

Unsettling Stories: A Settler Reflection on Narrative Phantasies of Land

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Thesis submitted to the faculty of the Virginia Polytechnic Institute and State University in
partial fulfillment of the requirements for the degree of

Master of Arts

In

Political Science

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April 27th, 2023

Blacksburg, Virginia

Keywords: phantasy, narrative, ontology, land, place, indigenous resurgence, settler colonialism,
decoloniality, Pamunkey, King George County, Virginia, place-based knowledge, universities,
land acknowledgements, land back, private property, access, ecosystem, reciprocity

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ABSTRACT

Modern political and market structures have normalized colonial violence into economic and social realities, while imperial powers still dictate modes of labor and resources extraction that benefit them in the present, but send the physical world hurtling into a future of crisis. Justifying this activity are Western mindsets based in rational exclusivity, which fail to recognize the constructed elements of their reality, instead subjugating and historicizing those with different ontological perspectives. In particular, Western logics have persecuted indigenous populations and their cultural connection to ancestral homelands in order to appease colonial paranoia and reassert exclusive claim to stolen land. This is not materially, ethically, or spiritually sustainable. This thesis examines the ways in which colonial and indigenous ontologies interact in the past, present, and future through identifying the reality-shaping narrative phantasies which shape encounters surrounding land. Phantasies of land and the ecosystems humans are a part of are especially central to how individuals and societies relate to the self, as well as human and non-human others. Through an analysis of the 1843 Thomas Gregory-Pamunkey petitions over claims to the Pamunkey reservation land, this thesis studies how colonial and indigenous phantasies of land interact. It demonstrates that the colonial inability to recognize personal and cultural phantasies often leads to conflict, but an ability to recognize the power of narrative and communicate through alternative ontologies than one's own can lead to successful communication and meaningful relationships, ones which can help those with settler backgrounds to live more ethically and support indigenous resurgence. This thesis offers a theoretical, historical, and practical guide to begin the process of unsettling the self by way of recognizing the constructed narrative phantasies settlers have been accustomed to interpreting the world through and reflects on ways for settlers to move forward by engaging with land-based ontologies.

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GENERAL AUDIENCE ABSTRACT

Modern political and market structures have normalized colonial violence into economic and social realities, while imperial powers still dictate modes of labor and resources extraction that benefit them in the present but send the physical world hurtling into a future of crisis. Justifying this activity are Western mindsets based in rational exclusivity, which fail to recognize the constructed elements of their reality, instead subjugating and historicizing those with different perspectives. In particular, Western logics have persecuted indigenous populations and their cultural connection to ancestral homelands in order to appease colonial paranoia and reassert exclusive claim to stolen land. This is not materially, ethically, or spiritually sustainable. This thesis examines the ways in which colonial and indigenous ontologies interact in the past, present, and future through identifying the reality-shaping narratives which shape encounters surrounding land. Stories of land and the ecosystems humans are a part of are especially central to how individuals and societies relate to the self, as well as human and non-human others. Through an analysis of the 1843 Thomas Gregory-Pamunkey petitions over claims to the Pamunkey reservation land, this thesis studies how colonial and indigenous narratives of land interact. It demonstrates that the colonial inability to recognize personal and cultural narratives often leads to conflict, but an ability to recognize the power of stories and communicate through alternative worldviews than one's own can lead to successful communication and meaningful relationships, ones which can help those with settler backgrounds to live more ethically and support indigenous resurgence. This thesis offers a theoretical, historical, and practical guide to begin the process of unsettling the self by way of recognizing the constructed narratives settlers have been accustomed to interpreting the world through and reflects on ways for settlers to move forward by engaging with land-based worldviews.

This MA is dedicated to:

To Jennifer, Rachel, and Marcus Heth.

This is what happens when you work hard, try your best, and have fun.

Acknowledgments

Words cannot express my gratitude to Dr. Mauro Caraccioli, my professor and chair of my committee. Four years ago, he introduced me to the world of political theory and imagination, and inspired the passion for transformative thought that would shape this project. I am grateful for his patient guidance and questioning throughout this process, without which I could not have started this scholarly and personal journey. I am thankful for Dr. Cara Daggett, who first introduced me to decolonial literature and showed me the importance of land and the environment as a site for meaningful change. Thank you to Dr. Jessica Taylor, whose guidance on the accuracy of settler and indigenous history was invaluable. Special thanks to Dr. Desiree Poets, Dr. Laura Zanotti, and Dr. Max Stephenson who co-taught ASPT 6004: Decolonization and helped build my foundations for imagining a decolonial future, as well as to Dr. Jeff Corntassel, whose ideas have been an inspiration and whose conversation with that course was deeply enlightening about the meaning of legal systems and stories.

I would like to thank my sweet friends Piper MacNicol and Maggie Smith, who kindly listened as I worked out ideas, and inspired me with their own passions for a healthy environment and sustainable future. Thank you to my partner Collin Gray, whose encouragement and curiosity gave me the strength to earn this accomplishment. I thank my mother Jennifer Heth and my sister Rachel Heth, who reminded me to keep my nose to the grindstone and supported me with gentleness and love throughout the ups and downs of this degree. But most of all I would like to thank my father, Marcus Heth. Thank you for starting me on this journey. From the day I was began this program, to tossing my cap into the air for the last time, this has all been because of and for you. I wish you could have followed along on this project; I think it would have fascinated you. I wish I could have gone camping with you like we wanted, learned about the land with your eyes. But it is thanks to this project that I know when I am under the stars, touching the earth, wrapped in the wind, our spirits are together.

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Introduction: A Modest Proposal

Colonialism is still as alive and active as ever, even though European settlers arriving in the “New World” may seem a distant history. While often neatly disguised as relations and norms of Western society, the colonial history of modern nations continues to enforce unbalanced power dynamics and exploitative practices that hurt both people and the land they occupy. Today, these harms are often more perpetual than malicious, supported by particular logics of reality and progress imbedded in the narrative forms of histories, making them harder to recognize or change. These assumptions about the nature of reality and power were created by only a small sample of experiences in the world and were often twisted in their retellings to favor certain groups. However, these boundaries of reality, this “colonial imaginary” has become the dominant structure of thought in Western politics, science, business, and academia, despite the many worldviews available today. The challenge of “taking down” colonialism and making space for the rest of the human and natural world may feel like an insurmountable task, and revolutionary changes are certainly needed. However here, in this work, the journey begins by identifying what assumptions of the colonial imaginary has normalized so that modern humans can pursue more ethical relations with bodies and space.

The entire premise of colonial enterprise is expansion and land acquisition.¹ A colonial mindset views land as a resource, open to the whims of its imperial guardians.² Yet clearly, the tradition of land use by colonial nation-states has not done well for people or the planet. A shift in the way people perceive land and their relationship with it is needed, not only as an act of protest, but for the sake of healing the world’s ecosystems. However, it is not merely enough to generate a new system of land relations. Part of the decolonization process is making reparations

¹ Max Liboiron, *Pollution Is Colonialism* (Durham; London: Duke University Press. Copyright, 2021).

² Liboiron, *Pollution Is Colonialism*.

to those the system has harmed and uncovering the histories it obscured. The indigenous populations of the United States have experienced those harms and erasures over and over again, yet many still maintain a grounded history and sense of self within the landscape of the United States. Excavating and amplifying these stories can help those of us who inhabit this space today build a sustainable and inclusive ethics.

Those who have chosen to publicly share the experiences of their indigenous identity through stories, literature, and art often ground it within ancestral land. To them, place is more than a landscape for human activity, rather it is just as much an active participant in reality as the human self. These perspectives give land much greater respect than the extractive practices excused by colonial norms and sees it as engaging with humans over the course of its natural life. This understanding of land leads to the intentionally reciprocal land relations at the center of indigenous life and culture. Not only is this approach decidedly more relational and ethical towards people and the environment, but it also requires distinctly North American knowledge of land, opposing the pressures and claims of colonialism in at least one area.

My goal in this thesis is to document the evolution of that land-based knowledge, specifically in the context of the pressures and claims shaping early colonial Virginia. In Chapter 1, I will give an overview of the unlimited access colonialism assumes and how it manifests itself in imperial projects. I argue that these assumptions are normalized through the narrative phantasies framing the colonizing experience, which are limited and inaccurate representations of reality, and that these phantasies were ontologically affirmed through the development of European thought. I conclude by comparing these beliefs to common indigenous narrative phantasies, developed through an entirely different ontological experience, and hope to suggest

that nonindigenous people should seek out worldviews created in and for the North American landscape to inform their own.

In Chapter 1, *Storied Colonial Access*, I demonstrate the importance and power that narrative phantasies have in political and personal human life. I then identify some of the most common phantasies that have shaped colonial power structures and indigenous societies. In Chapter 2, *Phantasies Collide: The 1843 Pamunkey-Gregory Case*, I examine the series of 1843 petitions over settler and native claims to the Pamunkey reservation land with a narrative fantasy lens. I use this case study to identify some of the primary narratives surrounding land for early Virginia indigenous and settler communities, and to examine how these different worldviews interacted within a legal, rather than physically violent framework. In the final chapter, *Settler Engagement with Land-Based Phantasies*, I explore practical opportunities for settlers to broaden their narrative horizons in the process of decentering themselves. I make recommendations for individuals and institutions to support native resurgence from within indigenous phantasies, with the caveat that most modern political structures are incommensurable with a decolonial future. Enormous changes need to occur; these are merely steps to prepare society for those changes. I conclude with a reflection on my experience identifying my own colonial phantasies and having my reality reshaped by indigenous ones of responsibility and reciprocity. This project has been deeply personal as well as academic. It is a delight to share my experience with you.

Chapter 1: Storied Colonial Access

While there are many different types and manifestations of the term colonialism, environmental scholar Max Liboiron defines colonialism as “relationships characterized by conquest and genocide that grants perpetrators state access to land and resources.”³ These lands and resources provide physical and spiritual sustenance to Indigenous societies on one hand, and the foundation of colonial state-formation and settlement on the other. These relationships reinvent concepts of race, land, and labor in power dynamics favoring the colonizer and delegitimizing all pre-existing relationships in the space. While originally painted as the tool of exploration and development, Francis Bacon provided an explicit definition of colonial desires, to “stretch the deplorably narrow limits of man’s dominion over the universe” and binding Nature as the “slave” of European imperialism.⁴ Centuries after the first European explorers landed in the Americas, many scholars now use the term “postcolonial” to describe the current era, suggesting an alternative, more liberated future, as if the implementation and harm of colonization has passed. However, feminist writer Anne McClintock points out that the use of the term is premature; the world has scarcely left these harmful structures of nonconsensual occupation and exploitation, from Northern Ireland, to Palestine, to Hawaii.⁵

While perhaps less apparent or violent, colonial structures are normalized in Western society as practical, often as relations that lead to land theft and the dispossession of peoples through “maintenance and infrastructure.”⁶ However, it is the stance of this thesis and anti-colonial scholars that no perceived practicality or profits justify commandeering the land and

³ Liboiron, *Pollution Is Colonialism*, 9.

⁴ Cited in Anne McClintock, *Imperial Leather Race, Gender and Sexuality in the Colonial Contest* (New York, Ny London Routledge, 1995) 23.

⁵ McClintock, *Imperial Leather*, 10-13.

⁶ Liboiron, *Pollution Is Colonialism*, 16.

livelihood of Indigenous populations. Colonial studies explore the history of this mindset and explores how to implement more ethical and reciprocal relationships between both people and space. Access is necessary for colonialism to even occur. Without access, there is no culture, people, or space available to colonize. In the most obvious terms colonizers assume access to Indigenous land for settler and colonial projects.⁷ However, occupation is not where this colonial assumption ends. Not only does colonialism assume that its presence is permitted, but it comes to the space in question on its own terms, enforcing its ideologies and values not only as superior, but as the only ones to ever be present. Despite preexisting peoples and cultures, a colonial relationship assumes the “virginity” and “emptiness” of the place it occupies.⁸ Colonialism is not only spatial, but temporal, imagining that the timeline of bodies and land revolve around its presence and development. Access to space and people allows for the rewriting and invisibilizing of history. Anything existing before its occupation, such as indigenous societies, lives in a permanently anterior and primitive time.⁹ In the eyes of the colonizer, they are the saving grace of history. The colonial mission of domination assumes access to quite literally everything imaginable in its quest to implement itself, and it anticipates the future as reserved for its goals, “colonized in advance.”¹⁰ This can be most clearly seen in its assumed access to both bodies and land in multiple ways, and these relationships can be seen both historically and today.

Assumed colonial access to bodies is present in the creation and interpretation of race.

The male European colonizer quickly established a hierarchy of bodies in their homeland as well

⁷ Liboiron, *Pollution Is Colonialism*, 5-11.

⁸ McClintock, *Imperial Leather*, 30.

⁹ McClintock, *Imperial Leather*, 30; Kennan Ferguson, “Why Does Political Science Hate American Indians?,” *Perspectives on Politics* 14, no. 4 (December 2016): 1029–38; Kevin Bruyneel, *Settler Memory : The Disavowal of Indigeneity and the Politics of Race in the United States* (Chapel Hill: University Of North Carolina Press, 2021), 8-14.

¹⁰ Liboiron, *Pollution Is Colonialism*, 64.

as abroad in order to use discrimination as a control tactic for everyone “below them.”¹¹ Extreme racism prevailed as colonizing societies assumed access and understanding to bodies of color, dehumanizing them with hierarchical and economic goals in mind. However, colonial access to bodies goes beyond institution of slavery, and has attempted to define the kind of bodies that are worthy of space and identity.

In her book *Scenes of Subjection*, feminist scholar Saidiya Hartman explores how empathy surrounding black bodies can be an act of colonialism. She looks to the letters of John Rankin, who hoped to “rouse the sensibility of those indifferent to slavery” through exhibiting the tragedies of the enslaved and “facilitating identification between those free and those enslaved.”¹² His graphic and shocking accounts of “whippings, rape, mutilation, and suicide” were meant to persuade the unfamiliar reader of the “abomination of slavery,” believing that “by bringing suffering near, the ties of sentiment are forged.”¹³ While Rankin may have had positive intentions to end the institution of slavery, Hartman questions if his descriptive writings may have been unethical. Rankin wanted to convince the pro-slavery individual that the enslaved persona was just as human and capable of feeling he and his audience, and in order to do that, he narrated empathetic scenarios imagining himself and his family as black and enslaved.

Hartman points out that black bodies have long been used as a vessel for white bodies to attempt to experience humanity through the empathy of suffering.¹⁴ The imaginative act of “slipping into the captive’s body” presents the “difficulty and slipperiness of empathy.”¹⁵ The empathizer assumes access to a body and experiences that are not theirs, and in the case of

¹¹ McClintock, *Imperial Leather*, 5.

¹² Saidiya V. Hartman, *Scenes of Subjection: Terror, Slavery, and Self-Making in Nineteenth-Century America* (New York ; Oxford: Oxford University Press, 1997), 18.

¹³ Hartman, *Scenes of Subjection*, 18.

¹⁴ Hartman, *Scenes of Subjection*, 19.

¹⁵ Hartman, *Scenes of Subjection*, 18.

slavery, the situation to be empathized with is one they have created. While Hartman does not say that empathy is an entirely bad thing, it can enforce relationships centered around a colonizing figure, requiring the discovery and acceptance of the colonizer to be legitimate - a situation must be judged harmful by the boundaries of the colonial imaginary. Instead of just finding understanding, the object of this substitution “threatens to disappear” and is replaced by the colonizer.”¹⁶ All too often, acts in the name of empathy can further colonial relationships, making assumptions about how values and experiences should be interpreted. This claim to the soul and experience of non-white bodies was instrumental in excusing Christian evangelization efforts and forced conversions on non-white populations, assuming knowledge of morality and peace that is applicable to all human experiences. This unauthorized access of bodies risks further dehumanization. Instead, the anti-colonial approach hopes to understand humanity and oppose suffering without needing to verify through a proxy experience.

Colonial access to bodies does not merely stop at the psychological but can also be very apparently physical. As Bacon mentioned, the primary goal of colonialism is expansion, and one of the most obvious ways to achieve that is through reproduction. During the late 15th and 16th centuries, female bodies and reproductive organs were constructed into a patriarchal order as part of the public domain. Feminist historian Sylvia Federici studies how the institution of the witch hunt furthered colonial and capitalist structures, and how colonial sexual violence has deep roots in claims to land. She finds that the initial privatization of land by feudal lords in England led to the first witch hunts, as peasant wars dominated the landscape, demanding better working conditions and compensation and protesting the loss of the land they had nurtured.¹⁷ These social

¹⁶ Hartman, *Scenes of Subjection*, 19.

