sauk and Meskwaki in his pan-Indian alliance.[3] He told them of "the bad treatment the different nations of Indians had received from the Americans, by giving them a few presents and taking their land from them."[4] One can imagine the chill that must have sped down the spines of some of those listening. Quàsh-quà-me and the others had returned from St. Louis with presents—had they, too, been subject to "bad treatment?" Still, the Sauk and Meskwaki decided not to join the alliance.

Yet, as sure as thunder follows lightning, the world began to turn at Saukenuk. In the years after the War of 1812, the United States began to enforce the Treaty with the Sauk and Foxes. Military commanders, Indian agents, and traders periodically prevailed on the tribes to abandon the lands ceded in the treaty: all villages and hunting grounds east of the Mississippi River. By 1832, amidst an influx of white settlement and increasing settler-Indigenous violence, even the most adamant inhabitants of Saukenuk had removed to present-day Iowa. In June of that year, however, an aged Sauk warrior named Mà-ka-tai-me-she-kià-kiàk—Black Sparrow Hawk, or simply Black Hawk—led over a thousand men, women, and children back to their village and cornfields. So began the conflict that has come to be called Black Hawk's War.

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[3] Peter Cozzens, *Tecumseh and the Prophet: The Shawnee Brothers Who Defied a Nation* (New York: Alfred A. Knopf, 2020), 222-223.

[4] Black Hawk, *Life*, 21.

Black Hawk's intentions remain obscure to this day: Was his a peaceful mission to harvest the crops the tribes had planted before removal? Was he merely accepting an invitation from Wabokieshiek, the "Winnebago prophet," to spend the summer with the Ho-Chunk? Or, did Black Hawk intend to reclaim his village through violence? In any case, violence is what he got. Isolated and perilously undersupplied in enemy territory, the group which newspapers referred to as "Black Hawk's band" or the "British Band" was swiftly pursued by U.S. regulars, Illinois militiamen, and Ho-Chunk, Menominee, and Dakota warriors, first north into present-day Wisconsin and then due west.[5] During this flight, Black Hawk made at least three attempts to surrender to his pursuers and save his followers, but to no avail.[6] On August 2, 1832, in a last-ditch effort to cross the Mississippi, the remnants of the "band" were pinned between an advancing army and a steamboat outfitted with a six-pound cannon. It is estimated more than 300 Sauk were killed during the Battle of Bad Axe, with non-combatants—women, children, and the elderly—suffering the greatest casualties.[7] In all, only half of the party that left Iowa in the spring of 1832 lived to see September.

After the conflict, Black Hawk was imprisoned, taken on a coerced tour of the eastern United States (a favored technique for exacting Indigenous submission), and only then returned to Iowa, where he was placed under the humiliating surveillance of his younger rival, Keokuck (Sauk). Reduced to "an obscure member of a nation, that formerly honored and respected [his] opinions," he soon decided to dictate his autobiography. *Life of Black Hawk or Mà-ka-tai-me-she-*

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[5] For the American newspaper coverage of the conflict, see Adam John Waterman, *The Corpse in the Kitchen: Enclosure, Extraction, and the Afterlives of the Black Hawk War* (New York: Fordham University Press, 2022), 54-69. For a history of Indigenous involvement in the conflict, see John W. Hall, *Uncommon Defense: Indian Allies in the Black Hawk War* (Cambridge, MA: Harvard University Press, 2009).

[6] Roger L. Nichols, *Black Hawk and the Warrior's Path*, 1st edition (Hoboken, NJ: Wiley-Blackwell, 1991), 121-122, 131, 133.

[7] Nichols, *Warrior's Path*, 135.

kià-kiàk (1833) sought to defend to a white American audience "the *causes* that had impelled [Black Hawk] to act as he had done, and the *principles* by which he was governed."[8] It was an instant success. Unlike earlier texts produced by Native Americans, *Life of Black Hawk* presented the perspective of "a native speaker who wanted no part of Christian, Anglo-Saxon America and who summarized the grievances of a people deceived, pursued, and slaughtered by an alien pursuer… [who] challenged Americans illusions of national virtue, and conversely insisted upon the ethical nature of his own culture."[9] In white America, it made Black Hawk the most recognizable Native American of the next fifty years, only to be eclipsed by the likes of Crazy Horse (Oglala Lakota), Sitting Bull (Hunkpapa Lakota), and Standing Bear (Ponca) towards the end of the nineteenth century.

While the autobiography is full of various "*principles* by which [Black Hawk] was governed," most central was his understanding of the Treaty with the Sauk and Foxes. Black Hawk had long maintained Quàsh-quà-me and the other diplomats did not understand the terms of the treaty, but he went further when he insisted: "My reason teaches me that *land cannot be sold*… Nothing can be sold, but such things as can be carried away."[10] In other words, even if the terms had been transparent to both parties—even if the Sauk and Meskwaki had been able to deliberate in full tribal council—they could not have parted with their land.

This is a strident principle concerning the nature of property that would seem to justify Black Hawk's actions, were it not troubled by something he says just a few paragraphs prior. Recounting his maneuvers to preserve Saukenuk, Black Hawk explains how he once told

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[8] Black Hawk, *Life*, 3. Emphasis in original.

[9] J. Gerald Kennedy, "Introduction" in *Life*, ix. Two earlier Indigenous-authored texts to compare with *Life* are Elias Boudinot's (Cherokee) "An Address to the Whites" (1826) and William Apess' (Pequot) *A Son of the Forest* (1829).

[10] Black Hawk, *Life*, 56. Emphasis in original.

Keokuck "to propose to give other land (any that our Great Father might choose, even our *lead mines*) to be peaceably permitted to keep the small point of land on which our village and fields were situate."[11] Black Hawk evidently cared less for the lead mines (likely those near present-day Dubuque, Iowa) than for his village, but it is difficult to see this proposal as anything but a land sale. Apparently, some land *can* be sold.

What is going on here? Is Black Hawk simply confused, either in his reasoning about land and property or in his recollection of the positions he once held? Does he graft his causes and principles onto an existing, intercultural structure (i.e. the land cession) in the mode of what Richard White calls "the middle ground?"[12] Alternatively, might this be an example, from an Indigenous perspective, of what Robert Nichols terms "recursive" dispossession, or the creation of property and the rights to acquire, use, and dispose of land out of an originary theft?[13] Perhaps Black Hawk thought the Sauk and Fox could protect Saukenuk by leveraging their solitary "right" to sell some of their remaining land, though without completely accepting the settler logic underlying such a transaction. Scholars of *Life of Black Hawk* have suggested "land cannot be sold" is evidence of "bimodal" patriotisms—one settler and national, the other Indigenous and local—that contest the meaning of Saukenuk, or else a "doctrine of polygenesis," which holds certain ethnic groups emerge from and belong to certain geographical places that are not to be dispossessed.[14] Yet these interpretations do not engage,

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[11] Black Hawk, *Life*, 55.

[12] Richard White, *The Middle Ground: Indians, Empires, and Republics in the Great Lakes Region, 1650-1815* (Cambridge: Cambridge University Press, 1991).

[13] Nichols, *Theft is Property!*, 32-34.

[14] William Boelhower, "Saving Saukenuk: How Black Hawk Won the War and Opened the Way to Ethnic Semiotics," *Journal of American Studies* 25, no. 3 (1991): 351-352; Scott L. Pratt, "The Given Land: Black Hawk's Conception of Place," *Philosophy & Geography* 4, no. 1 (2001): 120-121.

and thus cannot explain, how Black Hawk could assert "land cannot be sold" as a principle while also apparently lobbying for a land sale.

One way to resolve this paradox may be to interrogate Black Hawk's principle not through the lens of property, but in light of a different concept: sovereignty. That is, Black Hawk's principle may appear more consistent when interpreted as a claim about legitimate public action, underwritten by a unique conception of land. As will be shown, the source of legitimacy from Black Hawk's perspective is interdependence. Tribes are sovereign not when they stand alone and proclaim material and political self-sufficiency, but when they openly rely on each other—when they cooperate, reciprocate, and act upon a shared sense of compassion for the fundamental precarity of human life. *Life of Black Hawk* provides ample evidence of interdependence in both *intra*tribal (i.e. within tribes) and *inter*tribal (i.e. between tribes) settings. Sovereignty as interdependence correlates with a configuration of land as life, in both a biological and cultural sense, which defies colonial logics of property. Ultimately, "land cannot be sold" refers to a politics and ethics of sharing the universal, inalienable source of a meaningful life, which is nothing less than a paramount example of interdependence.

This chapter begins by describing the contents and unique production history of *Life of Black Hawk*. It then briefly reviews the scholarly literature on the text and explains how I interpret the authorial voice. The next section recalls the American countersovereignty discussed in the previous chapter, and shows how Black Hawk often collided with the logic of benevolent dominion, before analyzing Black Hawk's own understanding of sovereignty. Interdependence is evinced in Black Hawk's recollections of Sauk origin stories, conflicts with neighboring tribes, and customs of compassion. The third section develops the neologism "land-is-life" from contemporary Indigenous politics and recent scholarship. It then traces the biological and cultural meanings of land-is-life in Black Hawk's accounts of Sauk (agri)culture and grieving rituals, before reinterpreting the phrase "land cannot be sold" from the vantage of a sovereign interdependence that is devoted to the perpetuation of collective life on shared land. The chapter concludes by bringing the logic of interdependence and "land-is-life" to bear on the meaning of tribal sovereignty today.

The Production and Reception of Life of Black Hawk

Besides being an autobiography, *Life of Black Hawk* is a national history, an apologia, and a rich cultural treatise. Its original title—cumbersomely long in the style of the nineteenth century—actually summarizes the contents quite well. The text announces itself as:

> Embracing the tradition of [Black Hawk's] nation—Indian wars in which he has been engaged—cause of joining the British in their late war with America [the War of 1812], and its history—description of the Rock River village—manners and customs—encroachments by the whites, contrary to treaty—removal from his village in 1831. With an account of the cause and general history of the late war [the Black Hawk War], his surrender and confinement at Jefferson Barracks, and travels through the United States.[15]

Here, "tradition" refers to a vivid origin story with which the text opens: an account of how the Sauk nation came to reside at the confluence of the Mississippi and Rock Rivers, and how Black Hawk came to be the possessor of the tribes' medicine bags. The "description of the Rock River village"—that is, Saukenuk—and report on "manners and customs" is a lengthy excursus from the narrative in which Black Hawk describes in great detail the annual migrations, festivals, and modes of material reproduction practiced by the Sauk. It also includes insights into Black Hawk's principled positions on politics, ethics, and theology that one can trace through the more historical parts of the text.

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[15] Black Hawk, *Life*, xxxv.

Not canvassed in the original title is a short concluding section in which Black Hawk, reflecting on a question he apparently received from admirers whilst travelling through the eastern United States, opines on the colonization of freed slaves. His bizarre recommendation is, essentially, genocide: enslaved women over the age of twelve should be purchased by the "Great Father"—the president—and sent to the "free states," while all African-American men, both free and enslaved, should be sent to the South. As Black Hawk puts it, "it will not be long before the country is clear of the *black skins*, about which, I am told, they have been talking for a long time."[16] Then Black Hawk, who had been unrepentant throughout the narrative, ends by declaring "the white man will always be welcome in our village or camps, as a brother. The tomahawk is buried forever!.... May the Great Spirit keep our people and the whites always at peace—is the sincere wish of BLACK HAWK."[17]

These latter curiosities, while not necessarily examples of an alternate, interloping authorial voice, raise questions about the production of *Life of Black Hawk*. The text is decidedly a collaborative effort of three men: Black Hawk himself, who told his narrative in the Sauk language to Antoine Le Claire (a U.S. Indian agent of French and Pottawatomie ancestry), who translated the narrative orally into English for J.B. Patterson (a newspaperman from Virginia who had recently arrived in Illinois), who wrote it down and published it. This production history has raised doubts about the text's authenticity since practically the moment of its publication. As J. Gerald Kennedy explains in his introduction to the text, some nineteenth-century reviewers believed it to be "an outright hoax, a fabrication that amounted to

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[16] Black Hawk, *Life*, 97. Interracial sex seems implied in this proposal, which would have been unacceptable to many white Americans in the 1830s. Thus, it is entirely possible the idea is, in fact, Black Hawk's.

[17] Black Hawk, *Life*, 98.

literary ventriloquism."[18] Granted, several words and phrases defy the limits of even the loosest translation: Black Hawk's quoting of John Dryden, for example, or his calling the White House a "wig-wam" and American newspapers "town criers." It would appear either translator or editor took some creative liberties. Patterson's publication of a much-altered edition several decades later only complicates matters. However, the tripartite process of the original text's production was not uncommon. According to Arnold Krupat, "Indian texts are always the consequence of collaboration" that typically involve an "Indian informant-speaker, [a] white editor-transcriber, and also apparently in all cases at least one translator, usually part-Indian and part-white."[19] *Life of Black Hawk* fits this mold precisely, and most scholars today believe the autobiography to be genuine.

Nonetheless, it would assuage concerns about the text's authenticity—whether or not it is truly Black Hawk speaking in translation with minimal alterations—if it could be corroborated by a second text with which Le Claire and Patterson were not involved. Fortunately, such a text exists. In 1815, a British trader and militia captain named Thomas Gummersall Anderson visited Saukenuk on behalf of Lt. Col. Robert McDouall. His mission was to persuade the Sauk, who had allied with Great Britain in the War of 1812, to accept the terms of the Treaty of Ghent (1814) and make peace with the United States. A record contained in the collections of the Michigan State Historical Society contains the message Anderson transmitted to the Sauk, followed by a response attributed to Black Hawk. In that response, Black Hawk quotes from instructions one Colonel Dixon (whom Black Hawk calls "Red Head") had given to the Sauk prior to the War of 1812, telling them the "Americans, wishing to rob

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[18] J. Gerald Kennedy, "Introduction," in *Life*, xvii.

[19] Arnold Krupat, *For Those Who Come After: A Study of Native American Autobiography* (Berkeley, CA: University of California Press, 1985), 7.

you of your Lands" were making war, and that the British wanted the Sauk to engage the United States in combat.[20] *Life of Black Hawk* quotes personal instructions from Dixon to Black Hawk from approximately the same period. These include a strikingly similar warning: "the Americans want to take your country from you."[21]

While there are discrepancies between the two versions of Dixon's instructions—as is to be expected when recollected almost two decades apart—evidence of the same encounter in both texts is significant. Each text describes what seems to have been a fairly intimate meeting between a British official and a handful of Sauk leaders. Neither Le Claire, Patterson, nor anyone who could have informed them (other than, of course, Black Hawk himself) was present either at this meeting or at Black Hawk's original recollection thereof in 1815. What is more, the whole of Black Hawk's response to Anderson features a combination of boldness and sincerity that resonates with the authorial voice in the autobiography. In the former, Black Hawk declares he is "one of those very few Indians who speak my sentiments openly and without reserve," and he closes his remarks with disdain for the United States, admitting "when I look down this [i.e. Mississippi] river some bad blood that remains in my heart jumps up to my throat, and were it not for your councils, I would free myself of it." These expressions could easily be mistaken for quotations from *Life of Black Hawk.* They clearly took linguistic liberties, and they may have even imported a few of their own political opinions, but unless we are willing to attribute an extraordinary amount of research and character study to Le Claire and Patterson, we must conclude the 1815 speech and the autobiography are mainly authored by the same person: the man known as Black Hawk.

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[20] Speech of Black Hawk, August 3, 1815, *Michigan Pioneer and Historical Collections,* ed. Joseph Gruesel, vol. 16 (Lansing, MI: Wynkoop, Hallenbeck, Crawford, Co., State Printers, 1910), 196-197.

[21] Black Hawk, *Life*, 26-27.

Much of the scholarship on the autobiography refracts questions about the text's production through a different dimension of "authenticity": the settler audience's desire to apprehend a "pure" or "uncorrupted" Indigeneity that, in the words of Philip Deloria, "represented authentic reality in the face of urban disorder and alienating mass society," and the effects of this desire on settler-colonial power dynamics.[22] For example, Michelle Raheja thinks it possible to isolate Black Hawk's authorial voice from those of his collaborators. She examines the narrative disruptions and silences in the text to suggest "by the very act of alluding to a private or secret space and then withholding information about it... Black Hawk wielded some control over the narrative performance and attempted to insert an indigenous rendering of self-life narration into the text."[23] Laura Mielke accepts *Life of Black Hawk* as an irreducible settler-Indigenous composite that blends genres of sentimentalism and "savagism" (the notion that a noble Indigeneity is "doomed" to disappear) in a way that "utilizes feeling in making moral and political arguments against the United States' treatment of the Sauks and other Native Americans, oftentimes by demonstrating Native Americans' superiority in sympathy."[24] More vigorously resisting the impulse to separate Black Hawk from Le Claire and Patterson, Joshua David Bellin describes how the representation of a Native American who speaks out against settlerism, but who cannot be heard without the representing work of an assimilated, mixed-race interpreter and a white editor, is an "emblem of the vanishing-Indian theme, the embodiment of an atemporal, atextual authenticity dead to, and dying through, the activity of

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[22] This is what Deloria refers to as the "positive *exterior* Indian Other," Philip J. Deloria, *Playing Indian* (New Haven, CT: Yale University Press, 2022 [1998]), 74.

[23] Michelle H. Raheja, "'I leave it with the people of the United States to say': Autobiographical Disruption in the Personal Narratives of Black Hawk and Ely S. Parker," *American Indian Culture and Research Journal* 30, no. 1 (2006): 95.

[24] Laura L. Mielke, "Native to the Question": William Apess, Black Hawk, and the Sentimental Context of Early Native American Autobiography," *American Indian Quarterly* 26, no. 3 (2002): 258

the text." In accepting this representation, "one forces it off the stage of history into the reified space of the lost, the timeless, the unrepresentable."[25] While each of these interventions takes a different position on the meaning of an "authentic" Indigenous voice in the warp and weft of settler representation—it is variously autonomous, critical, and stereotypically resistant-yet-disappearing—they are part of a common project that analyzes how *Life of Black Hawk* figures the Indigenous subject for its mostly settler readership.[26]

The complexities surrounding the production of *Life of Black Hawk*, as well as the many roles Indigeneity performs in the settler consciousness, warrant these insightful analyses. However, one worries that concerns over both types of authenticity, or *how* the text says what it says, obscures our understanding of the content—that is, *what* the text says about nineteenth-century Sauk lifeways and the pressures of settler colonialism in the Upper Mississippi Valley. If it is true, as Bellin himself claims, that no voices are "pure, determinate, [and] unmediated," and the "realness" of any author is inextricable from his or her dense discursive context, then we can be attentive to the form of *Life of Black Hawk* while approaching its substance with the seriousness and depth we extend to other texts.[27] A Sauk man named Black Hawk did exist, he dictated his autobiography in 1832, and we can analyze this text today to understand his (mediated, but not fabricated) perspective on his life and

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[25] Joshua David Bellin, "How Smooth Their Language: Authenticity and Interculturalism in the *Life of Black Hawk*," *Prospects* 25 (2000): 499.

[26] Other interventions include Boelhower, "Saving Saukenuk"; Neil Schmitz, "Captive Utterance: Black Hawk and Indian Irony," *Arizona Quarterly* 48, no. 4 (1992); Susan Scheckel, *The Insistence of the Indian: Race and Nationalism in Nineteenth-Century American Culture* (Princeton, NJ: Princeton University Press, 1998). More recent scholarship brings questions of authenticity to the material culture that surrounds *Life of Black Hawk*, sometimes referred to as "Blackhawkiana." See Nicholas A. Brown and Sarah E. Kanouse, *Re-collecting Black Hawk: Landscape, Memory, and Power in the American Midwest* (Pittsburgh, PA: University of Pittsburgh Press, 2015); Jane Simonsen, "Power Suits: Sartorial Politics in Portraits of Black Hawk, 1833-1837," *American Indian Quarterly* 41, no. 4 (2017); Waterman, *Corpse in the Kitchen.*

[27] Bellin, "How Smooth Their Language," 500.

times, all while checking the impulses to read our own desires—settler-colonial or otherwise—into the text and grasp at an imaginary "authentic" Indigeneity.

With this in mind, the following interprets *Life of Black Hawk* as, among other things, a record of Sauk stories and praxes that reveal how the author understood sovereignty. It also illustrates Black Hawk's conceptualization of land, and demonstrates how sovereignty and land weave together in such a way as to ground practices of interdependence in the biological and cultural exigencies of life.

Sovereignty as Interdependence

Tecumseh palavered with William Henry Harrison to quell frontier violence. Thomas Jefferson regularly welcomed Little Turtle (Miami) and other tribal leaders of the Old Northwest to Washington, D.C. Though he would eventually come face to face with Andrew Jackson, the most enthusiastic enforcer of Indian removal, Black Hawk met neither the principal nor the agent behind the logic of benevolent dominion. Nonetheless, his life was profoundly shaped by American countersovereignty.

For example, *Life of Black Hawk* recalls how the United States cajoled the Sauk and Meskwaki into peace treaties with other tribes, all while constructing a string of heavily-armed forts across the Upper Mississippi Valley.[28] This behavior mystifies Black Hawk, who remarks, "this, in our opinion, was a contradiction to what we had done—'to prepare for war in time of peace.'"[29] In light of the analysis in the preceding chapter, we can identify what he witnessed as the exclusive arrogation of war-making authority. Black Hawk also detested the legal authority

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[28] Black Hawk, *Life*, 19-20, 39, 41, 44, 45, 61.

[29] Black Hawk, *Life*, 45.

the United States presumed over the tribes. When the Meskwaki exacted violent retribution from a Menominee tribe, he contemns:

> this retaliation, (which with us is considered lawful and right,) created considerable excitement among the whites! A demand was made for the Foxes to be surrendered to, and *tried* by, the white people!... I conceived the *right* very *questionable*, if not altogether usurpation, in any case, where a difference exists between two nations, for him [i.e. the American "Great Father"] to interfere![30]

The passage shows that Black Hawk saw Harrison's prohibition on "private revenge" and elaborate mechanism of "neutral" adjudication for what it was: a "usurpation" of tribal sovereignty. Finally, Black Hawk bristled at the control the United States exerted over tribal economies. He constantly complained of American efforts to drive British traders out of the region, of the stinginess of U.S. suppliers, and especially of American attempts to restrict his travel to and from Sauk hunting grounds. In a scene that shows how punctilious U.S. officials could be in their surveillance of Indigenous movement, Black Hawk explains how he (begrudgingly) asked permission "for ourselves and some Menomonees [sic], to go down to the Two-River country to hunt." An American official told him "*we* might go down but we must return before the ice made, as he did not intend that we should winter below the fort." When the official then inquired why he wished to travel with the Menominee, Black Hawk, clearly bothered by the presumption, responded, "that they had a great many *pretty squaws* with them, and we wished them to go with us on that account!" Ultimately, Black Hawk flouted this attempt to control his movement and, by extension, his participation in the fur trade: "We all started down the river, and remained *all winter*, as we had no intention of returning before spring, when we asked leave to go."[31]

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[30] Black Hawk, *Life*, 68. Emphasis in original.

[31] Black Hawk, *Life*, 42. Emphasis in original.

Yet, *Life of Black Hawk* is much more than a record of U.S. countersovereignty and Sauk resistance thereto. Often drawing a contrast with these attempts to impose benevolent dominion, Black Hawk articulates an alternate logic of legitimate public action defined by mutuality. Where the former reduces or arrogates all other sources of "competing" authority to better control Indigenous life, this section describes a logic of interdependence that treats authority as fundamentally shared—even between declared enemies. As told by Black Hawk, sovereignty both within and between tribes consists of mutually-reinforcing authorities and responsibilities divided amongst persons and groups that must rely on each other in the pursuit of common ends. This pursuit is not always peaceful, especially when it involves rival tribes, and violence often determines whose interest prevails at any given juncture. Yet, even when cooperation is absent, tribes nonetheless engage in practices of reciprocity that allow rivals to share authority over time. Lastly, Black Hawk emphasizes the centrality of compassion: a recognition of the universality of precarity that forms the core of interdependence.

Na-nà-ma-kee Dreams of Sovereignty

Life of Black Hawk begins in a rather surprising manner. To establish the "*causes* that had impelled him to act as he had done, and the *principles* by which he was governed," Black Hawk takes his reader back to the age of his great-grandfather, when the Sauk still dwelled around present-day Montreal. The story he tells functions as a myth of political origins that situates Black Hawk as the inheritor of the Sauk medicine bags—"the soul of our nation"—and, thus, a person of considerable moral authority. Much like Harrison's retelling of the Iroquois Deganawidah epic, this story sheds light on how Black Hawk understands the nature of sovereignty. Whereas Harrison's tale emphasized exclusivity and the arrogation of power, Black Hawk's expresses a logic of interdependence.

Black Hawk's great-grandfather, Na-nà-ma-kee, was said to have had a dream which foretold, "at the end of four years, he should see a *white man*, who would be to him a father."[32] Na-nà-ma-kee fasted and prayed for that amount of time, and then set out in the direction indicated by the Great Spirit with his two brothers. After walking for several days, they came upon the encampment of a white man, who told Na-nà-ma-kee "that he was the son of the King of France—that he had been dreaming for four years—and that the Great Spirit had directed him to come here, where he should meet a nation of people who had never yet seen a white man—that they should be his children, and he should be their father."[33] The white man—perhaps the French explorer, Samuel de Champlain—presented Na-nà-ma-kee and his brothers with medals. As Black Hawk explains:

> that which he had given [Na-nà-ma-kee] was a type of the rank he should hold in the nation: That his brothers could only rank as *civil* chiefs,—and their duties should consist of taking care of the village, and attending to its civil concerns—whilst his rank, from his superior knowledge, placed him over them all. If the nation gets into any difficulty with another, then his puc-co-hà-wà-ma, or sovereign decree, must be obeyed.[34]

The white man then gave Na-nà-ma-kee guns, "so that in war he could chastise his enemies—and in peace they could kill buffalo, deer and other game, necessary for the comforts and luxuries of life," while he presented cooking utensils and instructions for their use to Na-nà-ma-kee's brothers. Then, the unnamed white man departed.

When Na-nà-ma-kee and his brothers returned to their village, they described the encounter to their father, who was also the principal chief of the tribe. Considering what they had told him, he observed, "the Great Spirit had directed that these, his three children, should

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[32] Black Hawk, *Life*, 9. Emphasis in original.

[33] Black Hawk, *Life*, 9-10.

[34] Black Hawk, *Life*, 10. Emphasis in original.

take the rank and power that had been his—and that he yielded these honors and duties willingly to them."[35] To Na-nà-ma-kee, specifically, he "cheerfully resigned" the Sauk medicine bags, declaring, "it is the soul of our nation—it has never yet been disgraced—and I will expect you to keep it unsullied."[36] However, other Sauk were less sanguine, and several suspected some deception behind the rapid succession. To quell these concerns, Na-nà-ma-kee took advantage of a lightning storm and claimed he had caused a nearby tree to burst into flame. Then, gathering up some of the burning branches, he explained the new division of authority thusly:

> The Great Spirit caused me to dream for four years—he told me where to go and meet the white man, who would be a kind father to us all... it is [the white man's] order that places me at the head of my nation—the place which my father willingly resigned. You have all witnessed the power which has been given to me by the Great Spirit, in making fire—and all that I now ask is, that these, my two chiefs, may never let it go out: That they may preserve peace among you, and administer to the wants of the needy: And, should an enemy invade our country, I will then, but not until then, assume command...[37]

The skeptics heartily accepted Na-nà-ma-kee's account, and all looked to him as their leader. In the decades that followed, however, the Sauk were forced southward by the British and relocated around present-day Green Bay, Wisconsin. Black Hawk briefly tells of the "national treaty of friendship and alliance" between the Sauk and Meskwaki that happened around this time, their driving of the Kaskaskia from the Upper Mississippi Valley, and the subsequent

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[35] Black Hawk, *Life*, 11.

[36] Black Hawk, *Life*, 11.

[37] Black Hawk, *Life*, 12.

creation of Saukenuk. "At this village I was born," Black Hawk concludes, "being a regular descendant of the first chief, Na-nà-ma-kee."[38]

As an illustration of the logic of interdependence, this dramatic origin story appears to represent a much more familiar type of sovereignty. Initially, Black Hawk divides tribal authority between command in times of war or danger, assigned to Na-nà-ma-kee, and what he refers to as "civil" governance, assigned to the brothers. Na-nà-ma-kee's authority appears to supersede that of his brothers, much like "emergency powers" are thought to supersede ordinary constitutional processes in certain models of sovereignty.[39] As in such models, when Black Hawk describes how Na-nà-ma-kee's "superior knowledge, placed him over them all," and recalls his pledge that "should an enemy invade our country, I will then, but not until then, assume command," he seems to speak of an exclusive and independent authority that reigns supreme in times of crisis. What is more, Na-nà-ma-kee's prophetic dreams and his (apparently) supernatural abilities further elevate him over his more earthbound brothers, and suggest a politics based on divine right or charisma. At a glance, this sovereignty better resembles "dominion," or even dictatorship, than anything that might be called "interdependence," and Na-nà-ma-kee's reasoning seems little more than a selfish power grab.

That Na-nà-ma-kee has a "sovereign decree, [which] must be obeyed" is not denied, and Black Hawk makes no attempt to equate military and civil authority. Yet, on closer inspection, the origin story describes far more cooperation between the different authorities than

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[38] Black Hawk, *Life*, 13.

[39] While there are several versions of this model, the most instructive is Carl Schmitt's definition of the sovereign as he who "decides on the state of exception," or the point at which constitutional order must be suspended, Carl Schmitt, *Political Theology: Four Chapters on the Concept of Sovereignty* (Chicago, IL: The University of Chicago Press, 2005 [1934]), 5. Also worth contrasting with Black Hawk's understanding of sovereignty is the office of dictator in ancient Rome, as described in both classical and modern sources.

prominent models of "emergency powers" allow. For instance, Na-nà-ma-kee is charged with preserving the medicine bag—the essence of the Sauk nation—while his brothers are tasked with "taking care of the village, and attending to its civil concerns."[40] That is, the former is to guard against existential threats to the tribe, while the latter attends to the quality of tribal existence; they "preserve peace... and administer to the wants of the needy." Importantly, there is no trace of permanent hierarchy or devolution of power here. The authorities are *structurally* independent while being *functionally* integrated; each self-contained authority depends on the other to meet a common goal—in this case, the commodious preservation of the tribe. A more material dimension of cooperation serves as a useful analogy. The mysterious white man places Na-nà-ma-kee in charge of hunting as well as war-making, while his brothers oversee all the cooking. That is, one supplies raw meat for the others to convert into edible food. Just as there is no reason for Na-nà-ma-kee to have a gun if his brothers do not also have cooking utensils, there is no point in defending the community from external threats if that community is unable to support its members in times of peace. In short, the cooperation between the two authorities is what legitimates the actions each takes to sustain the collective.

The speech which Black Hawk attributes to Na-nà-ma-kee unites the seemingly disparate principles of exclusive rule based on charisma and cooperation for common goals. Even as he asserts a supernatural power to make fire, and praises the Great Spirit as the source of his abilities, Na-nà-ma-kee nonetheless calls upon his brothers to "never let [the fire] go out." In other words, the powers Na-nà-ma-kee alone possesses are great—majestic, even—and without equal in the tribe, but they are also insufficient. To serve the tribe most effectively, Na-nà-ma-kee must depend on others. This is the sovereign logic of "interdependence" in its

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[40] On the significance of sacred bundles or "medicine bags" among Algonquin-speaking peoples, see María Nieves Zedeño, "Bundled Worlds: The Roles and Interactions of Complex Objects from the North American Plains," *Journal of Archaeological Method and Theory* 15 (2008).

simplest form: public activity is legitimate where it engages the mutually-enforcing responsibilities of multiple (though not necessarily equal) parties.

In addition to illustrating interdependence, the story also reveals how Black Hawk thinks about sovereignty on a deeper, more metaphysical level. For an origin story, it is conspicuously indecisive on the origin of Sauk sovereignty. That is, the authority of Na-nà-ma-kee and his brothers appears to derive variously from: a divine plan; anointment by a foreign visitor; conferral by the prior leader; bestowal of a sacred object; demonstration of supernatural powers; popular recognition. None of these are explored in greater detail within *Life of Black Hawk*, which suggests the *origin* of sovereignty—its cause, in the Aristotelian sense—is less important than its *praxis*, or how it is enacted. To draw a contrast, consider how benevolent dominion derives, at least in part, from Jefferson and Harrison's beliefs about Indigenous deficiencies and Enlightenment-era theories of civilizational progress. With these in mind, one may say an origin or "cause" of benevolent dominion is American cultural chauvinism. While still presented as a logic or "justificatory apparatus," interdependence is, for Black Hawk, more a way of being than a comprehensive theory. From the political division between hereditary "village chiefs" (likely an evolution of the "civil chiefs" in the story) and non-hereditary "war chiefs" that was instantiated by Black Hawk's time, to his reliance on fellow "braves" in the throes of battle and the pride he takes in returning each man safely to Saukenuk, to the tasks of material reproduction differentiated by age and gender, Black Hawk provides numerous examples of interdependence without ever explicating a broader, systematic theory of sovereignty. In these cases, cooperation is legitimate primarily because it works. As will be seen going forward, the power of the logic of interdependence lays in its practical efficacy.

Reciprocity on the Hunting Grounds

In *Life of Black Hawk*, interdependence manifests as cooperative praxis *within* tribes. However, it also applies in a very different context: violent conflict *between* tribes. From Black Hawk's perspective, even enemies actively waging war against each other must exhibit mutually-reinforcing behaviors if they are to inhabit the same region. In this case, the logic of interdependence frames intertribal conflict as a perpetual contest in which the participants swap victories and share authority over time. Managed conflict is the common goal, and two or more antagonists can, in fact, constitute a veritable "collective" when they work interdependently to achieve it. This dynamic is on display in Black Hawk's account of the Sauk summer hunt. As he puts it:

> Every one leaves the village, and remains about forty days. They then return: the hunting party bringing in dried buffalo and deer meat, and sometimes *Sioux scalps*, when they are found trespassing on our hunting grounds. At other times they are met by a party of Sioux too strong from them, and are driven in. If the Sioux have killed the Sacs last, they expect to be retaliated upon, and will fly before them, and vice versa. Each party knows that the other has a right to retaliate, which induces those who have killed last, to give way before their enemy—as neither wishes to strike, except to avenge the death of their relatives. All our wars are predicated by the relatives of those killed; or by aggressions upon our hunting grounds.[41]

In this passage, Black Hawk describes how conflict between the Sauk and their enemies follows a particular pattern. When opposing hunting parties meet on territory each claims as their own, they consider two factors to determine if and how they will engage in combat. One factor is their relative strength; sheer numbers may cause one party to be "driven in" by the other. The second factor is the recency of a grievance. Regardless of how many warriors a party has,

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[41] Black Hawk, *Life*, 49.

they may choose to surrender the hunting grounds if they had defeated the other party in the previous encounter. The consequences of this decision could be severe. While tribes of the Upper Mississippi Valley did not often depend on summer hunts for their subsistence, the return from the hunting grounds was a time of giving presents and feasting; without buffalo and deer meat to offer, the reciprocal relations within tribes could suffer.[42] Thus, for a stronger force to "give way before their enemy" because the latter had a "right to retaliate" was no empty gesture. Why would tribes do such a thing?

Mark Rifkin interprets this passage as evidence of the social importance of hunting and warfare, which allows "native conceptions of territoriality [to] take shape within an extant field of low-level struggle in which each tribe's spatial self-understanding is enmeshed and out of which forms of Sauk political subjectivity emerge."[43] In other words, antagonism shapes identity, so reserving sites for minimally-destructive violence can be foundational for individual and tribal self-identification. While insightful, this interpretation overlooks the intentional reciprocity that occurs in these moments of conflict. The Sauk and their enemies are not merely testing their mettle or reflecting their identities off each other; they are using a shared rubric to determine which tribe ought to prevail in any given encounter. In light of the two factors that inform this decision, the outcome should be evenly split over time; some seasons the Sauk will drive off their enemies, other seasons they will have to give way *because* of the enemy lives taken during the previous encounter. The conflict is not winner-take-all forever, but a contest designed to repeat perpetually.

