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Pen and Ink Witchcraft: Treaties and Treaty Making in American Indian History. By Colin G. Calloway

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were marginally more successful. In the Act's aftermath, dozens of cooperative financial institutions and programs dotted Oklahoma's tribal landscape.

Yet OIWA's greatest impact lay far beyond the application of New Deal relief programs to Oklahoma tribal nations. According to Blackman, OIWA set the stage in small and large ways for the resurgence of tribalism, of a tribal alternative for Oklahoma. Mechanisms that revived dormant tribal governance, as well as the expectation that Indian nations possessed the capacity to act on collectively on behalf of their citizens, were more important than its specific provisions. This, Blackman tells us, remains OIWA's most powerful legacy.

This slender, concise, and eminently readable book represents a solid contribution to policy history of the Collier era. It grounds us in the politics of the moment, and situates these complex events in their appropriate historical contexts. It revives interest in Oklahoma's Indian New Deal, not only as an extension of broader national trends, but also as an expression of this state's unique tribal legacy. On the other hand, I came away wishing for deeper analysis on at least a couple of points. First, Blackman's conclusion that OIWA, like IRA, was a "mongrelized compromise" between forces of assimilation and tribalism that had a mixed legacy (156), seems unsatisfying given the richness of Indian voices and perspectives offered through the text. Surely there is more to say. Second, it adds little to our existing pictures of important figures such as Joseph Bruner. Perhaps there is not much more to say about such a controversial person. But the amount of time and effort Collier devoted to undermining Bruner's influence, and the equivalent obsession Bruner had with the commissioner, begs for more.

Oklahoma's Indian New Deal is a welcome addition to our understanding of what remains an era of nearly unparalleled importance to tribal policy. Blackman's book will find a ready readership among specialists seeking essential grounding in the affairs of Oklahoma, and the book is ideal for classroom adoption. It also will generate interest outside academia.

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Pen and Ink Witchcraft: Treaties and Treaty Making in American Indian History. By Colin G. Calloway. New York: Oxford University Press, 2013. 400 pages. \$34.95 cloth; \$24.95 paper; \$61.16 electronic.

Noting that "treaties are a barometer of Indian-white relations in North America," Calloway's book presents a compelling story of many Indian tribes' political relationship with the United States accessible to a wider audience (3).

The author of many excellent books on Native American history, including *First Peoples: A Documentary Survey of American Indian History*, now in its fourth edition, Colin G. Calloway is eminently qualified to delve into the paradoxes and contradictions of Indian treaty rhetoric, formulation, and implementation. Calloway's inclusion of many American Indian peoples' perspectives on treaties responds to a critique by legal scholar Robert A. Williams Jr. that the main reason for the consistent failures of Indian treaties was that "the Indian voice was either not heard, not heeded, or falsely reported." Realizing that it is not enough simply to acknowledge the disastrous effects of treaties on Indian peoples, Calloway delves into multilateral, cross-cultural dialogue in North America to better understand a process its non-Indian advocates consistently touted as honorable, lawful, and benevolent. Providing a nuanced analysis to better interpret and evaluate the causes and effects of treaty-making on a wide range of Indian communities, his narrative is inclusive, drawing not only on primary historical sources and government documents, but also on anthropology, oral tradition, and an extensive study of American Indian history, law, and policy sources.

In case studies ranging from the late colonial era to the official end of US federal-tribal treaty-making in 1871, the author endeavors to address historian Richard White's concern that "the history of Indian-white relations has not usually produced complex stories." Stories of multilateral frontier diplomacy cannot be reduced to simple stories of conquest. The key historical question remains, how did Europeans, Euro-Americans, and Native peoples try to achieve peace and order in a constantly shifting multicultural world? The representative case study approach challenges old assumptions, and offers new observations about tribal-federal relations by utilizing insights gained from an extensive inquiry into the actualities of federal Indian treaties.

The unique political status of Native American communities stems from the fact that "Indians are the only group in the country that has treaties" and begins in the colonial era when "first the French and then the British had to come to terms with the reality that to succeed in Indian country they must behave as Indians thought friends and allies should, and to conciliate more often than command" (11, 14). When European colonizers feared for their own security, they made treaties with Indians as military allies and trade partners. When the balance of power shifted as a result of demographic decline from disease and warfare, Europeans and powerful Indian confederacies like the Six Nations Iroquois turned Indian allies into dependent subjects rather than "Owners of the Land" (66). This is what happened at the multipartite Fort Stanwix Treaty of 1768, "the biggest Indian treaty council and the biggest land cession in colonial America" (49). Because of numerous contending parties, including representatives from the Six Nations Iroquois League, the

Board of Trade in London, Sir William Johnson, individual British traders well-connected with various tribes and often acting as interpreters or cultural go-betweens, and several land speculation enterprises desirous of a slice of the final treaty settlement, this multicultural frontier cannot be understood within a simplistic paradigm of “Indian-white relations.” These entities deliberately excluded the Ohio country tribes such as Shawnee, Delaware, and Cherokee further south because they wanted to divert European-American settlement through their lands. Yet, as Calloway points out, this is not another tale of Indian land loss through dishonorable shenanigans. Other than a few land speculators who got rich, most of the treaty beneficiaries paid a high price for their sought-after, but unrealized, gains: “The treaty did not maintain Sir William’s influence; it did not maintain Iroquois influence, and it did not bring peace. In fact, the British-Iroquois deal at Fort Stanwix produced disastrous consequences for British-Iroquois dominance in North America” (80).