¹⁷ Silvia Federici, *Caliban and the Witch: Women, the Body and Primitive Accumulation* (New York: Autonomedia, 2004), 170-181.

movements were often women led and initiated after male workers were injured or killed in the conflicts early on.¹⁸ This, combined with the Black Death and already high infant mortality rates due to the poverty and malnutrition of peasants led to an extreme labor shortage, and not only did women spearhead demands for better conditions, but some began to suspect intentional gatekeeping of reproduction in order to maintain a labor shortage and social unrest.¹⁹ Meanwhile, male anxiety about relation to origin and fatherhood was already prevalent, as the “most intolerable deprivation of man” was that they could not reproduce on their own; they were uncomfortably dependent on access to the female the body.²⁰

However, rather than submitting to calls for better livability, Federici hypothesizes that the political class known to be preoccupied with population decline and the expansion of their own wealth searched for a tool to place the female body and uterus “at the service of population increase and the... accumulation of labor-power.”²¹ She suggests that the witch hunt, criminal process of charging, torturing, and executing women suspect of cavorting with the devil, was a political tool that fed into the suppression and devaluation of women as individuals and laborers by enforcing a patriarchal order. Despite overtones of religion and purity, this period redefined women and their bodies in Western/European culture as weak, prone to evil, and machines for reproduction.²² To preserve exploitative power structures, access to women’s bodies had to be affirmed through cultural perceptions and religious prerogatives of propagation.

Unfortunately, the effort was successful, and the sexism created from a medieval labor shortage is still very apparent in Western culture today. Placing full reproductive responsibility

¹⁸ Federici, *Caliban and the Witch*, 174.

¹⁹ Federici, *Caliban and the Witch*, 181-186.

²⁰ McClintock, *Imperial Leather*, 29.

²¹ Federici, *Caliban and the Witch*, 181.

²² Federici, *Caliban and the Witch*, 183-194.

on women enforces ideas that male sexual practices were those of pleasure and power, going hand in hand with the prevalence of rape and abuse in the European discovery and colonization of Africa and the New World as colonizers assumed access to the bodies of indigenous populations. However, scholars find that sexual access was not only limited to bodies. While the treatment of women as property is a constant concern, McClintock suggests that the perceived relationship can work both ways. The feminization of objects, particularly land, can lead to a similar assumption of access, making space more open to domination and exploitation, despite preexisting occupants.²³ Exhausted European explorers were known to portray their “discovered” land as highly sexualized, modeling maps after female genitalia and depicting the land in their reports as “sensual” and “virgin” for the taking.²⁴ Within the existing patriarchal narratives of their society, the virgin imagery of land meant that it was “empty of desire and void of sexual agency, passively awaiting the thrusting, male insemination of history, language and reason.”²⁵ Colonial missions of exploration were not only a show of political dominance, but were also opportunities to placate the male paranoia of existence for explorers, settlers, and donors. Meanwhile, giving European names to the land they encountered was a means of independent male reproduction, where it’s origin, or rather “father,” felt certain compared to the mysterious and hidden female reproductive system.²⁶

However, the colonial act of discovery is always late.²⁷ The land is not empty for the claiming or infusion of European knowledge and values. There are and have been developed and named indigenous societies occupying the space, deeply connected with the land the colonizers

²³ McClintock, *Imperial Leather*.

²⁴ Ibid, 26-30.

²⁵ Ibid, 30.

²⁶ Ibid.

²⁷ Ibid, 28.

intend to propagate. The shared and observed relationship indigenous communities have with the land and space in which they live tends to be highly reciprocal. Tribal communities generally recognize that their human community is another part of the larger ecosystem, rather than the environment existing as a “setting” for human activity. Just as the natural world supports human life through gifts of food, energy, and shelter, human activity should promote a thriving natural world through responsible agricultural practices, limited resource use, and the passing on of environmental knowledge through education and ceremonial recognition. Native claims to land are based on their “belonging” to it, not ownership.²⁸ Upon European arrival, private property was largely not a concept in the Americas. However, instead of a long history with the land they came to claim, colonizers understood the far-off land as a Resource, which Liboiron defines as “unidirectional relations where aspects of land are useful to particular (settler colonial) ends.”²⁹ Just as the land and the peoples occupying it are imagined to be awaiting the arrival and access of colonialism to receive a role in history, the idea of a resource is also anticipatory; it aims to guarantee colonial futures with as much certainty as fruitful reproduction.³⁰

This stark difference between land as relationship and land as exclusively “usable” demonstrates how conceptual differences in understanding are at the root of many modern implementations of colonialism. One of the most prevalent ways colonial relationships are maintained today is through the act of modern pollution. Liboiron explains the radically different perspectives of land and waste from indigenous and colonizer points of view. While colonial perceptions of pollution are relatively new and based in an unfounded theory of “assimilative

²⁸ Lisa T Brooks and Cassandra M Brooks, “The Reciprocity Principle and Traditional Ecological Knowledge: Understanding the Significance of Indigenous Protest on the Presumpscot River,” *International Journal of Critical Indigenous Studies* 3, no. 2 (2010): 11–28, 23.

²⁹ Liboiron, *Pollution Is Colonialism*, 64.

³⁰ *Ibid*, 64–65.

capacity, indigenous perspectives of pollution do not include infinite plastics, but exemplifies the cyclical nature of life as waste coming from the life-death cycle of land is simply part of the relational processes of human and natural life.³¹ Meanwhile, colonial conceptions of waste tend to focus on contamination and once again imply assumed access to indigenous land. To pollute in the modern US, one must have a space (which was not originally theirs) to do so. Landfills and recycling plants are examples of assuming infrastructural access, while even environmentalist solutions such as hydroelectric dams, consumer responsibility, and appeals to the commons still “assume access to Indigenous Land and its ability to produce value for settler and colonial desires and futures.”³² It is an act of violence not only towards indigenous people, but also the land itself, assuming its only purpose is to act as a landscape of sustenance for a colonial culture which exploits it.³³ Colonialism directly assumes it has access to all it desires by claiming land that it has no experience or ownership in for purposes which do not leave space for reciprocal relationships.

In the US, the legacy of colonialism and its logic is particularly present. Environmental justice advocate Robert Bullard states, “The nation was founded on the principles of ‘free land’ (stolen from Native Americans and Mexicans), ‘free labor’ (cruelly extracted from African slaves), and ‘free men’ (white men with property).”³⁴ These foundations have largely excluded Indigenous people from the narrative of history and lawmaking in this country, in part due to paradigmatic differences, but also largely for the sake of convenience for the colonizing powers. Kennan Ferguson writes that modern political science is structured around sovereign nation-

³¹ Ibid, 40.

³² Ibid, 8-11.

³³ Ibid.

³⁴ Robert D Bullard, *Confronting Environmental Racism: Voices from the Grassroots* (Boston: South End Press, 1993), 16.

states as the primary unit of analysis, “a set of theoretical predeterminations which excludes the victims of settler colonialism from consideration.”³⁵ As Indigenous people and their history exists outside this unit, they are often not included in discussions of political history and growth. Instead, they often fall prey to another result of settler colonialism - “interest group politics.” Ferguson finds that Indigenous people are typically viewed as one minor interest group instead of “nations with their own modes of legitimacy,” which routinely loses to the majoritarianism colonial political stories promote.³⁶ Modern law concretizes politics in the voice of the settler state, disregarding native land claims, due process, and forecloses standing.³⁷ The structures that keep Indigeneity out of daily political proceedings also keep it in the past, “remembered” as a constitutive ancestral memory of American peoplehood.³⁸ As Bruyneel argues, Indigeneity has been absorbed into whiteness through historical retellings of events such as the Pilgrim’s arrival and Bacon’s Rebellion, told as a side character in the development of white American settler persona and nonexistent in the present.³⁹

There are a multitude of possible reasons for the assumption of colonial access. Perhaps the most obvious is that access provides solutions to the problems of a colonizing society, from gaining new resources, to stimulating the economy, and addressing labor shortages. Decentralizing these problems also gives colonial powers an opportunity to shift the blame of these problems onto disadvantaged members of their own society as well as the indigenous “savages,” throughout the bumps of the problem-solving process. However, the access that colonial structures assume not only solves immediate and pressing problems for an empire, but it

³⁵ Ferguson, “Why Does Political Science Hate American Indians?”, 1031.

³⁶ Ibid, 1032.

³⁷ Ibid.

³⁸ Bruyneel, *Settler Memory*, 36.

³⁹ Ibid, *Settler Memory*.

also provides an inherent remedy to the overwhelming existential anxiety of losing that access. Colonial, and particularly capitalist structures recognize the transaction costs of interactions and consumption. In a capitalist market, labor, products, and services are commodified and given an economic value, whether they are material or intellectual. A settler accustomed to infinite commodification can at least subconsciously recognize that there should be some kind of consent and “admission fee” for access, especially when coming from societies where land and bodies were legally and economically transferable. However, because many colonial actions and efforts stemmed from a crisis or need, a high admission fee or flat-out denial of access hurt the ability to solve the problem at hand. It was better and safer to assume access to the entities needed to mitigate risk, often by occupying a moral high ground that dictated rights and entitlement, and especially if colonizing forces had the manpower to do so. McClintock recognizes that the colonial “discovery” of land is multifaceted; while the act of discovery can indicate pride and success on the side of the colonizer, it is also redolent of “male anxiety and Paranoia.”⁴⁰



Figure 1: "File:Theodor Galle after Jan van der Straet, America - pl.1, c. 1580-1590, NGA 48742.jpg" by Theodor Galle after Jan van der Straet is marked with CC0 1.0. To view the terms, visit <https://creativecommons.org/publicdomain/zero/1.0/deed.en?ref=openverse>.

⁴⁰ McClintock, *Imperial Leather*, 26.

The European colonizer recognized their vulnerability in the New World, as demonstrated in a drawing by Jan van der Straet in 1575.⁴¹ While the foreground depicts a lounging native woman sensually welcoming the European adventurer, the background shows a different scene. Cannibalistic women eat the dismembered limbs of another explorer, expressing the ever-present “implacable rage of paranoia” of being outside one’s boundaries.⁴² By employing a worldview that justifies assuming access to distant land and the people in it, the colonizer is able to mitigate fears about their own existence and displacement.

World-Shaping Phantasies

These colonial claims of both excellence and paranoia are not based in delusion, nor are they entirely strategic political hacks. They are shaped through a combination of ancestral memory and personal experience perceived through a particular lens. Instead of existing and experiencing moment to moment, reality is framed for humans through their *ontology*. According to Laura Zanotti, ontologies “shape the way we imagine how the world is and how we fit in it, the way “things” relate one another, what we consider valid knowledge and how we may be able to bring about change.”⁴³ They define the boundaries and inner structure of the experienced world. Ontologies are generally shared across culture and society, but influence life at the individual level as well, defining what the world and existence *is* to the perceiver. Conceptions of “who we are and how we relate to the world” impact what humans imagine themselves capable of doing and changing in that world.⁴⁴ However, ontologies are strictly that – part of the human imaginary. Their multiplicity across space and history (think how differently the Mayans

⁴¹ Ibid.

⁴² McClintock, *Imperial Leather*, 28.

⁴³ Laura Zanotti, *Ontological Entanglements, Agency and Ethics in International Relations: Exploring the Crossroads* (Abingdon, Oxon; New York, Ny: Routledge, 2019), Chapter 1.

⁴⁴ Zanotti, *Ontological Entanglements, Agency and Ethics in International Relations*, 1.

imagined the cloth of reality to be from New England Puritans) demonstrates that they are reflective tools of the mind, and not completely attached to a Truth. Ontologies are created through societal pressures and personal experience, and to take an ontological approach is to pause and identify the boundaries of reality in a specific case, whether academically or in self-reflection. The ability to "separate out" this part of existence and examine it, and to subsequently understand ontologies as "shaped" is a powerful tool when studying expectations of life and society, moral compasses, and perhaps most importantly, the actions and beliefs of others.

How then, do ontologies come into being? And how are they replicated and shared? A useful theoretical tool when trying to understand the "why?" of human behavior is the study of phantasy, the unconscious narratives which shape one's perception of reality and perpetuates ontological frameworks across time and space. Defined by Susan Isaacs and Melanie Klein from Laplanche's discussion of the imaginary, the conscious daydream-esque fantasy is separated from the unconscious structures with which humans perceive the world.⁴⁵ While a "fantasy" consciously positions the subject in a story to fulfill a desired experience, a "phantasy" is not distinct from imagination or reality, but rather a structured "psychic modality" through which reality is invariably interpreted.⁴⁶ The form of historical narratives, as well as familiar stories and tropes, unconsciously articulates certain wishes and desires and shapes everything one perceives about themselves and others. Phantasies are also pre-reflective, typically limiting one's ability to analyze or even notice them. These phantasies are powerful since they come from sources outside of the individual, often leading them to be shared phantasies among a group, cultivating cultural norms and reinforcing themselves. Understanding where one derives their mode of

⁴⁵ Judith Butler, *Force of Nonviolence: An Ethico-Political Bind*. (S.L.: Verso, 2021), 34.

⁴⁶ Butler, *Force of Nonviolence*, 35.

perception gives them the power to question its legitimacy, as well as the ability to bring the unconscious into the conscious and begin to change them. Meanwhile, studying ontology and narrative phantasy together provide the tools to understand how and why expectations of existence are formed.

One example of a phantasy at work comes in the form of Hobbes's state of nature thought experiment. While it postulates a time before society, it also seeks to describe modern political psychology and civil strife.⁴⁷ However, the state of nature is an imagined circumstance, not a history, yet the widely taught retrospective origin story still acts as a defining force in understanding "human nature." The subject of the story is an adult man, "upright and capable," free to fulfill his desires of happiness and self-sufficiency without a care to other people or relationships.⁴⁸ While meant to be a theoretical tool for early political philosophers, this narrative acts as a phantasy, shaping people's presuppositions of the characteristics and abilities of the default political actor, and as Butler argues, their definitions of broader concepts such as value and equality.⁴⁹ These expectations are confirmed in reality when multiple selves exposed to the phantasy are preconditioned to act on and look for them.

Narratives and stories are challenging to place in the world because they rarely, if ever, accurately depict events. While one's first assumption may be that this is due to subliminal messaging or propaganda, environmental historian William Cronon explains humans require narrative structure to make sense of the world.⁵⁰ Using the example of the Dust Bowl in the United States, Cronon demonstrates how scholars can reach different narratives and stories from

⁴⁷ Ibid, 33.

⁴⁸ Ibid, 37.

⁴⁹ Ibid., 33-45.

⁵⁰ William Cronon, "A Place for Stories: Nature, History, and Narrative," *The Journal of American History* 78, no. 4 (March 1992): 1347, 145-157.

the same set of events and facts.⁵¹ When describing human activity, people place events into a causal sequence with a morally charged ending in order to make sense of things.⁵² Reusing common narrative structures which are proven help in the mission of “making sense” can enforce a particular ethic across events and phenomena. However, especially when in relation with ecosystems, things often “just happen” or occur in cycles which humans are only present for a section of – nature does not function within moral boundaries. Narrative creates a vision of reality by obscuring parts of reality and cannot help a “covert exercise of power,” whatever its aim.⁵³ This selection can even erase the true subject of events. Therefore, it is important to identify where a narrative comes from and what it accomplishes when incorporating it into understandings of reality.

One of the biggest “why?” questions I and many other scholars are faced with is, *why* did European nations colonize? *Why* did it come from that part of the globe? *Why* was that course of action considered acceptable? Looking at the phantasies at play in early and present Eurocentric cultures can offer a glimpse into the missions and ethics that were used to excuse colonial conquest, as well as how to recognize those still active today.

Jamaican writer and cultural theorist Sylvia Wynter recognizes that a core problem in the history and process of decolonization is defined by the struggle between a fictional central ethnoclass of “Man” versus the human species. She traces the creation of protagonist she names the “Western Man” which “overrepresents itself as if it were the human itself” and examines the conflict between its well-being vs the well-being, or full cognitive and behavioral autonomy, of

⁵¹ Ibid.

⁵² Ibid, 1349-1354.