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[42] Black Hawk, *Life*, 49.

[43] Mark Rifkin, *Manifesting America: The Imperial Construction of U.S. National Space* (Oxford: Oxford University Press, 2012), 97.

As with the cooperative dynamics Black Hawk describes among the Sauk, reciprocity on the hunting grounds showcases the practical efficacy of interdependence. It incentivizes all violence to remain "low-level," as Rifkin argues, but it also determines which party may claim the hunting grounds in the present in a manner that guarantees regular access to both parties over time. In the final assessment, the dynamic Black Hawk describes is less about violence *per se* and more about intertribal reciprocity that only incidentally involves physical combat. The Sauk and their enemies can sustain the common goal of sharing the hunting grounds in a legitimate manner—which is to say, as sovereigns—when each practices the custom of reciprocity.

If Black Hawk's two-factor system of reciprocity seems straightforward, even elegant, his rhetoric can complicate. For instance, it now seems strange that, in the very passage quoted, reciprocity is practiced when Sauk enemies "are found trespassing on *our* hunting grounds."[44] The foregoing has posited hunting grounds as site of perpetual conflict, with "possession"—if it can be called that—alternating between opponents over time; on such (intentionally and productively) contested ground, the charge of trespass seems dubious at best. Yet, Black Hawk is even more bullish elsewhere, such as when he claims, "we were the undisputed possessors of the valley of the Mississippi, from the Ouisconsin to the Portage des Sioux, near the mouth of the Missouri, being about seven hundred miles in length."[45] On the contrary, the very existence of intertribal conflict and the efficacy of reciprocity assumes the possession is, in fact, disputed. Likewise, Black Hawk occasionally speaks of violence in ways that cast doubt on his commitment to reciprocity. For example, when recalling a conflict with the Osage, he avows their "final extermination" and describes how he and a war party killed "*forty lodges*" of people in

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[44] Black Hawk, *Life*, 49. Emphasis added.

[45] Black Hawk, *Life*, 46.

an Osage village, sparing only two women.[46] Even within the violence permitted by perpetual contestation, an attack of such magnitude would generate a considerable grievance among the Osage, and the Sauk may be expected to cede any shared territory for several seasons—the very outcome the custom of reciprocity seems designed to avoid.

In these instances, Black Hawk's unequivocal claims of possession and recollections of highly destructive violence appear to push the logic of interdependence to a conceptual breaking point. However, this may be the clearest evidence yet of interdependence as a praxis. True, Black Hawk's speech and action at times contradict interdependence, especially in intertribal settings. On the whole, though, he endorses the mutually-reinforcing behaviors that sustain collectives and facilitate common goals. The logic of interdependence bends, but does not break, in Black Hawk's account; it can flexibly accommodate a measure of contradiction without ceasing to be effective. Alternatively, Black Hawk's bluster about being "the undisputed possessors" may demonstrate how Sauk identification with the lands of the Upper Mississippi Valley is separable from sovereignty over them. In other words, the spatiality of tribal identity is not coextensive with the space of legitimate public action; the Sauk may claim the hunting grounds as their own and still enact common goals and nurture relationships with opposing tribes. The following section will base this bifurcation of territorial identity and jurisdiction upon a specific conceptualization of land, but, before then, a final component of interdependence must be outlined: the centrality of compassion.

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[46] Black Hawk, *Life*, 15-16.

Compassion for Precarity

While Black Hawk's contradictory rhetoric does not seriously jeopardize the logic of interdependence, it certainly shows how the praxis of sovereignty in the Upper Mississippi Valley does not always guarantee stability. Perhaps especially in a culture that equates manhood with martial prowess, intertribal violence can quickly get out of hand. In addition to the custom of reciprocity, aforementioned practices like "covering the dead"—offering up people and goods to compensate for murder—can preserve peace. However, such practices require specific behaviors from recipient tribes if the peace is to be long-lasting. One such behavior which manifests in most instances of interdependence reported in *Life of Black Hawk* is compassion. Defined here as the recognition of shared precarity, compassion can sublimate the desire for vengeance that accelerates violence beyond the realm of reciprocity, as well as motivate intratribal cooperation. If cooperation and reciprocity are the levers of interdependence, we might conceive compassion as the interpersonal lubricant that ensures such activity accomplishes the common goal.

Exemplifying the relationship between intertribal reciprocity and compassion, Black Hawk recalls the story of a young Sauk man who killed a member of the Iowa tribe, but was too ill to make the journey to "cover the dead." To resolve the matter, the young man's brother volunteered to go in his stead, a decision all understood to mean his certain death. Black Hawk and a band of Sauk escorted the selfless brother to the Iowa village, explained the situation, and left him "singing his *death-song*." As Black Hawk puts it:

> I cast my eye toward the village, and observed the Ioways coming out of their lodges with spears and war clubs. We took our trail back, and travelled until dark—then encamped and made a fire. We had not been here long, before we heard the sound of horses coming toward us. We seized our arms; but instead of an enemy, it was our young brave with two horses. He told me that after we had

> left him, they menaced him with death for some time—then gave him something to eat—smoked the pipe with him—and made him a present of the two horses and some goods, and started him after us... for the noble and generous conduct of the Ioways, on this occasion, not one of their people has been killed since by any of our nation.[47]

Although a version of the "right to retaliate" among Algonquin-speaking peoples in the Upper Mississippi Valley would have empowered the Iowa to execute and even torture the young man, they instead granted clemency and gifted horses and goods to the Sauk. While their motivations are not entirely clear from the passage, one can easily describe such "noble and generous conduct" as compassion. The Iowa feel compassion for the young man himself, who would have forfeited his life for a crime he did not commit, as well as for the Sauk, who would have lost a valuable hunter and warrior. Perhaps they recognize the shared precarity such a loss could engender—especially if it became a repeated occurrence through perpetual reprisals—within the regional instability produced by settler colonization. In any case, the common goal of peace in the Upper Mississippi Valley called the Iowa to meet the Sauk attempt at reciprocity with compassion. To Black Hawk, at least, it signaled the legitimacy of the collective project between the two tribes.

Another episode from *Life of Black Hawk*, strikingly similar in form, shows how legitimacy can be called into question when compassion is not prioritized. When a different Sauk man killed "a Frenchman at Prairie du Chien," the British took him prisoner and planned to execute him the next day, though they allowed him to spend one final evening with his family.[48] "I can not describe their *meeting* and *parting* to be understood by the whites," Black Hawk says, "as it appears that their feelings are acted upon by certain rules laid down by their

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[47] Black Hawk, *Life*, 53. Emphasis in original.

[48] Black Hawk, *Life*, 23.

preachers!—whilst ours are governed only by the monitor within us."[49] To Black Hawk's evident disdain, the Sauk man "parted from his wife and children, hurried through the prairie to the fort, and arrived in time! The soldiers were ready, and immediately marched out *and shot him down!* I visited his family, and by hunting and fishing, provided for them until they reached their relations."[50] Like the Iowa, the British were within their rights, per Sauk legal practices, to compensate the death of the Frenchman by executing his murderer. However, Black Hawk clearly believes the "monitor within" would have advised compassion in this instance, as the execution left the man's family vulnerable. From his perspective, a shared appreciation for precarity ought to have modified the rights of the aggrieved in a manner that would have facilitated continued interdependence—in this case, most remarkably, between colonizer and colonized. Instead, the execution seems to lack legitimacy for Black Hawk, who can only lament, "Why did the Great Spirit ever send the whites to this island... They should have remained on the island where the Great Spirit first placed them."[51] Sovereignty breaks down, and territory cannot be peaceably shared, when one party rejects compassion.

Elsewhere Black Hawk expands upon the ethical differences between the Sauk and "the whites" in a way that shows how compassion also shapes mutually-reinforcing activity within tribes. "If I have been correctly informed," Black Hawk says, "the whites *may do bad all their lives*, and then, if they are *sorry for it* when about to die, *all is well!*" The Sauk, on the other hand, "must continue throughout our lives to do what we conceive to be good. If we have corn and meat, and know of a family that have none, we divide with them. If we have more blankets than

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[49] Black Hawk, *Life*, 23. Emphasis in original.

[50] Black Hawk, *Life*, 23. Emphasis in original.

[51] Black Hawk, *Life*, 23.

sufficient, and others have not enough, we must give to them that want."[52] For Black Hawk, compassion is not an outlook or disposition one can adopt or discard at will, but is grounded in real decisions that accumulate over the course of a life. Once again, it is the practical efficacy of compassion, and interdependence more broadly, that matters more than the logical consistency of an ethical or political theory. What is more, the compassion in these examples recalls the conditions that justified interdependence in the first place: the material need that is the purview of Na-nà-ma-kee and his brothers. Here practiced between individual members of the tribe, the compassionate response patterns the cooperative governance that defines intratribal Sauk sovereignty. Just as the "civil" chiefs in Black Hawk's origin story must "preserve peace... and administer to the wants of the needy," it is incumbent on individual Sauk to help each other when they are able. Since the survival of one better supports the survival of all in a precarious world, such "personal" decisions are, properly speaking, public activity; compassionate cooperation between Black Hawk and his fellow Sauk is itself an expression of sovereignty. Thus, whether in individual, tribal, or intertribal contexts, recognition of shared precarity facilitates the praxes of cooperation and reciprocity that enact the logic of interdependence.

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This section opened with Black Hawk's disdain for American countersovereignty, for the way the United States arrogated all political, legal, and economic authority to itself on the flimsy premise of compensating for Indigenous deficiencies. It was, as he put it, "very questionable, if not altogether usurpation" for the United States to impose its benevolent dominion on the Upper Mississippi Valley. A closer look at the way Black Hawk conceives sovereignty suggests he was not only frustrated by the usurpation in that instance, but also by the way such a usurpation completely transformed the logic of legitimate public action in the region.

[52] Black Hawk, *Life*, 44-45. Emphasis in original.

"Benevolent dominion" and "interdependence" are, to a considerable extent, mirror images of each other. Where the former insists on exclusive, unilateral rule, the latter intentionally disperses authority amongst multiple parties. Where one sees governance as a top-down affair, the other treats it as a more horizontal, collective project. On the surface, at least, both try to do right by the governed, although what "right" looks like for each is rather different. For Jefferson and Harrison, benevolence presumes a culturally superior "benefactor" whose purpose is to nurture and support those who are helplessly inferior, though in a way that only solidifies the benefactor's exclusive rule. For Black Hawk, it is the fundamental precarity of *all* persons and tribes that recommends compassion and legitimates the mutually-reinforcing behaviors which support interdependent governance.

While it can certainly become pathologically hierarchal, compassion is inherently egalitarian. To suffer with others—to suffer the same fate as others, at least vicariously—is what it means to have compassion. This element of Sauk sovereignty points the way to a corresponding conception of land. If the logic of interdependence requires multiple parties to participate compassionately in the shared work of collective life—including sharing access to and use of land—this is in part because land itself is life.

Land Is Life

From the vantage of a modern metaphysics rooted in Cartesian dualism, to say something—land, water, air, and so on—"is life" bears materialist connotations that seem to foreground the problem of biological survival amidst resource scarcity. If life means "alive" or "not dead," then whatever "is life" is that which conditions this purely biological existence. Thus, one might more accurately say land, water, or air is an object (usually though not necessarily proprietary) that "maintains homeostasis."

When the Water Protectors protesting the Dakota Access Pipeline at Standing Rock in the winter of 2016-17 said *Mní Wičóni*, "water is life," it carried this connotation. The pipeline would have run under—and today *does* run under—Mni Sose (the Missouri River), which is a source of drinking water and crop irrigation for members of the Oceti Sakowin living on nearby reservations. An oil spill, or just the accumulated daily pollution from the mere presence of the pipeline, would certainly constitute a dramatic "homeostatic shock" for those who rely on the river for survival. However, *Mní Wičóni* has another meaning. For the Oceti Sakowin, the Mni Sose is a relative and its waters are sacred. When the late Ladonna Brave Bull Allard (Oglala Lakota), a tribal elder and founder of the Standing Rock camp, said "this river holds the story of my entire life.... We are the river, and the river is us," she spoke to this second, deeper meaning.[53] Water keeps humans (and non-humans) alive, in a biological sense, but is also contains and represents the social and spiritual worlds that give meaning to human life.

This is what Mishuana Goeman (Tonawanda Band of Seneca) has in mind when she describes land as life. As she puts it:

> land is foundational to people's cultural practices, and if we define *culture* as meaning making rather than as differentiation and isolation in a multicultural neoliberal model, then by thinking through *land* as a meaning-making process rather than a claimed object, the aspirations of Native people are apparent and clear.[54]

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[53] Ladonna Brave Bull Allard, "Why the Founder of Standing Rock Sioux Camp Can't Forget the Whitestone Massacre," *Yes! Magazine*, September 3, 2016, https://www.yesmagazine.org/democracy/2016/09/03/why-the-founder-of-standing-rock-sioux-camp-cant-forget-the-whitestone-massacre, accessed on May 30, 2024.

[54] Mishuana Goeman, "Land as Life: Unsettling the Logics of Containment," in *Native Studies Keywords*, ed. Stephanie Nohelani Teves, et al. (Tucson, AZ: University of Arizona Press, 2015), 72-73.

As with water, land functions as a reservoir of cultural meaning that frames Indigenous pasts, presents, and futures: "land... is living and layered memory."[55] While meaning-making and memory are subjective experiences, this does not mean "land is life" is individuating, solipsistic, or without content. As Goeman elsewhere argues, "Native conceptions of space defy a dominant, Cartesian model of imperial subjectivity in which consciousness emerges out of itself."[56] Instead, land situates personal experiences within a shared context that identifies responsibilities to others, frames collective memory, and traces the boundary between human and divine—what many would recognize as the basic structures of a meaningful existence.

Glen Coulthard (Yellowknives Dene) expresses something similar in his concept of "grounded normativity." According to Coulthard, Indigenous struggles are not only for land as territorial base and material resource, but are also struggles "deeply *informed* by what the land as a mode of reciprocal *relationship*... ought to teach us about living our lives in relation to one another."[57] The land can provide an "ethical framework" that shapes human (and non-human) life and politics because it is an "ontological framework for understanding relationships."[58] That is, land can teach those who dwell upon it how to live in a "nonauthoritarian, nondominating, nonexploitative manner" because it sustains the relationships that brings these dwellers into being.[59] Land is not (only) an object that can be owned and used for survival, but the medium through which specific human cultures, inclusive of ethics and politics, emerge.

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[55] Goeman, "Land as Life," 75.

[56] Mishuana Goeman, "(Re)Mapping Indigenous Presence on Land in Native Women's Literature," *American Quarterly* 60, no. 2 (2008): 295.

[57] Glen Sean Coulthard, *Red Skin, White Masks: Rejecting the Colonial Politics of Recognition* (Minneapolis, MN: University of Minnesota Press, 2014), 60.

[58] Coulthard, *Red Skin, White Masks*, 60.

[59] Glen Coulthard and Leanne Betasamosake Simpson, "Grounded Normativity/Place-Based Solidarity," *American Quarterly* 68, no. 2 (2016): 254.

For Brave Bull Allard, Goeman, Coulthard, and others who reject the Western model in which matter is divorced from subjectivity, land is the site of meaning-making processes through which beings relate to each other. It is, to use Goeman's phrase, a "storied land" that mediates experience; it emplots biological life within a cultural narrative. Moving forward, the hyphenated neologism, "land-is-life," will stand for this idea. This is not to deny the biological aspects of life, real physical needs, and the more "material" dimension of land that supports these. Rather, neluctable physical need parallels a similarly universal yearning for shared culture, story, and meaning, and it is often through the maintenance of the body that meaningful relationships are tended. Ultimately, land-is-life unites what modern metaphysics separates: biological and cultural existence, physical and existential need, and the material and narrative function of "resources" like land.

Land-is-life also underscores a fundamental equality that informs the relationship between land and sovereignty. If conceived only as a scarce and excludable material resource, land might be mobilized to justify the rigid, top-down control of space as property and rights thereto, which are unevenly distributed according to heteropatriarchal and racialized notions of labor, "improvement," and merit. In this way, a Hobbesian equality of physical need produces inequalities in material ownership that are endorsed by sovereign logics like benevolent dominion. Yet, when land-is-life prevails, the equality of physical *and* existential need, alike, can produce a radically different relationship between land and sovereignty; one where equality leads not to competition, but to compassion.

This section traces land-is-life through *Life of Black Hawk* to show how "grounded" narratives of biological and cultural life entwine with the logic of interdependence. First, it examines how the (agri)culture of maize in Sauk society maps a gendered division of labor that produces reciprocal responsibilities between men and women. Second, it describes the way landscapes of grief and mourning conduce an ethic of existential cooperation between the living, the dead, and the divine. Having shown how land-is-life stories these political and ethical relationships central to Sauk culture, the final subsection reappraises that curious phrase with which this chapter opened: "my reason teaches me that land cannot be sold." If land is life—specifically, a life of common need for subsistence and meaning in which all may participate—then it cannot be alienated or in any way comprehended as exclusive property. Instead, land-is-life encourages sovereign praxes consisting of mutually-reinforcing behaviors that support shared well-being on and through the land.

Corn Women Rising

It is difficult to understate the importance of maize (*Zea mays*) for the Sauk who lived in the Upper Mississippi Valley in the eighteenth and nineteenth centuries. By Black Hawk's reckoning, there were "about eight-hundred acres in cultivation" around Saukenuk, making it the main subsistence crop.[60] While ignoring Indigenous agriculture is a time-honored tactic of settler colonialism, even the U.S. Indian agent for the Sauk and Foxes could not help but observe how the tribes "feel always at a loss without corn, even in the midst of meat... The Sauk and Fox Indians eat but few roasts, as they raise an immensity of corn."[61] Black Hawk's lengthy excursus on the cycle of seasons at Saukenuk is punctuated with accounts of planting, harvesting, and eating maize to a degree that, along with the dances and feasts the Sauk put on each year, the lifecycle of *Zea mays* functions as an annual calendar. For example, the Sauk

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[60] Black Hawk, *Life*, 45.

[61] Thomas Forsyth, "An Account of the Manners and Customs of the Sauk and Fox Nations of Indians Tradition," in *The Indian Tribes of the Upper Mississippi Valley and Region of the Great Lakes*, ed. Emma Helen Blair, vol. 2 (Cleveland, Ohio: The Arthur H. Clark Company, 1911 [1826]), 228.

returned from their winter hunt and immediately opened caches of maize; when the "corn [was] about knee-high," it was time to leave for the summer hunt; all eagerly awaited the ripening of maize in late summer, when "another great ceremony takes place, with feasting, and returning thanks to the Great Spirit for giving us corn"; before leaving again for the winter hunting grounds, the Sauk would "deposit part of [their] corn" in caches once again.[62]

Interruptions to this seasonal cycle could give rise to serious political incidents. When white settlers encroached upon Saukenuk, enclosing the fields of maize, several Sauk were violently assaulted as they attempted to retrieve their crops. At least one Indigenous man died from his wounds.[63] Black Hawk and other leaders had to mediate between the tribes, the settlers, and the U.S. government, which ultimately culminated in their agreeing to leave Saukenuk in exchange for—what else?—maize.[64] The prevalence of maize in *Life of Black Hawk* not only testifies to the importance of this crop, but situates the land on which it was grown—the hundreds of acres around Saukenuk—as a landscape particularly precious to Sauk life, both biological and existential. Thus, to tend to the maize crop would have been to participate richly in the (agri)cultural life of the tribe.

Though Black Hawk at one point states, "it is not customary for us to say much about our women, as they generally perform their part cheerfully, and *never interfere with business belonging to men!*" he breaks his silence when it comes to maize.[65] Among the Sauk, the cultivation of maize was a distinctly gendered activity, and women were the main cultivators. For example, upon opening the caches of corn after returning from the winter hunting

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[62] Black Hawk, *Life*, 47, 48, 50, 51.

[63] Black Hawk, *Life*, 57.

[64] Black Hawk, *Life*, 67.

[65] Black Hawk, *Life*, 32. Emphasis in original.

grounds, Black Hawk explains how the Sauk then "repair the fences around our fields, and clean them off, ready for planting corn. This work is done by women. Then men, during this time, are feasting on dried venison, bear's meat, wild fowl, and corn, prepared in different ways; and recounting to each other what took place during the winter."[66] Women also played a prominent role in maize politics. As the Sauk were under increasing pressure to abandon Saukenuk, it was women who "received bad accounts from the women that had been raising corn at the new village—the difficulty of breaking the new prairie with hoes—and the small quantity of corn raised."[67] This informational network spurred Black Hawk to call for united resistance against settler invasion. In another instance, Black Hawk admits to feeling consoled that "all the women were on my side, on account of their corn-fields."[68] Indeed, the great number of women Black Hawk led back to Saukenuk in 1832 must have been due, in part, to their longing for their forsaken fields. As maize is a keystone crop, and as Sauk women are primarily responsible for its cultivation, their particular relationship to the land seems to have culminated in considerable influence over certain aspects of tribal decision-making.

Nonetheless, one might assess such influence as poor recompense for a starkly unequal division of labor; one in which women perform back-breaking work while men feast and tell stories. The same Indian agent mentioned above, Thomas Forsyth, both corroborates this division in Sauk society—describing the "duties of women" as "to plant, hoe, and gather in the corn, beans, etc."—and concludes women "do all the drudgery... properly speaking, the husband is master, the wife the slave."[69] In other words, Sauk women are the victims of a patriarchal

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[66] Black Hawk, *Life*, 47.

[67] Black Hawk, *Life*, 59.

[68] Black Hawk, *Life*, 62.

[69] Forsyth, "An Account," 217-218.

society that values the contributions (and comfort) of men over those of women. Any political influence they may have had was indirect and never equal to that of men, who were the "masters" and main authorities in Sauk society.

Forsyth's language echoes the sentiments of Thomas Jefferson, who, in his February 1803 letter to William Henry Harrison, calculates that "the decrease of game rendering [Indigenous] subsistence by hunting insufficient, we wish to draw them to agriculture, to spinning and weaving. The latter branches they take up with great readiness, because they fall to the women, who gain by quitting the labors of the field for those which are exercised within doors."[70] By moving them into a space that is, according to settler standards, more recognizably domestic and private, Jefferson's approach would have depoliticized Indigenous women entirely. "Benevolence" again rears its head and troubles the relationship between land and life, yet Forsyth's observations and Jefferson's prescriptions raise a challenging proposition. Female maize cultivation certainly supported tribal subsistence, or biological life, but "drudgery" does not seem a promising site for a genuinely meaningful existence, no matter how much indirect influence it may have garnered for Sauk women. Even if one disagrees with Jefferson's settler-colonial presumptions, would not the lives of Sauk women have been substantially improved if their agricultural burdens were lessened?

We ought be committed to critiquing and excising patriarchy wherever it is found, be it in a letter of Jefferson's or Black Hawk's autobiography. However, a closer look at the cultural roots of Sauk agriculture in *Life of Black Hawk* counters the interpretation of gendered labor as "drudgery," and shows a deeper connection between maize cultivation, land-as-life, and sovereignty. In the same excursus on Saukenuk, Black Hawk ventures on yet another digression:

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[70] Jefferson to Harrison, February 27, 1803, *Thomas Jefferson, Writings*, 1118.

> I will here relate the manner in which corn first came. According to tradition, handed down to our people, a beautiful woman was seen to descend from the clouds, and alight upon the earth, by two of our ancestors, who had killed a deer, and were sitting by a fire, roasting a part of it to eat. They were astonished at seeing her, and concluded she must be hungry, and had smelt the meat—and immediately went to her, taking with them a piece of the roasted venison. They presented it to her, and she eat [sic]—and told them to return to the spot where she was sitting, at the end of one year, and they would find a reward for their kindness and generosity. She then ascended to the clouds, and disappeared. The two men returned to the village, and explained to the nation what they had seen, done, and heard—but were laughed at by their people. When the period arrived, for them to visit this consecrated ground, where they were to find a reward for their attention to the beautiful woman of the clouds, they went with a large party, and found, where her right hand had rested on the ground, *corn* growing—and where the left hand had rested, *beans*, and immediately where she had been seated, *tobacco*.[71]

The story reinforces the gendered division of labor in Sauk society, with the two men presented as hunters and the "beautiful woman of the clouds" a cultivator of maize (as well as beans and tobacco). Not unlike Na-nà-ma-kee and his brothers, however, the particular abilities of the characters are structurally independent; the woman literally comes to the hunters from another realm and magically produces maize without their assistance. Unlike the real Sauk women Black Hawk describes, she is not beholden to a seemingly patriarchal system that exploits her labor. Yet, the crux of the story is an example of compassionate sharing. The hunters, assuming the mysterious woman must be hungry, offer her meat. Their "kindness and generosity" is reciprocated by the woman, who gives the men the staples of Sauk subsistence. As above, structural independence is not inimical with functional *interdependence*. The laughter of the other Sauk at the hunters' tale builds tension around this dynamic; interdependence seems as

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[71] Black Hawk, *Life*, 50.

fantastical as a woman descending from the clouds. Ultimately, however, the land provides the proof that compassion for precarity and practices of reciprocity can be mutually advantageous.

Echoing the division of hunting and cooking responsibilities between Na-nà-ma-kee and his brothers, though this time along the vector of gender, Black Hawk's account of "the manner in which corn first came" is a story about the differentiated responsibilities that made Sauk collective life possible. Moreover, as a story, it rivets the gendered division of labor for biological subsistence to cultural meaning. Whenever Sauk women planted, tended to, and harvested maize, they reenacted the power of the "beautiful woman of the clouds" and performed the reciprocity that instantiated Sauk sovereignty. One might be tempted to dismiss Black Hawk's story as an example of "false consciousness": an ideological construct that either obscures or justifies relations of, in this case, patriarchal domination. Granted, the story does not materially affect the intense work Sauk women performed, nor alter their subordinate position in Sauk politics. However, "drudgery" no longer seems like the appropriate term. Instead, "subjugated responsibilities" is more accurate. According to David Myer Temin, this refers to "alternative sources of ethical life expressed in the social and ecological reproductive capacities... of Indigenous women as essential to the flourishing of the body politic of Indigenous societies."[72] The biological and cultural importance of maize cultivation reframes Sauk women's relationship to cropland as an sovereign activity. Defying contemporary liberal patterns of public and private, of the *vita activa* and labor, the subjugated responsibilities of Sauk women to the land—and to each other *through* the land—support both dimensions of life and underscore cooperation between the genders as a praxis of interdependence. As modeled in Black Hawk's story, maize cropland is the site where women make their contributions to the

[72] Temin, *Remapping Sovereignty*, 177.

common projects of subsistence and meaning-making, and thereby express a sovereignty they share with men.

The Landscape of Grief

The land on which the Sauk grew maize bore the cultural meaning of gendered labor just as it bore the seeds of *Zea mays* that sustained the Sauk throughout the year. Yet, cropland is not the only landscape Black Hawk describes, and different relationships between land-as-life and sovereignty take root in different spaces. In *Life of Black Hawk*, the land also bears the bodies of the dead. When referring to other landscapes in and around Saukenuk, especially in response to dispossessory pressures, Black Hawk often describes them as places of interment:

> I do not think it possible that our Great Father wished us to leave our village, where we had lived so long, and where the bones of so many of our people had been laid.... It was here, that I was born—and here lie the bones of many friends and relations. For this spot I felt a sacred reverence, and never could consent to leave it, without being forced therefrom.... I would rather have laid my bones with my forefathers, than remove for any consideration.... [Wabokieshiek] advised me never to give up our village, for the whites to plough up the bones of our people.[73]

Of course, interment is hardly a practice specific to the Sauk, and reverence for the graves of loved ones is practically a universal feeling. However, Black Hawk's account of Sauk mourning practices shows there is something more to the burial grounds than reverence. The storying quality of land-as-life spatializes grief and positions both living and dead as co-creators of shared meaning. Through the emotional opportunities and ethical obligations on the burial ground, the Sauk practice an interdependence that transverses the boundary of mortality. Thus,

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[73] Black Hawk, *Life*, 58, 62, 63, 56.

to grieve on and through a storied land is to be sovereign. Black Hawk's assessment of settler relationships to land and narration of Sauk responses to settler intrusions demonstrates how land-as-life(-and-death), and the emotional interdependence it sustains, justifies Sauk defiance to the dispossession of their burial grounds.

In its compulsion to empty physical space and delineate an Indigenous past from a settler future, settler colonialism imagines Indigenous peoples as death-obsessed, as fixated upon deceased ancestors and graves in a way that foreordains the genocide settler societies perpetuate. This hallucination is entirely absent from the discussions of death and graves in *Life of Black Hawk*. Following another lamentation about being "driven from our village and hunting grounds, and not even permitted to visit the graves of our forefathers, our relations, and friends," Black Hawk explains the significance of gravesites in Sauk culture:

> This hardship [i.e. dispossession of graves] is not known to the whites. With us it is a custom to visit the graves of our friends, and keep them in repair for many years. The mother will go alone to weep over the grave of her child! The brave, with pleasure, visits the grave of his father, after he has been successful in war, and re-paints the post that shows where he lies! There is no place like that where the bones of our forefathers lie, to go when in grief. Here the Great Spirit will take pity on us![74]

In this passage, Indigenous grief is not figured as "the emotional work of mourning as a personal, psychological drama," where an irrational and totemic "attachment to a place" indicates "Indian backwardness."[75] Rather, with the ecumenicism of a cultural anthropologist, Black Hawk describes how the death of a loved one reconfigured the landscape by creating new spaces for mourners to visit whenever grief overwhelmed. Grief is spatialized onto the land, imbuing certain spaces with emotional resonance, but not for the stagnant glorification of

[74] Black Hawk, *Life*, 46.

[75] Waterman, *Corpse in the Kitchen*, 23. Cf. 43-53.

death. Instead, the landscape of grief is a physical-emotional circuit through which the living can travel, expressing their grief at intervals. Black Hawk construes this grief broadly, from "braves" remembering their fathers to mothers mourning their children; all who have lost a loved one will be periodically reduced to a pitiable condition that yearns for divine succor. And yet, Black Hawk does not wax theological upon mentioning the Great Spirit. It seems neither the reality of the afterlife nor questions of theodicy are as important as the more sublunary problem of living without a loved one. What Black Hawk describes is no mystical cult of death at the gravesite, but a well-understood cultural process for healthy emoting rooted in connection to the landscape.

Exemplifying just how durable the landscape of grief could be, Black Hawk elsewhere recalls burying a friend on his westward journey from Detroit, following his participation in the War of 1812. Black Hawk's comrades "assisted me in burying [the man] on the peak of the bluff. I then returned to the village with my friends. I visited the grave of my old friend the last time, as I ascended Rock river."[76] While the chronology is not immediately evident, there appears to be a gap of indeterminate length between the "returned" in the second sentence and the "visited" in the third. The Rock River flows westward into the Mississippi, thus "ascent" implies *eastward* motion—the opposite direction Black Hawk was travelling in 1812. Indeed, it is likely Black Hawk recalls visiting the grave of his friend "the last time" during his most famous voyage up the Rock River in 1832. Twenty years on, Black Hawk continued to move through the physical-emotional circuit at the gravesite and give vent to his grief, even as he was being pursued by Henry Atkinson's U.S. regulars. This example also shows how Sauk landscapes of grief could be specific to each individual mourner. Though some references to gravesites seem to indicate a common cemetery at Saukenuk, graves could also be widely

[76] Black Hawk, *Life*, 30.

dispersed. Black Hawk's friend is buried in a relatively remote place, "on the peak of the bluff" along the river. While each person's physical-emotional circuit may have been distinct, all were broadly legible within the framework Black Hawk describes.

The spatialization of grief onto the landscape registers emotionally significant life events *for the living*. Land-as-life facilitates the process whereby the deaths which punctuate all lives can be mourned appropriately. Importantly, mourning involved tending to graves and "keep[ing] them in repair." Thus, the grief of the living was expressed primarily through obligations to the dead. When a Sauk warrior "re-paint[ed] the post" of his father, he fulfilled a duty to the deceased while taking the opportunity to grieve. This grief could not be adequately expressed without "a place... where our forefathers lie," and the dead could not be remembered without regular attendance by their mourners. In this way, both living and dead partook in an on-going, cooperative process of feeling and remembrance. The common project of finding meaning in mortality—of remembering and being remembered after death—assigned mutually-reinforcing roles to the living and dead, who performed their existential interdependence across the landscape of grief. Thus, to make meaning out of death, to participate in a land-based story of the ultimate tension between life and death, is a sovereign act.

The textual evidence presented from *Life of Black Hawk* in this section shows that Black Hawk was deeply troubled by settler pressure to leave the landscape of grief. Still other passages demonstrate how the interdependence between living and dead, facilitated by land as a site and source of meaning, legitimated public activity. When Black Hawk returned to Saukenuk to find Keokuck installed as a war chief, he inquired how this had come about. He was told that Keokuck, hearing of plans to abandon the village, asked permission to address a council of chiefs and said: "Would you leave our village, desert our homes, and fly, before an enemy approaches? Would you leave all—even the graves of our fathers, to the mercy of an enemy, without *trying to defend them?* Give me charge of your warriors; I'll defend the village and you may sleep in safety."[77] Though often suspicious of Keokuck, Black Hawk is satisfied with his reasoning here. The sanctity of the interdependence between living and dead that manifests at the burial ground justifies the installment of a relative unknown as chief. The chance that the dead will be left "to the mercy" of enemies, without mourners to remember them, warrants this public action. Elsewhere, when Black Hawk learned a settler "had purchased the land on which my lodge stood, and that of our *grave-yard* also!" a fellow Sauk made plans to assassinate those responsible.[78] This was far from the first intrusion on Sauk lands, and Black Hawk had previously pledged not to retaliate and "to use forbearance when injured."[79] However, the "hardship" that is being dispossessed of a landscape which facilitates meaning-making through reciprocity was apparently too much to bear. The threat to the existential interdependence centered upon the burial grounds legitimates even a call to arms.

Like the Sauk (agri)culture of maize that prescribes subjugated responsibilities to the different genders, the landscape of grief allows the Sauk to make meaning out of loss. In each case, land is life as story and culture. It positions men and women, living and dead, as characters in this story, whose interactions advance the plot in a meaningful way. The interdependence and mutually-reinforcing roles exhibited in the maize field or on the burial ground do not primarily pertain to sovereignty *over* land as shared resource, as described above, but depict something deeper: sovereignty as interdependence arises *through* the story that land-

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[77] Black Hawk, *Life*, 32. Emphasis in original.

[78] Black Hawk, *Life*, 59.

[79] Black Hawk, *Life*, 57.

is-life tells. Without story, the Sauk might have had a land base, but they would not have a cultural life and they would not have been sovereign.

“My Reason Teaches Me that Land Cannot Be Sold”: A Declaration of Sovereignty

A third and final dimension of land-is-life shows how it is never possessed in an excludable, proprietary sense, and combines with the preceding examples of interdependence to resolve Black Hawk’s enigmatic phrase. Recall how Black Hawk implored his rival, Keokuck, to address the intensifying settler intrusions upon Saukenuk, specifically proposing “to give other land, (any that our Great Father might choose, even our *lead mines*) to be peaceably permitted to keep the small point of land on which our village and fields were situate.” That is, Black Hawk seems to propose a land sale—or at least the organized transfer of a discrete piece of land from one party to another—to keep the settlers at bay. Shortly thereafter, upon learning Keokuck had done nothing to advance this proposal, Black Hawk vents, “what *right* had these people to our village, and our fields, which the Great Spirit had given us to live upon?” Answering his own question, he opines:

> My reason teaches me that *land cannot be sold.* The Great Spirit gave it to his children to live upon, and cultivate, as far as is necessary for their subsistence; and so long as they occupy and cultivate it, they have the right to the soil—but if they voluntarily leave it, then any other people have a right to settle upon it. Nothing can be sold, but such things as can be carried away.[80]

At first glance, this declaration seems at odds with Black Hawk’s proposal to alienate some Sauk lands to the United States. If reason teaches that land is inalienable, then the proposal is

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[80] Black Hawk, *Life*, 56. Emphasis in original.

fundamentally unreasonable. However, the declaration is more consistent when the entire paragraph is taken into consideration and interpreted in terms of the material and narrative functions of land-is-life described heretofore. Land cannot be sold, first, because it is a gift of the Great Spirit, the sustainer of biological life and provider of physical needs. Here, "gift" does not imply a type of transaction similar to the sale, but describes a relation of solicitude between a deity and the mortals who depend on its care for material survival. Land cannot be sold, second, because it supports the cultural life of mortals subject to loss, and is a medium through which emotions like grief may be processed. To exist on land in these ways both exceeds and rejects any right to land in the form of alienable property. In place of property, such an existence is a praxis of the logic of interdependence.