Treaties between the newly formed United States and American Indian nations also created a government-to-government relationship, but unfortunately, the United States adopted England’s protectorate attitude towards American Indians as diminished sovereigns. Treaties embody the highest echelon of both constitutional and international law, because they acknowledge a legal alliance between two sovereign, but certainly not equal, governments. The US Constitution deals implicitly with Indian peoples by declaring that “all Treaties . . . shall be the supreme law of the Land.” These documents provide glimpses into intercultural relations between American Indian peoples and the US federal government during specific historical eras. Yet as *Pen and Ink Witchcraft* reveals, to focus too closely on treaty documents, including competition among private economic interests, wrangling over ratification among various branches and agencies of the federal government, and negative ramifications caused by broken treaties, often misses a more fundamental flaw in this process. When the United States did not need American Indians as trading partners or military allies, or desired their lands to unlock new areas of potential economic wealth, it tried to compel Indians to submit to its authority. The negotiations themselves doomed most treaties to failure because the federal government acted in bad faith.

As two of the book’s major case studies demonstrate—one on the 1835 Removal-era New Echota treaty with the Cherokee in the Southeast, and the other on the 1867 Reservation-era Medicine Lodge treaty with the Southern Cheyenne, Arapho, Kiowa, Comanche, and Apache in the Southern Plains—the treaty documents themselves often conceal, rather than reveal, what actually occurred at treaty councils. In the case of New Echota, Calloway cites the fraudulent imposition of the treaty to forcibly relocate the Cherokee from their ancestral homeland as “an enduring indictment of a nation that broke treaties

and trust to implement a policy of ethnic cleansing" (121). Somewhat surprisingly, de Tocqueville's contemporary indictment in *Democracy in America* of these tactics as ostensibly moral and legal, but also clearly lethal—"it is impossible to destroy men with more respect for the laws of humanity"—is not included in Calloway's text. He notes that by the time of the Medicine Lodge treaty, the federal Indian policy of "expansion with honor had eluded the United States since the days of the founding fathers," and "gave the stamp of legitimacy to United States efforts to concentrate the Indians and open the region to white exploitation" (185, 213). These conclusions connect modern readers to what Vine Deloria Jr. described in a 1995 book review ("The Subject Nobody Knows") as the "emotional context of history which enables us to understand the flesh of historical processes" (*AIQ* 143).

Since Natives had little or no voice in the treaties themselves, Calloway focuses on the vital testimony derived from their diplomatic council speeches recorded in the treaty journals. Native articulations such as the Ottawa chief Egushawa's 1791 condemnation of treaties as "pen and ink witchcraft" not only make the proceedings come alive, but also help us learn that Indians viewed treaties as a means of sustaining relationships, while at the same time they resisted any claims that treaties established superior sovereignty and legal jurisdiction of the United States over them. Within this cultural context, Calloway's close examination of the treaty-making process between United States commissioners and American Indian representatives sheds light on almost every facet of tribal-federal relations between 1778 and 1871. Certain periods corresponded with dramatic shifts in treaty-making due to the decline of Native populations, resources, and power, notably the Removal era in the 1820s–1830s and the mid-nineteenth-century decades before and after the Civil War.

Pen and Ink Witchcraft is also concerned with the general research questions of how and why eighteenth- and nineteenth-century federal Indian policies failed to achieve any of their "benevolent" goals, but resulted in the further dispossession, dislocation, and marginalization of Native peoples. These are fundamentally important research questions with both historical and contemporary significance, because if everyone agrees on the failures of Indian treaties, then it becomes incumbent upon scholars to discern how and why the treaty was formulated and implemented. Although a well-intended treaty might go awry, can an incoherent array of quick fixes ever achieve success? Was Indian administration part of a systemic national policy framework, or just an aberration? In spite of all the benevolent rhetoric about securing Indian title and conferring the "benefits of civilization," the primary goal of nineteenth century federal Indian treaties coincided with the national goal of furthering European American settlement and allocating more resources for the national economy of the United States. To have been effective or just, federal treaty negotiators

would have had to acknowledge that Native peoples had their own legitimate interests to protect, yet little or no concern was given to the concerns of the Indians.

But Native communities persevered to the fullest extent of their considerable diplomatic skills to preserve their self-governing autonomy and land tenure. These two core components lay at the heart of their long legal struggle with the federal government. Either by “touching the pen” or walking away from treaty councils in disgust, they gave notice of their desire to stay exclusively on reserved tribal lands and demanded protection from unwanted intruders, along with fair compensation for the land taken from them. Indian treaty-signers believed that by adhering to peaceful relations and the rule of law, their sovereign legal status and land title would be upheld by the United States. Yet their modest terms conflicted directly with the expansionist desires of European-American settlement.

Deloria Jr.’s “The Subject Nobody Knows” laments that despite a profusion of books on Native American Indian legal rights, “it seems peculiar in the extreme that scholars did not jump at the opportunity to do a book on Indian treaties until the present time.” While every treaty has its own complex story to tell, the ones selected by Calloway remind us that each one is notable because even if it was unfair, fraudulent, or violated, it created a government-to-government relationship between the United States and an American Indian nation. This is why Native peoples have consistently asserted to this day that through their treaty relationship the United States has explicitly recognized their inherent sovereign status and accompanying legal rights. With this book, the history of American Indian treaties should no longer be “the subject nobody knows.”

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Recognition, Sovereignty Struggles, and Indigenous Rights in the United States: A Sourcebook. Edited by Amy E. Den Ouden and Jean M. O’Brien. Chapel Hill: The University of North Carolina Press, 2013. 368 pages. \$75.00 cloth; \$26.95 paper; e-book \$175.00.

Why does recognition matter? This question is at the heart of this collection edited by Amy E. Den Ouden and Jean M. O’Brien, and *Recognition, Sovereignty Struggles, and Indigenous Rights in the United States: A Sourcebook* compels the reader to begin thinking of the multiplicity of possible responses. One of the most contentious and pressing matters facing tribal peoples in