⁵³ Ibid, 1350.

the rest of the human species.⁵⁴ The ethnoclass “Man” celebrates the heights of achievement and the greatest capabilities of humans as seen in the histories known to Europe and the West.⁵⁵ However, Wynter argues that this celebration quickly evolved into an expectation for humanity, and when circumstances prevent people groups from reaching those heights, or different cultural values lead to people aspiring to different goals, this character makes it easy to not consider them “Man,” and subsequently “human.”⁵⁶

Foucault argued that the invention of Man was the tool that provided the basis for the laity to escape the subordination of church, suggesting that humans were capable of achievement and goodness outside the permissions and judgement of organized Christianity. The new mode of being human was as the political subject of the state rather than the religious subject of the Church.⁵⁷ Unfortunately, the formal epistemological structure composed of binaries remained, just replaced with a more “enlightened” reasoning for it. The desupernatural movement attempted to remove the mystical from standard contrasts of mortal/immortal or human/the ancestors, but if Man is the greatest, most inspired form of being, only a human/subhuman distinction can remain.⁵⁸ Needing to secularly “reground” the “descriptive/prescriptive statements of what it is to be human,” Wynter observes how the “by-nature” construct of Race began to occupy the differential space between human and extra-human.⁵⁹ This hyper-naturalist approach to stabilize the social order within a particular logic of physical science led to the disregard of “Amerindian ways of knowing and knowledge production,” reducing them to

⁵⁴ Sylvia Wynter, “Unsettling the Coloniality of Being/Power/Truth/Freedom: Towards the Human, after Man, Its Overrepresentation--an Argument,” *CR: The New Centennial Review* 3, no. 3 (2003): 257–337, 267.

⁵⁵ *Ibid*, 261-263

⁵⁶ *Ibid*, 261-268.

⁵⁷ *Ibid*, 265.

⁵⁸ *Ibid*, 264-271.

⁵⁹ *Ibid*, 267-271.

“curious practices of strange people and, in another domain were demonized.”⁶⁰ The quest of colonial expansion led to encounters with the majority of other people groups who mapped their “descriptive statements” to the heavens and grounded their humanity in the physical (just as Westerners had done until very recently). What came across to the Westerners as superstitious reasoning combined with their physical differences from the colonizers led to the convenient creation of Race, which could use physical form to make judgements on intelligence and humanity, and subsequently dispossess people of their land and autonomy.

The moral judgements and sense of opposites associated with binaries also remained after the desupernatural movement. Obviously, the enlightened Europeans wished to claim the category of goodness and worthiness after making the naturalist shift, leaving the subhuman other in a negative light. Similarly, it is likely that the Christian imagery of the “straight and narrow path,” an understanding of the world as largely bad, misled, and unenlightened, also permeated the colonial mindset, which sought to evangelize and expand the European way of life as superior. However, the “narrowness” of the path creates an expectation that only a limited number of people are deserving of the rewards enlightenment has to offer. This is exemplified by the creation of what Fanon labels the “colonized elite” who still maintain a subhuman, albeit slightly more luxurious political status, rather than allowing Western educated colonial subjects to have the same social mobility as the racially white colonizers.⁶¹ In response, decolonial scholars take Fanon’s recommendation that “manhood,” must be redefined once again in a manner which is no longer a culturally dependent subject, but as a quality of human beings.⁶²

Colonial Phantasies in North America

⁶⁰ Ibid, 265.

⁶¹ Frantz Fanon, *The Wretched of the Earth* (Cape Town: Kwela Books, 1963), 32.

⁶² Ibid, 50.

Within the colonial history of North America, Cronon recognizes the power that narrative phantasy has played, identifying “frontier struggle and progress” as one of the oldest most familiar narratives in American history.⁶³ Analyzing the skepticism of westward expansion around the Dust Bowl era, he writes:

“In [narrative’s] ability to turn ordinary people into heroes and to present a conflict-ridden invasion as an epic march toward enlightened democratic nationhood, it perfectly fulfilled the ideological needs of its late-nineteenth-century moment.”⁶⁴

Stories can make “conquest seem natural, commonsensical, inevitable,” to those who hear them, without ever being involved in the events described.⁶⁵ The colonial expansionist narrative is a perfect example of how typical narrative style fits events to itself. A story with generally linear process, “people struggle to transform a relatively responsive environment,” facing setbacks designed for the heroes to overcome.⁶⁶ Communities rapidly succeed to become more civilized and comfortable all within a brief time frame, but the narrative excludes the Native history that existed before the settlers’ arrival as well as nonlocal events.⁶⁷ This retelling of history is as literary as it is historical, with only a hint of nostalgia for “the world that is being lost, a quiet undercurrent of elderly regret for youthful passions and energies now fading.”⁶⁸ However, it is an extremely appealing narrative for the American identity, and when easily combined with a plentitude of historical events, comes across as undeniably truthful. According to Bruyneel, this narrative is ingrained in a collective settler memory, reaffirming “the settler claim of belonging to, appropriation of, and authority over lands, on one hand, and the disavowed of the genocide,

⁶³ Cronon, “A Place for Stories: Nature, History, and Narrative,” 1352.

⁶⁴ Ibid.

⁶⁵ Ibid.

⁶⁶ Ibid, 1353.

⁶⁷ Ibid, 1353-1354.

⁶⁸ Ibid, 1354.

dispossession, and alienation of Indigenous peoples, on the other hand.”⁶⁹ Meanwhile, the desire for narrative progression confirms Ferguson’s argument that political science has an anti-historical bias.⁷⁰ Hearing this narrative over and over socializes the audience to look for it in reality, making it challenging to separate individual and collective memory.

Land plays a unique role in relation to phantasy. Historical narratives require a real landscape to take place on, or as Cronon writes, “Nature coauthors our stories.”⁷¹ The way a narrator constructs a scene is directly related their purpose, especially when a story includes land in its progression.⁷² If a story has a happy ending, then the beginning must automatically be bad, and vice versa. However, land is not a moral object, and the addition or loss of settlers does not affect its intrinsic value. In standard North American phantasies, land is often constructed as “a worthy antagonist of civilization,” meant to be tamed in the quest of the colonizing hero.⁷³ It is interesting to observe the differences in narrative between peoples: colonizers imagine land as an antagonist or challenge to conquer, while indigenous narratives portray land as a partner or gift giver to humans. In the origin story for the Potawatomi people, “Skywoman Falling,” the land and its creatures offer themselves up to support Skywoman and her children, beginning the cycle of reciprocity between human and land in indigenous culture.⁷⁴ Meanwhile, the triumphant aspect of colonial stories is found in their domination and extraction of a landscape.

Briefly examining storied definitions of land demonstrates how phantasy has shaped perception. Bruyneel argues that the standard retelling of Bacon’s Rebellion shows that both the

⁶⁹ Bruyneel, *Settler Memory*, 14.

⁷⁰ Ferguson, “Why Does Political Science Hate American Indians?”

⁷¹ Cronon, “A Place for Stories: Nature, History, and Narrative,” 1373.

⁷² *Ibid.*, 1354.

⁷³ *Ibid.*

⁷⁴ Robin Wall Kimmerer, *Braiding Sweetgrass: Indigenous Wisdom, Scientific Knowledge and the Teachings of Plants* (Minneapolis, Minnesota: Milkweed Editions, 2013).

poor white settlers present in the moment and students of American history viewed indigenous people and land as one and the same, as the story is unclear whether “indigenous aggression” or land acquisition was the challenge to overcome.⁷⁵ William Petty’s description of land relations which were created to support an oppressive political agenda would later be reproduced through writers such as Locke, now cited as an empirical source in political science, philosophy, economics, and law. Meanwhile, the gatekeeping of private property by Christian missionaries contingent on conversion shored up national identities based around a white Christian norm, while also creating a phantasy of ownership defined as the “white liberal possessive subject.”⁷⁶ This not only supported an inaccurate understanding of legitimate ownership but suggests the reverse as well: someone without those characteristics simultaneously does not deserve the privilege of land ownership and should be stripped of it. Phantasies can also be designed for the future, demonstrated in Tocqueville’s enterprising of “independent farmers” to expand westward in the New World for their own self-interest, which just so happened to align with the expansionist interests of a colonial nation-state.⁷⁷ However, the phantasies held by these settlers should also be considered. European peasants subsisting in freedom from the commons had their land stolen and privatized by feudal lords and were abused in order to ingrain the conception of private property. Future settler memory would recall stories of this time, hungry for the freedom land historically provided, but still operating within the theoretical framework of private property.

Indigenous Phantasies in North America

⁷⁵ Bruyneel, *Settler Memory*, 34-115.

⁷⁶ Kevin Bruyneel, “Review Essay: On Settler Colonialism,” *The Review of Politics* 82, no. 1 (December 20, 2019): 145–57, 148.

⁷⁷ *Ibid*, 149-152.

In comparison to the often-subliminal phantasies surrounding colonial culture, Indigenous ontologies engage with the concept of phantasy in a very active and intentional way. Narratives are recognized as more powerful than mere entertainment but are a part of the everyday more than distant boundaries of reality. Written languages were and are not a key feature of many indigenous cultures; instead, knowledge and histories are primarily shared through the oral tradition. Storytelling is subsequently more than a memorization of facts and narrative structure but requires a commitment to knowledge and its survival. Rather than written knowledge that can be accumulated and hoarded, stories must be told and retold in recurring ceremonies, in teaching moments, and conversations with friends and family.

The repetitive nature of storytelling is a strong example of the important role renewal plays in indigenous life. Renewal is a central feature of Native American history and culture, reflected in the life cycles of the ecosystem.⁷⁸ The powers of “rotation and return” sustain the life of the human race and the cosmos through the changing of the seasons, the planting and harvesting of crops, and the death and birth of all creatures.⁷⁹ Indigenous ceremonies are frequent, occurring in tandem with recurring natural events or to reaffirm commitments and memories of the past, all emphasizing a constant and cyclical heartbeat of the universe.

This ontological experience is more than an expectation of repetition within a human lifetime, instead it allows time to be experienced in an entirely different way than the linear force expected within Western culture. Peat recounts the sense of time shared by many Native American societies that was told to him by his Blackfoot friends. Rather than watching time pass

⁷⁸ Corntassel, Jeff (2012). “Re-envisioning resurgence: Indigenous pathways to decolonization and sustainable self-determination” *Decolonization: Indigeneity, Education & Society*.1(1), 86-101, <http://dspace.library.uvic.ca/handle/1828/12471>, 90. and F David Peat, *Blackfoot Physics : A Journey into the Native American Universe* (Boston, Ma: Weiser Books, 2005), 47-50.

⁷⁹ Peat, *Blackfoot Physics*, 19.

us (the human) by on its linear path, or pull us along like a rushing river, many indigenous peoples feel a sense of movement within time.⁸⁰ Peat writes, “it is as if, to use images from our own Western view of science, other spaces and times interpenetrate and coexist with our own.” Time is quite literally a great circle to these peoples, evidenced by the long- and short-term cycles of renewal in nature and history, but which can also be traversed through remembrance.⁸¹ The retelling and re-doing of ceremonies and stories are part of the cyclical process “of remembering and maintaining balance within communities.”⁸²

When defining the self, humans do not become the world they encounter or the things that happen to them, rather, as entities they experience reality through the physical body. The active recall and sensory reanimation that occurs when humans “remember” the past is remarkably similar to the way people experience the events of the present. In storytelling and ceremony, to speak of the past, especially in its original place, is to pull it back into being and reaffirm a connection to it. Unlike the colonial imaginary, which must use subliminal stories to excuse its presence in space, consciously engaging with a storied past is an act of honoring space when it lacked the self and requests an inclusion of the self in the present. The speaker and listeners actively engage with their present physical reality, the physical world of the past, and themselves, affirming or unsettling their own narratively shaped ontologies.

Modern indigenous writers discuss how their peoples’ experience and history with the land have continued to shape their daily perceptions. In her classic essay “Land Speaking,” Jeanette Armstrong describes how land and language are deeply connected. Land and its “spirit”

⁸⁰ Ibid, 3-11.

⁸¹ Ibid, 26.

⁸² Corntassel, “Re-Envisioning Resurgence,” 90.

exist in a “primal, wordless state,” open to the experience of its inhabitants.⁸³ However, as indigenous people developed their spoken language, its sounds and grammar were made to mimic the precise geography it described.⁸⁴ In this way, language not only connects the memories of past and present, but it permeates one’s experience in old land (made old by ancestral memory). Armstrong writes that the “voices that move within my experience of existence do not awaken as words, instead they move within as the colors, patterns, and movements of a beautiful, kind Okanagan landscape.”⁸⁵ Indigenous descriptions of land relations or experiences in land demonstrate a similar understanding that oneself and one’s encountering of the world as their self is one and the same.

However, native histories can be just as prone to twists of phantasy, especially because most history is shared generation to generation through oral storytelling. Cronon notes a difference in the narrative style of these stories from those of the traditional European state, pointing out they tend to take place over a longer period of time and are frequently not centered around “man” or “civilization.”⁸⁶ Crow Indian chief Plenty Coups recounts how when the buffalo went extinct, “after this nothing happened.”⁸⁷ The narrative timeline of this particular history surrounds the buffalo rather than people and occurs over the entire lifetime of a species, as well as multiple social and ecological generations, creating a fuller (although still not complete) picture of reality.

⁸³ Jeanette Armstrong, “Land Speaking.” In *Read, Listen, Tell: Indigenous Stories from Turtle Island*, edited by Reder Deanna, David Gaertner, and Gabrielle Hill, 141–555 (Wilfrid Laurier University Press, 2017), 146.

⁸⁴ *Ibid.*, 149-155.

⁸⁵ *Ibid.*, 146.

⁸⁶ Cronon, “A Place for Stories: Nature, History, and Narrative,” 1366-1367.

⁸⁷ *Ibid.*

Narrative is not an entirely bad thing; it touches its audience and leads them to care about something they would not have otherwise, tying together the past and present in a way that brings deeper meaning to both.⁸⁸ The stories people tell change the way they engage with the world, and what we recall about land dictates how we act in it. Encounter and narrative, action and memory are intertwined in how humans perceive reality. Recognizing this, an ethical human society has a responsibility to identify what underlying assumptions and stories shape their decision making. Understanding how these themes feed into each other can help explain perception in the present and prepare for more accurate and ethical action in the future.

In the next chapter, I discuss the importance and presence of ontologies and phantasies in human legal systems and demonstrate the explicit role stories play in indigenous legal frameworks. I then examine the Pamunkey-Gregory petitions over indigenous land claims in 19th century Virginia as a case study where the communication of native and settler phantasies about land are clearly visible and instrumental in the outcome of the case. I argue that not only does this encounter enlighten modern scholars as to the critical stories shaping indigenous and settler land relations, but also exhibits the English's disavowal of alternative stories and the contrast of the Pamunkey's awareness and navigation of storied differences.

⁸⁸ Cronon, "A Place for Stories: Nature, History, and Narrative," 1375.

Chapter 2: Phantasies Collide: The 1843 Pamunkey-Gregory Case

In 1843, a petition was presented to the General Assembly of Virginia organized by Thomas Gregory and signed by dozens of freeholders and other white inhabitants of King William County. The petition requested that the two tracts of land occupied by the Pamunkey and Mattaponi be reclaimed by the state and sold back to white settlers, claiming that the original indigenous population had become almost nonexistent, and those that did remain had significant black heritage. Upon hearing about this petition, the Pamunkey quickly put together a counter-petition of their own before the original document was presented to the GA, defending their native heritage and claim to the land, as well as detailing how the space was central to their identity. The tribe ultimately prevailed, and the land in question is still the site of the Pamunkey reservation today.

This 1843 case is an encounter conducive to studying differing phantasies and claims to land for several reasons. While a clear record conveniently exists, the record includes actual Pamunkey perspectives, with a counter-petition written and signed by tribal leaders. It is possible to analyze the phantasies which come directly from Pamunkey voices, rather than histories twisted or dulled by settlers. The case is also historically significant, not only preserving what is still the Pamunkey land today, but also halted a possible precedent of Virginian reservation division and detribalization following the abolition of the Gingaskin reservation just a few decades earlier. Lastly, despite the cases noteworthiness, it has been largely glossed over. One of the most detailed current analyses theorizes about the differences in meaning in meaning this case had for the settlers and Pamunkey, that the lack of interaction and historical bigotry led to sheep-like behavior on behalf of the settlers, while the tribe experienced an existential threat. I believe that I make a more substantial claim, that it was not just ignorance, but irreconcilable

ontological differences that shaped this interaction, and that the Pamunkey's ability to speak from a settler language and mindset significantly helped them to successfully navigate the situation by asserting a uniquely Pamunkey identity in a political structure increasingly shaped by binaries. While the nature of these interactions is limited to the context of nineteenth century Virginia and the records the state chose to keep, the Pamunkey reservation petitions are a powerful example of how native peoples adjusted and presented their identity in a persuasive way based on their awareness of white colonial perspectives.

While the case is long resolved, these two petitions not only give unique insight into how these two groups viewed each other, but two totally different conceptions of the role of land and ownership present in the New World. Presented within a legal framework, the language paints what each group believes to be fundamentally true and unarguable about reality, not only revealing the underlying phantasies of their claims, but also observe how the Pamunkey framed their identity when it was put into conversation with the colonial imaginary.