In the passage, the material need compassed in "necessary for their subsistence" appears to generate a temporary and partial property right. It is partial because, as Black Hawk makes abundantly clear, the right to alienate, or sell, is excluded, whereas the traditional "bundle" of property rights includes acquisition, use and enjoyment, *and* alienation. It is temporary because Black Hawk says a person or people have "the right to the soil" as long as they "occupy and cultivate it." Once they cease using the land, this right expires and "any other people have a right to settle upon it." Black Hawk describes just such a scenario when a portion of the inhabitants of Saukenuk moved to the Missouri River region to avoid involvement in the War of 1812. "We divided the fields of the party on the Missouri, among those that wanted," he says, "on condition that they should be relinquished to the owners, when they returned from the *peace establishment*."[81] It is unclear if the "relinquishment" is a necessary component of Black Hawk's theory of temporary rights, or if this is a special privilege extended to the émigrés by those who remained at Saukenuk. In any case, it seems immediate physical need generates a

[81] Black Hawk, *Life*, 36. Emphasis in original.

right to proximate landscapes, with the limits on such a right being distance from the land in question and uses that are not "necessary for subsistence."

As Wesley Newcomb Hohfeld explained long ago, the "jural opposite" of any right is a "no-right": the paucity or absence of any claim that must be respected by others.[82] In effect, rights are only meaningful, legally speaking, so long as others do not have them. If "land cannot be sold" refers to a person or party's highly-qualified right to land as a proprietary object, one should be able to identify the concomitant conditions in which other persons or parties have no claim on said object. However, on Black Hawk's reasoning, it seems everyone has a "right to the soil" provided they respect evidence of cultivation, and even such evidence cannot guarantee a claim if a case can be made for "voluntary" abandonment. On this view, possession (in the form of immediate, on-going cultivation) would not be "nine-tenths of the law," as the saying goes, but all of it. Perhaps Black Hawk conceives of property rights in just such a contingent and almost ephemeral manner, but this seems counterproductive to the very purpose of rights as widely-legible, durable, enforceable claims. In any case, this construal does not explain why even such an unlikely rights-holder could not sell their claim to land. To solve this puzzle, and to show how land-is-life offers a better interpretation of the passage than a property-rights framework, attention must be given to Black Hawk's invocation of the Great Spirit.

Black Hawk describes land as a gift from the Great Spirit, first to the Sauk ("... which the Great Spirit has given *us* to live upon") and then, apparently, to a broader set of humanity ("The Great Spirit gave it to *his children*..."). Divine succor for the physical needs of mortals is something Black Hawk reiterates throughout the autobiography. As shown above, the Sauk "[gave] thanks to the Great Spirit for giving us corn," and Black Hawk also says he "never

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[82] Hohfeld, "Fundamental Legal Conceptions": 746.

take[s] a drink of water from a spring, without being mindful of [the Great Spirit's] goodness."[83] Though Black Hawk is generally agnostic on theological questions, despising those who "pretend to know the right path," he is adamant that "we are *nothing* compared to His power, and we feel and know it," and this sense of cosmic humility twines with a constant gratitude for the lands, plants, and waters of the Upper Mississippi Valley.[84] For parsing why "land cannot be sold," the upshot is humankind exists in a constant state of dependence on the goodness of a creator. Like a kind parent, the Great Spirit provides all his "children" with land for their subsistence. Land is life, not property, because it evinces divine solicitude for the physical needs of human beings.

One might object at this point that plenty of rights theorists reference God or a creator of some kind in precisely this way. John Locke, for example, says "'tis very clear, that God... *has given the Earth to the Children of Men*, given it to mankind in common."[85] Yet, crucially, Black Hawk does not follow Locke in then asking, "how any one should ever come to have a *Property* in any thing," and concluding that even the earth as divine gift must be appropriated by human labor before it can be of any benefit.[86] That is, he does not use the fact of divine succor to delineate rights and "no-rights" to land. Of course, Black Hawk recognizes and celebrates the importance of agriculture, but labor does not inform the discussion of land in the above passage beyond "cultivation" signaling present use. Even the labor entailed in the subjugated responsibilities of the maize-growing Sauk women does not "mix" with the stuff of nature to

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83 Black Hawk, *Life*, 50.

84 Black Hawk, *Life*, 49.

85 John Locke, "Second Treatise" in *Two Treatises of Government*, ed. Peter Laslett (Cambridge: Cambridge University Press, 1988 [1689]), §25.

86 Locke, "Second Treatise," §25.

generate an excludable, alienable right to property.[87] The "gift" of land never becomes the possession of the receiver via labor or any other conceptual alchemy. Rather, divinely-gifted land instantiates a theological/cosmological relationship that narrates biological existence. To cultivate the land provided by the Great Spirit is to participate in the same story about human precarity that grounds the interdependence represented in Sauk (agri)culture. What initially appears to be a temporary and partial "right to the soil" is instead a pattern of sharing that ensures all creatures can partake in "storied" subsistence on and through the land. Thus, land-is-life cannot be sold because it is not an object one can claim according to the logics of property, but a medium of divine solicitude for physical needs that ought to facilitate practices of interdependence.

To be clear, it is not the case that Black Hawk has no concept of property or alienation whatsoever. As he puts it in the passage, "Nothing can be sold, *but such things as can be carried away*."[88] In his excursus on Saukenuk, Black Hawk specifies what such things these are. Every autumn the Sauk "have our great game of ball… We play for horses, guns, blankets, or any other kind of property we have."[89] Again exercising caution with regard to translation, it seems some objects were possessed by individuals to the exclusion of others, and alienated at will—in this case, through a wager. However, land-is-life is not such an object. It cannot be "carried away," and thereby excluded for private use and enjoyment, but is an unalterable and universal aspect of existence.

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[87] "Whatsoever then he removes out of the State that Nature hath provided, and left it in, he hath mixed his *Labour* with, and joined to it something that is his own, and thereby makes it his *Property*" (Locke, "Second Treatise," §27).

[88] Black Hawk, *Life*, 56. Emphasis added.

[89] Black Hawk, *Life*, 50.

Black Hawk lends credence to this more narrow construction of property when he describes his reaction to the tragic deaths of two of his children. In so doing, he recalls the relationship between land-is-life, existential needs, and interdependence:

> In my distress, I left the noise of the village, and built my lodge on a mound in my corn-field, and enclosed it with a fence, around which I planted corn and beans. Here I was with my family alone. I gave every thing I had away, and reduced myself to poverty. The only covering I retained, was a piece of buffalo robe. I resolved on blackening my face and fasting for two years, for the loss of my children—drinking only water in the middle of the day, and eating sparingly of boiled corn at sunset. I fulfilled my promise, hoping that the Great Spirit would take pity on me.[90]

At first glance, Black Hawk appears to engage in activities of private property typical of the (western and modern) domestic space: physical enclosure, cultivation for personal use, and separation of the biological family from wider society.[91] Yet, to the contrary, Black Hawk explains he "gave every thing [he] had away"—he dispossess himself, keeping only some meager clothing. The field of maize, though referred to in possessory language, seems to fall in a different category from the items he gives away, such that even when he is "reduced... to poverty," Black Hawk retains a connection to land. He cultivates this land, though not as a contribution to a reciprocal relationship with others, like the Sauk women do. Instead, Black Hawk grows and consumes just enough maize to keep himself alive. It would seem land is life in that purely biological sense described at the beginning of this section, and that Black Hawk, living alone with his family, rejects interdependence. However, this is all part of an elaborate grieving practice that, as on the burial ground, is intended to solicit the pity of the Great Spirit

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[90] Black Hawk, *Life*, 52.

[91] On the evolution of the modern domestic space in Europe and North America, see Witold Rybczynski, *Home: A Short History of an Idea* (New York: Penguin Group, 1987).

and make meaning out of unbearable loss. As with the giving away of possessions, fasting, and blackening of his face, Black Hawk's retreat to land he does *not* possess in the same manner as "such things as can be carried away" emplots him in a narrative of life and death that helps him resolve his grief.

In this case, land-is-life grounds a divine solicitude to which anyone can turn when in existential duress, just as anyone can draw upon the land for material subsistence—no property claim required. And while unspoken, Black Hawk's isolated mourning evinces another example of interdependence that operates through the material and "storied" dimensions of land alike. In looking to land as a universal medium of biological and cultural life, a Sauk individual would have been empowered to weather personal misfortunes without the anxiety that obtains when land is conceived as just another possession that could be "justly" taken should one fail to fulfill one's contractual obligations. Here we might recall Jefferson's plan to run "good and influential" tribal leaders into debt as a means of obtaining land—a strategy of dispossession via "repossession." Suffering from the greatest pain a parent can imagine, Black Hawk was able to reduce himself to poverty and remove himself from Sauk society for *two years* because he knew the land would be there to narrate his grief and support his physical needs. His misfortune would not lead to his dispossession because the land was not property. The implicit cultural sanction of Black Hawk's behavior in this episode shows a society-wide compassion for those in distress and a willingness to share resources. Thus, even when isolated on a "mound in [his] corn-field," Black Hawk is involved in a practice of interdependence predicated on land-is-life.

A final example of interdependence on inalienable, life-sustaining land comes from a surprising quarter: Black Hawk's willingness to share land with white settlers. After he proposed the above-mentioned land transfer to Keokuck, Black Hawk departed for the hunting grounds. He was not there for long before he learned "whites had arrived at our village, and destroyed some of our lodges, and were making fences and dividing our corn-fields for their own use—*and were quarreling among themselves about their lines, in the division*!"[92] Black Hawk's palpable scorn at the settlers' proprietary practices underscores the difference between a culture that prioritizes individual independence (and, thus, rigid property rights) and one that thinks in terms of collective interdependence. It was the latter that informed his response. Rushing back to Saukenuk, Black Hawk spoke to settlers through an interpreter, telling them, "not to settle on our lands—nor trouble our lodges or fences—that there was plenty of land in the country for them to settle upon—and they must leave our village, as we were coming back to it in the spring." Here, Black Hawk advances the land-is-life interpretation of "land cannot be sold"; given the evidence of Sauk cultivation ("our lodges [and] fences"), the settlers ought not make their home at Saukenuk, where the work of biological subsistence was already underway, but may make their home upon the "plenty of land in the country." Nonetheless, the imperative to cooperate for subsistence can trump even this condition. Later, when settlers returned, Black Hawk again prevailed on them to leave, "but the one who remained, represented, that his family, (which was large,) would be in a starving condition, if he went and left his crop—and promised to behave well, if I would consent to let him remain until fall, in order to secure his crop. He spoke reasonably, and I consented."[93] Demonstrating just how expansive the collectivity of interdependence can be, Black Hawk recognizes the physical need of the settler and acts upon land-is-life. To be clear, this is not an instance of Black Hawk being charitable with his personal property. Rather, he practices Sauk sovereignty by compassionately sharing the divinely-gifted conditions of material subsistence with other mortals.

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[92] Black Hawk, *Life*, 55. Emphasis in original.

[93] Black Hawk, *Life*, 64.

Lastly, there is the proposed land transfer itself. One can now interpret Black Hawk's suggestion to give the Sauk lead mines to the United States not as an act of alienation that contradicts "land cannot be sold," but as an instance of sharing the universal medium of biological and cultural life. From Black Hawk's perspective, the ethics of cooperation, reciprocity, and other mutually-reinforcing behaviors, combined with land-is-life, legitimated cohabitation of the Upper Mississippi Valley. The settlers were persistent, to put it mildly, though not unlike the enemies of the Sauk on the contested hunting grounds. To live well together, considerable concessions would have to be made, such as granting the settlers the lead mines. However, Sauk sovereignty was not diluted by such a proposal. Rather, had Keokuck taken the initiative, this would have been an example *par excellence* of mutually-reinforcing behavior to support collective life.

In the end, what ultimately undermined the logic of interdependence was the settlers' failure to reciprocate, and thereby participate in sovereignty as interdependence. They disregarded evidence of cultivation, plowing up fields of maize wherever they wished; they ignored Black Hawk's requests to cease selling liquor to susceptible Sauk; they met instances of open-handedness with lethal aggression. Above all else, they saw land as a resource to be enclosed for their private use, rather than a universal medium to be shared. Sailing down the Mississippi River after the Battle of Bad Axe, a prisoner of the country with whose citizens he had tried in vain to live, Black Hawk "surveyed the country that had cost [the Sauk] so much trouble, anxiety, and blood."[94] His thoughts in this moment relate the despair and confusion that followed the collision of sovereignty and land-is-life, in both its biological and cultural forms, with colonial logics of property:

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[94] Black Hawk, *Life*, 87.

> I reflected upon the ingratitude of the whites, when I saw their fine houses, rich harvests, and every thing desirable around them; and recollected that all this land had been ours, for which me and my people had never received a dollar, and that the whites were not satisfied until they took our village and our grave-yards from us, and removed us across the Mississippi.[95]

Once again, Black Hawk's language takes on a possessive cast (e.g. "all this land had been *ours*"), but the analysis herein suggests an alternate interpretation of the passage. Black Hawk's lament is not for a precious piece of property that he had lost. Instead, it is for a sovereignty that, prioritizing cooperation, reciprocity, and compassion, allowed the tribes of the region to withstand conflict and violence. Notably, it is compassion that "the whites" in the passage seem to lack. The lament is also for the biological and cultural life, exemplified by the lands of the village and "grave-yards," that sustained and was sustained by Sauk sovereignty. Without this life, there is no need for the logic of interdependence; without interdependence, the land-is-life given by the Great Spirit to all his children cannot flourish.

No Sovereignty on Stolen Lands

In despising the countersovereign encroachments of Harrison and other U.S. emissaries, Black Hawk clearly shows he "wanted no part of Christian, Anglo-Saxon America," but the autobiography is far more than a reaction to the logic of benevolent dominion.[96] *Life of Black Hawk* advances a positive, detailed description of a different way of being sovereign, one that prioritizes interdependence over independence and depends upon a conceptualization of land as the universal medium for all life. While Jefferson should not be our standard, it is worth noting how the logical connection between interdependence and land-is-life is far sounder than the

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[95] Black Hawk, *Life*, 87.

[96] Kennedy, "Introduction" in *Life*, ix.

link between democratic agrarianism and private property, which, being founded on terrain, means popular sovereignty is always at risk of devolving into its conceptual and political opposite. There will be disagreement, and even the chance of violent conflict, when all have an inalienable claim to land-is-life. However, the logic of interdependence—more a praxis than a theory—means sovereignty is rarely jeopardized in these instances. To the contrary, it will be strengthened if the parties to a conflict respond with mutually-enforcing behaviors.

Perhaps a better benchmark against which to evaluate Black Hawk's ideas are contemporary theories of tribal sovereignty. Today, two rather different schools of thought predominate: cultural self-determination and the enforcement of treaty. It is a testament to his prolificacy that Vine Deloria, Jr. (Yankton Dakota), the leading Native American thinker of the twentieth century, has articulated compelling definitions of each. According to the self-determination approach, Native Americans are culturally distinct peoples with their own languages, customs, food systems, and political traditions. Although they have been included in the U.S. political body since 1924, this should not be mistaken for willing assimilation to a settler-colonial polity that, in the vaunted language of "liberalism" and "multiculturalism," brackets all cultural difference as personal, private, and, therefore, apolitical. As Deloria puts it in his most famous work, *Custer Died for Your Sins* (1969), "*white culture* destroys other culture because of its abstractness... separatism must be accepted as a means to achieve equality and personality for both groups and individuals."[97] What is needed is a "cultural leave-us-alone agreement, in spirit and in fact," and the opportunity to live out a distinct and thick culture that is enmeshed with, not divorced from, matters of governance.[98] Or, as Amanda Cobb has phrased it: "'what' does sovereignty mean? Self-governance, recognized by others, for the

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[97] Deloria, Jr., *Custer Died for Your Sins*, 188.

[98] Deloria, Jr., *Custer Died for Your Sins*, 27.

purpose of peoplehood—the continuation of the community's way of life. 'How' does sovereignty have meaning? In living."[99]

Enforcement of treaty, the second model of tribal sovereignty, takes a different approach. Deloria understands U.S.-tribal treaties as configuring an international relationship. That is, tribes are not "domestic dependent nations," as John Marshall construed, but entirely independent sovereigns that can make agreements with others. Should one party (i.e. the United States) violate the conditions of that agreement, it does not mark the failure of a "trustee" to meet the needs of its "ward" in a way that calls for due process, but is, as Deloria sees it, "an act of war."[100] Thus, there is considerable pressure on both parties to keep their promises. However, the real upshot of treaty enforcement is the way it positions the United States and the tribes as co-interpreters of treaties. As independent entities engaging in an international arrangement, neither party could impose an interpretative monopoly on the other. Instead, they would need to come together repeatedly to negotiate—on equal footing and not merely in the "courts of the conqueror"—those matters compassed by treaty. In this activity, Deloria holds, tribes would be sovereign.[101]

Cultural self-determination and the enforcement of treaty are hardly mutually-exclusive conceptions of tribal sovereignty. Yet, near the end of his life, Deloria began to worry that sovereignty had "lost its political moorings and is now adrift on the currents of individual

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[99] Amanda J. Cobb, "Understanding Tribal Sovereignty: Definitions, Conceptualizations, and Interpretations," *American Studies* 46, no. 3/4 (2005): 125.

[100] Vine Deloria, Jr., *Behind the Trail of Broken Treaties* (Austin, TX: University of Texas Press, 1985 [1974]), 51.

[101] This brief review of Deloria's understanding of sovereignty owes much to Temin, *Remapping Sovereignty*, 47-60, 86-94.

fancy."[102] As he saw it, self-determination (which Deloria later discounted as little more than a strategic word choice meant to link the political struggles of Native Americans with those of decolonizing peoples around the world) had become too individualistic and too liberal to have anything to do with "making another political entity respect your rights deriving from a contractual arrangement you have with them."[103] One can push this critique in the other direction, as well. The enforcement of treaty rights, insofar as it requires tribes to engage regularly with the United States, complicates the "separatism" and "cultural leave-us-alone agreement" Deloria had previously pointed out as the road to cultural survival. Such a dynamic seems to take the "tribal" out of "tribal sovereignty," rendering it little more than "a contractual arrangement," as Deloria himself puts it. Is there a way forward for tribal sovereignty as settler colonialism continues to squeeze?

I offer Black Hawk's articulation of interdependence in and through land-is-life as a way to marry these twin notions of tribal sovereignty. Black Hawk understood land to be the essence of Indigenous life, both biological and cultural. Deloria knew this, too. The return and strengthening of tribal land bases was the crusade of his career, and while he often framed it in economic or jurisdictional terms, the epigraph to this chapter shows he saw something deeper in "the life only land can give." It is a life that is simultaneously meaningful and precarious—or meaningful *because* precarious—towards which the proper disposition is gratitude for all one has. This begins and ends with land to which everyone has an inalienable, non-exclusive claim that is generative not of property rights, but of the praxes of sovereignty: cooperation, reciprocity, and compassion, even between enemies. Even, indeed, between Native Americans

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[102] Vine Deloria, Jr., "Intellectual Self-Determination and Sovereignty: Looking at the Windmills in Our Minds," *Wicazo Sa Review* 13, no. 1 (1998): 27.

[103] Deloria, Jr., "Intellectual Self-Determination and Sovereignty," 26.

and settlers. On land-is-life, one can nourish a culture that is not insular and foster intergroup relations that do not dilute or contaminate. One can be embedded in a landscape that structures a politics around stories of corn, "subjugated responsibilities," mourning practices, and divine gifts, *and* one can share this land with others who may or may not subscribe to the same traditions. The very relationships to land-as-life that support cultural particularity also require a considerable degree of ecumenicism that facilitates widescale interdependence between different groups. Importantly, this is the extent to which Black Hawk's concepts prescribe; different peoples living on different landscapes will develop their own ways of practicing interdependence. Wherever this is done, however, such activity will go by the name of sovereignty.

Native Americans from Black Hawk to Vine Deloria, Jr., have long germinated visions of tribal sovereignty, but for any to come to fruition the United States must finally reciprocate what its emissaries and settlers refused to Black Hawk in 1832: it must agree to share the land. Restitution in the form of a transfer of title to tribes—as some flat-footed and uncharitable interpretations of #LANDBACK maintain—would be both too much and not enough. After all, as Black Hawk has shown us, "land cannot be sold." If Robert Nichols is correct in holding settler theft (i.e. dispossession) is not *of* property, but *creates* property, tribal sovereignty will only be restored when an entire settler culture reexamines how it relates to land and how it conceives legitimate public activity. It would need to exchange the "command-and-control" of benevolent dominion, or any other logic of sovereignty that divides and polices a land conceived as terrain, for a sovereignty that recognizes the precarity of all human beings and responds to this with mutually-reinforcing responsibilities that allow everyone access to land as the medium of life. Genuine tribal sovereignty will have its day not when the land is returned to the tribes, but when land ceases to be a possession that can be stolen.

Chapter 3

<u>No Man's Land: Freedom from the City, Male Panic, and *Terra Nullius* in the Homestead Debates of 1852</u>

But Daniel Boone is dead.

—Thomas S. Bocock

As fear over Black Hawk's return to Saukenuk swept through Illinois in the summer of 1832, settlers quickly assembled into militias. It was, after all, a state that had once passed a law awarding bounties to settlers who killed or kidnapped the "blood thirsty monsters," which was how the territorial legislature referred to Native Americans.[1] Granted, this hardly made Illinois unique, and the increasing frequency of settler-Indigenous violence—a direct result of settler expansion and the pressure of colonization on tribal land bases and food stores—had given rise to grudges and grievances on both sides. One volunteer with a penchant for story-telling likely regaled his regiment with a particularly gruesome bit of family lore, in which an ancestor, having settled near the border between Indiana and Illinois, was ambushed in his cornfield by an Indigenous man. This volunteer's name was Abraham Lincoln.

Like several other figures who would leave their mark on the next generation of American politics, including Zachary Taylor and Jefferson Davis, Lincoln was an eager participant in the so-called Black Hawk War. Though he waxed comedic about his experience, admitting he never saw any "live, fighting Indians," but "had a good many bloody struggles

[1] "An Act to Promote Retaliation upon Hostile Indians," December 24, 1814, *The Laws of Illinois Territory, 1809-1819*, ed. Francis S. Philbrick (Springfield, IL: Illinois State Historical Library, 1950), 177.

with the musquetoes [sic]," he was clearly proud to have volunteered.[2] As his 1860 campaign biography recalled, "when the Black-Hawk war of 1832... broke out... [Lincoln] joined a volunteer company, and to his own surprise, was elected captain of it. He says he has not since had any success in life which gave him so much satisfaction."[3] Lincoln also gained materially from the Black Hawk War: he was awarded 160 acres of land in Iowa as compensation for his service.

This episode from Lincoln's early life represents, in a temporally telescoped form, a fundamental element of American settler empire: the violent removal of Native Americans from their lands serves as the precondition for a liberal-democratic society based on property ownership. It is one example of, in the words of Adam Dahl, "the constitutive role of *colonial dispossession* in shaping democratic values and ideals."[4] Interestingly, these same dynamics would echo in another episode thirty years later, when Lincoln—having become the sixteenth president of the United States—signed the Homestead Act into law. This famous statute granted 160 acres of public domain, some of it the very lands over which Black Hawk and a young Lincoln had fought in 1832, to any individual or head of household who was willing to live upon and cultivate the land for five years.

Though Lincoln himself is not central to the following analysis (while he signed the Homestead Act, he did little to advance its construction and promotion), his path from young militiaman to seasoned statesman bridges the focus of the previous two chapters—questions

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[2] Abraham Lincoln, "Speech in the U.S. House of Representatives on the Presidential Question," July 27, 1848, in *Abraham Lincoln: Speeches and Writings, 1832-1858*, ed. Don E. Fehrenbacher (New York: Library of America, 1989), 214.

[3] Abraham Lincoln, "Autobiography Written for Campaign" in *Abraham Lincoln: Speeches and Writings, 1859-1865*, ed. Don E. Fehrenbacher (New York: Library of America, 1989), 164; cf. Abraham Lincoln, Letter to Jesse W. Fell, enclosing autobiography, December 20, 1859, in *Speeches and Writings, 1859-1865*, 107.

[4] Dahl, *Empire of the People*, 1.

about land and sovereignty at the scene of colonial dispossession—to the focus of this chapter and the next: how American thinkers mobilized dispossessed land to support settler freedom. These chapters will examine how various configurations of the frontier landscape twine with different types of freedom, as well as how these configurations gender the free subject. While the next chapter explores the imbrications of land, freedom, and gender in one homesteader's fictionalized account of her youthful experiences on the frontier, the present chapter looks to congressional arguments for a homestead bill ten years prior to its passage. These prospective and aspirational arguments for "free land" have largely faded from view, and most of the congressmen that voiced them were never household names, even in their own era. Nonetheless, their recovery refocuses our contemporary conceptualization of land and freedom, and shows how land becomes fraught with ideology.

Many today tend to connect land and freedom through property ownership. As mentioned above, this is a deeply-seated dynamic in settler colonialism: take the land; own the land; be free. Yet, what is it about owning land that liberates? The second half of the twentieth century saw a spate of influential arguments about the way property rights function as a buffer against external coercion and unwelcome intrusions in a "negative liberty" sort of way.[5] However, such rights require at least a "minimal" state to enforce them, and such a state may also limit what a landowner can do with their property (this is the case even when limitations are very narrowly construed and do not entertain cases where, for example, civil rights and

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[5] F.A. Hayek, *The Constitution of Liberty*, ed. Ronald Hamowy (Chicago, IL: The University of Chicago Press, 2011 [1960]); Milton Friedman, *Capitalism and Freedom* (Chicago, IL: The University of Chicago Press, 2020 [1962]); Richard A. Epstein, *Takings: Private Property and the Power of Eminent Domain* (Cambridge, MA: Harvard University Press, 1985); James M. Buchanan, *Property as the Guarantor of Liberty* (Cheltenham, UK: Edward Elgar Publishing, 1993); James W. Ely, Jr., *The Guardian of Every Other Right: A Constitutional History of Property Rights* (Oxford: Oxford University Press, 2008); Richard Pipes, *Property and Freedom* (New York: Alfred A. Knopf, 1999).

social freedoms impinge upon property rights).[6] As land is perhaps the most tightly regulated form of property, even the staunchest advocate of property rights would concede that landownership is simultaneously liberating and constraining.[7] In any case, many things can be owned as property and may promote (a complicated and incomplete) negative liberty, and it is not evident what makes land especially liberatory. It is telling that Lincoln, who thought deeply about the sources of property rights, never visited or otherwise did anything with his 160 acres in Iowa. There is no record of the land generating an income for the Lincolns or being used to mortgage other property.[8] Abraham Lincoln was a landowner—in fact, he owned precisely as many acres as the legion of homesteaders he would create with the stroke of his pen—but it is not at all clear how property in land made the signer of the Homestead Act more free.

In what follows, I map a different conceptual course through land, freedom, and gender that is only tangential to the well-worn path of property rights. To do so, I invoke the title of this chapter—"no man's land"—as a double entendre. This phrase refers, first, to the concept of *terra nullius*, or "land belonging to no one." While *terra nullius* often dovetails with a Lockean conception of property rights in the scholarship on settler colonialism, the following posits a "phenomenological" *terra nullius* that coded the western landscape as empty, abundant, and vast. A landscape so construed conditioned two non-proprietary forms of freedom promoted by the advocates of a homestead bill in 1852: structural non-domination and individual moral autonomy, which I collectively term "freedom from the city." The second meaning of "no man's

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[6] Robert Nozick, *Anarchy, State, and Utopia* (New York: Basic Books, 2013 [1974]).

[7] See the opening thought experiment in Eric T. Freyfogle, "Property and Liberty," *Harvard Environmental Law Review* 34 (2010): 79-84.

[8] Harry E. Pratt, *The Personal Finances of Abraham Lincoln* (Springfield, IL: Abraham Lincoln Association, 1943).

land" invokes a crisis of masculinity, or "male panic," that congressmen sought to address. In their eyes, urban life had unmanned American men, especially when compared with men of a previous age, epitomized by pioneers like Daniel Boone. Therefore, in addition to rendering urban men less dominated and more autonomous, western lands were also figured as the site of patriarchal family life, whereby homesteaders could assuage their male panic not (only) by rehearsing the eliminatory violence of their ancestors, but primarily through fatherhood. This gendering of the free subject paralleled an underlying nation-building project in the congressional record that both built upon and mirrored the patriarchal family in its vision of westward expansion. For many congressmen, then, "free land" was so much more than a site of property rights; it was the means by which an anti-urban, patriarchal utopia could flourish.

This chapter begins by providing background information on the Homestead Act of 1862, makes the case for focusing on an earlier (albeit failed) homestead bill that emerged in the House of Representatives in 1852, and summarizes the existing scholarship on American homesteading. The next section reviews contemporary applications and interpretations of *terra nullius* and posits an alternate conceptualization of the term that places less emphasis on the logic of property (or its absence) and centers the phenomenological qualities—emptiness, abundance, and vastness—of "land belonging to no one." It then analyzes the 1852 House debates over a homestead bill to illustrate how freedom as structural non-domination and individual moral autonomy, respectively, are shaped by the phenomenological *terra nullius.* While the significance of gender will already be apparent at this stage of the analysis, the third section examines how male panic inflects the interpretation of a landscape that was not "naturally" empty but actively *emptied* of Indigenous presence via the valorized violence of the "hardy pioneer." While homestead advocates celebrated the figure of the pioneer, it could not redeem the masculinity of contemporary urban men. Instead, the already-"emptied" frontier facilitated an alternate gendering of the homesteader as head of a patriarchal household. The fourth and final section underscores the difference between nineteenth-century articulations of land and gendered freedom as compared to the property-focused, "negative liberty"-style arguments rehearsed above, but also qualifies these articulations as an exclusive and much-exaggerated dream of what land might have been for an overrepresented class of settlers.

Which Homestead Bill?

Second only to the Social Security Act, the Homestead Act is one of the most consequential distributive policies in American history. From 1863 to 1986, it transferred 270 million acres, or 10% of the present-day United States, to private parties. Today, one in five U.S. adults is the descendent of someone who benefitted from the Homestead Act.[9] The law signed by Lincoln on May 20, 1862, is short and straightforward. Its key section promises 160 acres of surveyed public domain—a "quarter section"—to individuals and heads of households free of charge (save a $14 filing fee), provided they reside upon and cultivate the land for five years, never departing therefrom for more than six months at a time. The remaining sections forbid anyone who has "borne arms against the Government of the United States or given aid and comfort to its enemies" from claiming a quarter section, prohibit the confiscation of land to satisfy debts until after the claimant has received title, and describe the process for filing a claim with the U.S. Land Office.[10]

In contrast with the brevity of the statute, the political history of homesteading in the United States is longer and more serpentine. The origin of homesteading could be rightly

[9] Richard Edwards, Jacob K. Friefeld, and Rebecca S. Wingo, *Homesteading the Plains: Toward a New History* (Lincoln, NE: University of Nebraska Press, 2017), 1.

[10] *Homestead Act of 1862*, Public Law 37-64, 37th Cong., 2d sess. (May 20, 1862), https://www.archives.gov/milestone-documents/homestead-act.

traced to a spate of preemption policies in the first half of the nineteenth century, to early federal policies like those that granted land in the Northwest Territory to veterans of the Revolutionary War, or to Founding-era thinkers such as Thomas Jefferson and Thomas Paine. By the 1840s, when homesteading began to coalesce as a policy distinct from preemption, the drumbeat for land reform was assumed by mainstream organs like Horace Greeley's *New York Tribune*, but also by radical organizations like the National Reform Association.[11] The NRA developed a three-pronged plan consisting of free homesteads for the landless, a permanent prohibition on seizing land for debt, and an absolute limit on the amount of land any individual could own.[12] While the second and third prongs would be politically proscribed as too socialist or "agrarian," widespread land grants would become a plank in the platform of the short-lived Free Soil Party and, later, the nascent Republican Party. During his 1860 presidential campaign, Lincoln even adopted the NRA's slogan: "Vote Yourself a Farm."[13]

Nonetheless, the Homestead Act is ultimately a piece of congressional legislation, and the most valuable repository of the ideas that shaped the policy is the rhetoric of lawmakers themselves. Numerous homestead bills filtered through Congress in the 1840s and 1850s, and the roster of sponsors constitutes a veritable "Who's Who" of antebellum politics that is surprisingly multi-sectional and bipartisan. Northeastern Whigs such as William Seward and Daniel Webster sponsored bills, as did Western Democrats like Stephan A. Douglas, Orlando Ficklin, and Isaac Walker. From the South, Sam Houston proposed his own bill, as did Felix

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[11] Adam Tuchinsky, *Horace Greeley's* New York Tribune: *Civil War-Era Socialism and the Crisis of Free Labor* (Ithaca, NY: Cornell University Press, 2009).

[12] Jaime L. Bronstein, *Land Reform and Working-Class Experience in Britain and the United States, 1800-1862* (Stanford, CA: Stanford University Press, 1999); Mark A. Lause, *Young America: Land, Labor, and the Republican Community* (Urbana, IL: University of Illinois Press, 2005).

[13] Simone Knewitz, *The Politics of Private Property: Contested Claims to Ownership in U.S. Cultural Discourse* (Lanham, MD: Lexington Books, 2021), 59; cf. Lause, *Young America*, 112-123.

McConnell of Alabama.[14] However, it was then-representative Andrew Johnson whose 1852 homestead bill was first to survive either chamber of Congress. While the finer points would be rehashed for another decade, the ideological and juridical groundwork for the Homestead Act was laid with Johnson's 1852 bill "to encourage agriculture, commerce, manufactures, and all other branches of industry, by granting to every man who is the head of a family, and a citizen of the United States, a homestead of one hundred and sixty acres of land out of the public domain, upon conditions of occupancy and cultivation of the same for the period herein specified."[15]

There are three reasons to focus a study of homesteading on the 1852 House bill. First, contemporary lawmakers recognized its significance. In the *Congressional Globe* (the precursor to today's *Congressional Record*, which published all speeches and debates in the House and Senate from 1833 to 1873) it is not unusual to encounter a comment such as that from House Speaker Galusha Grow in 1862: "It is not my purpose to trespass on the patience of the House with any lengthy remarks on the homestead policy; for it is a subject that has been fully discussed in both branches of Congress for the last ten years."[16] Second, the final Homestead Act would largely take the form Johnson proposed in 1852. Granted, the staying power of Johnson's version is partly due to the fact that most debates over homesteading during the mid-fifties were not really about land policy. Following the passage of the Kansas-Nebraska Act (1854), homesteading was swept into the multi-front proxy war over the extension of slavery into the territories. Indeed, it is telling that the Homestead Act would not pass until both

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[14] Benjamin T. Arrington, "'Free Homes for Free Men': A Political History of the Homestead Act, 1774-1863," PhD diss., University of Nebraska-Lincoln (2012), 112-116.

[15] *Cong. Globe*, 32nd Cong., 1st sess., 1852, 21, pt. 2: 1352. The quotation is from the title of the bill as read in the Senate on May 13, 1852, following passage in the House.

[16] *Cong. Globe*, 37th Cong., 2nd sess., 1862, 32, pt. 1: 909.

Congress and the White House were under Republican control. After most southern lawmakers vacated Washington, D.C., following Lincoln's election, the merit of homesteading was assumed and the debate became almost entirely logistical: whether Union veterans were to receive bonus acreage, the standing of war widows under the statute, and similar issues. Thus, despite preceding final passage by a decade, the House debates over the 1852 bill constitute the most thorough-going and "pure" discussion of homesteading ever featured in Congress.

Third, the 1852 bill is enticing to scholars because, after emerging from the House Committee on Agriculture, it was spoken on by more than two dozen lawmakers over several months of intermittent floor debate. Many delivered long, dramatic speeches that collectively fill over a hundred pages of the *Congressional Globe Appendix*. Therefore, in addition to being the main source text for the eventual Homestead Act, the 1852 bill constitutes a rich trove for textual analysis. Henceforward, when this chapter analyzes the freedoms, genderings, and conceptualizations of land articulated by "homestead advocates," it refers to the speeches from 1852 and the congressmen who recited them.

Homesteading has long been an object of fascination for historians, and many volumes have been written on even the most localized applications of the policy.[17] Until recently, the scholarly consensus has been that the Homestead Act failed to deliver on its promise to populate the West with a legion of self-sufficient farms. Perhaps the most famous "public lands historian," Paul W. Gates, argued the Homestead Act was just another example of the United States' "incongruous" land system, which purported to distribute land to "actual settlers" while

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[17] Hibbard, *A History of the Public Land Policies*; Roy M. Robbins, *Our Landed Heritage: The Public Domain, 1777-1936* (Princeton, NJ: Princeton University Press, 1942); Fred A. Shannon, *The Farmer's Last Frontier: Agriculture, 1860-1897* (New York: Holt, Rinehart, & Winston, 1945); Gilbert Fite, *The Farmer's Frontier: 1865-1900* (New York: Holt, Rinehart & Winston, 1966); Paul W. Gates, *History of Public Land Law Development* (Washington, D.C.: U.S. Government Printing Office, 1968); cf. Yasuo Okada, *Public Lands and Pioneer Farmers, Gage County, Nebraska, 1850-1900* (Tokyo: Keio Economic Society, Keio University, 1971).

buoying speculators, railroads, and other corporate interests.[18] Lately, Richard Edwards, Jacob Friefeld, and Rebecca Wingo have attempted to dispel the scholarly "myths" that surround homesteading, and show how the policy in fact created many stable and successful farms during its tenure.[19] Several economists have lent support to this reassessment by demonstrating how the Homestead Act, in combination with land grants to railroads, spurred growth by securing property rights in the West.[20]

Political scientists, on the other hand, are only just discovering the importance of homesteading and U.S. land policy, more generally. Break-through studies include Ilia Murtazashvili's *The Political Economy of the American Frontier*, which includes a chapter on the failed homestead bills of the 1850s. Proving homesteading was no mere party measure, at least when it was conceived, Murtazashvili's econometric analysis of the 1852 House roll-call vote shows how "contrary to expectations, political party, economic composition, and cotton production did not influence votes on homesteads."[21] These factors would become statistically significant as the decade wore on—and as positions on homesteading hardened into positions on slavery—but congressional votes were evidently unconstrained by party, industry, or section in 1852. Other studies take a more critical stance. In *Building an American Empire*, Paul Frymer argues the Homestead Act was a means of "manufacturing whiteness" in the American

[18] Paul W. Gates, "The Homestead Law in an Incongruous Land System," *American Historical Review* 41 (1936); Paul W. Gates, *Fifty Million Acres: Conflicts over Kansas Land Policy, 1854-1890* (Ithaca, NY: Cornell University Press, 1954).

[19] Edwards, Friefeld, and Wingo, *Homesteading the Plains.*

[20] Trina Williams Shanks, "The Homestead Act: A Major Asset-Building Policy in American History," *Inclusion in the American Dream: Assets, Poverty, and Public Policy*, ed. Michael Sherraden (Oxford: Oxford University Press, 2005); Douglas W. Allen, "Establishing Economics Property Rights by Giving Away Empire," *The Journal of Law and Economics* 62, no. 2 (2019).

[21] Ilia Murtazashvili, *The Political Economy of the American Frontier* (Cambridge: Cambridge University Press, 2013), 182.

West, whereby state-directed colonization created white (and often Republican) majorities in homestead territories on the road to statehood.[22] Dahl's *Empire of the People* proffers a close reading of Galusha Grow's famous 1852 speech, "Man's Right to the Soil," which justified homesteading in distinctly Lockean terms and is an example of the way "Indigenous disavowal" imbricates democratic theory with settler empire.[23]

While insightful, these studies have only begun to explore a vast repertoire of nineteenth-century thought on the politics of land. The following plumbs the speeches of the homestead advocates—including but certainly not limited to Grow's—to expand our understanding of this understudied archive and probe the connection between land, freedom, and gender.

Freedom from the City and Terra Nullius

The term *terra nullius* is a rather recent appellation for a much older concept. Gaining currency following the decision in *Mabo v. Queensland* (1992), which ruled Aboriginal Australians had meaningful land interests prior to British settlement, and, thus, the continent was *never* "land belonging to no one," *terra nullius* refers critically to the colonial notion that land lacking evidence of private ownership is free for the taking.[24] Legal historians have backdated the precise legal term to cognates in Roman law or English common law, but the general concept is more diffuse.[25] For example, those familiar with John Locke's theory of property will recall his

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[22] Paul Frymer, *Building an American Empire: The Era of Territorial and Political Expansion* (Princeton, NJ: Princeton University Press, 2017).

[23] Dahl, *Empire of the People*, 131-134.

[24] Andrew Fitzmaurice, "The Genealogy of *Terra Nullius*," *Australian Historical Studies* 38, no. 129 (2007).

[25] Lauren Benton and Benjamin Straumann, "Acquiring Empire by Law: From Roman Doctrine to Early Modern European Practice," *Law and History Review* 28, no. 1 (2010); Randall Lesaffer,

observation: “in the beginning all the World was *America*.”[26] With this phrase, Locke suggests the appearance of “wild” or “uncultivated” nature is evidence of land that has not been claimed, where a colonizer need not take preexisting interests into account, and upon which settlement via property-making labor is justified. Of course, it is now understood North America was, like pre-colonial Australia, hardly uninhabited or uncultivated. The apparently “virgin” forests that awed the first European colonists were rarely “untouched,” but instead carefully managed by Native American tribes through techniques such as prescribed burnings.[27] The biases of colonists as to what constituted “agriculture” meant they did not recognize such techniques—if they noticed them at all—as generative of property rights, which allowed *terra nullius*-style arguments to dispossess Indigenous peoples the world over.

Terra nullius, like settler colonialism more broadly, is not (only) a historical fact that describes an initial phase of European colonization, but a persistent heuristic that retains political force. What Carole Pateman calls the “settler contract” is predicated on *terra nullius*.[28] As the story goes, when settlers labor upon supposedly uncultivated and unclaimed lands (i.e. the “state of nature”), they convert this land into private property, thereby liberating themselves from material, legal, and political reliance on a distant and hierarchical metropole. Then, settlers contract to form civil societies devoted primarily to the protection of their new property. In this way, *terra nullius* serves as the foundation for two of the most recognizable forms of freedom in modern Euro-American political thought: property rights and the social

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“Agreement from Roman Law in Current International Law: Occupation and Acquisitive Prescription,” *The European Journal of International Law* 16, no. 1 (2005); cf. Yogi Hale Hendlin, “From *Terra Nullius* to *Terra Communis*: Reconsidering Wild Land in an Era of Conservation and Indigenous Rights,” *Environmental Philosophy* 11, no. 2 (2014): 145-149.

[26] Locke, “Second Treatise,” §49.

[27] Cronon, *Changes in the Land*.

[28] Carole Pateman, “The Settler Contract,” *Contract and Domination*, ed. Carole Pateman and Charles W. Mills (Cambridge: Polity Press, 2007).

contract that protects them. It is also the conceptual origin of two of the most virulent forms of domination: Indigenous peoples who lacked recognizable methods of property-producing agriculture and chattel slaves who, on Lockean logic, did not own themselves or their labor were necessarily excluded from the settler contract. Today, *terra nullius* and the freedoms it promotes endure as an "extremely powerful political fiction" that functions as a historical and political "clean slate" for settler societies seeking to distinguish the liberty and equality of the New World from the hierarchies of the Old.[29]

Turning to American homesteading, one can readily find examples of *terra nullius* and the settler contract. Consider first the language of the final Homestead Act. The law claims to create proprietors out of those who have "resided upon and cultivated" "unappropriated public lands."[30] In other words, settler labor on a virtual *terra nullius*—more precisely a *terra communis*—generates private property rights in a just-so Lockean fashion. There is also forceful congressional rhetoric, such as Galusha Grow's speech, "Man's Right to the Soil." Dahl analyzes this speech to show how Grow's "homestead principle was premised on Lockean notions of natural right, which held that the only valid title to property is the expenditure of physical labor to cultivate and improve the land… the individual settlement of land did not simply satisfy property aspirations; it grounded democratic citizenship in the possession of land."[31] If the state would transfer or simply abdicate its somewhat-dubious title to public lands (Grow was skeptical of the Doctrine of Discovery and eminent domain, as Dahl shows), individuals could assume their natural proprietorship, which would serve as the bedrock for a free and egalitarian society.

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[29] Pateman, "The Settler Contract," 46.

[30] *Homestead Act of 1862*.

[31] Dahl, *Empire of the People*, 132-133.

Nonetheless, there was no shortage of contemporaneous arguments that complicated the link between *terra nullius*, the settler contract, and homesteading. Grow had more in common with English and American radicals than his fellow lawmakers, few of whom accepted his argument that "there is propriety in giving to nations jurisdiction over the men and property of the country they may discover, but not a proprietorship to its soil."[32] To the contrary, most homestead advocates believed the federal government possessed its territory on the basis of discovery—a title inherited from England following the Treaty of Paris—not settler labor. It could therefore decide how to dispose of the public domain without basing its rationale in natural rights to property or social contractarianism. What is more, Lockean logic could cut both ways. Many opponents of homesteading objected to the policy on grounds that it violated property rights. If the government possessed the public domain on behalf of the American people, as many strict constructionists believed, then to transfer a portion of that land to individuals abridged the settler contract by violating the property rights of the whole. They also worried it would weaken the ethics of ownership by granting land to those who had not earned it (drawing on the moral component of Lockean labor), and driving land prices so low as to devalue the property of current owners. Thus, Grow and his ilk constitute a fascinating branch of nineteenth-century American radicalism, but the link he forged between land and freedom neither garnered much support nor cornered the conceptual market on interpretations of *terra nullius* and the settler contract. The simple fact that the lands in question already had a legal owner—that is, the federal government—troubled any straightforward application of these concepts.

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[32] Galusha A. Grow, "Man's Right to the Soil," March 30, 1852 (Washington, D.C.: Congressional Globe Office), 5.

This said, it is a rare congressman who failed to characterize the western landscape as either uncultivated, unowned, or awaiting settlement. In their eyes, it was undeniably a "land belonging to no one" that promised to make Americans more free—though not in the way usually compassed by interpretations of *terra nullius*. Instead, the *terra nullius* of the modal homestead advocate functioned less as a logical argument for private property and more as, in the words of Anna Johnston and Alan Lawson, a "discursive treatment" of a specific landscape:

> the vastness of land was emphasized and this was often a prelude to or accompanied by an even more strategic emphasis on its 'emptiness'... Vast and empty lands, insistently recorded in both texts and visual images, called out, obviously, to the European imagination to be filled, and they were filled by, successively, people, crops, and herds, but also by the stories and histories that... legitimated the settlement."[33]

Abundance, too, or "a faith in nature's essential fertility and adaptability to human ends," as Leo Steeds puts it, was a regular feature of this more frequent, "discursive" form of *terra nullius* in the congressional record.[34] At bottom, this *terra nullius* was a *spatial phenomenology* which facilitated different forms of freedom than the settler contract's focus on property rights and the social contract permit. As the following illustrates, the imagined emptiness (i.e. un(der)populated), abundance (i.e. providing richly for subsistence), and vastness (i.e. sheer size) of lands slated for homesteading corresponded with an effort to solve what was then a much-maligned issue: the economic and social oppressions of the burgeoning, mid-nineteenth-century city.

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[33] Anna Johnston and Alan Lawson, "Settler Colonies," *A Companion to Postcolonial Studies*, ed. Henry Schwarz and Sangeeta Ray (London: Blackwell Publishing Ltd, 2000), 364.

[34] Leo Steeds, "On Land, Life, and Labour: Abundance and Scarcity in Locke, Smith, and Ricardo," *Constellations* 31, no. 2 (2024): 200.

What this section refers to as "freedom from the city" describes two processes whereby land grants on a phenomenological *terra nullius* could liberate urbanites. First, in language reminiscent of the labor republicanism that would emerge several decades later, homestead advocates framed land grants as the solution to structural domination in urban workplaces. Land coded as abundant, or as hardly requiring labor in the form of cultivation, was supposed to liberate wage-laborers-turned-homesteaders by providing an easy means of subsistence and altering the conditions that determined the balance of power between capitalists and laborers. Second, homestead advocates argued land grants could extricate the urban poor from corrupting social relationships. It was believed the rhythms of agricultural labor and a focus on family life, when combined with the vastness and emptiness of western landscapes, would insulate homesteaders from envy and resentment, thereby augmenting their moral autonomy. In both cases, it is the *experience* of abundance, emptiness, and vastness, rather than a logical justification for appropriating "land belonging to no one," that liberates working men—and, in places, the entire working class—from the plight of urban life.

Abundant Land and Structural Nondomination

Though the fact is often overshadowed by more familiar narratives about the twentieth-century city, the mid-nineteenth century featured one of the fastest periods of urbanization in American history.[35] By 1850, 15.3% of Americans lived in cities, up from just 10.8% a decade earlier. From 1840 to 1860, urban populations would more than triple, far outpacing general population growth. New cities on the frontier such as St. Louis and Chicago evinced the most

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[35] Zane L. Miller, *The Urbanization of Modern America: A Brief History* (New York: Harcourt Brace Jovanovich, Inc., 1973), 25-62; Blake McKelvey, *The Urbanization of America* (New Brunswick, NJ: Rutgers University Press, 1973), 3-16; Blake McKelvey, *The City in American History* (New York: Barnes and Noble, Inc., 1969), 44-55.

impressive population multiplication, but even New York City nearly doubled its inhabitants between 1840 and 1850.[36] Also in that year, manufacturing—concentrated in urban spaces—generated almost a third of economic activity, compared to 17% in 1840.[37] In spite of its self-acclaimed yeoman culture, the mid-century United States had become a denser, grittier, and more urban nation, increasingly populated by laborers who were, to once again quote from Jefferson, "occupied at a work-bench, or twirling a distaff."[38]

Thus, the problem that most concerned homestead advocates in 1852 was this new urban laborer's dependence on wages and subjection to the power dynamics of the nineteenth-century workplace. Willard Hall, a congressman from Missouri, summed up the urban situation this way:

> The poor workingman, whose daily bread depends upon his daily labor, is not as free as I would like to see him. The employer who can at will discharge from his service, and reduce to extreme want, hundreds of his employees has more control over the votes and actions of his fellow-citizens... a state of things which gives to one man the command, not merely of the comforts, but of the subsistence of another... The most important and potential alleviation that we can accomplish, is to offer a free home to every American citizen who will settle upon the public domain... It will enable the very poorest to escape from thralldom to independence.[39]

For Hall, the "thralldom" of the laborer arises from the control and direction his employer has over all aspects of his life. Not only does the laborer's physical survival depend upon the wages paid by one who could fire him at will, but his "votes and actions"—his ability to participate as

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[36] Allan Pred, *Urban Growth and City-Systems in the United States, 1840-1860* (Cambridge, MA: Harvard University Press, 1980), 5-10, 175.

[37] Pred, *Urban Growth and City-Systems*, 20.

[38] Jefferson, "Notes on the State of Virginia," *Thomas Jefferson, Writings*, 291.

[39] Speech of Willard Hall, April 20, 1852, *Cong. Globe*, 32nd Cong., 1st sess., 1852, 21, appendix: 438. Hereafter, *CGA*.

an equal member of a democracy and change his circumstances through elections—are curtailed. This arbitrary or "at will" power which employers had over the economic and political lives of their workers is emblematic of what Phillip Pettit and Quentin Skinner call "domination."[40] What is more, the laborer could not escape domination merely by switching employers. As Alex Gourevitch describes in his reconstruction of labor republicanism, employers *as a class*—or, in Hall's words, "an oligarchy of the most degraded character"—controlled urban laborers through their monopoly on productive assets, which included land.[41] What nineteenth-century laborers faced—and what many workers today continue to endure—was "structural domination."

None other than Galusha Grow testified to the structural nature of urban domination when he invoked the vocabulary of a burgeoning American socialism: "The struggle between capital and labor is an unequal one at best. It is a struggle between the bones and sinews of men and dollars and cents; and in that struggle, it needs no prophet's ken to foretell the issue."[42] As Sean Wilentz observes in his study of early-nineteenth-century labor politics, "bones and sinews" had once been the watchword of cooperation between capitalists and laborers: one class was the bone, the other the sinew, and together they moved the economy.[43] For Hall, Grow, and their mid-century audiences, however, the image represented an emerging class

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[40] Philip Pettit, *Republicanism: A Theory of Freedom and Government* (Oxford: Clarendon Press, 1997); Quentin Skinner, *Liberty before Liberalism* (Cambridge: Cambridge University Press, 1998); cf. Frank Lovett, *A General Theory of Domination and Justice* (Oxford: Oxford University Press, 2010).

[41] Alex Gourevitch, "Labor Republicanism and the Transformation of Work," *Political Theory* 41, no. 4 (2013).

[42] Grow, "Man's Right to the Soil," 6.

[43] Sean Wilentz, *Chants Democratic: New York City and the Rise of the American Working Class, 1788-1850* (Oxford: Oxford University Press, 2004), 303-304.

antagonism wherein the physical survival and agency of the laborer stood at odds with the employer's profit motive.

For the homestead advocates, the solution to structural domination in the city was an equally structural policy of widespread land grants. It was thought this would liberate the urban laborer in three key ways. First, and most individually, a land grant would give laborers the resources they needed to provide for their own subsistence. If laborers could acquire their "daily bread" from sources other than wages, their dependence on the whims of employers would be lessened, and they may even be empowered to exit the urban economy entirely. As Hall put it, the beneficiary of a homestead bill would find himself "occupying a position that makes him a freeman—free from the control, direction, and oppression of a superior."[44]

Second, and more structurally, the exit of some workers from the urban labor pool would increase the wages and bargaining power of those who remained. When a detractor of homesteading, New York's Timothy Jenkins, objected that to "give away the public lands and cut off this source of revenue" would increase taxes on urban laborers and deepen their destitution, H.D. Moore of Virginia replied: "the suffering in our populous cities arises in a great measure from the surplus of labor. Now, if a portion of industrious laborers and mechanics remove to the West, does it not leave room for the employment of those persons who are now suffering?"[45] Jenkins responded, "I doubt very much this alleged surplus," but in his own speech Moore recalled a poignant "appeal to the citizens, by the sewing women or tailoresses of Philadelphia" and attributed "such evils as were recited" to "an overplus of labor in the market, and a consequent reduction in its price or value."[46] The structural adjustment to

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[44] Hall, *CGA*, 438.

[45] *Cong. Globe*, 32nd Cong., 1st sess., 1852, 21, pt. 1: 432.

[46] Speech of H.D. Moore, April 30, 1852, *CGA*, 478.

the value of labor brought about by widespread land grants is today referred to as the "safety-valve" theory: the westward migration of some would ease domination for all by tightening labor markets, which would raise wages.[47] While historians have since questioned the validity of the "safety valve" theory, it was untested in 1852 and largely accepted by homestead advocates.

Third, some advocates saw land not only as a means of providing for individual subsistence and reducing the "overplus" of available labor, but also of shifting the balance of power in mid-century class politics. According to Joseph Cable of Ohio:

> While other classes are asking, are invoking the power of this Government to enable *them*, under the plea of protection and tariffs, to *abstract* still more and more from the *reward of labor*, the mechanics, artisans, laborers, and farmers, only ask you to remove your CLOGS, which hang upon their rights like an incubus upon the slumbers of an irregular system... To ask the producers to raise these vast sums of money, which keep the non-producers in pomp and luxury... [while] you withhold from them the very means—THE SOIL—necessary to enable them to produce the money, is both unjust and tyrannical; it is a gross usurpation.[48]

Tariffs increase the prices of domestic manufactures, but Cable warned the profits do not trickle down to laborers because the aforementioned surplus allowed employers to "abstract still more

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[47] "Safety valve" is mostly a term of art that was popularized in twentieth-century historical scholarship, Carter Goodrich and Sol Davison, "The Wage-Earner in the Westward Movement I," *Political Science Quarterly* 50, no. 2 (1935); Carter Goodrich and Sol Davison, "The Wage-Earner in the Westward Movement II," *Political Science Quarterly* 51, no. 1 (1936); Fred A. Shannon, "A Post Mortem on the Labor-Safety-Valve Theory," *Agricultural History* 19, no. 1 (1945). I can find no evidence of the homestead advocates themselves using the term, although they did occasionally invoke the image of a "balance wheel," *CGA*, 382. Dahl has located the term in an 1844 column by John O'Sullivan—most well-known for coining "Manifest Destiny"—though it does not appear to have been taken up by politicians eight years later, Dahl, *Empire of the People*, 111.

[48] Speech of Joseph Cable, March 10, 1852, *CGA*, 298. Emphasis and capitalization in original.

and more from the rewards of labor" while keeping wages low. Concurrently, the government withheld land from "the producers"—that is, the working classes—whose agricultural production could have generated the revenue necessary to bolster the tariffs if they had the means. The result is a "clogged" and "irregular" political economy, rather than one that increased productivity and distributed wealth widely. Curiously, Cable coded what might seem to be a mundane inefficiency as "tyrannical" and "a gross usurpation." The fundamental problem was not a maldistribution of resources, but the maldistribution of democratic responsiveness: lawmakers obliged elite "non-producers" whenever they asked for economic protections, but neglected similar requests from other classes. On this view, widespread land grants would signal working-class "producers" to be as worthy of government attention as "non-producers." Furthermore, Cable implied land grants may even reverse the relations of dependence that characterized the urban workplace. Through their control of the agricultural goods that would support a significant revenue stream—the "vast sums of money" they would be asked to raise—laborers-turned-homesteaders might have brought the class of "non-producers" to heel by threatening to tighten the purse-string on their "pomp and luxury."

In response to the structural domination they observed in the cities, homestead advocates proposed land grants as the means of creating freer conditions wherein individual laborers could exit an oppressive wage economy at their will, and laborers as a political-economic class would see their value and bargaining power increase. To support this vision, advocates conceptualized western land as so abundant that title-generating labor was almost unnecessary. This marks a departure from the conventional application of *terra nullius*, which valorizes the settler's labor as an indicator of property rights and the means of extracting value from an untapped wilderness. To be sure, a number of congressmen in 1852 adopted this position. Having cited Adam Smith, William Montgomery Churchwell of Tennessee bluntly stated, "the land is idle—worth nothing—without labor on it."[49] Iowa's Bernhart Henn more vividly privileged a narrative of fundamental scarcity over one of natural abundance: "The most obnoxious and poisonous weeds, the vilest reptiles, the most ravenous beasts, are tenants alike of an untilled and uncultivated soil. It is *labor* alone, then, that replaces these natural products with others that are capable of furnishing sustenance."[50] As will be examined below, many others emphasized labor and toil when beatifying the frontiersmen of earlier generations, whose masculinity and merit they took care to respect. Nevertheless, those congressmen most committed to liberating urban laborers from structural domination more often emphasized a phenomenological aspect of *terra nullius*: the abundance of western land.

For instance, Hall claimed "there is nowhere else on the face of the globe such an abundance of the means of subsistence as there is in the West... Let the poor men of the old States move to the new States, let them escape from penury and want by removing to a land of plenty and abundance."[51] Moore beseeched the "laboring man and mechanic of our country... to leave these crowded and populous cities... and go to the green hills and sunny plains of the far West where they can have a home of their own, and where they can worship their maker under their 'own vine and fig-tree.'"[52] Thomas B. Florence of Pennsylvania, who lamented the laborers "who had no hope of happiness in this world, beyond the scanty meal acquired by hard labor and the sweat of their sun-burnt brow," quoted several stanzas from a popular poet, Augustine Duganne, the first of which reads:

> The earth is the Lord's and the fullness thereof,
> Said God's most holy word;

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[49] Speech William Montgomery Churchwell, March 30, 1852, *CGA*, 379.

[50] Speech of Bernhart Henn, April 29, 1852, *CGA*, 495.

[51] Hall, *CGA*, 437-438.

[52] Moore, *CGA*, 478.

The water hath fish, and the land hath flesh,
And the air hath many a bird; And the soil is teeming o'er all the earth,
And the earth hath numberless lands;
Yet millions of hands want acres,
While millions of acres want hands.[53]

Finally, W.R. Smith of Alabama imagined addressing a "mechanic, driven from his work-shop by labor-saving machines, [who] must either go to work at some other occupation, or to loaf, or to steal, or starve." To this structurally-dominated laborer, Smith exuded: "'Come to the West—bring an axe and a hoe—fall to work upon the wilderness—open a farm—call upon your mother earth for food and raiment—strike her bosom with the magic rod of labor, and lo! waters and fruits, delicious and refreshing, will gush forth to bless you, and make you comfortable.'"[54]

Labor is not entirely absent from these remarks; congressmen evidently imagined a western landscape cultivated by millions of hands toting axes and hoes. Yet, the emphasis was clearly on the fantastic abundance and fertility of the land. Its teeming plentitude, biblical in the succor it could provide, is what incentivized the urban laborer to "escape from penury and want." When the mechanic who could not extricate himself from the "thralldom" of the urban economy arrived in the wilderness, he would find the labor required to subsist to be not particularly laborious; it would be more like the effortless touch of a "magical rod" that brought blessings and comfort "gushing" forth. The picture the homestead advocates painted was not just of a fecund, untapped wilderness, but of a landscape approximating the Garden of Eden, where, reversing the curse of Genesis 3:19 ("In the sweat of thy face shalt thou eat bread"), one need never feel "sweat [on] their sunburnt brow."

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[53] *Cong. Globe*, 32nd Cong., 2d sess., 1852, 21, pt. 2: 1319. Emphasis in original.

[54] Speech of W.R. Smith, April 27, 1852, *CGA*, 516.

While Lockean-style *terra nullius* arguments often represent land as abundant, they always require human labor to capitalize on such abundance and transform the land into property. Here, the logic of property is less at issue than the (imagined) experience of a material existence in which one's "own vine and fig-tree"—an image of personal sustenance and prosperity everlasting—replaced the "suffering condition" of the city.[55] In describing an abundant landscape, the homestead advocates proffered a new mode of living in which laborers-turned-homesteaders would be free not only from the oppressions of the urban workplace, but from the need to work at all. Of course, most everyone would have recognized the hyperbole, but the exaggeration is instructive: if freedom meant broader access to the means of production, effected by widespread land grants, it might be sold as the end to human labor and a return to a prelapsarian state. By enfolding Christian beliefs in redemption, the abundance of the phenomenological *terra nullius* raised the stakes of structural nondomination to eschatological proportions.

Moral Autonomy on Vast and Empty Land

Freeing laborers from structural domination in the cities was foundational, but the homestead advocates were after more than political-economic liberation. They also believed a land grant would bring about a new birth of moral freedom for homesteaders. Conceptualizations of American land have almost always had a moral valence. One might recall here Jefferson's insistence in *Notes on the State of Virginia* that, "those who labour in the earth are the chosen people of God, if ever he had a chosen people, whose breasts he has made his peculiar deposit for substantial and genuine virtue."[56] In 1852, the homestead advocates paid frequent homage

[55] Moore, *CGA*, 478.

[56] Jefferson, "Notes on the State of Virginia," *Thomas Jefferson, Writings*, 290.

to this component of democratic agrarianism—though they were more likely to quote Andrew Jackson on the matter, to the chagrin of those still loyal to hardline Democracy. However, homestead advocates also forged an alternate linkage between land, morality, and freedom. As they railed against the conditions of urban "thralldom," congressmen simultaneously argued land grants could generate a psychosocial state—in a word, a mood—that would insulate homesteaders from the vices of envy and resentment and promote autonomy.

In the congressional record, there is no mistaking the homestead advocates' moral revulsion at the conditions of urban living. One lawmaker's description of cities as "sink-holes of licentiousness" is but one example, and not even the most colorful.[57] Yet, discovering the exact nature of urban vice requires attention to the cultural resources homestead advocates drew upon. Joseph Cable shed light on these when he declaimed, "pass this bill and by the close of the present generation the destitution, misery, groans, and starvation of your '*Bonus Courts*'—the pollution, crime, and prostitution of your '*Dandy Halls*,' of your large cities, would almost entirely disappear."[58] "Bonus Courts" refers to a fictitious tenement house in George Lippard's *The Memoirs of a Preacher* (1849), wherein residents must choose between failing to pay the landlord, Israel Bonus, or resorting to a life of crime. Characters like John Cattermill, given to drinking and unable to work, fixate manically on killing Bonus rather than supporting their families, while women and girls contemplate prostitution. "Why not?" asks Fanny, "a poor weak woman, whose divinest instincts have been battling for some ten years or more... with the dread realities of poverty." For the female residents of Bonus Court, prostitution would mean "no more cold, no more hunger, no more miserable attire; but a life of rich garments, luxurious

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[57] Speech of Charles Skelton, March 30, 1852, *CGA*, 381.

[58] Cable, *CGA*, 298. Emphasis in original.

rooms, and endless enjoyment."[59] Prostitution is the main concern of George Foster's "Dandy Hall," the fourth installment of his "Philadelphia in Slices" serial that ran in the *New York Tribune* from 1848 to 1849. A brothel where "the woman is transformed into a devil, and there is no hope for her," Dandy Hall is a place where "vanity and a love for social distinction" take hold of anyone whose "heart pants with envy at the gay equipages and fine dresses of the more fortunate."[60]

Nineteenth-century literati like Foster and Lippard, especially, were committed to exposing class oppression and the growing inequality between rich and poor. In fact, the story of the underpaid "tailoresses of Philadelphia" referenced by H.D. Moore likely ran in Lippard's own newspaper, *The Quaker City*, and Shelley Streeby characterizes Lippard's work as "republican gothic."[61] Yet, the fictional(ized) accounts of urban life that worried Cable and others described a different problem: besides structural domination in the workplace, urbanites were also tyrannized by their own vanity and resentment. As Gunther Barth argues, the nineteenth-century city was a paradoxical place that "inspired visions of the free life" through the "myriad opportunities to better one's lot," but also stoked many an urbanite's envy of "the trappings of distinction that made the frontier between the [rich and poor] so noticeable."[62]

That Lippard, Foster, and their audiences saw vanity and resentment as threats to freedom is clearest in their treatment of prostitution. Contrary to Victorian tropes of literary

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[59] George Lippard, *The Memoirs of a Preacher; Or, the Mysteries of the Pulpit* (Philadelphia, PA: T.B. Peterson and Brothers, 1864 [1849]), 35.

[60] Foster quoted in George Rogers Taylor, "'Philadelphia in Slices' by George G. Foster," *The Pennsylvania Magazine of History and Biography* 93, no. 1 (1969): 42.

[61] Shelley Streeby, "Opening up the Story Paper: George Lippard and the Construction of Class," *boundary 2* 24, no. 1 (1997).

[62] Gunther Barth, *City People: The Rise of Modern City Culture in Nineteenth-Century America* (Oxford: Oxford University Press, 1980), 16, 21.

sentimentalism, urban prostitution in sensationalist literature was not the result of promiscuity, lust, or any other sexual vice, nor of economic desperation, but social discontent. It was the "love of social distinction," or the desperate desire to be seen as fashionable, that corrupted and redirected the "divinest instincts" of women, motivating a "reckless abandonment to the unnatural stimulus and excitement of her new profession."[63] Urban women were depicted as losing themselves in their jealousies and unable to resist the "temptations to crime"—a frequent phrase in the congressional record—that spawned from resentful class dynamics. Yet, women were not the only ones affected. While the residents of Dandy Hall sold their bodies, envy drove urban men to acts of extreme cruelty. In *The Memoirs of a Preacher*, Cattermill does not kill Bonus out of desperation, nor even in a drunken rage, but sedately plans to infect him with the smallpox of a sick neighbor, and then gloats over Bonus' terror. As Lippard emphasizes, it is Bonus' social stature, represented by his "fair top boots, bone-headed cane, broad-rimmed hat and... white cravat" that motivates Cattermill's cruelty.[64] Ultimately, he becomes so consumed by vengeful envy that his wife did not recognize him: "his fiery eyes and distorted face" as he hatched the scheme "too horrible" and "unchristian" indicate he, too, was "transformed into a devil."[65]

This moral and affective dimension of unfreedom—the state of being so overcome by other-regarding emotions that one loses self-control and even a sense of self—resembles Jean-Jacques Rousseau's description of *amour-propre* and Max Scheler's theory of *ressentiment*.[66] In

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[63] Foster quoted in Taylor, "'Philadelphia in Slices,'" 42.

[64] Lippard, *Memoirs of a Preacher*, 43, 40.

[65] Lippard, *Memoirs of a Preacher*, 43, 40; Foster quoted in Taylor, "'Philadelphia in Slices,'" 42.

[66] Jean-Jacques Rousseau, *Emile, or On Education*, trans. Allan Bloom (New York: Basic Books, 1979 [1762]); Max Scheler, *Ressentiment*, trans. William W. Holdheim (New York: Schocken Books, 1972 [1913]).

these cases, the resentful or "ressentient" subject is liberated by therapies that insulate their self-esteem and orient them to a "proper" or "natural" ordering of values that does not depend on the external gaze. For the homestead advocates, the therapy of choice was land. Just as land grants were thought to provide an economic "safety valve" for dominated workers, they also allowed poor urbanites a psychological escape from humiliating social conditions, whereby they could shed their resentments and reclaim their autonomy, here defined simply as having a moral sense that is not influenced by external pressures or irrational desires. According to the advocates, land grants could make homesteaders more autonomous through two key pathways: the salutary effects of a rural and agricultural lifestyle and the creation of single-family homesteads.

Congressmen consistently sang the praises of agriculture, but the most detailed account of its moral effects came from an unlikely source. William Montgomery Churchwell, whose Lockeanism was referenced above, was a hesitant supporter of homesteading.[67] A conservative Southerner, he insisted any land grant must serve the "benefit of the whole." Referencing the condition under which the original thirteen states ceded their lands to the federal government, this was a phrase frequently deployed by homesteading's detractors. It is surprising, then, that Churchwell's justification for the "benefit of the whole" took the form of a soaring panegyric to agricultural labor:

> Since the days when the plowman was called from his unfinished furrow to head the armies of a great warlike people... no calling has afforded to mankind, in so great a degree, that object which his nature leads him to seek, as the cultivation of the soil—the natural occupation of man, healthful and pleasant in its operations, profitable in its results, and independent in its character, calculated to nerve the arm to deeds of valor and worth, while it operates powerfully on the

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[67] Churchwell, *CGA*, 378.