Phantasy, Ontology, and Legal Systems

Legal structures are a unique way to study cultural ontologies; they pull ambiguous purposes and ethics into a physical, embodied ontology, meaningful and powerful enough to enforce. They make values clear, and the history of their creation and implementation allow scholars to trace their roots to the core phantasies of a people. For example, think of the equality principle Hobbes' state of nature implies – now, expectations of equal treatment and rights have been written into democratic constitutions across time and space (even though the prerequisite of personhood may have experienced some contentions). The levels of independence and self-sufficiency exhibited in this story are often the legal basis for “normal,” with those existing below that benchmark circumstantially deserving of either aid or punishment. Fears that

developed of a leviathan ruler were quelled by divisions of power, checks and balances, and consequences for the abuse of power. Biblical stories promoting grace and compassion have translated into achievable structures to pay off debts, and in some nations and cultures, legitimate debt cancellation. Even the mythical elements of the Trojan War and the Odyssey instilled positive societal values of cunning and adventure which translated into funding and/or tax deductions for exploration and innovation. From spiritual laws of morality which could be punished both in the physical- and afterlife, to statues promoting a philosophically decisive way of life, all legal codes have been shaped by the passing down of values and expectations through histories and narratives.

In a conversation with indigenous theory and resurgence scholar Jeff Corntassel, he offered his Cherokee perspective on the basis of indigenous law, which he had seen replicated across the North American continent. He was explicit that for indigenous people, “stories provide the basis for how we live” and that they are “part of the legal order, and form the basis for the responsibilities we have.”⁸⁹ Stories and ceremonies are linked to the real world (even with their narrative twists), grounding them in the natural flow of energy and experiences of people, as well as the associated positive and negative consequences which gave the stories their original structure. Rather than a series of documents containing a legal code, stories are regularly retold and reshared, containing the same kind of structural guidelines for living. Corntassel especially celebrated the presence that story-based legal systems provide as they shift with each retelling, saying, “the beauty of stories and orality is that they can shift to fit the current context.” Laws around morality and community expectations become “malleable, embedded, and embodied.”⁹⁰

⁸⁹ Jeff Corntassel, meeting with ASPT: 6004, November 10, 2022.

⁹⁰ Ibid.

While they have millenia- and centuries-old roots, these are living legal systems that leave room for new kinds of encounters and decisions.

However, imagining a legal system based on consent and communication in a society that also places high value nature's own autonomy in reality requires additional intention when dealing with land and nonhuman entities. Many of the normalized colonially constructed legal orders are "tenuous at best" when applied to non-human relationships, due to the issue of mutual consent.⁹¹ Indigenous ontologies are based in stories about early human nations making agreements with the equally autonomous animal and plant nations in their area to ensure their survival, and as those stories have been passed down, so has the expectation for mutual respect and responsibility to the natural world.

In our conversation, Corntassel described the 2014 Buffalo Treaty between 8 Blackfeet nations (now almost 50) and the buffalo as an example of a thoughtful human-nature legal agreement. The involved tribes promised to honor the buffalo nation through conservation, education, and cultural practices, recognizing that their identity is "culturally, materially, and spiritually" linked to the survival of the species.⁹² The treaty is renewed by the tribes through ceremony, keeping it present and living, and upheld through accountability. Corntassel pointed out that most indigenous language do not originally have a word for "reconciliation;" instead, one is either in or out of an agreement.⁹³ If someone is not honoring a treaty, members of the community must point it out, since its frequent renewal should keep it present in people's thoughts. The slacker has the choice to either step out or renew their commitment in an active way. Meanwhile, the buffalo also have a say in the 2014 Treaty – if the species is not thriving,

⁹¹ Ibid.

⁹² Buffalo Treaty. "Treaty," 2014. <https://www.buffalotreaty.com/treaty>.

⁹³ Jeff Corntassel, meeting with ASPT: 6004, November 10, 2022

multiplying, and literally being represented well, the Blackfeet cannot thrive or maintain strong tribal autonomy either. While this kind of agreement is certainly outside the norms of US legal society, it would seem to work – the buffalo nation has begun to return and grow back in their ancient home.

Stories shaped every part of this agreement – Blackfeet histories taught that the people and buffalo were very much related and have had longstanding responsibilities to each other's survival. These and other origin stories teach that plants, animals, and land are entities with which agreements can be made. Meanwhile, the stories from a colonial history may generate shock and skepticism in reaction to this treaty and of “rights of nature” movement actions, where the right to participate in a legal framework was restricted, and to a degree, earned. However, Corn tassell argued that “rights” are a man-made conception, which require a certain type of government to bestow them.⁹⁴ Despite these ontological differences, dozens of non-indigenous organizations have committed to support the buffalo treaty through concerted efforts of conservation and support of the Blackfeet tribes, proving that societies can meet over common concerns and blend their perspectives through relationships. When engaging with any and all life, I would argue that using a structure of consent and responsibility is the best way, since life and co-survival existed long before the modern state. As in the case of the buffalo, legal systems shaped by phantasies of reciprocity offer stability, peace, and success.

Historical Context of the Pamunkey-Gregory Petitions

While there has been a renewed focus on environmentalism in recent decades, human-land relations have a long history in Eastern North America. By at least 1000 AD, Native peoples

⁹⁴ Ibid.

were practicing “settled Agriculture” in what is now modern Virginia.⁹⁵ Among these were the Pamunkey, a Powhatan Algonquin tribe settled in the territory south of the Rappahannock River. Along with some of their close social neighbors the Mattaponi and Chickahominy, the Pamunkey are one of the tidewater tribes, a mixing pot of north- and south-east culture and stories, who spoke an almost unaltered Virginia Algonquin dialect.⁹⁶ After a 1646 treaty, these tribes also became known as members of the “tributary tribes,” after the tributes they paid the Virginia governor.⁹⁷ It is interesting that from such an early time, the tribes were defined by their relationship to a colonial government, not even to the land which constituted so much of their identity. Like much of North America’s indigenous population, the tribe’s history and knowledge has largely been transmitted through oral family histories and stories, especially those from before the arrival of English settlers.⁹⁸ While the earliest population density of the tribe is uncertain, oral family histories indicate scattered units of towns and communities in the territory surrounding the Pamunkey and Mattaponi rivers just before the English settlement.⁹⁹ The rivers were central to Pamunkey life, shaping society and providing sustenance. Both sides of the river were settled, as the tribe saw the waters not as boundaries, but as district centers providing a hub for travel and fishing.¹⁰⁰ Like other Powhatans, net making and fishing were central duties of

⁹⁵ Allison M. Dussias, “Protecting Pocahontas’s World: The Mattaponi Tribe’s Struggle against Virginia’s King William Reservoir Project,” *American Indian Law Review* 36, no. 1 (2011): 1–123, 18.

⁹⁶ Frank G. Speck, *The Rappahannock Indians of Virginia* (Museum of the American Indian, Heye Foundation, 1925), xi – 53.

⁹⁷ Theodore Speck, “Chickahominy: The Changing Culture of a Virginia Indian Community,” *Proceedings of the American Philosophical Society* 96, no. 2 (1952), 181 and Dussias, “Protecting Pocahontas’s World,” 28.

⁹⁸ Speck, *The Rappahannock Indians of Virginia*, 38 and Stern, “Chickahominy,” 194.

⁹⁹ Stern, “Chickahominy,” 194 and Helen C. Rountree, *Pocahontas’s People: The Powhatan Indians through Four Centuries* (Norman; London: University Of Oklahoma Press, 1990), 6.

¹⁰⁰ Stern, “Chickahominy,” 159–161; Dussias, “Protecting Pocahontas’s World,” 11–14; Rountree, *Pocahontas’s People*, 4; and Speck, *The Rappahannock Indians of Virginia*, 28–29.

tribal men, with their catches making up much of the diet.¹⁰¹ Upstream, men were also the primary hunters in the grounds which “fingered out” along the tributary creeks.¹⁰² The Pamunkey were skilled live trappers for smaller prey and group hunters of rabbit and deer with ancient fire drives and dogs.¹⁰³ Meanwhile, women were responsible for gathering, storing, and cooking the crops from their highly developed agricultural system – hundred acre fields dug without metal tools to plant the Three Sisters.¹⁰⁴ Pamunkey women exhibited “detailed working knowledge of the plant resources” for food and cures, “the kind of empirical, factual knowledge upon which their lives and our modern natural sciences” depend.¹⁰⁵ From everyday household remedies to more advanced healing, the women of the tributary tribes were called upon for this knowledge as well-known healers by English settlers and other tribes.¹⁰⁶

Some of the earliest indigenous contacts to aid settlers to Virginia, the Pamunkey way of life began to shift as the British population rapidly grew. Anthropologist Theodore Stern states that the structure of native culture was still “virtually intact” by end of the 17th century.¹⁰⁷ But as colonial rule expanded and settlers encroached on Native land, life changed. After the tributary status was established, the boundaries of large tribal fields focused on the Three Sisters were familiar enough to be respected by the British, and Powhatan women were able to farm as before into the early 1700s.¹⁰⁸ However, men struggled to maintain their responsibilities of hunting and

¹⁰¹ Stern, “Chickahominy,” 184 – 194; Speck, *The Rappahannock Indians of Virginia*, ix; and Dussias, “Protecting Pocahontas’s World,” 16, 118-122.

¹⁰² Stern, “Chickahominy,” 194.

¹⁰³ Stern, “Chickahominy,” 160, 197-198 and Dussias, “Protecting Pocahontas’s World,” 16.

¹⁰⁴ Dussias, “Protecting Pocahontas’s World,” 19 and

¹⁰⁵ Dussias, “Protecting Pocahontas’s World,” 19 and Helen C Rountree, *The Powhatan Indians of Virginia: Their Traditional Culture* (Norman: University Of Oklahoma Press, 1992), 44.

¹⁰⁶ Stern, “Chickahominy,” 199.

¹⁰⁷ Stern, “Chickahominy,” 180.

¹⁰⁸ Dussias, “Protecting Pocahontas’s World,” 34 and Rountree, *The Powhatan Indians of Virginia*, 130-131.

fishing as English settlements resisted the “off-reservation” hunting rights the tribes were originally granted by colonial legislatures to maintain peace.¹⁰⁹ Instead, tribesmen turned to performing tasks for the English including killing troublesome animals for bounties, working as guides and translators, and constructing vessels and fishing supplies in order to afford goods and stay involved in colonial networks.¹¹⁰ This limitation of indigenous life and shift in daily responsibilities towards a market economy and wage labor presented a challenge to the identities based in subsistence in place that had grounded Powhatan tribes for centuries. Rather than supporting their community through direct daily experience with the reciprocity of ancestral resources, tribes risked abandoning those traditions and supporting a colonial economy that ideologically conflicted with their own. However, the Pamunkey would find ways to incorporate their ecological skills and ancestral knowledge into the capital market. This allowed them to preserve their identity and resist encroachment for 500 years, maintaining their traditions and reservation up through the Thomas Gregory case in a portion of its original territory in King William County.

This arrangement was detrimental to the colonial settlers as well, separating them from engaging with their new home instead of addressing the colonial problems of adaption by “learning some of the pre-existing native techniques for living in that environment.”¹¹¹ From the beginning, the English were heavily reliant on the native population for survival. With the Virginia Company of London driving the charge of establishing profit making colonies, they enlisted a “labor force” who would work for the company as indentured servants for 7 years in

¹⁰⁹ Dussias, “Protecting Pocahontas’s World,” 33.

¹¹⁰ Dussias, “Protecting Pocahontas’s World,” 34 and Rountree, *The Powhatan Indians of Virginia*, 130-131.

¹¹¹ Maurice A Mook, “Virginia Ethnology from an Early Relation,” *William and Mary Quarterly* 23, no. 2 (April 1, 1943): 101–1, 103.

exchange for “transportation to Virginia, food, protection, and land.”¹¹² These laborers were brought on to support resource extraction rather than home-making, and this profit-focused venture was immediately apparent in the way the Virginia colonists settled and engaged with the land. The Powhatan people were surprised with the swampy choice of location for Jamestown, which lacked basic resources, but the English favored the spot for its “favorable military position” and instead requested the resources of the “Powhatan lands, labor, and other resources as the means for their survival.”¹¹³ Already, whether it came from the colonial leadership or their corporate investors, there was a focus on the land exclusively as a stage for capitalist ventures instead of as a home to become a part of.

A sense of European identity versus an “other” remained well intact over the decades, which would make attempts at dispossession easier in the face of an unnecessarily uncertain population. The well-known “the Starving Time” (which led to some cannibalistic acts, ironic compared to the cannibalistic depiction of native peoples by colonizers) was a result of the colonists’ failure to stockpile food and create systems for gathering their own basic resources, but it also left an interesting memory for future settlers. The Powhatan tribe was well prepared for changing seasons and had a culture deeply rooted in sustainable subsistence from the tidewater land; meanwhile, the English watched on while their own land failed to serve them. Instead, they survived off the generosity, and later decimation of local tribes. From the start, the colonists understood their survival within the terms of subservience and lacked memories of gratitude for the gifts of an understood ecosystem. When the grace and bountifulness of the Powhatan inevitably ran out, they then desired the “better” territory indigenous populations had cultivated over generations of relationality.

¹¹² Dussias, “Protecting Pocahontas’s World,” 21-22.

¹¹³ Dussias, “Protecting Pocahontas’s World,” 22.

The English continued their militaristic occupation of the tidewater region by choosing to build a fort rather than planting, and instead seized Powhatan settlements to cut down the corn in the fields they had initially respected.¹¹⁴ Addressing their paranoia and fear took priority over coexistence. Once everything edible had been stripped from the fields, colonists began to plant cash crops of tobacco instead of food at the encouragement of the Virginia Company.¹¹⁵ The Powhatan subsequently shouldered the greatest burden of English land and corn needs.¹¹⁶ Unfortunately, ensuring the settlers survival was not enough, and when more labor was needed to keep up with the profitable tobacco demand, Virginia Indians were coerced into servitude from as early as the 1620s.¹¹⁷ The Pamunkey and their fellow tribes were quickly racialized by the settlers as “colored,” and were accordingly coded within the European racial imaginary as sinful, lacking ambition, and expendable for colonial gain. As “savages” rather than “Men,” they were expected to play a lesser, sub-human role in a colonial society. This racialization was another convenient excuse of the dispossession of ancestrally indigenous land, as the tribes’ “non-white” status were in direct contrast to the white possessive subjects the colonizers envisioned, and offered a shortcut for judgements about native morality within any framework where one could be “deserving” land rights.

The early settlers of what is now King William County exemplified Wynter’s description of the “overrepresented Man” - explorers, conquerors, and capitalists - and the generations to follow appear to have taken great satisfaction in this heritage. In Payton Neale Clarke’s 1897 history of the county, he describes many of the original settlers as coming from influential lineages of French and British nobility and the well-respected Huguenots, a sect of Protestantism

¹¹⁴ Ibid, 17, 23-26.

¹¹⁵ Ibid, 24.

¹¹⁶ Ibid, 26.

¹¹⁷ Ibid 26 and Stern, “Chickahominy,” 171 – 191.

popular among early settlers.¹¹⁸ Interestingly, it appears Thomas Gregory, the primary author of the petition to be discussed in this chapter, shares a surname and may have descended from one of the lines of Huguenots in the county.

These established and religious roots were a point of pride for the area, with Clarke noting the “prominence of its old families” with “patriotic blood’ and following “honorable paths.”¹¹⁹ Similarly, in Reverend Alfred Bagby’s history of King and Queen county (the nearby territory King William would eventually be formed from), local historical memory recalls the settler population as the “most refined, cultured, and moral in the state” and explicitly mentions that liquor and alcohol are excluded from county culture.¹²⁰ With Christian roots and family reputations to uphold, outstanding morality was an important element of the King William colonists’ identities, perhaps in contrast to the less illustrious beginnings of those who settled as indentured servants or low-income settlers looking for a fresh start. These influential roots also created certain expectations of how land could be acquired – these settlers had “sufficient influence to obtain extensive grants of land” on the desirable riverbanks upon their arrival.¹²¹ Their status within the English legal system did not require them to explore and come to know Virginian land in order to feel entitled to it. These settlers’ land claim was affirmed by the colonial mission to expand their mother empire physically and economically, defined by its Christian faith and Western knowledge, all the while supported by a legal system that could assign ownership half a world away.

¹¹⁸ Peyton Neale Clarke, *Old King William Homes and Families: An Account of Some of the Old Homesteads and Families of King William County, Virginia, from Its Earliest Settlement* (Louisville, KY: J. P. Morton and company, 1897), 3-4.

¹¹⁹ Ibid, 3.

¹²⁰ Alfred Bagby, *King and Queen County, Virginia* (New York: Neale Pub, 1908), 26.