> faculties of the human mind, and expands and gives tone to all the nobler feelings of our nature. It has a tendency to calm and soothe our rough and troubled passions, and to mould them into virtue instead of vice. Indeed, the farmer who is regular in his habits—"early to bed, and early to rise"—and, like Socrates, temperate in all things, must feel the effects of a mind pure as the morning breeze, conscious of its own rectitude, and full of joy.[68]

At first, one notes Churchwell's attention to *public* virtue and the way agriculture could "nerve the arm to deeds of valor and worth," along with the image of the "plowman" being called upon to "head the armies of a great warlike people." The allusion is to Cincinnatus, who Churchwell identified later on, and the Roman link between agriculture and republican citizenship was a common refrain for homestead advocates. Yet, Churchwell also celebrated the more private virtues agriculture instilled. Cultivation of the soil corrected the "rough and troubled passions," encouraged an orderly, productive lifestyle, and promoted temperance. The farmer practiced a kind of stoicism—or rather, Socraticism—that was oriented to a natural order, rather than the vagaries of fashion. In this sense, Churchwell's farmer was the mirror image of an urbanite like Cattermill. His livelihood, "independent in its character," insulated him from aggravating social dynamics in a way that kept his mind "as pure as the morning breeze." The allusion to moral autonomy distinguishes Churchwell's praise of agriculture from Jefferson's. What concerned Jefferson was preventing "dependence" in the American electorate; "corruption of morals" meant a people became "fit tools for the designs of ambition," or cooptation by elites.[69] In contrast, Churchwell spoke not of a *citizenry* of farmers whose lifestyle assured their political freedom, but of *individuals* whose minds were liberated by the rhythms of the "natural occupation of man." Insofar as they encouraged this occupation, land grants provided

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[68] Churchwell, *CGA*, 379.

[69] Jefferson, "Notes on the State of Virginia," *Thomas Jefferson, Writings*, 291.

homesteaders the opportunity to lead psychologically complete lives, free from gaze of the Other and in harmony with a higher order.

Though autonomous, the homesteader was not to be solitary. For 160 acres of free land to be a genuine *home*stead—and lawmakers were adamant their policy was one of "Homes for all!"—claimants had to move west with a family. In reality, many homesteaders would file as unmarried individuals, but congressmen in the years leading up to 1862 were suspicious of sending a wave of bachelors to the frontier, believing they would cause too much mischief without the "civilizing" influence of women. Furthermore, it was thought the presence of women and children on the frontier would constitute an insular and salubrious domestic circle. Drawing a contrast with city living, Joseph Chandler asked:

> If we can remove men, women, and children from the horrible communications of densely-packed garrets and cellars, where want of family privacy is destroying all delicacy of thought, and place them in the wide space of one vacant quarter section, do we not regenerate their minds, and baptize them into the hope and practices of decency and good citizenship?[70]

Where the cramped architecture and unceasing commerce of cities dispelled any sense of "family privacy," a land grant could restore it and thereby promote autonomy in its members. Galusha Grow, the über-Lockean defender of "man's right to the soil," was even more insistent on this matter. Grow criticized efforts to evangelize the urban poor without changing their living conditions: "Talk not of free agency to him whose only freedom is to choose his own method to die," he intoned. What the urban poor needed was not preaching, nor "riches" or "a splendid palace," but simply "a home—give him a hearthstone, and he will surround it with household gods... For purifying the sentiments, elevating the thoughts, and developing the

[70] *Cong. Globe*, 32nd Cong, 1st sess., 1852, 21, pt. 2: 1022.

noblest impulses of man's nature, the influence of the rural fireside and agricultural life is the noblest and highest."[71]

Grow's imagery overdetermined the relationship between family life and autonomy in a manner that verges on idolatry, if not outright heresy. It was not lessons in "the goodness and benevolence of an Omniscient Ruler" that would improve the urbanite's condition, but the worship of his own "household gods." It was not in the hands of a divine creator, but beside the family hearth that "the soul receives its first impress, and man his first lesson... In the obscurity of the cottage, far removed from the seductive influence of rank and affluence, is nourished the virtues that counteract the decay of human institutions."[72] Grow showed himself to be more Jeffersonian than Churchwell in this linking of rural virtue with the health of "human institutions"—and his argument that homesteading would station on the frontier "soldiers of peace" to lead "the van of civilization along untrodden paths" specifies those institutions as explicitly imperial—but his attention to the inner lives of homesteaders and his aspiration to save souls from the seductions of city life were distinct.[73] A cottage inhabited by a family and protected by their household gods would have been elevating, purifying, and ennobling—everything life in a "densely-packed garret and cellar" was not. As with rural life and agriculture, more generally, the single-family homestead on government-granted land provided an environment in which individuals could psychologically flourish.

The freedom to rule one's own mind, to be a moral agent instead of following whatever "vanity and a love of social distinction" dictates, I have termed "autonomy." It is already an overburdened term in the history of philosophy and political thought, and the merits of the

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[71] Grow, "Man's Right to the Soil," 7.

[72] Grow, "Man's Right to the Soil," 7.

[73] Grow, "Man's Right to the Soil," 8.

various definitions will not be rehearsed here. More important than the name is recognizing the type of freedom this autonomy is. Not an economic or political condition (e.g. structural nondomination), and still less a right or status (e.g. property ownership), I characterize autonomy as a mood. According to the homestead advocates, a land grant will make homesteaders *feel* elevated, pure, "conscious of [their] own rectitude, and full of joy." These emotions are conditioned by relocation to a single-family home in a rural environment, as well as the adoption of an agricultural lifestyle, but the freedom is in the feeling. Once again, it was the phenomenological aspects of *terra nullius* on western lands that encouraged a mood of autonomy, though in this case it was the emptiness and vastness of the landscape that was decisive.

While the conventional application of *terra nullius* tends to configure emptiness and vastness in terms of a landscape's capacity to hold many proprietors, the homestead advocates more often conceptualized these attributes in terms of the social spatiality of rural lands, as contrasted with urban density. For example, when homestead advocates bemoaned the vices of urban living, they invoked one adjective more than any other: "crowded." In the 1852 debates, cities were described as "crowded," "over-crowded," or "too-crowded" no fewer than twenty times. As H.D. Moore put it, "our crowded and populous cities are fast becoming lazar houses... these busy marts are whirlpools of strife and contention, where sordid avarice is crushing the feeble."[74] Charles Skelton of New Jersey explicitly linked urban density with class antagonism: "What do you see in our crowded cities?... You find upon one hand luxury, idleness, vice and licentiousness... upon the other hand, you see another class, toiling and drudging, and wearing out their lives and their very existence for the support of [the rich]."[75] Once considered the

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[74] Moore, *CGA*, 478.

[75] Skelton, *CGA*, 381.

danger of a sparse and over-extended frontier, Bernhart Henn warned it was the density of the city that produces “disunion”: “It is in the crowded cities and densely-populated districts that disunion finds advocates. It is where your population is thrown upon the cold charities of the world that treason germs. It was Mr. Jefferson, I believe, who likened large cities to sores upon the body politic.”[76] Henn’s citation was correct, but here it spoke to yet another difference between Jefferson’s democratic agrarianism and the urban imaginary of the homestead advocates. Jefferson worried the reliance of urban manufacturers upon the vagaries of trade—the “casualties and caprice of customers”—would create a dangerous “dependence.”[77] In contrast, homestead advocates were concerned the crowdedness of the city would breed interclass resentments, here characterized as “strife and contention” and “cold charities,” that seed revolt.

With the crowded city as their counterpoint, homestead advocates described western landscapes as salubriously empty and vast. As previously quoted, Chandler saw a response to the “densely-packed garret and cellars” in the “wide space of one vacant quarter section,” where a family can “regenerate their minds.” He went on to describe how “the outspread domain of hill and valley and stream all his own” killed the thought of vice in the homesteader, and how a “scattered population which these grants would induce, would tend to public morals and public peace.”[78] In other words, the “vacant” (i.e. empty) and “outspread” (i.e. vast) land on the frontier created conditions of isolation that restored the homesteader’s virtue. The “hill and valley and stream all his own” belong to him in a proprietary sense, but this also described the environment in which Chandler imagined the homesteader living; it is a private moral

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[76] Henn, *CGA*, 496.

[77] Jefferson, “Notes on the State of Virginia,” *Thomas Jefferson, Writings*, 291.

[78] *Cong. Globe*, 32nd Cong, 1st sess., 1852, 21, pt. 2: 1022.

ecosystem wherein the topography sheltered the homesteader from corruption. In a similar vein, Cable hailed the "forest life [as] free from the contaminating influences of the city," and one where the isolation of "wild lands" will make homesteaders "virtuous, industrious, and independent."[79] Grow's allusion to the "obscurity of the cottage" likewise drew upon the distance of the homestead from any external influences, which solidified the domestic circle and amplified its moral tutelage. Once again, W. R. Smith's penchant for hyperbole expressed this conceptualization of "vast" and "empty" lands in terms of healthy isolation: it is the "Western wilderness" where "gigantic proportions in the dark forest is the animating enchantment of the wild scene—its colossal arms beckoning the young and starving population of the East to fly from the pestilent breath of its crowded and polluted habitation, and come to the West, where there is pure water and pure air, and best of all, elbow room for labor."[80] In another time and place, this depiction of a "dark forest" and "wild scene" of gargantuan proportions would have repulsed settlers.[81] Here, however, the sheer size and desolation of the landscape is inviting to those who wish to escape from urban pestilence to rural purity.

These descriptions illustrate how the "emptiness" and "vastness" of western lands stood for more than the number of proprietors they could materially support. Such ideas also referred to the spatial isolation of a landscape that provided the psychosocial insulation requisite for a mood of autonomy. Farming and family life on a phenomenological *terra nullius* liberated urbanites-turned-homesteaders from their envies and resentments. Ensconced on "vacant quarter sections" and in the "obscurity" of their cottages, homestead advocates imagined their

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[79] Cable, *CGA*, 298.

[80] Smith, *CGA*, 573.

[81] Roderick Nash, *Wilderness and the American Mind* (New Haven, CT: Yale University Press, 2001 [1967]), 8-43.

constituents enjoying a measure of moral autonomy denied to them by the social dynamics of the nineteenth-century city.

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When they looked to the West from their vantage in Washington, the homestead advocates envisioned an abundant landscape that could liberate urban laborers from the "thralldom" of structural domination, and perhaps from the necessity of labor altogether. They also saw vast and empty wildernesses that could insulate homesteaders from the envies and resentments which purportedly rendered them cravenly dependent on the external gaze. This spatial phenomenology reveals a deep discursive channel between land, freedom, and *terra nullius* that departs from the model proposed by the settler contract. For many congressmen, access to land that is empty, vast, and abundant in the ways described herein was thought to generate free conditions and moods in ways that were only tangentially related to making property out of "land belonging to no one." Granted, homestead advocates were well-aware their bill would convert the public domain into private property. In a few telling cases, however, landownership as a condition of homesteading was dropped entirely. For example, A.G. Brown of Mississippi proposed an amendment to Johnson's bill that would have made homesteaders perpetual *tenants* of the government, reasoning that if they never owned the land it could never be repossessed by grasping creditors (though they would have the option to purchase their quarter section after a period). Brown believed western lands could entice poor urbanites to "abandon the purlieus of your towns and cities; to give up vagrancy and crime" even without the guarantee of ownership.[82] More so than a logical justification of "man's right to the soil," it was the (imagined) experience of emptiness, vastness, and abundance out on "no man's land" that promised freedom from the city.

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[82] Speech of A.G. Brown, April 28, 1852, *CGA*, 511.

Redeeming the Father's Land

When it was finally signed into law in 1862, the Homestead Act evinced a remarkable degree of gender neutrality. The legislative text refers only to "any *person* who is the head of a family, or has arrived at the age of twenty-one years." Unmarried women and widows (of which there were an increasing number, due to the ravages of the Civil War) could file claims in their own names, and many did so. Though careful not to overstate the case, some scholars read in the gender neutrality of homesteading a protean example of women's liberation. It is true that women as well as men could enjoy property rights on the frontier more so than in the eastern United States, and it is perhaps not coincidental that western states were some of the first to enfranchise women. On this view, it would seem the settler contract is not inherently a sexual contract.

Yet, the foregoing analysis of freedom on the phenomenological *terra nullius* reveals a different picture of gender relations, especially when it comes to moral autonomy. As discussed, female prostitution, among other "temptations to crime," was a frequently referenced example of vanity and resentment in the congressional record. However, the urban woman's "love of social distinction" was not given the same prescription as the urban man's resentful cruelty. In the minds of the homestead advocates, women were not to benefit from the purifying effects of agricultural life. Time and again, they insisted women "could not conveniently till the soil."[83] Women were also not the main beneficiaries of insulated family life. To the contrary, one can trace in Galusha Grow's paean to "household gods" and the "family hearth" how women and children were but the domesticating *accessories* to the father's moral liberation. Other congressmen were more blunt. "If you pass this bill," W.R. Smith claimed:

[83] Cable, *CGA*, 298.

> the day [a man] is twenty-one he will rise up and go forth to take possession of his estate... If he is not married—this being necessary to perfect his possessions—his neighbor has a daughter whom he will woo and marry. The land will come as a dowry to his young bride. They will go to work with glad hearts and cheerful faces; comforts will spring from the inheritance, and young soldiers will be the result of the alliance. [Laughter.] And the fact that this bill will promote early marriages is no light argument in its favor.[84]

In statements like Smith's, women were literally objectified as the male homesteader's "possession," which he supposedly acquired as easily as he did a land grant. There is also an ease to the imagined sexual relations between men and women in Smith's twining of virility and militaristic nationalism, which elicits laughter from the all-male audience. As Hannah Haksgaard has shown, solidifying the patriarchal family through frontier weddings was such a fixation for homestead advocates that the House regularly echoed with sophomoric laughter about "early marriages."[85] Thus, when they weren't neglected entirely, the congressional record tended to represent frontier women as either domestic ornamentation or sexual playthings.

Detractors of the 1852 bill who noted the tension between the freedoms the advocates trumpeted and such blatant misogyny tried their best to embarrass the advocates. As Charles Skelton lamented the "twenty thousand females in the city of New York [who] were earning their living by their needles—toiling on... and not receiving more than a quarter of a dollar per day," a nameless congressman asked the obvious question: "Why not give the land [to women]?" Caught on the back foot, Skelton deflected, "had we given the land to their fathers and grandfathers, they would not have been found there."[86] Here, Skelton betrayed an anxiety

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[84] Smith, *CGA*, 514.

[85] Hannah Haksgaard, "Including Unmarried Women in the Homestead Act of 1862," *Wayne Law Review* 67 (2021).

[86] Skelton, *CGA*, 381.

that dogged many mid-century men: the large numbers of women working for wages outside the home.[87] Ultimately, the fate the homestead advocates (in 1852, at least) intended for urban women was not freedom, like their male counterparts, but retirement from their increasingly public lives to the confines of the domestic realm, where their cloistered existence would "perfect" the structural nondomination and moral autonomy of their husbands, fathers, and brothers.

Needless to say, such representations tell us very little about actual nineteenth-century women on the frontier, in cities, or anywhere in between. The next chapter will respond to this dearth when it explores how one woman—Laura Ingalls Wilder—portrayed female liberation on and through western landscapes. At this point, however, it is worth exploring what these and other descriptions of gender in the homestead debates *do* tell us about nineteenth-century men and settler patriarchy. Much of the literature on this latter concept explores how settler conceptions of the heteronormative, nuclear family were imposed upon Indigenous peoples as an instrument of dispossession (by disrupting matrilineal descent and Indigenous women's authority, severing non-biological relations, incentivizing sexual violence as a means of acquiring territory, etc.).[88] In what follows, the effects of masculinity and patriarchy *within* settler society, and the way it interlaces with land, is put front and center. As will be shown, the speeches of the homestead advocates evinced a palpable "male panic," an anxiety over what it meant to be a man in an urbanizing society. In such a context, western landscapes were figured

[87] Richard White, *The Republic for Which It Stands: The United States During Reconstruction and the Gilded Age, 1865-1896* (Oxford: Oxford University Press, 2017), 237-243.

[88] For an overview of this literature, see Shelbi Nahwilet Meissner and Kyle Powys Whyte, "Theorizing Indigeneity, Gender, and Settler Colonialism," *The Routledge Companion to Philosophy of Race*, ed. Paul C. Taylor, Linda Martín Alcoff, and Luvell Anderson (New York: Routledge, 2018); Scott Lauria Morgensen, "Theorising Gender, Sexuality, and Settler Colonialism: An Introduction," *Settler Colonial Studies* 2, no. 2 (2012).

as both an emasculating reminder of a manhood that was temporally past, as well as an opportunity to develop an alternate manhood in the present. This, then, is the other meaning of "no man's land": in the 1852 debates, masculinity was presented as a question to which land was offered as an answer. One element of the phenomenological *terra nullius*, emptiness, tarries in this section and takes on new dimensions. The first representation of masculinity is predicated on the "hardy pioneer's" emptying and eliminatory violence, which celebrates a more masculine past while critiquing a less masculine present. The second representation depicts the father's role in a patriarchal family which fills an emptied landscape as redemptive of a lost manhood. In each case, empty or emptied land is configured as the site of an evolving settler masculinity.

"In the Name of His Ghost...": Emptiness, Eliminatory Violence, and Emasculation

The supporters and detractors of homesteading disagreed over much, but they found common ground on a particularly salient topic: there was a problem with urban men. The preceding section demonstrated how the conditions of the nineteenth-century city made men less free, but they also troubled the masculinity of many male urbanites. According to E. Anthony Rotundo, the ideal type of nineteenth-century manhood was a heady blend of physical self-assertion and emotional self-control. Whereas the eighteenth-century man had been the repository of communal (i.e. familial) virtue, and was more likely to be retiring, inoffensive, and dignified, the nineteenth-century man was first and foremost an individual.[89] He could thus be pugnacious whenever his character was impugned or his efforts rebuffed. Andrew Jackson, with his infamous temper and trigger-happy pride, may have been the best performer of this new

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[89] E. Anthony Rotundo, *American Manhood: Transformations in Masculinity from the Revolution to the Modern Era* (New York: Basic Books, 1993), 10-14.

masculinity. Within such a culture, to be unmanly meant to lack either vigor (like a woman) or honorable restraint (like a boy).[90]

In the eyes of many congressmen, city living undermined both traits. Throughout the congressional record, both rich and poor were consistently described as shameless, intemperate—both bibulously and emotionally—and, perhaps worst of all, idle. In a society that based manhood on productivity, typified by the craze for "self-improvement," this was a grave accusation.[91] "Idleness always begets vice," Joseph Cable declared; it was "the devil's holiday," according to Smith, born of the despair that accompanied the rootless ennui of the city. Cable's allusion to John Cattermill, the resentful tenement-house resident in *Memoirs of a Preacher*, is again instructive. In the story, misfortune reduces Cattermill to an alcohol-induced, unemployed "idleness," and he spirals from there into his excessive (and, thus, unmanly) cruelty toward his landlord. The specific violence he practiced—deceptively infecting Israel Bonus with smallpox—was, effectively, a poisoning, a classically feminine method of attack that could not be more unlike the paragon of honor-preserving, masculine violence in the mid-nineteenth century: the duel. Without the "moral training" that taught men how to control their baser desires, urban men became "drunkards, gamblers, pickpockets, robbers, and finally end[ed] their days in the gutter, the mad-house, the prison, or on the gallows."[92] In sum, congressmen not only feared that real-life Cattermills in the nineteenth-century city were oppressed—they also worried they were becoming unmanned by urban living.

One cannot ascertain whether or not something was really wrong with urban men from this rhetoric. What one *can* say is many congressmen displayed an evident "male panic," or

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[90] Rotundo, *American Manhood*, 20-23.

[91] E. Anthony Rotundo, "Body and Soul: Changing Ideals of American Middle-Class Manhood, 1770-1920," *Journal of Social History* 16, no. 4 (1983): 25-26.

[92] Cable, *CGA*, 298.

concern over the state of masculinity, in 1852. Acting upon this, the homestead advocates hoped a land grant would discourage idleness, reward self-control, and bolster "manly independence." To make their case, many had frequent recourse to a long-standing example of frontier masculinity: the figure of the "hardy pioneer." Yet, the recollection of this figure actually complicated the homestead advocates' project in unexpected ways. The invocation of the pioneer both gendered and historicized western lands such that mere access to the phenomenological *terra nullius*, which was supposedly enough to liberate the city-dweller from his dominations and resentments, did little to resuscitate his manhood. Still, it is worthwhile to canvas this futile combination of land and gender, if only to better appreciate the alternate masculinity the homestead advocates developed in its place.

Eulogies to the figure of the "hardy pioneer" are so frequent in the congressional record that only a small sample can be rehearsed here. An especially illuminating example is Galusha Grow's distinction between the pioneer's courage and that of the "plumed warrior," who fought alongside others in battles that were "short and expected" and where "ambition" won the day. "Not so with your hardy pioneer," Grow explained:

> He is oft called upon to meet death in a struggle with fearful odds, while no herald will tell to the world of the unequal combat. Startled at the midnight hour by the war-whoop, he wakes from his dreams to behold his cottage in flames; the sharer of his joys and sorrows, with perhaps a tender infant, hurled, with rude hands, to the distant council-fire. Still, he presses on into the wilderness, snatching new areas from the wild beast, and bequeathing them a legacy to civilized man.[93]

Of note here is how Grow's pioneer is the perfect example of the self-asserting, nineteenth-century man: he is stoic, persistent, and independent to the point of being almost completely

[93] Grow, "Man's Right to the Soil," 8.

solitary. Above all, he is single-minded in his quest to expropriate Native Americans. In the passage, Grow melodramatically describes the pioneer as the innocent victim of Indigenous violence, but other homestead advocates did not hesitate to present him as the perpetrator. W.R. Smith's gruesome language is but one example: the pioneer "met the Indian, with his grim and bloody visage, in his own shadowy home, and beat him down in the solemn and solitary fight."[94] In either case, the pioneer's endurance or aggression—both instances of masculine "self-assertion"—functioned to erase Indigenous presence on the frontier, the emptiness of which was not presumed as natural (à la most conventional *terra nullius* arguments), but actively, visibly achieved. In this vein, homestead advocates contextualized settler violence by describing western lands as needing to be "redeemed," "reclaimed" or "rescued" from their Indigenous inhabitants. By suggesting the United States already had a claim to the lands, they framed Native Americans as the violators of such a claim, thus vindicating the pioneer's eliminatory violence as honorable. When the pioneer killed, he did so not with the "rude hands" and "bloody visage" of the "savage," but with a sedate justification that marked him as a (white) man. In this way, the pioneer's masculinity consisted in emptying the landscape of those whose "trespass" dishonored national character.

Yet, crucially, the pioneer's manly expropriation did not represent a seamless conversion of so-called "savagery" into "civilization." Grow's pioneer outlasts the "war-whoop," but he is also separate—temporally and conceptually—from the "civilized man" who succeeds him in the spaces he leaves as a "legacy." The figure of the pioneer emptied the landscape through violence and then departed said landscape; he represented the rare settler that did not settle, but created the *terra nullius* upon which his successors may do so. Conceptually, then, the "hardy pioneer" was a vanguard and his masculinity was always slightly out of time, which

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[94] Smith, *CGA*, 517.

allowed the figure to play a unique and powerful role in nineteenth-century letters: an emasculating critique of contemporary men.

An example of this pioneer-as-critique trope can be found in a speech by Pennsylvania's John Allison, who decried how "the perils encountered by the early pioneers of the then West, pass in these days as idle tales. Few of this generation can realize the perilous situation... when the Indians still met the white man in savage conflict."[95] Like Grow, Allison then proceeded to describe in histrionic terms the threat once posed by Native Americans. Unlike Grow, however, he emphasized that "the red man is no longer feared. The tiller of the soil... no longer carries with him his trusty rifle to the field of his daily labor," before concluding, "there were giants in those days, if we may judge by their prowess and daring."[96] Whereas Grow's speech—delivered in a vague present tense—was a one-dimensional panegyric to the "hardy pioneer," Allison lauded the pioneer's courage *in the past* to underscore the emasculation of the *present* generation. On Allison's construction, the latter failed to appreciate the violence their ancestors both endured and perpetuated; they were metaphorically castrated by the absence of the "trusty rifle"; they were smaller than the titanic heroes of the past. In short, the "hardy pioneer" was a man, while those who succeeded him were not.

Allison's speech exemplified how the homestead advocates' male panic attached to the figure of the "hardy pioneer," who displayed not only an admirable masculinity, but disclosed, by contrast, the emasculation of "civilized man" in the mid-nineteenth century. Though Allison framed this as a problem of memory and perspective—that is, perhaps contemporary men simply needed to show more appreciation for their pioneering forefathers—the conceptual entanglements are knottier. In settler colonialism's historical sense, the pioneer and his

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[95] Speech of John Allison, April 20, 1852, *CGA*, 436.

[96] Allison, *CGA*, 436.

eliminatory, "emptying" violence is the first to arrive in a space and is *necessarily* followed by other settlers who, whatever they may be, are not pioneers. A strict, unidirectional progression of civilization is thus mapped onto the spatiotemporal landscape, and many homestead advocates anticipated Frederick Jackson Turner by forty years when they envisioned an "untamed" wilderness succeeded by cleared forests, cultivated fields, and, eventually, bustling villages.[97] The "emptying" and "redeeming" of wilderness was a crucial stage, but this could only happen once in the settler-colonial teleology. Thus, while the "hardy pioneer" was the cultural paragon of masculinity, it was an ideal that could never be realized by those who received it as symbol and story.

The homestead advocates were evidently concerned about the livelihoods of urban men and the consequences for their masculinity, but in setting up the pioneer as a comparison they hardly assuaged the male panic they stoked. Urban men were not pioneers, and they never could be, no matter how much land they were given by a homestead bill. The eliminatory violence had been performed, the frontier was already an empty *terra nullius*, and the masculinity of the pioneer could not itself be redeemed. In short, there was no room for present males to be men on land which the pioneer had converted into "no man's land."

This conceptual quandary is best exemplified in a short exchange between the ever-loquacious W.R. Smith and a member of his audience, Thomas Bocock of Virginia. Having celebrated the pioneer's eliminatory violence, Smith rhetorically asked:

> For what was this great risk of life and limb? The mere excitements of desperate adventure? The sport and pastime of a wild and turbulent life? The exhilaration of a day—the hunter's joy and the hunter's strife? No, sir; there was something loftier than this—the energizing idea of building up a home for future generations. Well, these generations have come—generations of farmers,

[97] Speech of Thomas Hendricks, April 27, 1852, *CGA*, 484; Skelton, *CGA*, 383; Hall, *CGA*, 437.

> laborers, agriculturists. In the name of Daniel Boone, as the leader, and all other Western pioneers and their descendants, I demand the passage of this bill.[98]

In this quotation, one again encounters the world-historical purpose of the pioneer and the distinction between his efforts and the "farmers, laborers, and agriculturists" that came after him. The pioneer is almost a father to these "future generations," both chronologically and morally, insofar as he was responsible for "building up a home" for them. The consolidation of the pioneer into the figure of Daniel Boone is also telling. A real-life settler who was one of the first white men to enter the hill country of Kentucky, Daniel Boone achieved the status of folk-hero long before his death in 1820. His life had become the stuff of legends by the mid-nineteenth century, inspiring many fictional pioneers, including James Fennimore Cooper's Natty Bumpo. Whatever might be said of the actual Boone, the more popular, romanticized versions regularly portrayed a man who left behind community and comfort to seek his own fortunes and was willing to use violence "honorably" to rescue both people and land from Indigenous "captors." Notably, Smith played upon Boone's exceptionalism—and the temporal and moral distinctiveness of the pioneers, generally—but he also attempted to link contemporary homesteading to a prior pioneering project by collapsing "Boone... all other Western pioneers *and their descendants*" as he underscored the significance of a homestead bill. Perhaps, then, the pioneer's masculinity *could* be redeemed not only as critique, but as a real gender identity for mid-century homesteaders.

However, interrupting Smith's speech from his seat in the House Chamber, Thomas Bocock protested: "But Daniel Boone is dead."[99] The import of this statement could hardly be factual correction, since America's most famous pioneer had been literally dead for three

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[98] Smith, *CGA*, 517.

[99] Bocock quoted in Smith, *CGA*, 517.

decades. Unfortunately, Bocock did not explain his meaning in any speech of his own in 1852. Nonetheless, one might infer from the male panic suffusing the congressional record that Bocock was not convinced by Smith's (and others') attempt to both critique contemporary urban men through the figure of the pioneer *and* hold up that figure as a goal to be achieved. Smith's response to Bocock's objection is telling: "Dead! Well, if he be dead, then, in the name of his ghost, which is abroad in the Western wilderness," shall a homestead bill be passed.[100] The rebound may have roused Smith's more sympathetic listeners, but it conceded a crucial point to Bocock. The "hardy pioneer" and the landscape upon which he proved his masculinity was no more—not only historically, but conceptually, as well. Settler societies like the United States revered the pioneer and often called upon men to reenact his exploits—namely by "emptying" the landscape through "honorable," eliminatory violence—but the teleology of these same societies meant land could facilitate this masculinity for only a short while. The figure of the pioneer and the western landscapes in which he dwelled could serve as a haunting critique, but this nexus of land and gender did not offer a viable pathway for re-masculinizing urban men. Daniel Boone was dead, and the manly identity of the pioneer was not one that could be easily adopted by the men who felt the sting of its critique. If a land grant was to buttress the masculinity of city-dwellers, it would need to draw upon other cultural sources.

Fatherhood on the Frontier

When they imagined the "hardy pioneers," homestead advocates usually envisioned them alone, without wives or children. If the figure of the pioneer happened to be accompanied by a family, this often communicated the stakes and sacrifice—perhaps fatal, as in Grow's passage—of his

[100] Smith, *CGA*, 517.

quest for manly independence. The previous subsection argued the mid-century man could not convincingly perform the masculinity of the solitary pioneer. However, he might do the opposite. While nearly all homestead advocates praised the memory of the pioneer, and some leveraged this figure as a critique of contemporary urban men, many others imagined an alternate means by which nineteenth-century males could stake their manhood: filling the *terra nullius*, the "no man's land," with male-headed families. Framing frontier landscapes as already-"emptied" and awaiting settlement, homestead advocates pitched the re-masculinization of the urban man as the provider and protector of a nuclear family. Most materially, this consisted in relocating families from the crowded cities, where they suffered disease and deprivation, to the frontier where "emptiness" meant economic and social opportunity that could be sustained down the generations through enlarged inheritances. On another level, this interleaving of gender and land forged an emotional tie that sutured the nuclear family to the nation-state, thereby creating a powerful connection between masculinity and nationalism that ran through the land.

This chapter has already illustrated how nineteenth-century cities were thought to be a danger to men and women (in different ways), but also to their children. For example, Joseph Chandler insisted upon the removal of "men, women, *and children* from the horrible communications of densely-packed garrets and cellars, where want of family privacy is destroying all delicacy of thought," and placing these families "in the wide space of one vacant quarter section."[101] The concern about "family privacy" was widely-shared, and it often focused on the way city living jeopardized the father's role as provider. This took a number of forms. Joseph Cable emphasized how economic inequality imperiled poorer families when fathers were forced to "[wear] out their best days to feed up the luxurious banquets of the wine-bibber and

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[101] *Cong. Globe*, 32nd Cong, 1st sess., 1852, 21, pt. 2.: 1022. Emphasis added.

the task-master, while their own children go barefoot, unclad, and upon scanty food."[102] Charles Skelton described how living on a laborer's wages might have been manageable for a single man, but once he marries and begins a family "he finds his constitution giving way to excessive toil; and, being confined in an unwholesome atmosphere, shut out from the sunshine of heaven, he finds his life giving way... I have seen [men] prostrated on the bed of death, surrounded by half a dozen children and a helpless wife."[103] Numerous congressmen, including W.R. Smith, cited a newspaper article titled "Destitution in Philadelphia," which reported on a fatherless family that was forced to sell their clothes to buy bread, and claimed "several children were found in a shed, the children covered upon in a heap of ashes to keep warm."[104] Occasionally, city living could even turn families against each other in more sinister ways. Cable ominously warned "the mother and her little ones" needed to be secured "from the consequences of weakness or misfortunes—from the vices or follies—the dissipation or crimes of the husband and father."[105]

Here, again, is a version of the male panic described above, this time focused upon the ways cities undermined the paternal responsibilities of men just as much as it made them intemperate and idle. It should not surprise that lands in the West were once again presented as a solution to this problem. Recalling the father "prostrated on the bed of death," Skelton said he would "like to see him receive a just compensation for his labor, and be placed in a position where he could maintain his family in respectability—supply all their wants, and feed, clothe,

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[102] Cable, *CGA*, 298.

[103] Skelton, *CGA*, 381.

[104] Smith, *CGA*, 515; Speech of Timothy Jenkins, April 14, 1852, *CGA*, 432; Speech of Richard Yates, April 23, 1852, *CGA*, 478.

[105] Cable, *CGA*, 299.

and educate his children, as they rise up around him."[106] The purely economic question of a land grant (i.e. "just compensation") transformed into a vivid depiction of a healthy, prosperous family life with a father at its center as the main provider. Chauncy F. Cleveland of Connecticut invoked the frontier as an empty *terra nullius* waiting to be settled when he announced his wish "to see the Western States peopled to their fullest capacity, with men who can say, when they reach home after the labors of the day are over, 'I AM IN MY OWN HOUSE'... the men, women, and children who live in log-huts, possess as much of virtue, true piety, and thankfulness of heart to God... as can be found anywhere on this earth."[107] The domestic insularity thought to be a boon for moral autonomy recurs here, although in this passage the entire family is edified by the "family privacy" that obtains in a home that is, emphatically, the father's. Orlando Ficklin of Illinois even characterized the desire for land as something like a paternal instinct:

> There is a desire common to all mankind, and not less striking to the American than in the European character, to acquire title to land... men will drain their pockets of the last dollar to buy land. They will almost suffer, and let their families suffer for want of the common necessaries of life, in order that they may accumulate land for their children.[108]

Of course, Ficklin did not want American men to "drain their pockets" to acquire land, and for that reason supported a homestead bill. Yet, the inversion in this passage is striking. While many homestead advocates worried over the effects of urban poverty on the family, Ficklin seemed to admire a father's willingness to forsake the "common necessaries of life" to accumulate land, not for himself, but for his children. The perseverant, self-asserting attributes of the "hardy pioneer" emerges in these passages, like a recessive trait, but they are repackaged

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[106] Skelton, *CGA*, 381-382.

[107] Speech of C.F. Cleveland, April 1, 1852, *CGA*, 575.

[108] Speech of Orlando Ficklin, April 24, 1852, *CGA*, 523.

as paternal responsibility. Ultimately, a land grant would do more than bolster household economics; it would also enshrine patriarchy by allowing fathers to reclaim their position as the providers and heads of families.

Relocation to a frontier *terra nullius* not only sustained patriarchy in the present or near future, it also set up the conditions for the patriarchal family to endure over time. A recurring concern in the 1852 debates was the paucity of land even in the rural areas of the East. Without a system of primogeniture, once-vast estates had fractured and dwindled so much that even those fortunate enough to inherit land could not support themselves upon it, and those who had not inherited could not afford to purchase. At least so believed Cyrus Dunham of Indiana, who complained of how young men in the "old States" (i.e. the East), found it "impossible to buy themselves homesteads there until after years of toil, and they will then have barely accumulated enough to buy land in which to lay their bones," which was certainly not enough to "educate their children in economy, temperance, and industry."[109] What a father needed was a grant of land in the "fertile, prosperous, and ever-hospitable West," which, without reinstating primogeniture, would allow his family to expand down the generations on the same plot of land. Such would rectify a situation in which fathers, in the words of A.G. Brown, "leave to [their] children no inheritance but poverty, whilst [their] government guards, like a surly mastiff, this mighty wilderness, which God in his providence has created for men."[110] LaFayette McMullen of Virginia made the same point more positively when he proclaimed the homesteader "will be seen flying to the fertile regions of the West, with her who is dear to his heart, to seek a home—a home which he may call his own; which, improved by his labor, he will

[109] Speech of Cyrus L. Dunham, April 6, 1852, *CGA*, 407.