¹²¹ Clarke, *Old King William Homes and Families*, 1.

Bagby's description of settling the tidewater region suggests the expected ambitious nature of the Western "Man" played a role in its colonization. He develops an epic narrative with the colonial settlers as the protagonists and the indigenous populations yielding to the tide of empire and fate. He writes that "under the impulse of their Saxon blood, men moved out and made new homes for themselves," falling into the familiar narrative of white men as glorious explorers and conquerors.¹²² His mention of "Saxon blood" would affirm scholars' observations that racial classifications can serve to assume character traits, and subsequently whiteness as indicative of valor and adventure. Conversely, as settlers expanded out of Jamestown, Bagby narrates that "the Indians, of course, receded before the whites" and the new land "gave welcome admittance to the new settlers," a nineteenth century rhetoric reminiscent of Cronon's discussion of frontier adventure and conquest.¹²³ When the Chickahominy moved 5 miles from an English settlement in response, Bagby describes their chief as the "crafty, uncompromising enemy of the whites," but celebrates that they "could not stand against the Saxon blood and the whites soon overran the line."¹²⁴ Once again, race is the defining feature in this story, which explicitly states that those of white, European heritage have a natural superiority of character and claim in the New World. The blending of the native population and natural environment in this history as "a worthy antagonist of civilization," not only affirms Cronon's identification of Man vs Nature as standard trope of North American phantasies, but also resembles McClintock's theory that Europeans typically combined indigenous populations and the actual land as the subject of their projected existential paranoia and displacement.¹²⁵ By combining people and place as antagonists, colonizers could excuse the exploitation of one with the inconvenience or violence

¹²² Bagby, *King and Queen County, Virginia*, 21.

¹²³ Ibid.

¹²⁴ Ibid, 22.

¹²⁵ Cronon, "A Place for Stories," 1356 and McClintock, *Imperial Leather*.

of the other, while simultaneous dehumanizing and objectifying the land and people they encounter. This narrator, Reverend Bagby, would have been a young man at the time of the Thomas Gregory case, and it is not hard to imagine that the historical narrative he shares was a common one among the white tidewater population.

As the colonial society and economy developed, the racialization of bodies, work, and space became more and more prevalent, targeting black and indigenous populations alike. Rountree suggests there was a noticeable hardening of racist attitudes in Virginia that coincided with the Thomas Gregory case in the 19th century, but there is evidence that racial divisions had existed since the foundation of the colony.¹²⁶ Along with the general paranoia of settlerhood and the unfamiliarity of a politically salient non-white community, white Virginians were not totally unfounded in their discomfort of an organized indigenous polity nearby. Early in Virginian history, the English and their native neighbors developed relationships that were critical to settler survival and benefitted the Powhatan as well. After the First Anglo-Powhatan War came to a draw in 1614, settler and indigenous societies frequently blended together in “daily familiarity,” as they searched for new ways to cohabitate.¹²⁷ However, both began to develop additional desires. The English, particularly missionary George Thorpe, were interested in converting the native population to Christianity, as well as more “civil” modes of life.¹²⁸ Powhatan people were encouraged to interact frequently with English settlements as their economies blended, and some settler homes began to host children and families in order to immerse them in a Christian

¹²⁶ Rountree, *Pocahontas's People*, 191.

¹²⁷ James Rice, “Anglo-Powhatan War, Second (1622–1632) – Encyclopedia Virginia,” Encyclopedia Virginia (Virginia Humanities, 2021), <https://encyclopediaivirginia.org/entries/anglo-powhatan-war-second-1622-1632/>.

¹²⁸ Ibid.

lifestyle.¹²⁹ Conveniently, these household were also able to nebulously extract labor from their indigenous residents, operating outside legal frameworks for servitude.¹³⁰

At the same time, the Powhatan led by Powhatan's brothers Opitchapam and Opechancanough, grew frustrated that tobacco planters continued to spread out closer to native agricultural land and villages, despite agreements after the First Anglo-Powhatan War to limit the number of settlements.¹³¹ The Powhatan leaders were also deeply offended by attempts at Christian evangelization, and resented the lack of respect the English had for their tribal nations as the rightful authority in the land.¹³² To signal the Powhatan's superiority over the English, Opechancanough began to plan an attack, increasing shows of diplomacy to Thorpe and Virginia governor to lull them in security. At the same time, he mobilized the native population living in and around settler homes to gather intelligence about their daily life.¹³³ On March 22, 1622, the Powhatan launched a series of surprise attacks across upriver colonial settlements, killing nearly a third of the unprepared English population.¹³⁴ When the Powhatan did not pursue any further military action, perhaps hoping the settlers had learned their lesson about the dominant power of the region, the settler prepared their counterattacks for later in the year, interpreting the coup as a genocidal attempt.¹³⁵ The Second Anglo-Powhatan War followed, lasting 10 years and marking a shift in Native-English relations towards policies of greater isolation and separation after both groups realized the slippery slope of feigned diplomacy.

¹²⁹ Ibid and Rountree, *Pocahontas's People*, 69.

¹³⁰ Rountree, *Pocahontas's People*, 68-70.

¹³¹ Rice, "Anglo-Powhatan War, Second (1622-1632).

¹³² Ibid.

¹³³ Ibid.

¹³⁴ Ibid.

¹³⁵ Ibid.

Indians were seen as the “losers” in contest over control of Virginia, which heavily influenced colonial expectations for them to behave as “conquered peoples” and assimilate with other disempowered groups.¹³⁶ As tobacco production and the demand for labor increased, Virginia’s colonial process played an important role in defining blackness, rather than servitude or enslavement, as a legal category. As early as 1622, the General Assembly articulated that children followed the condition of the mother concerning race, freedom, servanthood, and slavery, contributing to the concept that whiteness would be defined by an absence of blackness.¹³⁷ After Bacon’s Rebellion, which proved to rich planters and traders that poor whites had to be distanced from the enslaved and free black population, there was an increase in similar legal acts to solidify the purity of “whiteness” and disadvantaged status of “colored,” in order to prevent any future cooperation. In order to isolate all economic levels of the white settler population, these efforts included designating native peoples as non-white, and subsequently black.

Shortly after the rebellion, a 1682 “act to repeale a former law makeing Indians and others ffree,” declared that all servants who originated from non-Christian countries would be considered slaves.¹³⁸ This consideration was specifically extended to “those Indians that are taken in warre or otherwise by our neighbouring Indians,” codifying native slavery into law for the first time.¹³⁹ In 1705, this act was reaffirmed in “An act concerning Servants and Slaves,” restating that all servants who were not originally Christians were to be treated and sold as slaves

¹³⁶ Rountree, *Pocahontas’s People*, 187 and Dussias, “Protecting Pocahontas’s World,” 10.

¹³⁷ Brendan Wolfe, “Racial Integrity Laws (1924–1930) – Encyclopedia Virginia,” Encyclopedia Virginia, February 25, 2021, <https://encyclopediaivirginia.org/entries/racial-integrity-laws-1924-1930/>.

¹³⁸ William Waller Hening, “Volume 2,” ed. Freddie L. Spradlin, vagenweb.org (Hening’s Statutes at Large, 2009), <https://vagenweb.org/hening/vol02-24.htm>.

¹³⁹ Ibid.

regardless of their conversion status.¹⁴⁰ The act went to group “negros, mulattos, or Indians although Christians, or Jews, Moors, Mahometans, or other infidels” together as populations forbidden from hiring a white, Christian servant, positing all racial classifications as limited states opposite to whiteness.¹⁴¹ The act also banned mixed coupling and marriage, and violence on behalf of “any negro, mulatto, or Indian, bond or free” against a white Christian.¹⁴² A non-white designation would also become associated with a criminal standing, as these demographics were grouped together with those holding capital offenses to be barred from owning weapons or holding religious, civil or military office.¹⁴³

The spirit of these statutes would be continued in Virginia’s Racial Integrity Laws, which prevented interracial marriage, required public meetings to be strictly segregated, and defined blackness as any minute trace of African American ancestry, or the “one drop rule.”¹⁴⁴ Virginia’s history of defining whiteness as a prioritized legal category and blackness or colored as marginalized reflects the kind of exclusive claims the white settler population believed they had to political power. The of grouping of communities as nonwhite marginalized all who were included, but particularly incensed Virginia Indians as their legal identity and sovereignty were erased into the past. The racial label “black” limited practical indigenous claims to their ancestral land and was one of the reasons for insistent native assertions, like the Pamunkey, to a distinct identity based on culture and place.

As Indians were repeatedly grouped together with black and mixed populations, they were not only considered “obstacles to progress,” moving away from a history of indigenous

¹⁴⁰ William Waller Hening, “Volume 3,” ed. Freddie L. Spradlin, vagenweb.org (Hening’s Statutes at Large, 2009), <https://vagenweb.org/hening/vol03-25.htm>.

¹⁴¹ Ibid.

¹⁴² Ibid

¹⁴³ Stern, “Chickahominy,” 188.

¹⁴⁴ Wolfe, “Racial Integrity Laws (1924–1930).

presence, but they were also suspected of being sympathetic towards free African Americans, whose existence was considered "threatening to the white power structure whose economy was based on slave labor."¹⁴⁵ Tribal political considerations and self-governance represented the potential of a completely free African American population. To preserve their income base and privileged status, Rountree writes that white Virginia, "emphatically wanted the Powhatans to assimilate with 'other' persons of color," while the tribes became "even more anxious to separate themselves from 'any persons of color' in hopes of escaping the whites' increasing intolerance toward all people with real or presumed African ancestry."¹⁴⁶ This admittedly correct refusal on behalf of the tribes extended their ability to maintain their distinct identities, but also likely encouraged greater English paranoia, with multiple groups of identity-threatening "others" instead of just one conglomerate of "other" based on a racial hierarchy. These conflicting pressures surrounding identity began to break down elements of indigenous political precedent that had remained intact throughout the colonization process.

Unfortunately, the Pamunkey where no strangers to existential threat. The tribe had faced a history of land encroachment from the settler population since their arrival. From 1690 to 1713 alone, the Executive Journals of the Virginia colony recorded 23 distinct official actions of acquiring Pamunkey and Chickahominy land.¹⁴⁷ The situation was worsened by other tribes trespassing as other settler communities depleted local resources – in 1702 the tributary tribes lodged an official complaint reporting that the Tuscarora came in large groups to hunt in their country.¹⁴⁸

¹⁴⁵ Dussias, "Protecting Pocahontas's World," 36.

¹⁴⁶ Rountree, *Pocahontas's People*, 187.

¹⁴⁷ Stern, "Chickahominy," 180-181.

¹⁴⁸ *Ibid*, 181.

At the same time, tribal culture was adapting to the new European arrivals, as tribes across the state began to form alliances and trade with the British in attempts at working relationships. These agreements supported and impacted both parties, but native communities particularly experienced shifts as they “incorporated alien elements” from trade goods to weapons into their daily lives.¹⁴⁹ Especially in the case of firearms, native communities were often unequally reliant on the British.

The adaptation to a market economy impacted tribal cultures in varied and often erosive ways, however, the Pamunkey’s entrance into the market economy was one of the spheres where they were able to successfully assert their distinct identity leading up to the 1843 petitions. In her dissertation, Ashley Spivey (Pamunkey) argues that the Pamunkey were uniquely successful among Virginia Indians in maintaining central elements of their traditional subsistence economy by transforming them into marketable, cash earning activities.¹⁵⁰ While Virginia settler society largely sought to marginalize the Pamunkey and their native identity, the tribe successfully navigated a mixed market economy throughout the 19th century, capitalizing on their knowledge of hunting, fishing, trapping, farming, and ceramic production, activities which already supported the life and traditions of the tribe.¹⁵¹ The seasonal round of subsistence practices brought both sustenance and cash, and conveniently paralleled with migratory wage labor.¹⁵² More recently, the tribe’s state funded shad fishery from 1918- 2014 was another way a resource integral to Pamunkey peoplehood and culture could be both lucrative and educational to the

¹⁴⁹ Ibid, 180.

¹⁵⁰ Ashley Spivey, “Knowing the River, Working the Land, and Digging for Clay: Pamunkey Indian Subsistence Practices and the Market Economy 1800-1900” (2017), 1-7; and Ashley Spivey, Tidewater Foodways: Ashley Atkins Spivey, interview by Jessica Taylor, *Southern Foodways Alliance*, 2018, <https://www.southernfoodways.org/interview/ashley-spivey/>.

¹⁵¹ Spivey, “Knowing the River, Working the Land, and Digging for Clay,” 7.

¹⁵² Ibid, 12-13.

community.¹⁵³ While state and federal support have dissolved, tribal members still encourage shad fishing as an important part of cultural preservation.¹⁵⁴

Spivey emphasizes that this persistence of the Pamunkey identity and expert navigation of a capitalist market was made possible because of the relationship the tribe had with their landscape, and in fact sustained the community's sense of place and social agency.¹⁵⁵ Because Pamunkey identity and culture were so grounded in their homeland, knowledge of subsistence practices could easily be passed down as long as the tribe retained their claim. Access to the Pamunkey homeland not only supported tribal lifeways but ensured survival and economic salience. While capitalist structures generally seek to engulf and marginalize those who resist, the Pamunkey's adherence to their tribal culture and shrewd navigation of colonial pressures allowed them to assert their "Pamunkey-ness" in the face of white populations who desperately wanted to erase indigeneity.

The increasingly racialized social context made it challenging to maintain the values and premises of indigenous culture. As native individuals increasingly took on roles of servitude to support themselves in a market economy, they became incorporated "within the lowest ranks of the White-Negro structure," but also completely alienated from tribal community.¹⁵⁶ This unnatural immersion led to several cases in Virginia where indigenous people requested to return to their "masters" even after their required period of servitude was over, simply because they lacked any other sense of home to return to.¹⁵⁷ Their ancestral communities were often less than appealing due to the deteriorating relationships between native people and the English. Settlers

¹⁵³ Spivey, *Tidewater Foodways*.

¹⁵⁴ *Ibid.*

¹⁵⁵ Spivey, "Knowing the River, Working the Land, and Digging for Clay," 4-9.

¹⁵⁶ Stern, "Chickahominy," 181-182.

¹⁵⁷ *Ibid.*

targeted community structure by inundating Indian towns with liquor and selling it to tribesman, weakening organizing ability while simultaneously asserting white moral superiority. The Pamunkey complained of this solicitation in 1706, saying that the practice “hath been of very pernicious Consequence by occasioning frequent quarrells and disorder among them.”¹⁵⁸ While this case led to the banning of alcohol in tribal settlements, the sales continued in practice, giving the settlers legal excuses to persecute the Pamunkey.¹⁵⁹ The addictions resulting from the flood of alcohol deepened trends of dependency on the English while giving the settlers an excuse to point fingers at tribes for being immoral, law-breakers, and lazy, all themes consistent across many historical accounts and the Thomas Gregory case itself.

By 1750, indigenous individuals tended to exhibit strong feelings “either rejecting the English or cleaving to them” as the daily lives of native society had shifted dramatically.¹⁶⁰ Shared values of spiritual community and group identity tied tribal towns together, but it was not an easy life. Rum, warfare, disease, and privation all took a toll on the native population, with colonial clerk Robert Beverly observing that communities were left “wasted and decayed... That many Townes now united, doe not make up the number of one Town...”¹⁶¹ Population counts tend to disagree with each other since white recordkeepers were focused on purity of race and eager to put native peoples in the past, while the Pamunkey and nearby tribes hoped a larger community would increase their political salience. In King William County around 1700, Beverly and the Secretary of Virginia both described the Pamunkey with about 40-50 bowmen,

¹⁵⁸ Ibid, 181 and Rountree, *Pocahontas's People*, 151.

¹⁵⁹ Stern, “Chickahominy,” 181 and Rountree, *Pocahontas's People*, 164-165.

¹⁶⁰ Stern, “Chickahominy,” 187.