[110] Brown, *CGA*, 511.

bequeath as a rich inheritance to his children."[111] In these quotations, the homesteader-as-father is buoyed by the opportunity not only to make a home for his family in the "mighty wilderness," but also by the prospect of supporting his family into the future. A land grant promised to make him not only the provider of his nuclear family, but a genuine *pater familias*: the root from which an extensive family tree will grow.

One must read these promotions of frontier fatherhood alongside what the previous section revealed to be a disproportionate focus on liberating the urban man and a misogynistic neglect of women's interests. It was, fundamentally, a patriarchal argument for land grants that best addressed the homestead advocates' male panic. The uplifting of the father was not assailed by the conceptual difficulties that beset the figure of the pioneer, as the father did not need to empty a landscape through violence to prove his masculinity, but instead seized upon already-"emptied" lands to build a home and provide for his family. In this way, the "ever-hospitable" western landscapes that "awaited" the settler family were the site where the question of masculinity on "no man's land" was finally answered in the affirmative.

There is a second facet of patriarchy on a frontier *terra nullius* that has less to do with the material relations between nuclear families, and more to do with a metaphorical patrimony that sustains a patriarchal nationalism. A persistent idea in the congressional record says that a family's settlement on "emptied" western lands would create a long-lasting bond between children, their fathers, and the land upon which they were raised. Ficklin expressed a version of this when he disputed the suggestion that homesteaders would sell their claims as soon as possible: "That may be done in some cases... But there will be many others, and probably the largest proportion, who, when they obtain their title, will remain upon the land until the day of their death, who will die in the house they have built, and will leave a home and land as an

[111] Speech of LaFayette McMullen, April 29, 1852, *CGA*, 520.

heritage to their children."[112] Cable evoked a similar relationship when he claimed widespread land grants would:

> rivet the chains of affection in the child which cannot be yielded even with the las pulsation of the heart. The remembrance of the joys and the tears—the bathing waters and flowery banks of the limpid streams—the church and the SILENT CITY where repose the loved ones in life who now lie upon the cold pillow of mother earth—will all be present along the pathway of time, to nerve the arm and resist oppression's direful wrongs.[113]

In both passages, there is a stirring emotional tie to the land upon which one's father and other "loved ones" lived and died. Land is not only passed down as an inheritance, but carries the weight of a "heritage," to use Ficklin's term. One may be tempted to recall Black Hawk's connection to the Sauk burial grounds and the spiritual succor he received there, but there is a different dynamic at play here. The personal "chains of affection" which the children of homesteaders feel for their predecessors evolves into a political sentiment: the courage to "resist oppression's direful wrongs." The familial father that bequeaths land as an inheritance and is interred in the "SILENT CITY" near the homestead *is* also the state. Thus, ancestry and land is less about processing grief, as in *Life of Black Hawk*, and more about participating in a national, patriarchal drama.

Cable, Ficklin, and others facilitated this move through a patriarchal synecdoche that related the father as head of household to a national father. As Eben Newton of Ohio put it, "Nations stand to States and individuals as parents do to their offspring; and with us this relation is exceedingly forcible, numerous, and endearing; for our children are increasing, as the sands of the sea, and seem to be covering the whole earth."[114] The settlement of a patriarchal

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[112] Ficklin, *CGA*, 524.

[113] Cable, *CGA*, 299.

[114] Speech of Eben Newton, April 20, 1852, *CGA*, 494.

family on a frontier *terra nullius* both parallels and partakes in a broader settlement process, wherein the nation is the father that bestows paternal blessings, in the form of land, onto its citizen-children. Such a dynamic was especially noticeable whenever homestead advocates discussed immigration. While some congressmen worried about increasing numbers of immigrants from Ireland and Germany, others were more sanguine: through the activity of homesteading, these Northern Europeans could become American. Thomas Hendricks did not endorse a homestead bill, but nonetheless realized that "foreign emigration" was only dangerous "where we find [immigrants] in great numbers dependent upon city labor for subsistence." Yet, should the government:

> hold out inducements for them to go out to the new country, each man to settle down upon land that is his own, and labor there for himself and his children, associating with the native farmers around him, and how soon will they become Americanized—imbued with the pervading love of country? They will then feel that they and their children have a stake and interest in the country and its institutions. In peace they will be quiet, law-abiding citizens, and in war the country's cause will be their cause, and her enemies their enemies.[115]

This passage braids several strands of thought analyzed in this chapter. First, Hendricks readily identified one of the main dangers of urban living: the dependence of laborers on wages for their subsistence. As discussed above, land was offered as a correction to this dynamic. Second, the subject of the passage is not the solitary pioneer, but a father-centric, nuclear family occupying "new country," or emptied land. Third, and finally, the "freedom from the city" and patriarchal family life sustained by the landscape culminated in the "Americanization" of the immigrant and their identification with the nation-state. The immigrant who enjoyed non-domination and secured his masculinity on western lands became a patriot in the most

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[115] Hendricks, *CGA*, 485.

etymologically precise sense of the word: through his fatherhood he nourished a fondness for his new fatherland. On a frontier *terra nullius*, the patriarchal family developed with and through the patriarchal nation.

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Land solved the homestead advocates' male panic much as it solved the problems of domination and resentment they attributed to urban living. It functioned, first, as a critique of the idle urban man who was emasculated by the pioneer's "honorable," eliminatory violence, but who could not hope to repeat such exploits. Thus, second, the homestead advocates articulated an alternate masculinity based on fatherhood as the historical and conceptual successor of the pioneer. Both iterations of frontier manhood drew upon the "emptiness" of the phenomenological *terra nullius*, but in different ways. The pioneer was a man insofar as his violence rendered an explicitly-recognized Indigenous landscape empty and ready for settlement by future settlers. The homesteader-as-father was a man insofar as he capitalized on the "emptied" frontier to provide materially for his family, bequeath an inheritance, and forge a connection between individual citizens and the state, which mirrored in the "national family" the paternal masculinity he flexed in his nuclear family. The "no man's land" signified by *terra nullius* permitted mid-century men to inhabit a masculinity that, reaping the psychological rewards of patriarchy, withstood the withering critique of the "hardy pioneer." It was, in the final assessment, a bona fide "man's land."

Escape to Dreamland

Take the land; own the land; be free. This is the model of the prevailing relationship of land and freedom that was introduced at the outset of this chapter. It is the model drawn upon by many who promote property rights as the guarantor of "negative liberty" (though such promoters rarely acknowledge the "take the land" part). Yet, the connection between freedom and land in this model is not obvious. There is a logical leap over the second semicolon. The foregoing analysis has illustrated how the homestead advocates of 1852—whose policy undeniably increased landownership in the United States—articulated an alternate connection between land, freedom, and gender that filled the logical gap, and in way that is only tangentially related to property. Were it to take the same form, this model would look something like the following: take the land; reimagine it as empty, abundant, and vast; frame it as a "no man's land" that relieves the urban laborer from "thralldom"; conceptualize it as a means of dispelling the city-dweller's envy and resentment, thereby making them more autonomous; critique urban men by describing "no man's land" as the legacy of the "hardy pioneer," then repackage it as the site of a patriarchal family in which urban men can be providers. Over 170 years ago, the homestead advocates had what many serious contemporary thinkers lack: a clear vision of how land, specifically, not just as an instance of property, could liberate.

This is not to say it was a just vision. Most obviously, there was the misogyny and Indigenous elimination inherent in the construction of the "no man's land." Structural non-domination and moral autonomy were to benefit men exclusively, with women as the instruments or ornamentation of a liberation in which they were not included as beneficiaries. When homestead advocates were pressed (though not entirely in good faith) to address the conditions of urban women, they had no response other than the liberation of urban men would somehow improve the lives of their female relatives, usually by confining their labor to the home. This twines with the way homestead advocates hoped to shore up a troubled masculinity via the instantiation of male-centric families on the frontier, where "her who is dear to his heart" was merely the means of "perfect[ing] his possession."

For "free land" to make "free men," Native Americans were materially eliminated and and ideologically erased. As with women, they became a prop for the homestead advocates to make their arguments. The "Indian, with his grim and bloody visage" was something to be emptied from the landscape, and in a way that bolstered the masculinity of the "hardy pioneer" of yesteryear while troubling that of the mid-century urban man. Such anti-Indigenous violence was never complete, however, and the homesteaders who were sold the dream of an "empty" landscape on which to seize their freedom and stake their manhood frequently encountered tribes who had not consented to the division of their lands into neat, 160-acre parcels. The result was catastrophic for Indigenous communities, and occasionally for the newly-arrived settler families, as well. The Dakota War of 1862, which saw over three hundred settlers killed and resulted in the largest mass execution in American history, was precipitated by the influx of homesteaders onto a supposed *terra nullius* that was anything but empty.

There was also something missing from most speeches in 1852, but which undeniably shaped the arguments advanced therein: chattel slavery. In the years that followed, other homestead bills would attract the ire of southern lawmakers who claimed 160 acres was insufficient land for a plantation, and, thus, condemned homesteading as a northern plot to undermine slavery. They were not always wrong in this accusation, but no congressman ever intimated free African Americans might be the beneficiaries of a homestead bill. Instead, those who conceded slavery might be jeopardized by homesteading were more likely to promote colonization schemes and other white supremacist policies. Granted, the final text of the Homestead Act is race-neutral, and once the 1866 Civil Rights Act established African Americans as citizens nearly 3,500 claims would be filed by Black homesteaders—though this was still a disproportionate fraction of the 600,000 total claims filed before 1900. On the whole, then, the frontier *terra nullius* homestead advocates in 1852 was reserved for white, male settlers, to the exclusion, elimination, or marginalization of all others.

Even if the misogyny, Indigenous erasure, and white supremacy could be excised from the arguments of the homestead advocates, there would be two lingering problems with the conceptions of freedom and gender they develop on the western landscapes they imagine. First, to be a free man in 1852 meant to escape the enthralling and emasculating conditions of urban life. Though several recognized how the option to homestead could empower the working classes who remained in the cities, the homestead advocates were rarely interested in making cities more equitable and healthy spaces. Instead, freedom was always "out there" on lands that were literally and figuratively beyond the horizon, rather than in the places an increasing number of Americans were living. If these landscapes ever approximated the phenomenological *terra nullius* that homestead advocates weaved with their words, they could not have stayed that way for long. As millions of people emigrated to the frontier, the problems of the cities—even if exaggerated by congressmen—could not but recur. Freedom from the city and the re-masculinization of urban men were grounded in a form of escape that replicated the conditions from which they fled.

Here one sees plainly the settler-colonial essence of the configuration between land, gender, and freedom described in this chapter. It is not only via the "elimination of the native" in the homestead advocates' construction of masculinity, nor the wide dispersal of settler families across the interior of the continent. Most fundamentally, it is the self-undermining and therefore *self-perpetuating* nature of a gendered freedom that must constantly imagine for itself evermore distant landscapes that are empty, vast, and abundant enough to neutralize the problems of the settler core (e.g. the city), though without ever addressing the real sources or conceiving more effective, localized solutions. As the homesteaders, and the pioneers before them, liked to say: "it is better farther on." A better slogan for settler colonialism can hardly be imagined.

Second, the escapism of the homestead advocates is reflective of a certain unreality in their rhetoric. Throughout this chapter, I have frequently flagged where their speeches tended to exaggerate or hyperbolize the features of the frontier *terra nullius*. This may be, in part, the effect of a bombastic oratorical style. At bottom, the homestead advocates were trying to pass a bill; we might forgive them a few flights of fancy as they attempted to persuade their fellow lawmakers. However, the thornier issue is the way western lands were presented as a catch-all solution for serious social problems. This chapter has explored a wide range of these—structural domination, social resentments, "male panic," the patriotism of immigrants—and there are more problems to be discovered in the congressional record. Whatever the ill, the solution was always "free land!" The western landscape, as described by the homestead advocates, is not a real place but a "dreamland" freighted with anxieties and yearnings that it cannot possibly address in real, tangible ways. As will be explored in the next chapter, these dreams were doomed to be dashed for many who took advantage of the Homestead Act and arrived on the frontier to find not the liberties of the phenomenological *terra nullius*, but an ideological trap from which they would need to be liberated.

Chapter 4

“A Queer Feeling about the Prairie”: Patriarchy, Settler Colonialism, and Reflexive Freedom in the *Little House* Novels

“It’s a queer country out here... Strange things happen.”

—Pa Ingalls in Laura Ingalls Wilder, *These Happy Golden Years*[1]

July 23, 1894, was a sweltering day on the Great Plains. A man, a woman, and their ten year-old daughter were just seven days into a six-week trek from De Smet, South Dakota, to Mansfield, Missouri. They were travelling 650 miles in the heat of summer with all their possessions piled in a wagon because, like so many others, they had failed.

The man had been born to a family of prosperous New York farmers who had fallen on hard times. He had come to Dakota Territory via Minnesota in 1879 to turn his fortunes around. Taking advantage of the Homestead Act, he filed a claim on 160 acres of open prairie and, like almost everyone else, planted the cash crop of the day: wheat. When he and the woman married in 1885, their future was golden. But wheat is a fickle crop. The couple managed to “prove up” on the claim, but illness, debt, and a series of miserable harvests dashed any hopes of prosperity. They had been beaten by the prairie, so they sold out, packed up, and set their sights on a vastly different landscape: the rocky hills of the Ozarks, the so-called “Land of the Big Red Apple.”

The woman kept a diary during their trek. Assiduously recording temperatures, rainfall, and the success or failure of various crops in the myriad fields they passed, she showed herself

[1] Laura Ingalls Wilder, “These Happy Golden Years,” *The Little House Books*, ed. Caroline Fraser, vol. 2 (New York: Library of America, 2012), 711. Hereafter, *HGY*.

to be as much an agriculturalist as her husband. She had grown up amidst the thrum of postbellum land rushes, her family competing with thousands of others for the ultimate prize: a first chance at new land. Her father filed on a claim not far from her future husband's, and he also gambled with the booms and busts of wheat before switching to livestock. He, too, would eventually abandon his dream of prospering as a frontier farmer, sell his homestead, and spend the rest of his life carpentering and selling farm machinery, bailing twine, and insurance. His widow and children who remained in De Smet would die in poverty.[2]

One might think this forlorn family of three would be only too happy to put Dakota Territory far behind them. Yet, on July 23, when their wagon crossed the Jim River—a sort of natural boundary to their corner of the world—they turned around. This is how the woman described the moment in her diary:

> We all stopped and looked back at the scene and I wished for an artist's hand or a poet's brain or even to be able to tell in good plain prose how beautiful it was. If I had been the Indians I would have scalped more white folks before I ever would have left it.[3]

It is a chilling passage that gives voice to the woman's striking, if complicated self-awareness regarding her role in the settler-colonial project that was the homesteading of the Midwest and Great Plains. It also bespeaks an intense, heart-wrenching love for the land she was leaving behind. And it foreshadows, almost eerily, the renown she would one day acquire for her "good plain prose." For this young wife, mother, and diarist was a twenty-seven year-old Laura Ingalls Wilder.

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[2] Caroline Fraser, *Prairie Fires: The American Dreams of Laura Ingalls Wilder* (New York: Picador, 2017), 201, 266.

[3] Laura Ingalls Wilder, *On the Way Home: The Diary of a Trip from South Dakota to Mansfield, Missouri, in 1894*, ed. Rose Wilder Lane (New York: Harper & Row, 1962), 23-24.

Four decades after she wrote those words in her travel diary, Wilder—by then in her mid-sixties—would become one of the most well-known authors in America. Her popularity since that time has hardly abated. On the contrary, it has gone global. To date, Wilder's eight-volume *Little House* series has sold over sixty million copies and has been translated into dozens of languages. Yet, the seed of her literary fame was germinating on that sweltering day in 1894, when the young Wilder expressed a love for the prairie landscape that would color her "good plain prose." What might explain this affection? Why did "sweet Dakota land," in particular—the site of such unmitigated financial failure—arouse such bittersweet feelings?

It certainly would not have been the gendered freedoms analyzed in the previous chapter. Not only was Wilder, as a woman, not the primary beneficiary of these freedoms, but the experiences of her husband, Almanzo Wilder, and father, Charles Ingalls, suggest the frontier *terra nullius* did not always achieve the structural non-domination and moral autonomy the homestead advocates had promised. Despite his numerous attempts to subsist upon the land and lead an isolated life on a remote homestead, Ingalls often found himself doing wage work for the railroad corporations crisscrossing the country and living in frontier towns that courted the same jealousies, resentment, and cruelties that had so alarmed the homestead advocates. Almanzo Wilder managed to make more of his living from the land—at least for a while—but the debt he acquired in his pursuit of the ever-elusive wheat crop proved no less dominating than "thralldom" to an urban employer.

The status of their masculinity is harder to assess, but Ingalls did not achieve the patriarchal ideal envisioned by the homestead advocates; several of the women in his household took work outside the home to make ends meet, and he left no sizable patrimony to his descendants. For his part, Almanzo Wilder left Dakota Territory with a serious disability exacerbated by overwork, which would drastically hamper his dreams of becoming a self-sufficient farmer. In a curious twist of fate, his physical limitations seem to have encouraged a more egalitarian marriage than was typical of the time—a boon for Wilder, but hardly the intention of the homestead advocates. If anything, then, it was the complete *failure* of homestead advocates' vision that drove the young family from the land for which Wilder would have "scalped more white folks before [she] ever would have left."

While Wilder's violent imagery is most eye-catching, this chapter takes the first part of the passage as the real clue to her love for the land. In wishing for "an artist's hand or a poet's brain or even... good plain prose," to describe the beauty of the landscape, Wilder announces herself as a keen and self-aware observer of the world around her. She bestows this trait upon the main protagonist of the *Little House* novels, also named Laura, who is bright, inquisitive, and cognizant of the way her subjectivity, mediated by language, is both part of and separate from her surroundings. This "reflexivity," as I will label it, lends itself to a specific type of freedom wherein a productive tension between self and world can liberate the observer from the overdeterminations of ideology.

It is a somewhat surprising freedom to develop in a narrative that largely endorses two of the most pervasive ideologies of the late-nineteenth century: patriarchy and settler colonialism. In the *Little House* novels, an unstable dialectic between the reification of gender roles in settler society *and* a "reflexive" freedom that critiques these ideological formations gives an experimental cast to Wilder's fiction. That is, both author and character apply a "poet's brain" to see their world from alternate vantages and exist in ways not proscribed by ideology, if only incompletely or momentarily. Though they do not reverse the effects of ideology, and sometimes even reinforce it, these moments of reflexivity are meaningful experiments in liberation. What is more, Wilder situates her protagonist's experiments in seeing and being otherwise on unique landscapes that are enveloping, peripheral, and, on the fringes of her imagination, "queer." Contemplating the same frontier that, from the uncritical perspective of the homestead advocates, manifested as a futile "dreamland" of exclusionary freedoms, Wilder envisions a freer way for all to be on the land.

This chapter begins with a brief biography of Laura Ingalls Wilder, the author, and a summary of the *Little House* series that underscores their patriarchal and settler-colonial dimensions. It then accounts for the political context of the series' authorship and justifies the interpretative method used herein. The next section defines "reflexive" freedom in more detail, positions Laura, the character, as a highly-reflective observer, and analyzes how Wilder experiments with reflexivity on an enveloping prairie landscape to develop Laura's individuality in contrast to her overdetermined role in a patriarchal social world. The same section then explores how reflexivity on a peripheral frontier landscape has the potential to liberate Laura from the strictures of settler ideology. Whereas these experiments in freedom ultimately fail to accomplish a thorough-going, land-based liberation from ideology, the third section speculates as to how Wilder's distinctive description of a frontier landscape as "queer" might expand the scope of reflexivity in a way that allows both colonizer and colonized to exist freely on the land. The concluding section explores how even when Wilder's literary landscapes fail to liberate, there is a freedom in these failures that adds to the allure of reflexivity on and through the land.

Appraising the Little House

Laura Ingalls Wilder (1867-1957) was the real-life daughter of Charles and Caroline (née Quiner) Ingalls, settlers who took advantage of the Homestead Act more than once as they migrated from Wisconsin to Kansas and back, onto Minnesota and Iowa, until finally "proving up" on a quarter section near De Smet, South Dakota (then Dakota Territory), in 1886. As mentioned above, Laura Ingalls married Almanzo Wilder in 1885, and the two cultivated their own quarter section and an adjacent tree lot in De Smet until their 1894 move to Mansfield, Missouri. There they purchased land and continued to pursue their dream of owning and operating their own farm, though they could not afford to live year-round at "Rocky Ridge" until 1910. Wilder led an active life in Mansfield: she ran a boarding house in town, raised chickens on the farm, and, in 1916, began penning a regular column for the *Missouri Ruralist* titled, "A Farm Woman Thinks."[4] Over the next decade she would write prodigiously on topics ranging from household management, to country living, to ethical quandaries and political affairs. Amazingly, when Wilder retired from the *Ruralist* in 1927 at the age of sixty, her most fruitful years were still ahead of her.

Like many others, the Wilders suffered badly from the financial carnage of Black Tuesday and the ensuing economic depression. Hoping to earn some income, Wilder wrote a memoir titled *Pioneer Girl* in 1930, which recounted the first eighteen years of her life for an adult audience.[5] The memoir circulated through the literary contacts of Wilder's daughter and author in her own right, Rose Wilder Lane. There was little interest in the manuscript until Lane herself transformed it into a shorter story for children, renamed "When Grandma Was a Little Girl." This version caught the attention of the children's editors at Alfred A. Knopf and, after further revisions by Wilder herself, was published as *Little House in the Big Woods* in 1931.[6] It was the first of eight canonical *Little House* novels that would be published over the next twelve years, all of which would develop through close collaboration between Wilder and

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[4] These writings have been collected in Stephen Hines, ed., *Laura Ingalls Wilder, Farm Journalist: Writings from the Ozarks* (Columbia, MO: University of Missouri Press, 2007).

[5] A richly-annotated version of *Pioneer Girl* has since been published as Laura Ingalls Wilder, *Pioneer Girl: The Annotated Autobiography*, ed. Pamela Smith Hill (Pierre, SD: South Dakota Historical Society Press, 2014).

[6] On the publication history of *Little House in the Big Woods*, see Fraser, *Prairie Fires*, 314-323.

Lane. Indeed, while the matter has been a source of considerable consternation for audiences and scholars, it now seems appropriate to say the series is a genuine co-authorship between mother and daughter.[7]

Drawing liberally from her recollections in the original *Pioneer Girl* manuscript, the *Little House* novels present themselves as a unadorned account of life on the frontier in the late-nineteenth century. The first installment, *Little House in the Big Woods*, describes a year in the life of the Ingalls family. Pa hunts the forests of southwestern Wisconsin and socializes with other men while the Ingalls women—Ma, Laura, and older sister Mary—are ensconced in a small cabin and preoccupied with the care of the household. Indeed, save for a few visits to the homes of nearby family members, the female characters are rarely out of sight of the cabin door. Both Laura and the reader learn of the wider world primarily through Pa's stories, which, bearing titles like "The Story of Pa and the Voice in the Woods" and "The Story of Pa and the Bear in the Way" are inset from the main text—the only time such a device is used in the series.

The next time the reader sees the Ingalls family, they are on their way to Kansas Territory in *Little House on the Prairie* (1935). The most well-known installment in the *Little House* series, it depicts Laura expanding her (literal) horizons as she romps through a vast and open landscape that is both strikingly beautiful and intimidating. The Ingallses manage to build a cabin, plant a summer crop, and welcome a third daughter, Carrie, before friction with the nearby Osage tribe prompts the U.S. government to remove all white settlers from the land (they were, in fact, squatting illegally on the Osage Diminished Reserve). Although the

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[7] On this debate, see Rosa Ann Moore, "The Little House Books: Rose-Colored Classics," *Children's Literature* 7, no. 1 (1978); William Holtz, *The Ghost in the Little House: A Life of Rose Wilder Lane* (Columbia, MO: University of Missouri Press, 1993); Caroline Fraser, "The Prairie Queen," *New York Review of Books*, December 22, 1994; John E. Miller, *Laura Ingalls Wilder and Rose Wilder Lane: Authorship, Place, Time, and Culture* (Columbia, MO: University of Missouri Press, 2008), 23-42; Christine Woodside, *Libertarians on the Prairie: Laura Ingalls Wilder, Rose Wilder Lane, and the Making of the Little House Books* (New York: Arcade Publishing, 2016).

Ingallses are forced back into their covered wagon, northbound for the Midwest, a climactic chapter titled "Indians Ride Away" foreshadows that their settlement of the frontier is not halted, but only delayed.

In the next novel, *On the Banks of Plum Creek* (1937), the Ingallses live in a dugout home in Minnesota. Laura and Mary attend school, mix with the children of Walnut Grove, and experience the sting of class differences for the first time. Pa builds an extravagant frame house on credit, but when locusts devour what would have been a bumper crop of wheat, he must look for work on a distant railroad line. The fifth installment, *By the Shores of Silver Lake* (1939) recounts the Ingallses efforts to start fresh on a homestead in Dakota Territory. Laura, now almost a teenager, revels in the adventure of briefly living in a railroad camp, skating across a frozen pond under the gaze of buffalo wolves, and living in isolation on the prairie. The family's return to the frontier completes what had been presaged at the end of *Little House on the Prairie*, as Laura states, with more than a little regret, "the buffalo are gone... and now we're homesteaders."[8] Pa's earlier lesson that buffalo were the "Indian's cattle" reinforces the settler-colonial implications of this realization.[9] Between *On the Banks of Plum Creek* and *By the Shores of Silver Lake*, a final Ingalls daughter—Grace—is born and Mary goes blind following a bout of scarlet fever.

In *The Long Winter* (1940), the Ingallses spend a miserable year living in town as De Smet is pummeled by unending blizzards and frigid temperatures. The seventh novel, *Little Town on the Prairie* (1941), finds Laura finishing her schooling and enjoying a young woman's social life in a burgeoning frontier community. She is also presented with the initially upsetting

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[8] Laura Ingalls Wilder, "By the Shores of Silver Lake," *The Little House Books*, vol. 2, 164. Hereafter, *SL*.

[9] Wilder, *SL*, 100.

information that, given Mary's disability, Pa and Ma expect her to fulfill the destiny of the eldest daughter and become a schoolteacher—at least until she marries. In the eighth and final canonical novel, *These Happy Golden Years* (1943), Laura dutifully meets both expectations: she teaches several terms of school, receives the romantic advances of Almanzo, and relishes the last days in her childhood home. The series ends with Laura and Almanzo's marriage, and the newly-weds move into their own "little gray home in the West."[10]

At a book fair speech in Detroit, Wilder claimed to have "seen the whole frontier, the woods, the Indian country of the great plains, the frontier towns, the building of railroads in wild, unsettled country, homesteading and farmers coming to take possession.... in my own life I represented a whole period of American history."[11] The scope of the series is certainly vast, but it would be more accurate to say Wilder's novels represent a *version* of a period of American history. Whereas Wilder elsewhere insisted "every story in this novel, all the circumstances, each incident are true" and "I lived everything that happened in my books," meticulous research has revealed many of the characters, settings, and plots are either significantly altered or wholly fabricated.[12] Thus, the series is decidedly not an unadorned record of one person's memories, but a rather complex literary production. Part history, part autobiography, part didactic text, the novels curate Wilder's memories of the nineteenth century to attract an urbanizing twentieth-century audience to what its authors took to be the vanishing virtues of rural life: courage, honesty, merit, and, above all, self-reliance. Rankled by what they saw as the

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[10] The title of the final chapter of the series, Wilder, *HGY*, 724-730. Those keeping score will have noticed the absence of a second installment. *Farmer Boy* (1933) narrates a year in the life of Almanzo's childhood, and is the only installment not to feature Laura and the Ingallses.

[11] Laura Ingalls Wilder, Speech at The Book Fair, Detroit, Michigan, October 16, 1937, in *The Little House Books*, ed. Caroline Fraser, vol. 1 (New York: Library of America, 2012), 585-586.

[12] Wilder, "Speech at The Book Fair," 588; Laura Ingalls Wilder, "'Dear Children': A Letter from Laura Ingalls Wilder," in *The Little House Books*, ed. Caroline Fraser, vol. 2 (New York: Library of America, 2012), 801.

overreaches and intrusions of Roosevelt's New Deal, Wilder and Lane celebrate solitary, "bootstrapping" individuals who triumph over adversity—Pa Ingalls being the best and most frequent example. More subtly, the authors sew suspicion of the state, corporations, and even small-town community life in ways that evinces the political and ethical libertarianism espoused by Wilder and, even more so, by Lane.[13] In many ways, then, the novels do not portray the frontier as it was, but as an aging, nostalgic Wilder and a politically-activated Lane wanted to see it.

In light of their content and the political context of their authorship, one may safely say the *Little House* novels are "ideological." That is, they overdetermine a specific way of seeing the world, including gender roles, the settlement of the West, American history, and a host of other topics. Furthermore, they do so not through argument or explication, but most often through assertion. One striking example, though hardly the only one, can be found in *Little House on the Prairie*. When a young Laura asks Ma why Indians "go west," Ma responds, "that's what the Indians do." Then, when Laura pushes her line of inquiry a little further—early evidence of the reflexivity I will expand upon below—Pa abruptly ends the discussion: "White people are going to settle all this country, and we get the best land because we get here first... No more questions, Laura."[14] Most discussions in the *Little House* novels follow a similar pattern; the presumptions of patriarchy and settler colonialism preached by the adults goes uncontested by both the younger characters and the narrator and, thus, are presented as natural to the mostly child audience.

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[13] Woodside, *Libertarians on the Prairie*; Miller, *Laura Ingalls Wilder and Rose Wilder Lane*, 180-210; Fraser, *Prairie Fires*, 445-456. Lane articulated her position on individual liberty and the state in two main works, Rose Wilder Lane, *Give Me Liberty* (Caldwell, ID: The Caxton Printers, 1954 [1936]); *The Discovery of Freedom* (New York: John Day, 1943).

[14] Laura Ingalls Wilder, "Little House on the Prairie," in *The Little House Books*, vol. 1, 366. Hereafter, *LHP*.

Yet, if this were the whole story, the *Little House* series would be little more than propaganda for Wilder and Lane's political agenda. Today, when this agenda has become outmoded, the novels would be pastiche—as, for example, Lane's solo-authored and largely forgotten fictionalizations of her family's history, *Let the Hurricane Roar* (1933) and *Free Land* (1938), clearly are. That the *Little House* series maintains such impressive cultural staying power is due to the way the novels both reify *and* subvert the ideologies they engage. Indeed, there is a certain unevenness to the novels. More comfortable with writing loosely connected episodes than crafting a single, overarching plot, Wilder often questions in one chapter what she asserts in another, rarely drawing the opposite positions into direct dispute and never resolving the tensions she creates.[15] I refer to this as the "experimental" nature of the novels. While committed to rehearsing ideologies such as patriarchy and settler colonialism, Wilder also occasionally attempts to examine these from different perspectives, situating her protagonist in positions to reflect on her fictional social world. Such experiments always "fail," insofar as the ideology they subvert remains intact, but the very process of subversion is evidence that reflexivity can liberate subjects from ideology.

The method I employ for reading the novels' more "experimental" episodes will trace how Wilder leverages land as *setting*, and in ways that permit her protagonist to practice a reflexivity which sees through and beyond the ideologies the series otherwise promotes. The creative license Wilder wields with regard to landscape is unlike even the more imaginative descriptions of land in the rhetoric of the homestead advocates, and certainly dissimilar to the more practical accounts of land found in the missives and treaties of William Henry Harrison or *Life of Black Hawk*. Even though Wilder draws inspiration from her lived experience, the

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[15] Ann Romines, *Constructing the Little House: Gender, Culture, and Laura Ingalls Wilder* (Amherst, MA: University of Massachusetts Press, 1997), 164-165, 194-195.

novels will be interpreted as works of fiction in which every word represents an intentional artistic decision. Yet, given the experimental quality of Wilder's writing, these decisions are not necessarily "decisive," insofar as they do not reveal a "more authentic" position on the ideologies in question. In fact, part of the analysis in the following section will show how additional artistic choices by Wilder foreclose the moments of reflexive freedom in the plot and entrench ideology. Nevertheless, the landscapes Wilder deploys as setting, and the ideological subversions she then describes thereon, leave an impression on the reader as her craft pushes the conceptual boundaries and liberatory potential of land to radical if unstable places. Ultimately, this is the power of literary experiment: not to dictate or prescribe what must be, but to imagine and suggest possibilities.

A Little Freedom on the Prairie

The definition of "reflexive" and "reflexivity" at work in this chapter is inspired by the French sociologist, Pierre Bourdieu. For Bourdieu, the social scientist should strive to make explicit their relationality to the object of their study and "objectify" their own historically-conditioned perception. This disposition guards against both the pretense of transcendent knowledge and the observer's erroneously "unproblematic" identification with the people and groups they observe—in other words, two prongs of Enlightenment ideology. In reality, the way the scientist sees the world is not separate from their observations of that world. Still, for Bourdieu, this does not mean the observations are entirely subjective. Rather, the knowledge the scientist generates will necessarily include (either explicitly or implicitly) their specific positionality, which is always already part of the social world under observation.[16] Provided a praxis of

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[16] See Cécile Deer, "Reflexivity" in *Pierre Bourdieu: Key Concepts*, ed. Michael Grenfell, 2d ed. (London: Routledge, 2012).

reflexivity, the ideology of modern science is defanged and the ineluctable tension between self and world becomes a productive one.

Though the context could hardly be more different, one might read Wilder's protagonist as something of a Bourdieu-ian sociologist-in-training. Throughout the series, Wilder characterizes Laura as a keen and inquisitive observer who relishes the spectacle of the natural world and, even more so, the social lives of her family and community. Initially, these observations are mediated by Pa's stories and songs, and while Laura delights in their performance, she often questions the meaning. As she grows up, Laura has more first-hand experiences with observation, including a quasi-archaeological survey of an (apparently) abandoned "Indian camp" in *Little House on the Prairie* and a "wonderful afternoon" (Wilder uses the adjective for only the most visually spectacular experiences) watching the construction of a railroad in *By the Shores of Silver Lake*. Some of the most intense scenes in the series depict Laura as a voyeur, her wide eyes gazing intently upon Ma's nervous confrontation with two Indigenous men, Pa's run-in with angry railroad workers, and the infamous episode in *These Happy Golden Years* when Mrs. Brewster threatens to stab her husband.[17]

While Laura eagerly absorbs the world around her, she is no passive observer. Rather, Wilder positions her protagonist as an active and unique interpreter of her surroundings. This trait comes to the fore after Mary loses her sight and Pa instructs Laura to "be eyes for Mary."[18] Tasked with constantly describing their surroundings, Laura often experiments with poetical language that initially bothers Mary, who chastises, "'we should always be careful to say exactly what we mean.'" Laura's reaction is telling: "'I was saying what I meant,' [she] protested. But she could not explain. There were so many ways of seeing things and so many

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[17] Wilder, *LHP*, 325-327; Wilder, *SL*, 67-69; Wilder, *HGY*, 590-591.
[18] Wilder, *SL*, 5.

ways of saying them."[19] Here, Wilder endows her protagonist with a preternatural awareness of the dynamic between seeing subject, seen object, and the resulting observation mediated by a language that can be meaningful without being "objective." As they age, Mary grows more appreciative of Laura's distinct way of translating the visual world, remarking "'I never see things so well with anyone else'" and encouraging her sister to write a book.[20] Almanzo, too, marvels at Laura's ability to put words to what she sees, telling her "your songs are like your father's! They always fit."[21] For a character who aspires to be like her father in most ways, this is particularly high praise that marks the climax of Laura's series-long, full-circle development from second-hand receiver of observations, to first-hand observer, to self-reflective interpreter for others.