¹⁶¹ Cited in Stern, “Chickahominy,” 181.

falling off in number, and the closely related Chickahominy having just grown in population to about 15-30.¹⁶²

At the treaty of 1722, the Pamunkey claimed what historians believe to be a total population of 200, and the Chickahominy 60.¹⁶³ However, by 1781, Thomas Jefferson describes the tidewater tribal area with the Mattaponi having "three or four men only, and have more negro than Indian blood in them" and "Pamunkies are reduced to about 10 or 12 men, tolerably pure from mixture with other colours. The older ones among them preserve their language in a small degree."¹⁶⁴ Maintaining the traditional Powhatan languages that helped give tribes a distinct identity was a challenging task. Algonquin dialects began to fade after the government abolished the translation office for the Pamunkey and Chickahominy in 1727, after stating that "the tributary Indians understand and can speak the English language very well."¹⁶⁵ After this action, Algonquin became increasingly economically irrelevant outside of tribes' shrinking populations and was taught less and less to children or traders. While a group of elders were able to maintain traditional dialects into 1781, English had mostly taken over as the spoken language of the Pamunkey by the mid 1850s.¹⁶⁶ Colonists observed that "these people barely spoke their native language," making it easier to group all non-whites into a conglomerate imaginary.¹⁶⁷

Those who either chose to leave tribal communities entered a larger society, but at the bottom of the social order and with racial barriers to upward mobility. An indentured Indian servant was often given the false promise of a similar social standing of a white indentured servant who had completed their time, but instead they experienced what Stern calls the

¹⁶² Ibid, 182 and Dussias, "Protecting Pocahontas's World," 27.

¹⁶³ Stern, "Chickahominy," 182.

¹⁶⁴ Cited in Stern, "Chickahominy," 182 and Mooney, *The Powhatan Confederacy*, 143.

¹⁶⁵ Stern, "Chickahominy," 183

¹⁶⁶ Ibid.

¹⁶⁷ Ibid.

“effective degradation of the detribalized native,” as they were incorporated into a general class of free black and mixed people.¹⁶⁸ Racial blending between this group and rural, low-class whites occurred in this space as well, furthering the identity crisis in a highly racialized society.¹⁶⁹ Others were forced to leave in “official efforts to shape the development of the emergent tribal culture,” where for several years a group of essentially hostages were enrolled at the College of William and Mary with the hope that the students would become missionaries back to their people.¹⁷⁰ The former students consistently reverted back to their native beliefs after returning home. Some who had been formerly enslaved or in indentured servitude also eventually made it back to their tribal settlements and succeeded in a challenging readmittance process, although their immersion in colonial society likely caused social ferment as they attempted to rekindle a sense of place and self.¹⁷¹

Native life by the early 1800s was a faint glimmer of the powerful confederacy it had been before settler arrival. Tribal interaction with other Powhatan tribes was gone, and the former complex local religious structure had collapsed.¹⁷² The extensive indigenous territory had been reduced, “through voluntary sale” (although historians dispute this), to about 350 acres occupied by the Pamunkey and Mattaponi almost completely encompassed and separated from the rest of the land by water.¹⁷³ Beverly blamed his countrymen for this state, writing that:

“The English have taken away every part of their Country, an consequently made every thing less plenty amongst them. They have introduc'd Drunkennes and Luxury amongst

¹⁶⁸ Ibid, 188.

¹⁶⁹ Ibid, 189.

¹⁷⁰ Ibid, 181 – 183 and Dussias, 168 – 172.

¹⁷¹ Stern, “Chickahominy,” 190.

¹⁷² Ibid, 184.

¹⁷³ Ibid, 191 and Rountree, *Pocahontas's People*, 166.

them, which have multiply'd their Wants, and put them upon desiring a thousand things they never dreamt of before."¹⁷⁴

Knowledge, community, and ancestry were at the heart of the surviving nature of culture. Stern states it existed in a highly truncated form "in the town organization, in conjuring and herbal cures, and in many pursuits, both on the individual and informal group level, linked with fishing, hunting, farming, and their associated technologies."¹⁷⁵ While their territory had shrunk, the Pamunkey tribe were some of the few to maintain some level of political structure and sovereignty, perhaps due in part to their willingness to engage with English legal structure. The Pamunkey were the most often referenced as filing official legal claims and complaints against the settlers.¹⁷⁶ While these regulated communications and claims looked somewhat different than their own community council system, the Pamunkey saw their survival at risk and were able to speak a language of personhood and ownership in the face of colonial oppression.

Legal History

The Pamunkey's most longstanding encounter with settler governance is the Treaty of 1677, an act ensuring access to their land under European ideas of private property. The signing tribes would become known as the "tributary tribes," including the Pamunkey, Mattaponi, and Chickahominy, among others, binding them together with common political goals. Penned by the early colonial government as insurance to protect against any warlike potentialities of the other outsider tribes, the treaty guaranteed indigenous control over their homelands, hunting and fishing rights, the right to keep and bear arms, among other rights, so long as they maintained their loyalty towards the English Crown. While it affirmed the reservation land first set apart in

¹⁷⁴ Cited in Stern, "Chickahominy," 182.

¹⁷⁵ Stern, "Chickahominy," 184.

¹⁷⁶ Ibid.

1646 and which remains the Pamunkey reservation today, the treaty's verbiage set a precedent for future legal agreements to be made in English style and vocabulary. Most noticeably, the treaty was written in terms of "rights," which could be given or taken away by an institutional authority, in contrast to an indigenous responsibility and consent based legal structure. Claims could be made more arbitrarily, rather than simply providing evidence of good faith and commitment.

In return for their lands and freedom from standard property tax, the Indians were required to present the Governor with 20 beaver skins every March and reaffirm "their imediate dependancy on, and Own all Subjection to the great King of England Our now dread Sovereaigne his heires and Successors."¹⁷⁷ This ceremonial homage to colonial powers was threaded throughout the treaty, requiring tribesmen to receive magistrate permission to forage as they always had in any land outside the designated boundaries.¹⁷⁸ While it specifically stated that permission would generally always be granted, this agreement asserts English dominance, and requires indigenous people to kowtow in order to simply exist within their identity. The agreement also oddly notes that the land given to the tributary tribes was not "siffitient to plant up," and that all the resources the tribes gathered were "not usefull to the English."¹⁷⁹ This phrasing would seem to assert English access and claim to whatever they deem useful and valuable. With the early advantage of writing the treaty in a language largely unfamiliar to the other parties, the settlers ontological boundaries dominate this agreement supposedly founded on "Reciprocall Justice," – pushing religion, creating a hierarchical political structure, and viewing the ecosystem in terms of its "usefulness" to only one, supposedly superior, population. In

¹⁷⁷ "Articles of Peace (1677)"

¹⁷⁸ "Articles of Peace (1677)"

¹⁷⁹ "Articles of Peace (1677)"

gifting the indigenous lands back to their original owners, the British furthered their expectations of dependence on every level from every people group they encountered and gave themselves the grounds to reclaim that land should it serve them.

Despite the already relatively favorable terms for the settlers, a new act was installed in 1705 to abridge the treaty of 1677 and “for the prevention of misunderstandings between the tributary Indians, and other her Majesty's subjects.”¹⁸⁰ Several new conditions were made under the guise of protecting indigenous wellbeing, but in reality, they further limited indigenous freedoms and ways of life. Indians were disqualified from “conveying” or selling land, supposedly as a protective measure so they could not be pressured to sell, but a fine of 10 shillings per acre and additional amount per acre per year was only penalty upon purchaser, and an exception was made specifically allowing Pamunkey land to be sold.¹⁸¹ A provision in the original agreement which prevented English settlements from being constructed within a 3 mile radius of Indian land was revised to legitimize settlements across the river, prioritizing English expectations regarding the river as the boundaries of native land despite tribal life historically centering society around the river on both sides.¹⁸² In regards to gathering and foraging permissions, the new act took out the phrase that permission “would not be refused” from a magistrate and instated a new license requirement and time limit to be requested from a Justice of the Peace. It was now even harder for the Pamunkey and fellow tribes to collect the sustenance the settler did not even use – the provision was solely to enforce the sovereignty of colonial private property. Lastly, the sale of brandy or rum was explicitly forbidden in Indian towns or upon their land, which was done at the request of the Pamunkey Queen Ann, who

¹⁸⁰ “Articles of Peace (1677)”

¹⁸¹ “Articles of Peace (1677)”

¹⁸² “Articles of Peace (1677)” and Stern, “Chickahominy,” 181.

recognized the harmful and pacifying nature of addiction.¹⁸³ Stern writes that while this ban was done in “attempt to control one of the prime agencies in the demoralization of native society,” liquor sales still continued in practice and without punishment, and generally only tribesmen, rather than white distributors, found in possession of or under the influence of alcohol were penalized.¹⁸⁴ By making liquor illegal to indigenous people despite the obvious continuation of sales, settlers were able to not only attribute the unstable behavior associated with addiction to native populations, but could also make claims about their general morality and ability to follow laws. The tightening of restrictions surrounding native communities and lives set the stage for the 1843 attempt to abolish the Pamunkey reservation and gave settlers a legal framework to shape their stories of why the indigenous inhabitants were undeserving. By the 1800s, the “prevailing white culture” was in favor of taking control of indigenous homelands and began the push to dissolve tribalhood and the four remaining reservations in Virginia.¹⁸⁵

This white desire became a terrifying reality for indigenous Virginians just 30 years before the Thomas Gregory petition. 200 years earlier, in 1641 the Accomac Powhatan tribe accepted a similar patent as the Pamunkey from the General Assembly, granting them the remaining acres of their ancestral land and renaming them as the Gingaskins.¹⁸⁶ The land ended up being largely leased to outsiders in order to financially support the Gingaskins, who chose to lead traditional lifestyles of fishing and hunting rather than farming, in direct contrast to the market activities of the Pamunkey.¹⁸⁷ In the 1780s, the neighboring settlers of the Northampton

¹⁸³ “Articles of Peace (1677)” ; Stern, “Chickahominy,” 181; and Rountree, *Pocahontas’s People*, 181.

¹⁸⁴ Stern, “Chickahominy,” 181.

¹⁸⁵ Keith Egloff, Deborah Woodward, and Virginia Department, *First People: The Early Indians of Virginia* (Richmond ; Charlottesville: Virginia Department Of Historic Resources, 2000), 66.

¹⁸⁶ Sarah Nerney, “The Gingaskins of Virginia - the UncommonWealth,” The Uncommonwealth, November 16, 2011, <https://uncommonwealth.virginiamemory.com/blog/2011/11/16/the-gingaskins-of-virginia/>.

¹⁸⁷ Ibid and Rountree, *Pocahontas’s People*, 181-182.

County on the Eastern Shore expressed great concern about the Gingaskins intermarrying with the free black population and creating a unified nonwhite force capable of an uprising, one which could be successful considering the settlers' distance from the rest of Virginia population centers.¹⁸⁸ In 1784 and 1787, the settlers petitioned the General Assembly arguing that no "real" Gingaskins remained, that the reservation was "an Asylum for free Negroes + other disorderly persons, Who build Hutts thereon + pillage + destroy the Timber without controul [sic]; to the great Inconvenience of the honest Inhabitants of the Vicinity, who have ever considered it a Den of Thieves + Nuisance to the Neighborhood."¹⁸⁹ While these early attempts to abolish the reservation failed, after white trustees were appointed over the reservation in 1792, Northampton County successfully convinced the General Assembly to eliminate the reservation and divided the land among the official members as plots to individuals, the same way any other Virginian would own land.¹⁹⁰ Rountree tracked the slow sale of Gingaskin land after the reservation was dissolve, concluding that that the tribe clearly wanted to stay on their land until they were forced out in an 1831 lawsuit after the Nat Turner rebellion, after which they moved to squat on nearby land as their cultural identity faded.¹⁹¹

This was the first instance of termination of reservation lands and the detribalization of its owners in United States history. It would have made the Pamunkey and other tribes in close proximity to settler communities acutely aware of a legal existential threat. At the same time, this event also gave disgruntled white settlers an effective framework to claim access indigenous land – the structure of the Thomas Gregory petition would eerily imitate the Northampton petitions. Leading up to 1843 settlers found the initiative they needed to finally solve their Indian problem.

¹⁸⁸ Ibid

¹⁸⁹ Rountree, *Pocahontas's People*, 181-182.

¹⁹⁰ Nerney, "The Gingaskins of Virginia."

¹⁹¹ Rountree, *Pocahontas's People*, 182.

The Pamunkey would likewise recognize their important role in combatting this legal precedent, and the importance of their reservation land to their survival.

The Land

With land being at the heart of this case and discussion, it is important for to become acquainted with it, especially in this mission to know land and place as more than vague, transferable plots. The subject of the 1843 petition is two tracts of land known as “Indian town” within King William County, just across the Mattaponi River from Pamunkey Neck (the land in between the Mattaponi and Pamunkey Rivers).¹⁹² Both tracts were inhabited: one containing 1500 acres situated on the Pamunkey, and the other with less than a hundred acres on the Mattaponi.¹⁹³ Located in the “flooded coastline” of Virginia, the river levels changed frequently from the tidal pulse, cultivated cultures in tune with local navigation and shifting landscapes.¹⁹⁴ In the early 1600s, this place was near the center of Powhatan’s seat of power, with the politically and socially related Pamunkey and Mattaponi tribes at the nucleus of the Powhatan confederacy.¹⁹⁵

While the climate of the area has made conclusive archaeological evidence scarce, historians theorize that these inner coastal plains were richer than other zones for supporting human population utilizing a mixed economy and that they hosted a large and dense population prior to British presence.¹⁹⁶ Because of the ecological variety spread evenly across the region, it is likely that community specialization and trade was rare outside of luxury goods, instead, it was the shared landscape and knowledge of the rivers that developed a close sense of unity between

¹⁹² Rountree, *Pocahontas’s People*, 114-115, 194 and “Freeholders: Petition,” King William County, 1843, Legislative Petitions Digital Collection, Library of Virginia, Richmond, Va, 9-11.

¹⁹³ “Freeholders: Petition.” 9-11.

¹⁹⁴ Rountree, *The Powhatan Indians of Virginia*, 18 and Rountree, *Pocahontas’s People*, 4.

¹⁹⁵ Rountree, *Pocahontas’s People*, 11-12 and Speck, *The Rappahannock Indians of Virginia*, 35.

¹⁹⁶ Rountree, *The Powhatan Indians of Virginia*, 29, 149.

the local tribes.¹⁹⁷ Hundreds of years later, Bagby describes this region of the state as “mostly light and easily cultivated” and makes note of the quality of tobacco grown in the colonial settlements.¹⁹⁸ While the British spread across the region upon their arrival, this core territory remained under Pamunkey and Mattaponi occupation, and was later officially granted by the Treaty of 1677, making it one of the “last large Indian-owned tracts in the colony” by the late 1600s.¹⁹⁹ Even as tribal populations dwindled, the land continued to thrive under Pamunkey stewardship, meeting the town’s needs in bad crop years and producing an excess of 200 barrels of corn in good years.²⁰⁰ However, this plentitude would eventually draw the jealous eye of the white-settler population, who offered the land mainly under the pretense that it was not useful to them.

Phantastic Case Analysis

The Western perspective of linear time is particularly present in this petition. The freeholders offer the legislature a “beginning” to this situation which excludes a meaningful indigenous presence in its entirety. The freeholders’ recognized that these lands were set apart by the colonial legislature “at an early period in the settlement of the Virginia Colony, for the use and occupation of the Pamunky tribe of Indians,” which they claim were at that time “already a small remnant.”²⁰¹ The dominant population and protagonists of this history are the early colonial settlers. The author of these tracts claimed current inhabitants “all have one fourth or more of negro blood; and as proof of this, they would rely on the generally admitted fact, that not one individual can be found among them, of whose grandfathers and grandmothers, one or more

¹⁹⁷ Rountree, *The Powhatan Indians of Virginia*, 149.

¹⁹⁸ Bagby, *King and Queen County, Virginia*, 29.

¹⁹⁹ Rountree, *The Powhatan Indians of Virginia*, 6.

²⁰⁰ “Pamunkey Indians: Counter-Petition,” King William County, 1843, Legislative Petitions Digital Collection, Library of Virginia, Richmond, Va, 9-12.

²⁰¹ “Freeholders: Petition.” 9-11.

is or was not a negro; which proportion of negro blood constitutes a free mulatto.”²⁰² In the opening statements of the petition, the freeholders already establish the assumption that any tribal populations lived in the past, in the pre-history of the colony. They follow the trend of historicizing any evidence that would suggest the problem of land left, or “someone was here first,” should be a current consideration. They mimic the same kind of benevolence towards the early government of Virginia that their ancestors may have felt they took towards the native population, expressing that the GA did not and could not “foresee the state of things now complained of - it was impossible to foresee the ultimate destiny of the Indians who were the objects of the legislative case.”²⁰³ They claim a destiny of extinction for the Pamunkey, although it had not actually happened yet. Now, the only space available to make decisions about is the present and the future, which is presumably white.

The freeholders paint the protagonists and antagonists of this case, using traditional ideas of morality found in Biblical, epic, and folkloric literature. They seem to pull heavily from ideas that superior moral behavior (from within their primarily Christian worldview) merits a just reward, which in this case is the land and the profits that can be gleaned from it. The protagonists here are clearly the white freeholders, who remind the assembly that they are law-abiding, honest, hardworking, and “merituous.”²⁰⁴ The petitioners place themselves in direct contrast to the population living in the contested land. The petition states that the original treaty granting this land to the Pamunkey was “a benevolent act... evidently to protect a few harmless and tributary Indians” but argues that “time and circumstances have wholly changed the nature of the question and completely unhinged the design of those who enacted its provisions.”²⁰⁵

²⁰² “Freeholders: Petition.” 9-11.

²⁰³ “Freeholders: Petition.” 9-11.

²⁰⁴ “Freeholders: Petition.” 9-11.

²⁰⁵ “Freeholders: Petition.” 9-11.

However, as discussed earlier, the nature of the Pamunkey immorality was at least semi-intentionally created by the settlers to enforce their moral claim, from racialization to liquor sales. This narrative progression also implies that what was once good and harmless has changed and evolved into something harmful and objectively malevolent.

While the labels of “Negroes” and “mulattoes” are used within a derogatory context, the petition elaborates on their sins to solidify their position as the antagonists in most stories of the time. These occupants are described as “generally idle and vagrant and seeking a support by reasons not compatible with an honest livelihood,” as well as claiming that several of them had committed “breaches of the peace and other offences” that warranted months of jailtime.²⁰⁶ Nonwhite populations have historically been characterized by a lack of industriousness, but this was most often a combination of prejudice, different systems of productivity, and prevention on behalf the white population from engaging with an “honest livelihood.” Different styles of hunting and planting were often perceived by settlers as nonsensical, and societies based more around community and subsistence rather than exploration and conquest were judged by a lack of initiative. The subjection and enslavement of communities of color simultaneously prevented them gaining enough capital to start any livelihood based on trade or farming.

Instead, the petition categorizes any free black communities as “the haunts of vice,” where “depraved appetites” can be gratified, “where spirituous liquors are retailed without license: the ready asylum of runaway slaves, and a secure harbor for everyone who wishes concealment.”²⁰⁷ In this context of a community of proud, self-described slaveholders, any asylum was a direct breach of laws and attack on white identity, and in a society where light and dark were heavily symbolized with good and evil, the light of Christ and sin, a desire for

²⁰⁶ “Freeholders: Petition.” 9-11.

²⁰⁷ “Freeholders: Petition.” 9-11.

concealment was particularly suspicious. The mention of liquor is particularly ironic, considering the history tribes had with alcohol and settlers; a double standard is employed. One could argue that many of these sins of character mentioned above are disproportionate to the consequence of having one's homeland ripped away from them, yet the freeholders state that they are the "worst consequences" they could imagine.²⁰⁸ Ultimately, it is the racial heritage of the Indian towns that is the worst wrongdoing. The white petitioners are horrified that "these free mulattoes have long since shown that they felt as if distinction of color was not to be regarded in their case, and that within the limits of their own towns they were licensed to do as they pleased."²⁰⁹ A town structure should generally have been able to claim some sovereignty, but it is on the basis of race that the freeholders rescind that privilege.

Throughout the petition, the description of a free "mulatto" or "Negro" is typically used as description enough to justify that the current inhabitants are undeserving of the land, and the fact that they did not have to pay the traditional property taxes only added insult to injury. The authors are "willing to admit that some exceptions, to the general character here stated do exist among these free mulattoes, but these are not of much consequence," because they are "mingled with the negro blood."²¹⁰ This blatant racism is consistent with the increasingly popular notions of the white subject as the possessive subject and only political actor.

Not only do the freeholders believe that the population on the Pamunkey reservation are undeserving of the land, but they also project an existential phantasy onto the nonwhite community. While the indigenous people are repeatedly described as lazy, the petitioners simultaneously feel incredibly threatened by a free non-white community – their existence alone

²⁰⁸ "Freeholders: Petition." 9-11.3

²⁰⁹ "Freeholders: Petition." 9-11.3

²¹⁰ "Freeholders: Petition." 9-11.

is a “great grievance” in a “threatening position.”²¹¹ The sale of the land is seen as a defensive act to “protect the white inhabitants from the present evils inflicted on them,” but also to save the settlers from “the possible or probable evils which may grow out of such a state of things.”²¹² They could be “readily converted into an instrument of deadly annoyance to the white inhabitants by northern fanaticism,” a potential which the petition claims is “more than a possible event,” and which would disrupt the local economy.²¹³ While this focus on the hypothetical would not be as strong a case in a court today, this perspective exhibits the white paranoia that McClintock and Federici observed among early colonizers who felt unsettled and out of place in spaces they at least subconsciously knew were not their own.²¹⁴ It also demonstrates the kind of settler memories and phantasies that affirm this paranoia from the Anglo Powhatan Wars, Bacon’s Rebellion, and Nat Turner’s Rebellion, subliminally reminding the settlers of the violent consequences of their out-of-place-ness. While this case by no means takes place in the early foundation of the colonies, simply the proximity to non-white bodies and cultures dug up these fears, as the freeholders held violent power over non-white bodies and had little cultural blending with their neighboring communities. The Pamunkey community did not represent a real and present danger, but rather reminded the white community of an existentialism they had no practiced skills to deal with.

Instead, like in the case of the Gingaskins, the freeholders turned to the removed solution of land transferability. They requested the “sale of all the lands mentioned... and that a distribution of the monies accruing from such sale,” be distributed among those “occupants as can show their descent from the Indian stock,” according to the “laws of the state in relation to

²¹¹ “Freeholders: Petition.” 9-11.

²¹² “Freeholders: Petition.” 9-11.

²¹³ “Freeholders: Petition.” 9-11.

²¹⁴ Federici, *Caliban and the Witch*, 170-194 and McClintock, *Imperial Leather*, 22-29.

lorded property.”²¹⁵ This ask demonstrates the connected phantasies the white settlers had about entering a civilized social contract from a supposedly anarchist state of nature (a contrast to a “savage” indigenous society) and the proper possessive subject, attributing the power to manage land to the government when it could not be conquered. Dispossession was the only solution to impropriety and is worth it even when put against the loss of those who may have a legitimate claim to the territory. To the freeholders without ancestral ties to the space, land had an exchangeable monetary value rather than an intrinsic one.

For the Pamunkey, this attempt at dispossession was a much more real existential threat – the tidewater land was one of the few material ties they had to their group identity, and they had seen how the division of homeland as plots could break down tribal identity and salience. In their counterpetition, the Pamunkey do not revert to discrimination or legal technicalities, although one could argue they of all people have the right to do so. Perhaps because of the clear and intentional role storytelling plays in upholding indigenous society and history, their brief response exemplifies their ability to “shift” or at least understand “consciousnesses,” as Peat calls it, and assert their uniquely Pamunkey identity into the racial binaries of Virginia.²¹⁶ Writing in a format and language that fits Western legal expectations, they first refute the charges laid at their door about ancestry and ethics, appealing to the ontological perspective of their audience, while also sharing their deeply personal phantasies of how they and the land claim each other.

The Pamunkey are specific that these tracts of land are “owned and occupied by us, the Pamunkey tribe of Indians,” asserting that their identity has a right to the land even in colonial eyes. While racialization was a significantly less common idea for indigenous people, the

²¹⁵ “Freeholders: Petition.” 9-11.

²¹⁶ Peat, *Blackfoot Physics*, 37, 57-59.

Pamunkey recognize the importance of race to settler society and take the time to address the freeholders claims that they no longer maintain a native heritage. Throughout the document they remind the reader that their community is Pamunkey, and firmly reject the claim that they are a town of escaped enslaved people. They write that “if anything can be proved, there are many here that are more than half-blooded Indian,” however, they also admit that “there are some here that are not of our Tribe.”²¹⁷ While they do not promise to expunge this non-native population, they are willing to separate the tribe and its moral standing from black inhabitants as a persuasive method. While not an acceptable tactic today, this does demonstrate the Pamunkey’s political knowledge of the white county.

The counter-petition also addresses the freeholders’ accusations surrounding community’s character. The Pamunkey insist that they are industrious and provide for their families, pointing to their excess stores of corn.²¹⁸ They also deny the claims that they are lawless, writing that “none of our tribe has been convicted for dishonesty, or sent to the penitentiary for stealing or hostility with our white neighbor, or one another, since our tribe has become civilized,” and invite the GA to find concrete legal evidence otherwise.²¹⁹ Again, the counter-petition plays to settler perspectives, attributing their upstanding character to learning from colonial culture and reminding the readers that the land was granted to the tribe by “your fathers the sons of liberty.”²²⁰ The Pamunkey place themselves within the story and timeline of colonial conquest as the Virginians of the day would imagine it. By painting themselves as the characters which settlers would have wanted to imagine them as, “noble savages,” the Pamunkey are able to still share their ties to the land in a way the GA would have understood.

²¹⁷ “Pamunkey Indians: Counter-Petition,” 9-12.

²¹⁸ “Pamunkey Indians: Counter-Petition,” 9-12.

²¹⁹ “Pamunkey Indians: Counter-Petition,” 9-12.

²²⁰ “Pamunkey Indians: Counter-Petition,” 9-12.

With the groundwork laid to make the Assembly more amenable to their perspective, the Pamunkey finally begin to express what their land means to them and their tribal identity, explaining that the freeholders do not fully understand their claim. They indicate of the ancestral relationship they have with the land, stating that they “would wish for our last remains to be deposited here with our ancestors.”²²¹ Not only is the land important to them because of their experience with it, but it is also the key to a more cyclical perspective of life, keeping them in contact with their human and environmental families. While it still provides their livelihood, the land has more than monetary or productive value, and the Pamunkey express that it would be “heart rending for us to be parted like as one family from our brothers, and sisters, fathers, and mothers, into different climes, and no not where to go.”²²² Without this connection to homeland, the tribal community would be orphaned, lacking direction and purpose in comparison to the intimate knowledge they have of the space. Here, in closing, the Pamunkey share their powerful narrative of what the land means to their communities:

“Now if our friends are sick, we are near them to relieve them of their many woes and administer to there many necessities without any expense to the country, if our old men, or young men, become crippled and can but paddle their canoes, they can get there living by fishing, and hunting, if our old women become infirm they can make their wares to support them without any expense to the country, and we hope that the gentlemen will take this thing in consideration, as it is against the will and wish of each one of our Tribe to depart from there native land.”²²³

²²¹ “Pamunkey Indians: Counter-Petition,” 9-12.

²²² “Pamunkey Indians: Counter-Petition,” 9-12.

²²³ “Pamunkey Indians: Counter-Petition,” 9-12.

This passage tells a story of reciprocity; the survival of the Pamunkey people and the land itself are linked. Because of a millennia long relationship with the landscape, the tribe can derive purpose from it in all stages of life rather than through economic or expansionist endeavors. The Pamunkey tell a story of how the earth has always provided their necessities to them in a way that no foreign space could, and that they could not remain connected to each other or live fulfilling lives in any other lifestyle. They are able to define a unique and singular Pamunkey identity while speaking within colonial terms. Fortunately, the assembly ultimately decided in the Pamunkey's favor allowing them to keep maintain control over their territory. While historians attribute this victory to bogus claims made by the freeholders about the character and ancestry of the inhabitants of the two tracts of land, this conflict still allowed two very different ontologies of land to come into conversation with each other.

The ethnography of Bob Nelson, a King William County resident and descendent of the Pamunkey and early colonizer Captain Carey Nelson, was passed down over half a century later in 1919, sharing the stories that shaped the Pamunkey claim to their land. He dictated:

“Long ago, before the Revolution, the Indians owned this country, every bit of it, and held it against all their enemies. It was given to them by the Creator to keep and occupy, but when the white people came, those whom we call the English, they had religion and other advantages which the poor Indians did not have, and so when fighting arose between the two people the English always won. But the Creator did not mean that the English should kill every one of the Indians. He designed it so that, when nearly all were killed, the very man who had most to do in killing them off was to become the one who would cause them to come back in this country and multiply... I say it was the Creators

will that caused this to be done, and so we are here today, descended from the best English blood and the best Indian blood."²²⁴

In this story, the tribe has a spiritual claim to the tidewater land as well as a historical one, a claim based in gift and reciprocity.

Historians look at the Thomas Gregory case as typical of the culture in Virginia at the time. Stern states that the case exemplifies the white "desire to annex the Indian lands and can at least suspect the irritation at the presence of that somewhat mobile class, the free Negroes" and that "many of these charges, if not groundless are at least exaggerated, made as they often were to gain a point over the Indian."²²⁵ When some attempts to reclaim land failed, Dussias suggests that a "bureaucratic genocide" began, by attempting to record all birth certificates as "White" or "Colored," erasing the existence of indigenous people in Virginia and flattening the personhood of anyone without a pure, white heritage.²²⁶ However, these acts of violence typically stemmed not only from generalized prejudice, but from ignorance on behalf of the majority of the white community to recognize the distinct identities among non-white populations. Rountree observes that the letter's call for the reservation's termination is "well-buried in generalized rhetoric about non-whites," suggesting it is likely that many of the signers simply agreed with the rhetoric and were hardly aware of the importance Pamunkey tribal identity outside of their activity in the market economy.²²⁷ Meanwhile, the Pamunkeys felt an immediate threat to their survival, perhaps unaware how little interest was taken in them compared to the resources of the land.²²⁸ They took the moral accusation personally, arguing for their work ethic and describing the

²²⁴ Speck, *The Rappahannock Indians of Virginia*, 45-46

²²⁵ Stern, "Chickahominy," 191

²²⁶ Dussias, "Protecting Pocahontas's World," 38-53

²²⁷ Rountree, *Pocahontas's People*, 195-196.

²²⁸ Ibid.

family they had built that could not bear to be dispersed. It was much easier for the settlers to brush off their failed attempts at greater prosperity and comfort when they were not explicitly facing a genocidal attempt.

While the “justice” delivered to the Pamunkey in 1843 has its merits, Rountree points out how such an existential threat for the tribe is swept under the rug by English history. While the freeholders took initiative from nearsighted economic interests, the case was a highly personal attack against the tidewater tribes. The case certainly did not improve relations, in fact the bitterness generated from the Pamunkey likely served to keep the remaining members unified and determined to maintain their culture.²²⁹ The encounter was adopted as collective memory, fit to a storied form that Bob Nelson would continue to retell. Meanwhile, the white settlers carried on, finding new ways to remain dominant and oppressive without learning any lasting lessons about how understanding an indigenous approach to land could facilitate a kind of peace.

While this encounter offers an explicit opportunity to observe the contrast between Pamunkey and colonial perspectives about land claims, as well as the details of the phantasies that led them to these perspectives, this case illuminates something else. The Pamunkey were willing to identify and engage with alternative phantasies in order to ensure their survival – not only did they come to this dispute within the colonial Virginian legal system, writing rather than orating their response, they also make their case largely on the freeholder’s terms. They engage with a racialized vocabulary and framework of personhood to distinguish themselves between the morality associated with black and mixed populations. This standard of morality also belongs to the settlers’ religious world, but the tribe still demonstrates how they abide by it and even exemplify its ideals of industriousness and honesty. They center their earlier colonial oppressors

²²⁹ Ibid.

in this history and praise their political ideals and rights. Ultimately, they even ask for a ruling that is solidly in the white legal framework instead of asking for a return to tradition. Perhaps it was their story based legal system that gave the Pamunkey this flexibility, but their willingness to see, understand, and try to recreate alternative narratives about the world ensured their survival. Their storied communication style potentially allowed them to understand how grounding stories can be and trained them to look for those same narrative structures among others. Employing different lenses of phantasy did not dilute their identity, rather, it was a powerful tool that strengthened it.

Alternatively for the settlers, even the recognition of other phantasies, much more varied and developed identities was an existential threat. While many of the freeholders in this case had at least a couple generations in Virginia behind them, their settler past as well as their proximity to native communities continued to infuse their perspectives with unsettled paranoia. Their Protestant worldview was based in its exclusivity and superiority – those who did not actively adhere to it were simply unaware and should be grateful for its evangelization. Their religion declared that its truth could be found in all elements of the natural world and human interaction, and to identify evidence to the contrary, that experience in North America and Virginia could support legitimate identities with starkly different societal values and results was deeply troubling, forcing the first settlers to ask questions about themselves and their purpose in an environment where their basic survival was already a challenge. The colonist's epistemological knowledge - and subsequent certainty - of a firm, absolute truth wavered in the face of new evidence in a new environment. In response, they sought out threats and vengeful human nature to affirm their religious sect's unique access to truth. This obsession with fear amplified their paranoia of both physical unsettlement and eternal damnation, and as they recognized and

recorded this experience, they reproduced narrative templates centered around the antagonistic environment of the New World.