Like Bourdieu's ideal scientist, Wilder's protagonist is an observer who is conscious of her positionality, especially when it comes to the promise and pitfalls of there being "so many ways of seeing things and so many ways of saying them." This reflexivity sets Laura apart from other characters who tend to accept the world (both natural and social) as given and unmediated, and much of the dramatic tension in the novels comes from Laura's unique penchant for seeing differently, her knack for questioning what she sees, and her insatiable desire to see and know more. While Bourdieu proposes reflexivity as essential to a "sociology of sociology," Wilder's characterization of Laura serves a different purpose: reflexivity is the conceptual core of a form of freedom that consists in subverting two of the series' deeply-seated ideologies: patriarchy and settler colonialism. The tension Laura often feels between self and

[19] Wilder, *SL*, 37.

[20] Wilder, *HGY*, 714, 533.

[21] Wilder, *HGY*, 698.

world is, as in Bourdieu, a productive one, as it liberates her—if only momentarily—from the overdeterminations of ideology.

In the *Little House* novels, Wilder situates two dramatic "experiments" in reflexive freedom on landscapes that are, in the first instance, "enveloping," in the sense of completely surrounding and protecting that which is interior from a threatening exterior, and, in the second instance, "peripheral," or at a distance from a larger and influential "center"—in both an ideological and physical sense—and from which a reflexive observer can gain a critical vantage. In *By the Shores of Silver Lake*, Laura's reflexivity on an enveloping landscape results in an intense surge of individuality, which subverts the patriarchal constraints on her behavior. In *These Happy Golden Years*, the tension between Laura, situated on a peripheral landscape, and her settler society takes the form of discovery, which illumines different ways of being than the structural, cultural, and libidinal pathways prescribed by settler colonialism.

In the section title and throughout, I refer to land-inspired reflexivity as a "little" freedom, because while the subversion of ideology is a meaningful experience for character and reader, alike, Wilder's experiments are also momentary and self-defeating. This does not diminish reflexive freedom *qua* experience, but acknowledges how it is unlike the "structural" freedoms—e.g. negative liberty, non-domination, and moral autonomy, among others—that promise a totalizing liberation for certain subjects. The previous chapter has shown how nineteenth-century women like Laura, the character, as well as Wilder, the author, were not the subjects the proponents of these freedoms had in mind. While reflexive experiences of individuality and discovery do not compensate for such marginalization, they show how land can liberate those who are restricted by ideology, and in ways that are more imaginative and dynamic than even the most radical homestead advocates could compass with their rhetoric.

"They Were Going to Do What They Wanted to Do": Patriarchy and Individuality on an Enveloping Prairie

The *Little House* novels center the perspective of a young woman who is enmeshed in a largely female household. Furthermore, as many readers of the series have noted, Wilder writes her protagonist to identify most strongly with her father, which has the effect of broadening (not without complications) the meaning of womanhood and femininity in the series.[22] On these observations alone, the novels already appear more thoughtful about gender than the rhetoric of the homestead advocates, which either objectified, sexualized, or completely neglected mid-century women. Nevertheless, the novels perpetuate patriarchy in their construction of the single-family house and home as a cultural ideal that, in the words of Richard White, "linked to manhood and womanhood":[23]

> Unless the work of American males produced homes, they were not men. Unless women helped create and control a domestic space, they could not be true women. Without the home, the country could not reproduce republican citizens. Homes sheltered and largely confined girls, who were not encouraged to explore a larger world, and prepared boys for a life of independence that would allow them to support homes of their own.[24]

Even when they must abandon the houses they build, Wilder ensures Pa and Ma Ingalls consistently enact this cultural ideal and the patriarchal gender roles it reinforces. Pa is a self-possessing man whose mobility, sociability, and labor outside the walls of the home provides for

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[22] See Ann Romines, *Constructing the Little House: Gender, Culture, and Laura Ingalls Wilder* (Amherst, MA: University of Massachusetts Press, 1997), 28-29; Virginia L. Wolf, *Little House on the Prairie: A Reader's Companion* (New York: Twayne Publishers, 1996), 101-103; Ann Thompson Lee, "'It Is Better Farther On': Laura Ingalls Wilder and the Pioneer Spirit," *The Lion and the Unicorn* 3, no. 1 (1979).

[23] White, *The Republic for Which It Stands*, 137.

[24] White, *The Republic for Which It Stands*, 139.

his family's subsistence. These same qualities lend themselves to one of the more prominent descriptions of freedom in the novels. Pa is "free and independent," a phrase Wilder uses to refer to the way a person—almost always a man—is responsible for himself and obeys nothing but his own reason.[25] Illustrating this, Wilder has Pa explain to Laura the difference between humans and animals:

> "We're humans, and like it says in the Declaration of Independence, God created us free. That means we got to take care of ourselves... He gives us a conscience and brains to know what's right. But He leaves it to us to do as we please.'"
> While animals build their homes according to instinct, "'A man can build any kind of house he can think of. So if his house don't keep out the weather, that's *his* look-out; he's free and independent.'"[26]

[25] Laura Ingalls Wilder, "Farmer Boy," *The Little House Novels*, vol. 1, 262, 263. Hereafter, *FB*; Laura Ingalls Wilder, "The Long Winter," *The Little House Novels*, vol. 2, 179, 347. Hereafter, *LW*; Laura Ingalls Wilder, "Little Town on the Prairie," *The Little House Novels*, vol. 2, 410. Hereafter, *LTOP*; Wilder, *HGY*, 583. Scholarly interpretations of freedom in the Little House novels include Claudia Mills, "From Obedience to Autonomy: Moral Growth in the Little House Books," *Children's Literature* 24, no. 1 (1996); cf. Suzanne Rahn, "What Really Happens in the Little Town on the Prairie," *Children's Literature* 24, no. 1 (1996); John E. Miller, "Freedom and Control in Laura Ingalls Wilder's De Smet," *Great Plains Quarterly* 9, no. 1 (1989).

[26] Wilder, *LW*, 179. Indeed, it is possible the line in the Declaration of Independence, "that these United Colonies are, and of Right, ought to be *Free and Independent*," is Wilder's source for the phrase. Still, its provenance is murky. One is tempted to attribute it to Lane, who some scholars believe to be the sole author of a memorable Fourth of July scene in *Little Town on the Prairie* in which the Declaration is read, and whose total embrace of libertarianism after 1936 correlates with the conspicuousness of the phrase in the latter half of the series. Yet, Lane never uses "free and independent" in her grand revisionist history of Western society, *The Discovery of Freedom* (1943), nor in her own frontier novels, *Let the Hurricane Roar* (1933) and *Free Land* (1938). In *Give Me Liberty* (1936), however, she claims the "principal desire" of the pioneers "was to do as they pleased, and they were no idealists. When they could not pay their debts, they skipped out between two days. When their manners... offended the gently bred, they remarked 'It's a free country, ain't it?' A frequent phrase of theirs was *'free and independent*,'" Lane, *Give Me Liberty*, 26. Thus, it is possible the phrase is simply something Wilder herself said, or remembered being said.

Exactly as White describes, it is via the ingenious creation and muscular maintenance of the home—and Pa Ingalls builds several "little houses" over the course of the novels—that nineteenth-century patriarchy shapes corresponding notions of freedom and masculinity.

If Pa and the other men in the *Little House* novels are "free and independent," Ma is not. Wilder most often locates her within the walls of the physical home, where she uses the fruits of her husband's labor to reproduce the domestic sphere in the form of meals, clothing, health, and hygiene. In this way, she typifies what Barbara Welter calls the "cult of true womanhood," evincing the virtues of piety, purity, submissiveness, and domesticity.[27] It is true that, as Welter describes, a nineteenth-century wife could attain much respect and even a level of influence through her domestic labor. On Wilder's construction, Ma's own ingenuity with regard to cooking, child-rearing, and healing, as well as her moral stringency, carve a small but significant sphere in which she held sway, as evidenced when she finally tells Pa—in the eighth and final novel—that she is "'tired of being dragged from pillar to post'" and will not move west again.[28] Nonetheless, the cultural assumption that women were weaker and less intelligent than men meant they could not be "free and independent," and Wilder largely upholds this patriarchal notion in her novels.[29]

This said, in the series' fifth installment, *By the Shores of Silver Lake*, Wilder subtly subverts the patriarchal ideal of home by experimenting with a different kind of freedom on an enveloping prairie landscape. In the literal space between two harrowing instances of gender exploitation, Wilder has her reflexive protagonist experience a spontaneous and unprecedented

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[27] Barbara Welter, "The Cult of True Womanhood: 1820-1860," *American Quarterly* 18, no. 2 (1966).

[28] Wilder, *HGY*, 635.

[29] The only time Wilder describes a female as "free and independent" is in *The Long Winter*, when Laura and Carrie run an errand in town for Ma, Wilder, *LW*, 182. Notably, the girls get lost in the slough and must be rescued by the Wilder brothers.

surge of individuality. At a remove from the gendered obligations—and dangers—of her social world, Laura finds herself on a landscape that functions as a protective environment which (momentarily) holds the rigid prescriptions of patriarchy at bay and allows her to experience alternate ways of being.

By the Shores of Silver Lake opens with the Ingalls family living in a dugout home in Minnesota when they are visited by Pa's sister, Docia, who offers him a job working for her husband, a railroad contractor. In need of money, Pa accepts the offer and departs for Dakota Territory, leaving Ma and the children to travel westward by train in a few weeks' time. When the Ingallses are finally reunited, they find themselves living for a brief period in a railroad camp. Pa's departure and the family's general transience marks the greatest disruption to the Ingallses' home across the entire series, but the railroad camp is something else entirely. The camp is inhabited by a team of male laborers who belong to neither Pa's nor Docia's family, blurring the boundaries between private and public spaces. What is more, Docia and her daughter, Lena, are responsible for feeding and cleaning up after the laborers. As Lena tells it to Laura, she and her mother:

> [washed] dishes three times a day for forty-six men, and between times the cooking. She and Aunt Docia had been on their feet from before the sunrise till late at night, and still they couldn't keep up with all the work. That's why Aunt Docia had hired the washing out. This was the first time that Laura had ever heard of hiring out the washing."[30]

While Docia and Lena's labor appears purely domestic, it actually serves the interests of the railroad corporation for whom Docia's husband works. Additionally, this labor precludes the reproduction of the home, since Docia is so busy she needs to "hire out the washing." Laura is unfamiliar with the concept because her own parents have heretofore enacted an ideal home in

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[30] Wilder, *SL*, 29.

which Ma does all the family's chores. That Docia cannot do so indicates, for the first time in the series, that this ideal is not guaranteed. What is more, it exposes how the gendered division of labor within nineteenth-century patriarchy produces oppressive inequalities. Rather than becoming employees of the railroad, like the male laborers they support, Docia and Lena are never paid for their work. Their labor is exploited by a vast capitalist enterprise that keeps its value off the books by disguising it as "domesticity": the women do not qualify as contract laborers, but are merely exercising one of the virtues of "true womanhood."[31] The symmetry of Docia/Lena and Ma/Laura prompts the reader to see the exploitation of the former as different only in degree, but not in kind, to that borne in the ideal home of the latter. Any psychological reward or social cachet that comes from domestic ingenuity is tarnished by the economic exploitation to which even "true women" are susceptible.

Docia and Lena's uncompensated labor is not the only instance of exploitation in the chapter. Traveling across the prairie to retrieve the washing, Laura and Lena meet the laundress who announces her thirteen-year-old daughter was married the day before. The laundress is proud, telling the girls, "'her Pa says thirteen's pretty young, but she's got her a good man and I say it's better to settle down young. I was married young myself.'"[32] Laura and Lena are stunned, since the laundress' daughter is approximately their age. This is also the first time in the series marriage is presented as a real possibility for Laura. Pondering the child bride, she says to Lena, "'she can't play anymore now.'"[33] Lena reasons while the daughter won't have any more "'good times,'" at least she won't have to work any harder than before, and

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[31] On the relationship between contract labor and gender during this period, see White, *The Republic for Which It Stands*, 237-243.

[32] Wilder, *SL*, 32.

[33] Wilder, *SL*, 32.

"'now she's doing her own work in her own house, and she'll have babies.'"[34] Laura says she wants her own home and family someday, but "'I don't want to be so responsible. I'd rather let Ma be responsible for a long time yet.'"[35]

Ann Romines reads *By the Shores of Silver Lake* as charting a change in Laura's character from that of a carefree child to a responsible young adult.[36] Indeed, Wilder understood the novel to mark the transition from the relative innocence of the preceding installments to a new phase in which the protagonist is "grown up enough to understand and appreciate grown up situations."[37] On Romines' reading, the scene with the laundress foreshadows this development, while demonstrating Laura is not quite ready to grow up. Yet, it may also be interpreted as a critique of patriarchal notions of feminine domesticity, and the way these can lend cover to sexual exploitation and the culturally-legitimized power of men to control female bodies, more generally.[38] Case in point, Laura and Lena contrast play and "good times" not with work, which the laundress' daughter will do no more than before, but to marriage and, specifically, to child-bearing. More than anything else, it is sexual reproduction that distinguishes the child bride's new condition from Laura and Lena's. Laura attempts to code this condition as a choice—women marry only when they are "responsible," like Ma—but her reasoning is obviously undermined by the very subject of the conversation: if Laura and Lena "don't want to be so responsible," then it is unlikely the laundress' daughter wants to either.

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[34] Wilder, *SL*, 32.

[35] Wilder, *SL*, 32.

[36] Romines, *Constructing the Little House*, 139-163. See also Wolf, *Reader's Companion*, 94-97.

[37] Laura Ingalls Wilder, Letter to Rose Wilder Lane , January 26, 1938, in *The Selected Letters of Laura Ingalls Wilder*, ed. William Anderson (New York: HarperCollins, 2016), 151.

[38] This is Carole Pateman's definition of "male sex-right." See Carole Pateman, *The Sexual Contract* (Cambridge: Polity Press, 1988), 1, 14, 22, 109-110.

Over the span of just a few pages in her seemingly anodyne children's series, Wilder shows her readers how capitalism vitiates the cultural ideal of home through the exploitation of women's labor, which is only possible because the "cult of true womanhood" renders their domestic labor irrecompensable. Moreover, even those homes that remain impervious to external exploitation may still expose women's bodies to male control. In a letter to Lane addressing the plot of *By the Shores of Silver Lake*, Wilder was adamant "the adult stuff must begin to be mixed in" to the protagonist's maturation, but perhaps she sensed she had gone too far. The narrative soon whisks the Ingallses away from the railroad camp and into yet another ideal home they will construct, one where the conventional gender roles will be safe from such embarrassing counterexamples.[39] Before this can happen, however, Wilder expands upon her critique of patriarchy with a scene in which Laura experiences reflexive freedom in the form of individuality on an enveloping landscape.

It all begins with a pair of rambunctious horses. Up to this point in the series, horses had been exclusively ridden and driven by men, whereby they also connoted "free and independent." In *Farmer Boy*, when a ten-year-old Almanzo heeds his father's advice and rejects an apprenticeship as a wheelwright—"You'll be free and independent, son, on a farm"—he is rewarded with a horse of his very own.[40] In *On the Banks of Plum Creek*, Ma persuades Mary and Laura to wish for horses for Christmas.[41] Pa needs them to plant the wheat crop he believes will change the family's fortunes (it does not), and his daughters are instructed to sublimate their own desires to sustain his yeoman dreams. Although Laura gets to ride one of the "Christmas

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[39] Wilder, Letter to Rose Wilder Lane on January 26, 1938 in *Selected Letters*, 151. Romines reads the authors' quick disposal of Docia and Lena in a similar way, *Constructing the Little House*, 145-146, 156-158.

[40] Wilder, *FB*, 263.

[41] Laura Ingalls Wilder, "On the Banks of Plum Creek," *The Little House Novels*, vol. 1, 455-456. Hereafter, *PC*.

horses," marveling at its "big, gentle back" as she "felt its aliveness carrying her," they are primarily coded as Pa's agricultural implements and capital.[42]

When Laura and Lena set out for the laundress in a horse-drawn buggy, Wilder reminds the reader of the masculinity horses have so far symbolized. "Pa had never let Laura drive his horses," she writes, "he said she was not strong enough to hold them if they ran away."[43] Pa may have been right. With Lena holding the reins, the horses begin to gallop almost as soon as they are hitched:

> Up sailed the buggy, almost jerking the seat from under Laura. Her bonnet flapped behind her tugging at its strings around her throat. She clutched onto the seat's edge. The ponies were stretched out low, running with all their might.
> "They're running away!" Laura cried out.
> "Let 'em run!" Lena shouted, slapping them with the lines. "They can't run against anything but grass! Hi! Yi! Yi, yi, yee-ee!" she yelled at the ponies.[44]

At first, Laura is startled by the speed and instinctively echoes Pa's admonition that a girl her age cannot control a runaway horse. Lena does not deny this, but assures there is no cause for concern: Wilder's description of the setting as wide and grassy suggests the land harbors no threats to the girls, even at high speeds. To the contrary, it encourages their unmodulated expression. Amongst her family, Laura is constantly chastised for forgetting her sunbonnet and is often instructed to lower her voice, both of which are aspects of nineteenth-century femininity rigidly enforced by Ma.[45] Yet, speeding across the open prairie, and away from her mother's sphere of domesticity, Laura's bonnet is immediately discarded and she soon mixes her own shouts with Lena's. The songs they sing on the way to the laundress presage the

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[42] Wilder, *PC*, 461. See Romines, *Constructing the Little House*, 131-132.

[43] Wilder, *SL*, 30.

[44] Wilder, *SL*, 32.

[45] Janet Spaeth, *Laura Ingalls Wilder* (Boston, MA: Twayne Publishers, 1987), 43.

sexual exploitation they will encounter there—"'Take care, dear girl, he's a fooling you'"—and, by way of juxtaposition, reinforce the prairie landscape as a place of safety.[46] On their return to the railroad camp, Lena gives Laura the reins and the horses once again break into a gallop. "Laura braced her feet and hung onto the lines with all her might. She could feel that the ponies didn't mean any harm. They were running because they wanted to run in the windy weather; they were going to do what they wanted to do."[47] The wind-insulated prairie grants girl and horse alike the opportunity to do as they please without harm to self or others; the land is an envelope that surrounds and protects Laura as she explores behaviors unsanctioned by prevailing gender norms.

The scene culminates when Laura is finally atop her own horse. Even though it was "big and strong enough to kill Laura if it wanted to, and so high that to fall off it would break her bones," the security of the prairie encourages Laura to take the risk. As Wilder puts it, "she was so scared to ride it that she had to try."[48] Laura's ride constitutes one of the more literary passages in the entire series:

> Laura was holding onto the pony's mane. She was hanging onto deep handfuls of it with all her might... but she was jolting so that she couldn't think... Every instant she was falling, but before she really fell she was falling the other way, and the jolting rattled her teeth.... Then everything smoothed into the smoothest rippling motion. This motion went through the pony and through Laura and kept them sailing over waves in rushing air... She and the pony were going too fast but they were going like music and nothing could happen to her until the music stopped.[49]

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[46] Wilder, *SL*, 30-31.

[47] Wilder, *SL*, 32.

[48] Wilder, *SL*, 33.

[49] Wilder, *SL*, 34.

Written from Wilder's distinctive third-person limited perspective, the passage describes what equestrian readers will recognize as the transition from trotting to galloping.[50] Yet, leveraging the perspectival naivety, Wilder invites an interpretation of the scene as Laura's first sexual experience. Beginning with uncomfortable "jolting," the experience erupts into a smooth and fluid ("rippling," "waves") sublimity that can only be described through metaphor. Laura senses herself on the cusp of some danger—"they were going too fast"—but as her sense of sequential time deranges into the organic whole of melody—"they were going like music"—she feels nonetheless secure: "nothing could happen to her until the music stopped." The experience is more than "overtly physical," as Vera R. Foley puts it; it is practically out-of-body.[51] More to the point, it is nothing short of orgasmic.

Analyzing horse-girl plots in children's literature, Mary Trachsel argues such stories function by "stimulating and satisfying desires for freedom and active agency that transgress the gender limitations of heterosexual romance narratives."[52] They are, in effect, safer, more agentive, and more gynocentric proxies for romance that do not objectify female sexuality in terms of male desire or the exigencies of reproduction. Laura's ride fits this model. What is most significant about her experience is not the physical exhilaration *per se*, but the way her own sensations are primary. She is neither the passive object of another's desire nor controlled by her mother's standard of femininity, but slips beyond these family dynamics and cultural expectations into a space of individual exploration. In fact, Laura's ride is the first time in the series the character is genuinely alone. In contrast with the constraints of her patriarchal family

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[50] Spaeth, *Laura Ingalls Wilder*, 72.

[51] Vera R. Foley, "Naked Horses on the Prairie: Laura Ingalls Wilder's Imagined Anglo-Indian Womanhood" in *Reconsidering Laura Ingalls Wilder: Little House and Beyond*, ed. Miranda A. Green-Barteet and Anne K. Phillips (Jackson, MI: University Press of Mississippi, 2019), 55.

[52] Mary Trachsel, "Horse Stories and Romance Fiction: Variants or Alternative Texts of Female Identity?" *Reader* 38/39 (Fall/Spring 1997-1998): 31.

and the examples of gender exploitation to which she had recently been exposed, Laura experiences an ecstatic moment of unrepressed individuality in a setting Wilder describes as wide, open, insulated, and, above all, safe for a bout of uncontrolled play.

Wilder had hinted at the "enveloping" nature of the prairie landscape before this scene. In *Little House on the Prairie*, she writes, "the large, bright stars hung down from the sky. Lower and lower they came, quivering with music... The night was full of music, and Laura was sure that part of it came from the great, bright stars swinging so low above the prairie."[53] As the land and night sky encircle Laura, a boundary between self and other, human and non-human dissipates. She feels, as Romines puts it, "an oceanic, amniotic, unhoused intimacy with the unbordered prairie," and there is an undeniable gestational quality to Wilder's words.[54] Elsewhere in *By the Shores of Silver Lake*, Wilder describes how Laura runs through the prairie grass after the last of the railroad men leaves for the winter: "the whole vast prairie, and the great sky and the wind were clear and free... She could shout if she wanted to... The shout seemed loud in her throat, but in the air it was thin. The wind took it away perhaps. Or the stillness of the empty land and sky would not be disturbed."[55] Here, the enveloping prairie is so large and all-encompassing that it intimidates Laura and overawes her unmodulated expressions.

In contrast to these depictions of an enveloping prairie, the setting in the scene analyzed above neither swaddles nor suffocates Laura's individuality. Instead, it creates a pocket in which her burgeoning sense of self can develop with tacit reference to, but at a safe remove from, the patriarchal world she normally inhabits. Laura's experiences in this scene does not

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[53] Wilder, *LHOP*, 288-289.

[54] Romines, *Constructing the Little House*, 83.

[55] Wilder, *SL*, 82.

evince the self-consciousness and intentionality Bourdieu has in mind when he uses the term "reflexivity," but it fits the modified definition I have proposed: a productive tension between self and world that can dispel the effects of ideology. On land where horses (and the girls they carry) "can't run against anything but grass," where one can shout, act, and *feel* in ways that are entirely "unladylike" because one is out of reach of the social forces that would proscribe such behavior, a freer way to be is possible.

Yet, the reflexive freedom that prompts Laura's surge of individuality is an ephemeral one; the reprieve from patriarchy facilitated by the enveloping prairie is momentary. Wilder has Docia tell Ma that "'Lena hasn't had an afternoon to do as she liked since we came out here, and she won't have another till the summer's over,'" reminding the reader of the exploitation that ranges at the margins of the landscape.[56] The end of the afternoon means Lena must return to her exploited labor in the railroad camp, and it marks a finality for Laura, as well: Wilder never again permits her protagonist to ride a horse within the canonical novels. Her "experiment" in reflexive freedom, in creating a tension between Laura and the patriarchal ideology of her social world, does not become the new status quo. Rather, the effects of patriarchy return in full force when Laura and Lena cross over the threshold of the enveloping prairie.

Still, there is a "little" freedom here, and the episode with the horses has an echo later in the novel. After the Ingallses have moved to their claim, Wilder places Laura on another vast prairie which she describes as "a green carpet flowered with spring blossoms":

> Laura spread her arms wide to the wind and ran against it. She flung herself on the flowery grass and rolled like a colt. She lay in the soft, sweet grasses and looked at the great blueness above her and the high, pearly clouds sailing in it. She was so happy that tears came into her eyes.

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[56] Wilder, *SL*, 35.

> Suddenly she thought, 'Have I got a grass stain on my dress?'... Soberly she knew she should be helping Ma, and she hurried to the little dark tar-paper shanty.[57]

In this scene, the dialectic between patriarchy and a subversive expression of individuality is more contracted; the reflexive freedom is even "littler" than before. The animal intensity of Laura's glee abruptly gives way to a concern about her feminized appearance and the domestic chores she must complete, but this momentary release is once again made possible by the safety she feels on the soft, windy, and fragrant prairie. Patriarchy looms in the form of the "little dark tar-paper shanty," exerting a gravitational force on Laura that grows stronger as she matures. Nonetheless, Wilder locates an enveloping landscape in the proximity of her protagonist; a place where Laura can go to feel like an individual, not only a "true woman," and where land can buffet ideology without overcoming it.

"Let Us Wander, Gay and Free": Settler Colonialism and Discovery on Peripheral Land

If the *Little House* novels reify the cultural ideal of home and patriarchy, more generally, they also entrench another, related ideology with even more insistence. Above all else, the series is an expression of settler colonialism on its structural, cultural, and libidinal levels.[58] Consider how the novels narrate a white family's quest to acquire land (both with and without the support of an imperial government) and dispossess its original inhabitants in the process. The modes of work and cultivation, social dynamics, and patterns of political community Wilder

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[57] Wilder, *SL*, 157.

[58] This trichotomy is inspired by Lorenzo Veracini's analysis in *Settler Colonialism: A Theoretical Overview* (2010), where he examines settler populations (structure), sovereignty (culture), psyche, and narrative (libido/desire).

inscribes consistently disavow Indigenous presence to substantiate the settlers' claim to the land. These developments satisfy her characters' profound desire to belong to a place that, paradoxically, requires them to both repress and imprint memories of violent dispossession, since any trace of Indigenous lifeways would undermine their sense belonging *and* the settler identity valorizes a foundational, eliminating violence. The result is a self-perpetuating process of dispossession: the structures of appropriation and modes of cultural substantiation satisfy the settler's desire, which in turn motivates further appropriation.

One can easily discern this process in the Ingallses' journey from one "little house" to another, Wilder's celebration of Pa and Laura's shared wanderlust, and numerous other elements of the novels. However, a single chapter in *These Happy Golden Years* contains a concise example of settler colonialism's ideological triptych. It is a somewhat awkward set piece, entirely unrelated to the plot, that evidences Wilder's enduring fascination with the settlers in her personal history, and the durability—the romance, even—of settler colonialism as an ideological formation.

One day, Laura's long-lost Uncle Tom arrives in De Smet and regales the family with a story about his participation in a gold-seeking expedition to the Black Hills. As Tom tells it, "in October of '74" he and his comrades penetrated deep into "unknown country" in Dakota Territory, braving fierce winds and snow. Seeing nothing "but frozen prairie and the storms, and now and then a few Indians at a distance," the settlers arrived in a "heathenish place," barren and covered in bones, "that must be the Bad Lands of which [Tom] had heard tales from the Indians." On Tom's estimation, "'I think that when God made the world He threw all the leftover waste into that hole.'" The settlers built a stockade and hunkered down for a winter of hunting and trapping for furs. Come spring they found gold, but "about the same time, the Indians attacked them." While exchanging fire with the Indians, Tom heard the reveille of a bugle: U.S. regulars had arrived, though not to support the settlers. Instead, they'd come to arrest them. "'It was Indian country,' Uncle Tom said mildly. 'Strictly speaking, we had no right to be there.'" The regulars burned the stockade, commandeered the furs, and "marched us out on foot, prisoners." Pa, typically jovial and not given to harsh language, is enraged by the story: "'I'll be durned if I could have taken it!' he exclaimed. 'Not without some kind of scrap.'" Tom rationalizes the settlers could never have bested the regulars, but admits, "'I did hate to see that stockade go up in smoke.'" This resonates with Ma, who adds, "'To this day I think of the house we had to leave in Indian Territory. Just when Charles had got glass windows into it.'" The story lingers with Laura, whose daydreams of Tom's frigid exploits contrast with the uncanny knowledge "that it was springtime and she was in the pleasant town."[59]

The vignette expresses in fine-grained detail the same structural, cultural, and libidinal elements glossed above. Enacting the more conventional *terra nullius* trope, Uncle Tom and his fellow settlers justify their appropriation of the Black Hills by rendering them empty, "unknown," and un(der)populated. In reality, the Black Hills are Ȟe Sápa, the center of the universe in Lakota cosmology, protected from white settlement by the Treaty of Fort Laramie (1868). In light of this, Tom's description of the place as "heathenish," as a divine waste bin with its unique granite spires resembling "outlandish idols," suggests Wilder is aware of the cultural significance and that Tom denigrates Lakota spirituality to justify his settlement.[60] What is more, the settlers immediately construct a stockade. This represents a level of aggression at odds with the apparent emptiness of the Black Hills, but also speaks to the cultural function of settler labor. A familiar device at this point in the series, Wilder has Tom dwell on the precise number of logs the settlers chopped, the battening, the pegging, the

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[59] Wilder, *HGY*, 615-618.

[60] Wider, *HGY*, 616.

portholes they cut, and the gate they built: "twelve feet wide made of large logs solidly pegged together with wooden pins."[61] Here, as elsewhere, it is the settlers' labor which transforms the environment and thereby substantiates their claim to the land—the strength of which is tested when it is revealed to be illegal. The consequent arrest and removal of the gold-seekers triggers a traumatic response that psychologically satisfies the settler audience, even though it interrupts the actual settlement in the story. Though they are proud Americans, Pa and Ma see the actions of the U.S. regulars as a threat to their belonging. Pa flies into a violent fantasy, while Ma wistfully recalls how their own claim-staking labor was undermined when the government compelled the Ingallses to leave Osage land at the end of *Little House on the Prairie*. For her part, Laura feels a tension between her sense of safety and innocence in De Smet, and the knowledge that settler communities like hers are founded upon such violent and illegal intrusions as that in which her uncle participated.

As with her general endorsement of patriarchy, Wilder seems sympathetic to Uncle Tom's predicament and tends to grant a positive sheen to the structural, cultural, and libidinal aspects of settler colonialism throughout the series. Yet, just as *By the Shores of Silver Lake* contains a memorable scene in which reflexive freedom subverts patriarchy through the protagonist's experience of individuality, *These Happy Golden Years* shows how reflexivity engenders another experiment that has the potential to free Laura from settler ideology. Here, it is Wilder's description of land as a "peripheral" setting that induces a second liberating experience I refer to as "discovery."

As it happens, the experience of discovery finds Laura once again behind a horse, which is the main setting of Laura and Almanzo's courtship in *These Happy Golden Years*. The pair's amorous buggy rides are remarkably wide-ranging, often covering forty miles or more in an

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[61] Wilder, *HGY*, 616.

afternoon. Through this device, Wilder has her characters explore the wider world around De Smet. One ride begins with Almanzo explaining the Timber Culture Act, a complement to the Homestead Act of which he has taken advantage: "'The government experts have it all planned... They are going to cover these prairies with trees, all the way from Canada to Indian Territory... if half these trees live, they'll seed the whole land and turn it into forest land, like the woods back East.'"[62] Laura marvels at the policy, though she cannot imagine the prairie landscape ever resembling eastern forests. Juxtaposed with this project of environmental control, she and Almanzo drive the horses to the "beautiful and wild" Spirit Lake, where there is "an Indian mound... said to be a burial place, though no one knew what was in it. Tall cottonwoods grew there, and choke-cherries smothered in wild grape vines."[63] Later, Wilder places the pair on a narrow isthmus between Lake Henry and Lake Thompson, where Laura has a vision of her own:

> They sat in silence and Laura thought how wild and beautiful it must have been when the twin lakes were one, when buffalo and antelope roamed the prairie around the great lake and came there to drink, when wolves and coyotes and foxes lived on the banks and wild geese, swans, and herons, cranes, ducks, and gulls nested and fished and flew there in countless numbers.
> "Why did you sigh?" Almanzo asked.
> "Did I?" said Laura. "I was thinking that wild things leave when people come. I wish they wouldn't."
> "Most people kill them," he said.
> "I know," Laura said. "I can't understand why."[64]

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[62] Wilder, *HGY*, 654. The Timber Culture Act of 1873 granted an additional 160 acres of land to homesteaders, provided they planted trees on 40 acres thereof. It was partially motivated by a bogus-but-widespread theory that "the rain follows the plow," or that homesteaders could change the weather by planting crops and trees on the prairie. See Gates, *History of Public Land Law Development*, 399-401.

[63] Wilder, *HGY*, 654-655.

[64] Wilder, *HGY*, 661.

The landscapes they visit grant Laura and Almanzo access to worlds, both real and imagined, that are not only foreign to the settler community in De Smet, but challenge its existence. Teeming with non-human life and the trace of exotic cultures, these lands exhibit alternatives to the legally- and ecologically-controlled spaces the characters normally inhabit. In moving beyond the world of the "government experts" who seek to transform the prairie through the infrastructure of the imperial state, they encounter worlds that draw their vitality from other sources—in the case of Laura's imagined, prehistoric lake, perhaps from sources that predate humanity, "when the twin lakes were one." Even more radically, Laura's vision features a world where "people"—by which Wilder certainly means "settlers"—do not violently replace "wild things," but live harmoniously with them. The affective dimension of these visits and visions is nuanced. On one hand, Laura and Almanzo clearly appreciate the "beautiful and wild" landscape, often pausing to gather wild grapes and flowers, or marvel at the open sky. On the other, Laura laments an even wilder world that has been extinguished by settlement. Granted, characters like Pa are also moved by the tension between settlement and wildness, but unlike his more earthbound concern about overhunting—a concern which only effects the extension of settlement further westward—Laura longs to discover a world beyond (or before) settlement.[65]

In marked contrast with the appropriating dynamics of settler colonialism, to discover here means to seek and admire the novel and unfamiliar without fully possessing or inhabiting it. As with individuality, it requires a level of reflexivity that is here evinced in Laura's recognition of the historical contingency which has placed her on the frontier and shaped her apperception of novelty. The metacognition with which she sees the "beautiful and wild" surroundings as more than spaces to be controlled and settled releases Laura from her usual,

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[65] Wilder, *SL*, 143; Lindsay R. Stephens, "Mobile Stickers and the Specter of Snugness: Pa's Place-Making in Dakota Territory," in *Reconsidering Laura Ingalls Wilder*, 107-108.

settler-colonial perspective. She sees the environment not only through the vantage Almanzo offers—the perspective of the "government experts"—but also rediscovers it from an alternate vantage that can imagine the landscape prior to or without settler intrusion.

That this experience of discovery is liberating is encapsulated in Laura and Almanzo's repeated singing of "the starlight song," which Wilder inscribes as a kind of soundtrack to their buggy rides:

> In the starlight, in the starlight,
> Let us wander gay and free...
> Like the fairies in the shadow
> Of the woods we'll steal along...
> When none are by to listen,
> Or to chide us in our glee,
> In the starlight, in the starlight,
> Let us wander, gay and free.[66]
>
> From the glitter of our dwelling
> We will softly steal away.
> Where the sil'vry waters murmur
> By the margins of the sea,
> In the starlight, in the starlight,
> We will wander gay and free.[67]

Romines convincingly interprets the "starlight song" as expressing Laura and Almanzo's liberation from "daylight boundaries, strictures, and houses," with their gendered expectations, as well as the onerous time constraints of frontier life. On her reading, a moonlit prairie affords

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[66] Wilder, *HGY*, 676.

[67] Wilder, *HGY*, 681. Cf. Laura Ingalls Wilder, "The First Four Years," *The Little House Novels*, vol. 2, 735. Hereafter, *FFY*.

the lovers the freedom to give themselves and their time to each other.[68] Yet, the spatiality of the lyrics and the repeated performance of the song during Laura and Almanzo's buggy rides refers to an experience not only between two people, but also between these people and the environment through which they move. The song describes movement over the land in the language of fugitivity and even theft: fleeing from the known to the unknown, the couple "steal away" from familiar places (their "glittering" dwellings) and the communities to which they belong ("none are by to listen"), transforming into fantastical beings in the process ("Like the fairies in the shadow"). Under cover of darkness and in liminal spaces ("In the starlight," "By the margins of the sea"), their movement is silent, untraceable, and without purpose ("Let us wander"). The obscure environment, the absence of any acquaintance, and the confusion of the characters' very being might be cause for terror, and such elements are often negatively portrayed in Great Plains fiction. Here, however, presented as the conditions for discovery, the same qualities liberate Wilder's protagonists from settler-colonial ideology. Where settler-colonial structures facilitate exclusive possession, discovery spurns all boundaries and title; where settler-colonial culture concentrates purposive labor for appropriation, discovery encourages the singers to wander aimlessly; on unfamiliar and uncontrolled lands that tend to make settlers anxious, Laura's zest for discovery exudes wonder. Beyond the physical limits of their settlement and the ideology that overdetermines its existence, surrounded by the "beautiful and wild," Laura and Almanzo discover in order to see their world anew and thereby become "gay and free."

This liberating experience of discovery is made possible by the peripheral quality of the landscape. In the buggy-ride scenes of *These Happy Golden Years*, the lands through which the characters travel are near their homesteads, but they are distinctly unsettled. Thus, the land is

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[68] Romines, *Constructing the Little House*, 233-234.

both proximate *and* exotic. This attracts Laura and Almanzo, who are edified by the perspectival shifts they experience there—the productive tension they feel between what they presume to know and what they presently see. In a single afternoon, the couple can leave the dull patterns of frontier life behind and escape to alternate worlds on the periphery of their settlement. It is crucial that Laura and Almanzo do not stay at this periphery, but always return to their homes at the end of the day. As a result, the lands they discover remain in a state of suspension between what Diane Quantic, drawing on Yi-Fu Tuan, calls "space" and "place": on the periphery, endless and open prairie spaces converge, though asymptotically, with intimate and familiar places of settlement.[69] Such a dynamic means land as periphery, which has the potential to overwhelm, becomes accessible as a "beautiful and wild" ring around De Smet, yet without degenerating into the mundane domesticity of the settled core.

Land as periphery contrasts with a different set of spatial relations encapsulated in one of Wilder's favorite terms: "snug." As Katharine Slater argues, "snug" is a "small but powerful word" that "holds in its four letters the happy promise of intimacy... of solid interiority" and insulation from a threatening exterior.[70] For readers of the Little House novels, "snug" frames "the settler colonial region as home... as emotionally familiar and familial rather than as an othered site of visitation."[71] Wilder typically refers to houses as "snug," but the term does not imply "static." To the contrary, the Ingallses' wagon is "snug" in *Little House on the Prairie*, and even Almanzo's buggy is rendered "snug" during a thunderstorm.[72] Denoting a relationship

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[69] Diane Dufva Quantic, *The Nature of the Place: A Study of Great Plains Fiction* (Lincoln, NE: University of Nebraska Press, 1995); Yi-Fu Tuan, *Space and Place: The Perspective of Experience* (Minneapolis, MN: University of Minnesota Press, 1977).

[70] Katharine Slater, "'Now We're All Snug!' The Regionalism of *Little House on the Prairie*," *Genre* 47, no. 1 (2014): 65, 70.

[71] Slater, "'Now We're All Snug!'": 57

[72] Wilder, *LHP*, 283; *HGY*, 707.

between interior and exterior, Wilder's deployment of "snugness" actually describes a unique pattern of settler migration. As the Ingallses move outward (i.e. into the West) they also always move inward into their "little houses" and frontier communities, converting what they perceive to be empty and intimidating space into safe and intimate places. By "rendering the outside inside," "snug" reinforces settler-colonial ideology.[73] The settler's appropriation of land, consecrated by place-making activities, engenders a sense of familiarity, belonging, and even nostalgia. Indeed, Uncle Tom's "stockade" in the Black Hills, with its "little log cabins" inside, would surely qualify as "snug" according to Wilder's standards.

By definition, then, the periphery cannot be "snug." It does not facilitate the conversion of exterior into interior, but forestalls and redirects this settler impulse by holding open the distance between "space" and "place." At the periphery, Laura and Almanzo relish wild, unconverted exteriority as a refreshing alternative to the "snugness" of their insular homes and communities. Rather than appropriating, place-making, and familiarizing, they make no claim to the land, criticize attempts at environmental control, and delight in the exotic and unknown. As precisely an un-snug, "othered site of visitation," the periphery denaturalizes settler-colonial ideology. This is not to deny the significance of "snug" in Wilder's thought, but to portray the depth and intricacy of her thought by identifying therein its equally powerful opposite. If Wilder constructs her "little houses" and "little towns" as snug places of settler familiarity, then the peripheral lands are sites of discovery where her protagonists can liberate themselves from these very constructs.

Just as the "enveloping" quality of prairie land affords experiences of individuality in *By the Shores of Silver Lake*, the "peripherality" of land supports experiences of discovery in *These*

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[73] David Lloyd and Patrick Wolfe, "Settler Colonial Logics and the Neoliberal Regime," *Settler Colonial Studies* 6, no. 2 (2016): 112

Happy Golden Years. In both cases, Wilder's landscapes inspire a reflexivity that liberates her characters from the ideology she otherwise endorses. Yet, several aspects of Laura's vision indicate the subversion of settler colonialism is incomplete, and perhaps even counterproductive. First, consider Laura's vision of a landscape full of "wild things [that] leave when people come." Earlier it was suggested Wilder means "settlers" when she writes "people," but the lament as written ignores the fact that Indigenous people had long lived upon the same lands without exterminating the animals. Pa himself explains this to Laura when he recounts the demise of the buffalo—the "Indian's cattle."[74] What Wilder presents as a plaintive fantasy was, in fact, a *reality* which settlement destroyed—the same settlement that Laura, by indulging the fantasy, endeavors to outstrip. In other words, while effecting an escape from the settler-colonial mentality, Laura ultimately partakes in the settler's negation of Indigenous lifeways.

Second, recall the "Indian mound... said to be a burial place" that adds to the exoticism of the periphery. This passing reference to a long-forgotten ("about which no one knew") and literally bloodless Indigenous existence authenticates settlement—the settler has "tamed" what was once "savage"—while negating foundational violence. It also encodes what Mark Rifkin calls "settler time": the "notions, narratives, and experiences of temporality that de facto normalize non-native presence, influence, and occupation."[75] Indigenous existence is acknowledged in the "Indian mound," but only as a relic of the past. As such, it is a paradigmatic example of the Indigenous trace which the settler psyche must simultaneously repress and recall. Thus, far from escaping the settler-colonial mentality, a visit to the periphery can actually titillate the settler's desire to belong to a place. The "wild things" and

[74] Wilder, *SL*, 38-39, cf. 100, 162-164.

[75] Mark Rifkin, *Beyond Settler Time: Temporal Sovereignty and Indigenous Self-Determination* (Durham, NC: Duke University Press, 2017), 9.

Indians are "out there" or in the past, the discovery of which reifies the interiority of the settlement, such that discovering the exterior may actually make the interior seem more "snug." For Wilder, the allure to discover that which is unknown because it is spatially distant is imbricated with the settler impulse to render that which appears historically distant *unknowable* and, therefore, morally irrelevant.

As an experience of wandering "gay and free" through peripheral lands, and thereby seeing the world anew, discovery retains the potential to liberate the subject from accepting uncritically settler colonialism's more obvious intrusions and appropriations. However, the negating effects of Laura and Almanzo's discoveries are nonetheless part and parcel of settler ideology. Furthermore, there is a way in which reflexivity, while creating a healthy distance between the self and the structures and culture of settler colonialism, follows the same libidinal pattern as settler ideology. If tension between self and world is generated by emigration (however temporary) to a supposedly empty and exotic periphery, the difference between appreciating the "beautiful and wild" and, say, claiming a homestead appears negligible. The settler is still edified by movement onto and through land in a way that presumes Indigenous elimination. In this case, Wilder's experiment in reflexive freedom leads back to ideology.

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These Happy Golden Years is the final canonical novel of the *Little House* series. In it, Wilder both rehearses the structural, cultural, and libidinal pathways of settler colonialism and attempts to write her protagonist's liberation from that same ideology. This is a fitting ending to a series that both reified and subverted two of the most durable ideologies of its time. Wilder created a character whose unique reflexivity, when situate on enveloping and peripheral landscapes, could spark liberating experiences of individuality and discovery—of seeing and being otherwise—that temporarily buffeted the headwinds of ideology. Yet, Wilder also presents Laura's reflexive freedom as short-lived or self-undermining. She does not permit her protagonist to remain on the lands that liberate her, but has her consistently retire to her roles in a patriarchal and settler-colonial social world. As a whole, then, one may conclude ideology wins out in the *Little House* novels. Land can encourage a productive tension between self and other, but not in a sustainable manner. Alternately, one might privilege the fact that the overdeterminations of ideology are not as totalizing as they purport to be. On enveloping and peripheral lands, one can exercise a reflexivity that calls ideology to answer the questions it rebuffs. Ultimately, Wilder's experiments in land-based freedom remain just that—experimental, indecisive, and indeterminate. Perhaps the essence of reflexive freedom lays therein.

Queer Land for All!

Then again, another reason why Wilder's experimentations remain indecisive may be due to the pressure they place on the individual subjectivity to gain a permanent critical purchase on ideologies that, by definition, resist these moves. Even when Laura manages to abscond to the landscapes that support her reflexivity, ideology can intrude suddenly, as when gleefully "rolling like a colt," Laura recalls the expectations of patriarchy. The tension breaks and the self snaps back to its social world; the sense of protection and distance the prairie landscape had generated dissipates in a moment. Reflexive freedom fades like a dream.

If the reflexive subject's momentary escape from ideology implies an inevitable relapse—as it appears to in the *Little House* novels—then perhaps another route which reflexivity may take is to *not* subvert the subject's own position within an ideology, but to imagine how the ideologies that overdetermine existence are nonetheless contingent and limited; to allow for the possibility that others besides oneself may not be conditioned to the same ways of seeing and being. In other words, instead of creating a tension between self and world, reflexivity can liberate by acknowledging the existence of other worlds. With regard to settler colonialism, specifically, this means the settler subject does not seek to discover new ways she herself may relate to the world—especially since these tend to tread the usual paths of settler desire, as discussed above—but opens herself to the existence of radical others who, though materially colonized, are not subject to the effects of settler ideology in the same way.

In the context of the *Little House* novels, such radical others are, unsurprisingly, Native Americans. While the series as a whole takes a very shallow view of Indigenous people, usually neglecting their existence completely, the exception is *Little House on the Prairie.* In what Wilder explicitly referred to as her "Indian Country" book, her presentation of Native Americans and treatment of settler-Indigenous relations is markedly more dynamic.[76] What is more, it is in *Little House on the Prairie* that Wilder refers to the Kansas landscape as "queer"—a term she mostly abandons thereafter. Thus, this section interprets Wilder's attention to Native Americans and conspicuous use of "queer" to describe how the setting functions as an experiment in an alternate form of land-based reflexivity: the freedom that comes with realizing others may exist differently on the same land. Wilder's "queering" of the land expands the possibilities of liberation beyond the critical positionality of the reflexive subject, such that freedom means recognizing that "queer" land is truly for all.

One can surmise the *Little House* novels' treatment of Native Americans from the simple fact that one of the most frequent reference to "Indians" is Ma's insistence that Laura will become "brown as an Indian" if she doesn't wear her sunbonnet. The phrase speaks to a potent mixture of both racial hierarchy and settler "replacement" that is typical of settler ideology, which needs to both denigrate Indigenous life as a means of dismissing prior claims to the land

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[76] Fraser, *Prairie Fires*, 353.

and yearns to "become Indigenous" as a means of substantiating the settler's own claim. While Wilder characterizes Ma as straightforwardly hostile to Native Americans, she positions Pa closer to the latter notion.[77] For example, he occasionally expresses admiration for Indigenous knowledge, such as when he remarks "'that's an Indian idea... You'll admit yet, Caroline, there's something to be said for Indians'" when Ma dries corn in the sun.[78] Nonetheless, Wilder does not allow Pa to waver from the settler ideology that preordains the elimination of Indigenous life on the frontier, and he tells Laura "when white settlers come into a country, the Indians have to move on."[79] Furthermore, Wilder offers no objection or counterpoint to these racist and violent ideas from an Indigenous voice at any point in the series. In fact, across seven of the eight novels, only two Native Americans speak: Big Jerry the "half-breed," who rescues the Ingallses on two occasions, and a nameless Indigenous man who warns the settlers at De Smet about the impending long winter.[80] The implication would seem to be that while the settlers in the *Little House* novels are grateful for Indigenous aid, and will appropriate their practices when useful, Wilder believes their existence is not worth taking seriously on an increasingly white frontier.

The exception, again, is *Little House on the Prairie*. In the series' third installment, Wilder includes several Indigenous characters, several of whom speak. She gives pride of place to a fictionalized (and historically anachronistic) Soldat du Chêne—the renowned Osage peacemaker—of whom Pa proclaims, "'that's one good Indian!'"[81] Second, Wilder fills the novel

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[77] On Ma's hostility, see Wilder, *LHOP*, 287, 300, 320, 363; Wilder, *PC*, 521; Wilder, *SL*, 50; Wilder, *LW*, 209; Wilder, *LTOP*, 428.

[78] Wilder, *LTOP*, 427-428.

[79] Wilder, *LHOP*, 366.

[80] Wilder, *SL*, 40, 68-69; *LW*, 207-208

[81] Wilder, *LHOP*, 394.

with descriptions of Indigenous activity unrelated to assisting white settlement: daily life on the banks of a river, councils, hunts, prairie burnings, and visits to the Ingallses' cabin for food and exchange of information. More complexly, the plot of *Little House on the Prairie* is largely driven by Laura's intense desire to see a "papoose," or a Native American child. Unsurprisingly, Ma recoils at the notion—"'Mercy on us!... Whatever makes you want to see Indians?'"—while Pa is more encouraging.[82] Wilder concludes the novel with a dramatic description of the Osage tribe marching westward (presumably on government orders) past the Ingallses' cabin. When Laura finally sees a "papoose" among the group, she pleads, "'Pa... get me that little Indian baby!... Oh I want it! I want it!... It wants to stay with me!'"[83]

Romines interprets Laura's desire for the "papoose" as "her yearning for a life of expansion and inclusion" built upon "possibilities of shared lifestyle and a shared life between the Euro-American and Native American," but "incorporation" may be a more accurate term than "inclusion."[84] As Thomas Dumm puts it, "this desire to *have* that which she has been wanting to *see*, to *see* that which she has originally wanted to know... conflates knowledge, scopophilia, and possession into a single urge... Take the baby. Eat the baby, and move on."[85] That is, Laura's desire for the "papoose" is a manifestation of a settler subjectivity that seeks to know and, thus, to possess and control Indigenous life. Rather than a sincere multiculturalism, as Romines suggests, Laura's "hungry" incorporation exemplifies a settler ideology that deems Indigenous life to be either alluringly exotic, capable of assimilation, or threatening, all of which amount to the same thing: the Indian must be devoured. Notably, the Ingallses are

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[82] Wilder, *LHOP*, 287.

[83] Wilder, *LHOP*, 397.

[84] Romines, *Constructing the Little House*, 78.

[85] Thomas Dumm, *Home in America: On Loss and Retrieval* (Cambridge, MA: Harvard University Press, 2019), 182-183.

dejected after watching the Osage leave—not even Pa has an appetite for dinner and Laura regrets she will never see the "papoose" again—but they are also satiated with the spectacle of removal and the concurrent certainty that the land now belongs to them.

In these ways, Wilder's more intentional inclusion of Indigenous people in *Little House on the Prairie* seems to effect just as complete an elimination as their exclusion from the other novels. Yet, beneath Laura's "scopophilic" settler desire is a prairie landscape that resists the conflation of seeing and knowledge. Contrary to Laura's dramatic encounter with the "papoose," Wilder more consistently presents Indigeneity as always outside the gaze—let alone beyond the grasp—of her settler protagonists. In spite of everything Laura delights in seeing on the landscape, she also senses much that remains stubbornly invisible to her. For this sensation, Wilder uses the term "queer."

The "queering" begins soon after the Ingallses choose a place to settle. When Laura begins to explore her new surroundings, she discovers "a *queer* little kind of tunnel in the grass. You'd never notice it if you looked across the waving grass-tops... Laura went along it a little way. She went slowly, and more slowly, and then stood still and felt *queer*."[86] Later, Pa explains the "tunnel" was "some old trail," which prompts Laura to again ask about the papoose, to which Pa responds, "you never saw Indians unless they wanted you to see them."[87] Two Native Americans do appear on the trail one day, walking towards the Ingalls' cabin, and Laura gets a "*queer* feeling in her middle and the bones in her legs felt weak."[88] Thereafter, an "Indian jamboree" (likely a ceremony associated with the spring buffalo hunt, as Pa later explains) produces a "*queer* sound" that is not only unfamiliar to Laura, but seems to disappear and

[86] Wilder, *LHOP*, 291. Emphasis added.

[87] Wilder, *LHOP*, 291.

[88] Wilder, *LHOP*, 324. Emphasis added.

reappear at random: "Sometimes they couldn't hear it; then they heard it again."[89] At this point in the novel, the Ingallses begin to see Native Americans more often, but, like their music, "no one knew how many Indians were hidden in the prairie which seemed so level but wasn't. Often Laura saw an Indian where no one had been before."[90] Soon, the sounds of the "jamboree" emit once more from a war council conducted mere miles from the Ingallses cabin. Thereafter, Laura has "a *queer* feeling about the prairie. It didn't feel safe. It seemed to be hiding something."[91]

To make sense of Wilder's peculiar word choice, I repurpose Rifkin's definition of "queerness" from his analysis of John Joseph Mathew's novel, *Sundown*. According to Rifkin, queerness refers to "the difficulties… of inhabiting… discordant spatial and temporal configurations within the contexts of escalating settler colonial pressure and imposition."[92] Whereas Laura's hungry gaze tends to possess and incorporate whatever she sees—the "papoose" being the paradigmatic example—what I call Wilder's "queering" of the prairie landscape obstructs the satiation of this settler desire. Rather than relegating Indigenous life to the past of "settler time," represented in the previous section by the "old Indian mound," Wilder's "queer" landscape in *Little House on the Prairie* resists this ideological overdetermination. This description of the landscape means character and reader can sense, but *cannot* know in an objectifying and possessory way, the multiple "spatial and temporal configurations"—or, simply, worlds—a single landscape can hold. Rifkin describes this experience as a "difficulty," and the escalations of settler colonialism are undeniably onerous for Indigenous populations. Yet, the obstacles and obfuscations of a "queer" landscape upon which

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[89] Wilder, *LHOP*, 379. Emphasis added.

[90] Wilder, *LHOP*, 383.

[91] Wilder, *LHOP*, 389. Emphasis added.

[92] Rifkin, *Beyond Settler Time*, 119.

multiple worlds—settler and Indigenous—overlap, without intersecting or blending, also facilitate a different way of seeing that subverts ideology through the settler's recognition of multiplicity.

On this view, the "queer" prairie setting in *Little House on the Prairie* is a spatiotemporal manifold that only appears level and empty, and therefore ready for settler labor that marks men like Pa as "free and independent," but is actually dense with (to the settlers) invisible Indigenous worlds that complicate the seamless enactment of settler ideology. This is most apparent when Wilder has Pa, "wonder[ing] where the Indians had gone," lead Laura and Mary:

> farther and farther into the vast prairie. Laura felt smaller and smaller. Even Pa did not seem as big as he really was. At last they went down into the little hollow where the Indians had camped... From the house Laura had seen nothing but grasses, and now from this hollow she could not see the house. The prairie seemed to be level, but it was not level.[93]

In this passage, the prairie is not only vast and all-encompassing, but also layered. Laura can explore and even possess material aspects of the "Indian camp"—presuming permanent absence, she and Mary steal some beads for their baby sister and "play Indian" in the mode of settlers—but she cannot see the entire prairie. The view from the Ingallses' cabin does not exist on the same perspectival plane as the view from the camp; there are vantages—and, thus, subjectivities—within the landscape that are incommensurable. In this setting, Laura's reflexivity does not assist her escape from the settler perspective, but Wilder gives the impression that its scope is diminished. Though the word does not appear here, the landscape Wilder describes is undeniably queer. By disorienting her characters, she allows for

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[93] Wilder, *LHOP*, 340-341.

"discordant" worlds to exist on the land. Ideology is subverted not only by seeing differently, but by recognizing there is much that ideology cannot see.

From the perspective of the Native Americans in the novel, the Ingallses are often just as invisible. While there are several settler-Indigenous interactions, Wilder also describes how "Indians came riding on the path that passed so close to the house. They went by as though it were not there."[94] The most dramatic example of this invisibility is in the aforementioned removal scene when Laura finally sees the "papoose." As the line of Osage passes the Ingallses cabin, Pa glimpses the Indigenous man he so admires: "'Du Chêne himself,' Pa said, under his breath, and he lifted his hand in salute. But the happy pony and the motionless Indian went by. They went by as if the house and stable and Pa and Ma and Mary and Laura were not there at all."[95] The settler family, the structures they have built to prove their possession, and even Pa's apparent gesture of respect are invisible to the Osage. Though they are so close as to almost touch, it is as if the settler and Indigenous characters inhabit different realms layered atop one another, producing a chaotic, disorienting, or "queer" prairie landscape the Ingallses struggle to understand.

Had Wilder ended the novel here, she might have written a story about settlers who, while initially flummoxed by a "queer" prairie, eventually eliminate the Indigenous population and fulfill their structural, cultural, and libidinal appropriation of the land. However, *Little House on the Prairie* contains a final, dramatic twist following the scene of Osage removal. "After the Indians had gone," Wilder writes, "a great peace settled on the prairie. And one morning the whole land was green."[96] The tranquility and fertility of the landscape seems to affirm the

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[94] Wilder, *LHOP*, 362.

[95] Wilder, *LHOP*, 396.

[96] Wilder, *LHOP*, 400.

settlers' right to the land; Pa repeats his encouragement that "soon they would all begin to live like kings" as the garden—a sign of settler cultivation and, thus, property—begins to grow.[97] Yet, Pa soon learns of a grave error: the Ingallses are squatting "three miles over the line into Indian Territory."[98] Despite the departure of the Osage, the U.S. government is sending troops to remove the settlers. Ever the libertarian, Wilder takes care to cast Pa as the victim of a blundering and heavy-handed state, and she describes Laura as eager to be back in their covered wagon, migrating to another new beginning: "You never know what will happen next, nor where you'll be tomorrow, when you are traveling in a covered wagon."[99] Still, the Ingallses' own departure means the prairie will remain invisible and unknown to the would-be settlers; its "queerness" entirely defies their gaze, knowledge, and possession in a way that subverts the self-perpetuating process of settler ideology.

One can read *Little House on the Prairie* as a novel-length experiment in a different kind of reflexivity that liberates through the recognition of the density and multiplicity of worlds. In this case, the reflexive subject never escapes the orbit of settler ideology. After all, Laura is motivated throughout the novel by the desire to possess, incorporate, and thereby eliminate Indigeneity. Nevertheless, her experiences of "queerness" on the prairie signal both the frustration of this desire and the limits of ideology. The invisibility of Indigenous life to the settler gaze is a product of the incommensurability of two social worlds that nonetheless exist on the same landscape. Neither "eats" the other, a là Dumm, nor do they converge into a multicultural "shared life," as Romines suggests. Instead, Wilder holds open the possibility of their "discordant" and uneven coexistence, wherein ideology *underdetermines* both the meaning

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[97] Wilder, *LHOP*, 401.

[98] Wilder, *LHOP*, 401-402.

[99] Wilder, *LHOP*, 406.

of land and the meanings the landscape sustains. In other words, "queer" land is a site where reflexive subjects have the sense—though not the visual feast of "scopophilic" sight—that ideology fails to enforce its overdeterminations in all places. As with the more agonal tension between self and world which Wilder creates on enveloping and peripheral landscapes, this oblique sense of "queerness" on the prairie subverts ideology by narrowing its scope and liberating the multiple—perhaps infinite—worlds which land can sustain.

A Freer Land Is Possible

We can return from the fictional Dakota prairie of the *Little House* novels to the southern bank of the real Jim River with a deeper understanding of Wilder's appreciation for the land she was leaving behind. Her diary entry admitting that, were she "the Indians," she would have "scalped more white folks before she ever would have left" acquires a different hue in light of the preceding analysis.[100] One can now discern in this gruesome pledge a certain ambivalence about ideology—settler colonialism, specifically—which Wilder would later hone through her protagonist's subversively liberating experiences on enveloping, peripheral, and "queer" lands. As when Laura relishes the "gay and free" fugitivity of discovering lands that settlers have not appropriated, the young Wilder exercises her own reflexivity to gain a critical purchase on the "white folks" who invaded Indigenous lands and endangered Indigenous life, and with whom she both clearly identifies and feels a tension. Likewise, as when Laura senses the queerness of incommensurable worlds while remaining squarely within her own, the younger Wilder reifies settler colonialism's "savagery" trope while reflexively recognizing a separate, autonomous, and (to her) mostly incomprehensible Indigenous presence on the prairie.

[100] Wilder, *On the Way Home*, 23-24.

The freedom in subverting the overdeterminations of ideology was as momentary and ephemeral in Wilder's own life as it was in the *Little House* novels. Yet, in both cases, it was land that set the scene for liberation. In this, Wilder's articulation of land and freedom functions as the mirror image of the homestead advocates'. The rhetoric of the latter burdened the frontier landscape with settler-colonial and patriarchal ideologies that overpromised—and then underdelivered upon—a gendered freedom on a phenomenological *terra nullius*. In contrast, Wilder experiments with a decidedly unstructured and perpetually incomplete freedom that calls these very ideologies into question. She was a dreamer, of sorts, but hers was not a "dreamland." In the *Little House* novels, reflexive freedom can dissipate in an instant as the self is overtaken by the ideological forces of one's social world. Yet, as when waking from a dream, both character and reader are left with the impression that other ways of being are possible and radically other worlds may exist alongside our own. There is a freedom in this "failure." With her "good plain prose," Wilder both reifies and subverts ideology in a manner that is never decisive but always open to the possibility of land to be otherwise. As even Pa, Wilder's standard-bearer of patriarchy and settler colonialism, says, "'it's a queer country out here... Strange things happen.'"[101] Under the press of ideology that tries incessantly to enlist it as a tool for its overdeterminations, land can liberate by keeping us open to the strange.

[101] Wilder, *HGY*, 711.

Conclusion

<u>A Political Theory of Nineteenth-Century American Land for the Twenty-First Century</u>

"Où atterrir?"

—Bruno Latour

In 2018, the late Bruno Latour published one of his final books, the English title of which was *Down to Earth: Politics in the New Climatic Regime.* In it, Latour examined the different ways the political right and left in Europe and the United States conceived their place on the planet in the face of devastating climate change and the corresponding refugee crisis. The right burrows into their nationalist and racially-coded localities and tries to forget the weight of the wider world on their economies, communities, and environments through an authoritarian politics of isolation and nostalgia. The left, on the other hand, endeavors to live at the level of the globe, derides any particular relationships to group or place as hopelessly backward, and seeks to replace what it sees as provincialism with an optimistic, technocratic, but often no less racially-charged cosmopolitanism. Latour's point is neither place—hermetically-sealed locality or perfectly uniform and accessible globe—actually exists. If we want to live well in the "new climatic regime," we must think the planet differently.

The original French title captures this insight more elegantly: *Où atterrir?* or *Where to land?* It is meant to call to mind the image of descending airplane searching for a runway, but it is also an obvious double entendre. A "safe landing " in our new, climate-changed world will require a different relationship not just to the planet or the environment, but, specifically, to land. As Latour explains in a conversation about the book, the politics of the future will be a politics about land, that "'critical zone,' understood as the thin outer skin of the earth, ranging from the top of the canopy to the bedrock, where all life is modified and flourishes... [and which is] by necessity part of the agora."[1] This is, on the one hand, a somewhat essentializing definition of land and, on the other, an invitation to rethink the meaning of land; to be critical about this "critical zone" upon which everything else depends.

Latour might have simply said we need a political theory of land. A political theory, as I understand it, is less an account of or argument about a state of affairs we call "politics," but a way of seeing (the Greek word *theoria* meaning speculation or visual contemplation) the contested plurality of things. As a largely historical political theory of nineteenth-century American land, this dissertation has attempted to "see" different meanings of land and its articulations with freedom, sovereignty, and other ideas across a range of thinkers and contexts. It has ventured evaluations of these, but it has not decided on *the* meaning of American land in this time period. This is the task of politics, but not necessarily or even ideally the responsibility of the theorist. What the theorist *can* do is use what they have seen in one place as a lens for making sense of what they see in another. By way of concluding, then, I marshal the insights on the nineteenth century collected in this dissertation in an attempt to see land differently in the twenty-first century.

For example, the logic of benevolent dominion and the configuration of land as terrain can help us detect when well-meaning land-use policies conflict with genuine democracy and the principles of popular sovereignty. In the twenty-first century, this is most likely to take the form of state investment in "green" infrastructure and the other technologies that will support the transition away from fossil energies. These are laudable and urgent investments needed to curb the worst effects of anthropogenic climate change, but fields of solar panels and forests of

[1] Latour quoted in Jakob Valentin Stein Pedersen, "A Conversation with Bruno Latour and Nikolaj Schultz: Reassembling the Geo-Social," *Theory, Culture, and Society* 36, no.7-8 (2019): 219-220.

windmills, to say nothing of more controversial carbon-free sources of energy like nuclear fusion, will take up considerable space. The worry is that decisions about where these technologies are to be constructed will be made by distant officials wielding exclusive authority and targeting the most vulnerable communities—including Native Americans living on reservations—under the guise of providing for some perceived lack: cheap energy, jobs, or even "gifts" of "civilization" in the form of amenities like high-speed Internet. Already there is growing frustration—and from liberals, no less—with environmental impact statements and other regulations designed to protect the residents of locales (both human and non-human) from construction that disrupts or endangers their livelihoods. As Thea Riofrancos and many others have demonstrated, there is nothing to stop colonialism from going green, nor prevent the Green Transition from deploying the tactics of colonialism.

Recognizing the long influence of democratic agrarianism in the United States, we should expect the pushback from local people against "benevolent" intrusions to manifest in a property-centered, NIMBY-ist popular sovereignty: groups of private landowners leveraging their status, community ties, and "independence" to resist impositions from above. Knowing now that terrain undergirds both benevolent dominion *and* democratic agrarianism, we should also expect such resistance to founder on the shoals of paradox. The boundary-drawing practices of private property, the temporality that facilitates unencumbered transactions, and the fetishization of specific land uses written into law by zoning codes work to the advantage of the state planner, heedless of the local constituency, as much as to the modern-day "small-holder." The people of the twenty-first century will need to use land in novel and intensive ways to power life on a (hopefully) habitable planet, but if they also want to exercise sovereignty on and through that land in a way that doesn't collapse into a vicious cycle of property-based independence and the terrain of benevolent dominion, they will need a different articulation of land and sovereignty.

The logic of interdependence on land-is-life may be such an articulation. Insofar as it holds all people have an inalienable right to land as the source of biological and cultural life, decision-making procedures with regard to land-use policy ought to expand to include any person or group with a viable stake to the land in question. These procedures will not produce the most economically "efficient" allocations (where efficiency is measured as the return on investment to a landowner), but they will call on all participants to regularly cooperate and reciprocate on matters of use and access, with compassion for human precarity being the main desideratum. This is not the sovereign logic of the state or corporation, which prizes unencumbered dominion over territory and property, but the logic of the encampment—the Oceti Sakowin camp at Standing Rock being the best example. Nick Estes (Lower Brule Sioux) and others have described to the world how camp life at Standing Rock was centered on solidarity, mutually-reinforcing responsibilities with regard to material reproduction and cultural expression, and compassion for all who came to protest the pipeline. It was this humble interdependence, predicated on the same appreciation for land and water as life one can trace in *Life of Black Hawk*, that steeled the Water Protectors against the violent expulsions of a militarized corporation that was "protecting" its "investment." As pipelines give way to transmission lines and converter stations, the logic of interdependence and land-is-life will ensure these land-use decisions are regularly renegotiated in a spirit of mutuality.

The location of green infrastructure is not the only twenty-first-century issue to be informed by this logic of sovereignty. As the climate crisis exacerbates the already staggering number of un(der)housed people, cities will be confronted with more and more encampments in public spaces. A recent regrettable decision by the Supreme Court allows cities to punish homelessness by prohibiting sleeping outdoors, but even a positive outcome for the unhoused in *Grants Pass v. Johnson* (2024) would have located the issue within the ambit of rights protected by the state. Tangible progress must be made to relieve the causes and mitigate the effects of houselessness, but Black Hawk's ideas might also be applied to reframe public encampments as sovereign acts by the unhoused. Where land is not already used for obvious material or cultural purposes, any person has the right to use it for the support of their life. Encampments need not threaten the jurisdiction of cities nor the sovereignty of those residents fortunate enough to have housing. Rather, they can mark and opportunity to exercise an alternate sovereignty based on sharing the land with those in need.

The nineteenth-century articulations of land and freedom explored in this dissertation also offer new ways of seeing land in the twenty-first century. Today, the phenomenological *terra nullius* continues to entrance Americans, although those staking claims look nothing like the enthralled and resentful urban poor who were the concern of the homestead advocates. The people presently "escaping" to the West are, in fact, the capitalists. The wealthy are buying up enormous amounts of land in places like Montana, Idaho, and Wyoming, where they can cosplay as characters from TV's *Yellowstone* and its homesteader-themed spin-off, *1883*, searching for freedom and masculinity in the "empty," "vast," and, "abundant" landscapes when the amenities of the city feel too hum-drum. The irony, of course, is how this development has made many small rural towns impossibly expensive places for ordinary people to live. Once again, settler colonialism simultaneously undermines and perpetuates itself by exporting its problems—economic inequality and social resentments—to distant locales. Or, rather, locales we only perceive as "distant" and therefore insulated from and untainted by conflict, oppression, and injustice. We have yet to learn what the exaggerations of the homestead advocates' "dreamland" ought to have taught us: there is no magic in the land that will cure what ails us.

No landscape can, of its own accord, undo structural domination, guarantee autonomy, or assuage our insecurities. This is not to say redistribution policies don't make a difference, but they are bound to fail when we freight them with ideology. This is fantasy, not freedom.

Still, there is a difference between fantasy and dreams. We can entertain dreams of a land without falling into the trap of a "dreamland." This is precisely what Wilder offers to readers with her *Little House* novels. Through the episodic and indecisive dialectic of ideological reification and subversion, Wilder subtly carves out different ways of being on and relating to land. Granted, these do not change the structural conditions of her protagonist, who is ultimately as beholden to patriarchy and settler colonialism at the end of the series as she was at the beginning. However, the opportunities to exercise her reflexive freedom on enveloping and peripheral lands, and to sense the radical possibility of other worlds on a "queer" prairie landscape, are liberating for character and reader alike. The lesson for the twenty-first century is not that we need to hitch up the (station)wagon and set course for the literal landscapes where reflexivity can emerge. This only parallels the same problematic patterns of escapism preached by the homestead advocates. Instead, Wilder's experimentation with freedom and land reminds us of the very premise of this dissertation: land is not an essence, instead, it has discursive function. That is, it never means just one thing, but can facilitate many different meanings. It is up to us to analyze and evaluate these by generating a critical distance between ourselves and our social worlds, if only for a moment. When we do, we attune ourselves to seeing land differently in both the past, present, and future, and works of fiction like Wilder's—but certainly not only hers—can be a training ground for this free reflexivity.

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Looking forward by looking back, it seems only right to give my grandfather the last word, but with a slight amendment. Land is the most important thing in the world. Understand it as deeply as you can. But remember: you do not give it meaning. Instead, meaning is found through it.

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