These narratives did the societal work of enforcing the power structures the 1843 freeholders were familiar with as well their certainty in their faith-based ontologies. To move beyond their own phantasies and negotiate the nature of identity, claims, and reality as a whole was certainly almost unthinkable, especially in a case such as this where racialization made the white residents of King William certain of their entitlement to Pamunkey land. Perhaps with the assertion of the Pamunkey's distinct identity, their willingness to tell new and different stories did not inherently make them "better" or improve their relationship with the landscape, but it did allow them to continue that relationship. Their recognition of other stories served them in a time of crisis and in the everyday. Phantasies of Pamunkey land have been reborn every generation that is connected to their homeland; this conflict was about physical identity in place, but also about the survival of an ontology. Those of us with colonizing heritage must learn the lessons our ancestors did not: we are capable of hearing and learning from alternative stories in the age where our presence feels solidified, but healthy environmental and indigenous futures are not. It is important to do this not only for the sake of peaceful human interrelationships, but also to encourage individual commitments to land and place that are ontologically central enough to be reproduced across generations.

In the next and final chapter, I explain the importance and relevance for modern settlers to engage with other, especially indigenous, phantasies, just as the Pamunkey spoke within English narratives in 1843. I recommend sites and methods for this settler engagement to support indigenous resurgence and empower native sovereignty in today's political context, particularly from within the university. I conclude with a reflection on my personal experience with

“consciousness shifting” and engaging with indigenous phantasies, in hopes that others will find inspiration in their own journeys of unsettlement.

Chapter 3: Settler Engagement with Land-Based Phantasies

This chapter examines the question, why is it important to not only identify land narratives outside an imperial framework, but how can non-indigenous peoples engage with them. Why should they in the first place? Indigenous peoples have been forced to share and advocate for themselves on Western terms of claims and space since the earliest colonial settlements. Engaging with native understandings of land and belonging in order to support resurgence is not only a form of justice that promotes shared understandings, but also a beneficial outlook to address settler paranoia and all the challenges US society faces today.

Identification of one's own phantasies as constructed is an important first step, because without cosmological context, dialogue between indigenous and non-indigenous is limited and only upholds settler ontologies of claim and othering. An inability, whether unintentional or willful, to see past familiar Western worldviews has perpetuated closed dialogues with indigenous people and ignored the possibilities and meaning land and natural objects have to offer.²³⁰ Instead, contemporary settlers stubbornly “follow the mandate provided for them by their imperial forefathers’ colonial legacy” to eradicate indigenous worlds from the landscape.²³¹ Although settlers may have developed a distaste for bloodshed as the US has pursued an image of a benevolent deity of “progress,” they continue to follow this mandate by erasing the signs and legitimacy of the histories and geographies critical to indigenous cultural identity.

²³⁰ Mishuana Goeman, “From Place to Territories and Back Again,” *International Journal of Critical Indigenous Studies* 1, no. 1 (January 1, 2008), 26; Jennifer Graber, “‘They Call It Ghost Dance... But It’s Feather Dance’: Indigenous Histories in the Study of Religion and US Empire,” in *Religion and US Empire: Critical New Histories*, ed. Tisa Wenger and Sylvester A Johnson (New York University Press, 2022), 124–48, 133; and Sharon Stein, “‘Truth before Reconciliation’: The Difficulties of Transforming Higher Education in Settler Colonial Contexts,” *Higher Education Research & Development* 39, no. 1 (January 2, 2020): 156–70, 20.

²³¹ Taiaiake Alfred and Jeff Corntassel, “Being Indigenous: Resurgences against Contemporary Colonialism,” *Government and Opposition* 40, no. 4 (2005): 597–614, 598.

Capitalism and empire became the new tools for English Protestants to exercise “dominion over the earth and its creatures,” only successful when any trace of incommensurable indigenous ideologies was invisible.²³² As discussed in previous chapters, domination over native peoples and their subservience to settlers is a significant factor in US myths of empire. As Mishuana Goeman (Tonawanda Band of Seneca) writes, the “definition of American... became entrapped in producing abstractions of difference,” rather than the land that the early colonizers came for.²³³ These differences were not identified with the purpose of moving past them to form ethical relationships, but rather to create physical and economic division which affirmed white settler superiority and comfort in unfamiliar landscapes. It is important to trace these abstractions of bodies into hierarchies and land into space to illuminate how the status quo of state power perpetuates itself through exclusion.

Despite these aggressive attacks, First Nations have continued to survive physically and culturally, but the conflicts to maintain a foothold in their entangled lands and identities continues. The US government (and those of other colonial nation-states) has managed to perpetuate what Goeman calls a “statist ideology” through its exclusive legal system, forcing indigenous nations to legitimate their claims to nonnegotiable land through historical precedence rather than its tribal importance.²³⁴ This puts a focus on indigenous existence as “accumulations of past” for the state, its variety of residents, and even tribes, despite their unarguable presence now and in the future.²³⁵ The land they claim is still alive and in relationship with them, and bringing native ontologies into present ways of knowing is one important method of disrupting

²³² Eve Tuck, Marcia McKenzie, and Kate McCoy, “Land Education: Indigenous, Post-Colonial, and Decolonizing Perspectives on Place and Environmental Education Research,” *Environmental Education Research* 20, no. 1 (January 2, 2014): 1–23, 5.

²³³ Goeman, “From Place to Territories and Back Again,” 28.

²³⁴ Goeman, “From Place to Territories and Back Again,” 24.

²³⁵ Goeman, “From Place to Territories and Back Again,” 24.

false narratives of historicity. Indigenous personhood is not rooted in some grand but dispirited past, it is based in ongoing lifeways that are valuable and frankly desirable to know and engage with.

Recognizing the storied nature of land is crucial for understanding its centrality to indigenous existence and identity, and subsequently indigenous needs for affirming that identity in the face of colonial systems. In ethnographic projects with Cherokee youths and elders, Jeff Corntassel (Cherokee) and Tiffanie Hardbarger (Cherokee) find it is everyday actions that nurture kinship with community and land that are the driving forces of sustainable indigeneity in the present.²³⁶ The Cherokee youths identified three areas of practice critical to their identity – the lifelong responsibility of passing on knowledge, the importance of familial and community relationships as sites of support, and access to and protection of healthy ecosystems that allow for sustainable engagement with it.²³⁷ However, colonial-settler political and social contexts can make meaningful everyday interactions with tribal land and culture challenging, if not penalized.

From the violence and racism current elders experienced through dispossession of land, criminalization of cultural practices, and horrors of indigenous boarding schools, to rigid modern structures of time, property, and communities, Cherokee youths recognized many spaces of disconnect and grief when trying to engage with the fullness of their identity. In a process of deconstructing the harms of colonialism and pushing for justice, a study of imperial and indigenous ontological differences can be useful – it illuminates the gaps and shows settlers where to make space so native nations can fully piece back their experiential knowledge. To

²³⁶ Jeff Corntassel and Tiffanie Hardbarger, “Educate to Perpetuate: Land-Based Pedagogies and Community Resurgence,” *International Review of Education* 65, no. 1 (January 3, 2019): 87–116.

²³⁷ Corntassel and Hardbarger, “Educate to Perpetuate,” 98.

start, that means making space for indigenous peoples to remember and practice ceremony, return to their homelands, and live in liberation from the myths of colonialism.²³⁸

A common word used when discussing indigenous-settler relations is aspiring to a “reconciliation” between the two parties over colonial harms. However, reconciliation in definition and practice falls short of the native needs mentioned above. Reconciliation is often used in reference to an ongoing or present agreement and implies a resolution to the problem, but not only are the evils of the colonial past requiring of enormous penance, but at present, all of the colonial mechanisms that prevent tribal sovereignty in their own in are still in place.²³⁹ Corntassel also observes the “religious connotation” of the term, “premised on restoring one’s relationship with God,” once again forcing native people to operate within exclusively colonial ontologies.²⁴⁰ Settlers who express a desire for reconciliation are generally unwilling to deconstruct the society they are comfortable in, they are more interested in making up and moving on with a clean slate. Unfortunately, without enormous change, a clean slate for indigenous-settler relations is impossible, and claims of reconciliation only enforce the status quo without holding people accountable for ongoing injustice. Since settlers are usually the first to broach a path of “reconciliation” and are simultaneously those holding meaningful political power, solution-making is largely in their hands.²⁴¹ Instead of making reparations, “gifts” are the standard expression of reconciliation, but the “gifts” settlers are willing to offer without losing any perceived authority usually further the goal of indigenous assimilation and subsequent erasure (i.e. participation in the market system, exclusive casino “rights”).

²³⁸ Alfred and Corntassel, “Being Indigenous,” 601.

²³⁹ Stein, “Truth before Reconciliation,” 6 and Ana Schwartz, *Unmoored* (UNC Press Books, 2022), 71.

²⁴⁰ Corntassel, “Re-Envisioning Resurgence,” 93.

²⁴¹ Corntassel, “Re-Envisioning Resurgence,” 93.

According to Corn tassel, even the concept of reconciliation itself is somewhat foreign to native nations – most do not even have a word for it in their languages, “the truest test of its lack of relevance to communities.”²⁴² Tribal agreements have always been based in ongoing conversation and renewal; that kind of mutual respect does not require any ceremonial clean slate. In her reflection on “Truth before reconciliation” in Canadian higher education, Sharon Stein identifies the “reconciliation fatigue” that occurs from the inherently inconclusive attempts at indigenous-settler reconciliation. This two-sided fatigue affects both parties – settlers grow resentful of continual reminders that their colonial paranoia and guilt has not been “solved,” while native peoples grow exhausted of the exposure to colonial violence.²⁴³ Only a full-scale societal decolonization can bridge these ontological gaps and do the work reconciliation is ill-equipped for.

Indigenous resurgence, reclaiming the relationships grounded in land, culture, and community that promote the well-being of Indigenous nations, is both just and right – it is the path for native peoples to claim the personhood that modern liberalism claims all are entitled to.²⁴⁴ But, as Tuck (Unanga̓x̓) and Yang state, “Until stolen land is relinquished, critical consciousness does not translate into action that disrupts settler colonialism.”²⁴⁵ Indigenous land phantasies help in understanding the critical role land plays in indigenous reality, and aids settlers in realizing their own place on the land – specifically that the land they live on has been stolen, unfairly ceded, and has a pre—existing relational claim with First Nations.²⁴⁶ However, engaging with narratives of reciprocity not only illuminate a more inter-personally ethical future,

²⁴² Corn tassel, “Re-Envisioning Resurgence,” 93.

²⁴³ Stein, “Truth before Reconciliation,” 4-7.

²⁴⁴ Corn tassel and Hardbarger, “Educate to Perpetuate,” 89.

²⁴⁵ Eve Tuck and K. Wayne Yang, “Decolonization Is Not a Metaphor,” *Decolonization: Indigeneity, Education & Society* 1, no. 1 (September 8, 2012), 19.

²⁴⁶ Tuck et al, “Land Education,” 8.

but offers a more sustainable future for all the this planet's people as they appreciate a sense of security in place. Because pre-colonial societies depended on the sustainability of their resources, they developed belief systems upheld by narrative experience with roots in responsible use and reciprocity.²⁴⁷ Scholars of decolonial futures acknowledge that centering community and education around intimately known places is necessarily valuable as humans face the consequences of extractive practices, managing new forms of scarcity and "ensuring the future of places" at all.²⁴⁸ "Knowing" one's place is critical to survival. In order to achieve the necessary consciousness-shifting required for a dialogue between indigenous and settler ontologies, some personal local knowledge must be developed, or at least valued. This coming-to-know guarantees some broadening of conceptions of the nature of land, if not a dramatic shift. These wider conceptions are integral to expectations of self-determination and can offer a great deal at the individual level in terms of imagining unsettled personal futures.²⁴⁹

Allowing indigenous fantasies to shape settler worldviews offers a myriad of personal benefits as well as the shifts that push societal change. As discussed in previous chapters, settlers in the US have always been wrought with paranoia about their displacement, enacting systems of violence instead of reciprocity to attempt to create a sense of security. In the 21st century, settler anxiety is still present despite even greater levels of domination, as technology brings people closer and broadcasts voices educating on the injustices of the state. There are many ways to react if this information is new, from apathy to bigotry. However, should one investigate this history and "arrive at a space of uncertainty and humility," and "deep sense of responsibility" to try to right the wrongs their privilege has perpetuated, the realization of the enormity of the task

²⁴⁷ ²⁴⁷ Brooks and Brooks, "The Reciprocity Principle and Traditional Ecological Knowledge," 23.

²⁴⁸ Brooks and Brooks, "The Reciprocity Principle and Traditional Ecological Knowledge," 23; Tuck et al, "Land Education," 8.

²⁴⁹ Cornthassel and Hardbarger, "Educate to Perpetuate," 104.

can induce a paralyzing kind of anxiety.²⁵⁰ The systematic forces can seem unavoidable, from a reliance on gas and extractive energy, living on a landlords private property, and having a bank account and savings secured by the stock market, to receiving many privileged forms of protection from a reliably unjust justice system, being a member of institutions and companies that are inherently capitalistic, and supporting exclusively profit driven corporations for affordable food and other resources. Scholars and students alike likely recognize bitter jokes that “all our problems are because of colonialism!” But the reality of realizing this is very nearly true can induce panic – the knee jerk response is usually to decide going “off-grid” on a homestead is the most ethical option... until the following realization that settlers cannot occupy any land without stealing it. A new kind of paralyzing hopelessness emerges that can be permanent. However, engaging with land-based narratives can abate some of that paralysis.

Settler self-identification is and should be uncomfortable, but the relational-responsibilities of land-centric ontologies suggests what to do with that discomfort. Knowing about decolonization creates responsibility, but decolonizing one’s knowledge offers a clearer path forward to taking that responsibility and making reparations to people and ecosystems. Corntassel and Taiaiake Alfred (Kanien’kehá:ka) argue that the larger process of indigenous regeneration begins with the self, recentering original values, which triggers actions towards resurgence.²⁵¹ A similar process can happen to the settler – learning about and engaging with local and native knowledge prompts actions according to those values. While it is not the place of the settler to dictate decolonization, this kind of personal reflection can dictate ways of

²⁵⁰ Stein, “Truth before Reconciliation,” 2.

²⁵¹ Alfred and Corntassel, “Being Indigenous,” 611 and Corntassel and Hardbarger, “Educate to Perpetuate,” 92.

making space for indigenous self-determination, as well as address to paranoia of colonial wrongs by offering a space for penance.²⁵²

However, it is critical that these societal and personal shifts occur together – settlers have no claim to any land-based knowledge simply to shrug off anxiety and responsibility, to try to claim some kind of indigeneity, or just to experience some kind of environmental Zen. Canadian activist scholars Kluttz, Walker & Walter caution against “the comfortable notion of ‘decolonizing one’s mind and the rest will follow,’” emphasizing that learning outside of privilege must be lived, not abstracted like colonialism did in the first place.²⁵³ Tuck and Yang also discredit “settler moves to innocence” in the face of colonial awareness, reminding settlers that they are not the torchbearers of any local knowledge they acquire – Indigeneity has not handed over the ability to speak for itself.²⁵⁴ Goeman similarly highlights that while the spiritual, environmental, and narrative are appealing, “too often we overlook the fundamental role of place making in moving toward cultural sovereignty.”²⁵⁵ Societal shifts in the direction of land as ontologically-centric requires personal grasps on the adjacent philosophies, but that understanding must be an empathetic one that translates outside the self.

Institutional and personal values reflect in the way people live their lives materially and politically. Kluttz, Walker, & Walter write that:

²⁵² Jenalee Kluttz, Jude Walker, and Pierre Walter, “Unsettling Allyship, Unlearning and Learning towards Decolonising Solidarity,” *Studies in the Education of Adults* 52, no. 1 (August 23, 2019): 49–66, 56; and Stein, “Truth before Reconciliation,” 13.

²⁵³ Kluttz et al, “Unsettling Allyship, Unlearning and Learning towards Decolonising Solidarity,” 62-63.

²⁵⁴ Tuck and Yang, “Decolonization Is Not a Metaphor,” 14.

²⁵⁵ Goeman, “From Place to Territories and Back Again,” 24.

“When we realize that our beliefs about the world are wrong, and see our own complicity in systems of oppression, there is potential for radical change by working through, and resting within pedagogical spaces of discomfort.”²⁵⁶

Or, as Alfred and Cornassel visualize it, transformative change comes from shifts in thinking “one warrior at a time.”²⁵⁷ Thought eventually materializes, and native nations have long recognized that “individual action can have tremendous ramifications for the whole,” not only as a domino-effect, but as embodiments of governance and community that shape group expectations of relationships.²⁵⁸ Humans pull their beliefs into being intentionally or not; it is often for the best that ontologies are inclusive.

Societal End Goals

Decolonization requires the abolition of settler property rights and sovereignty, and the repatriation of land to sovereign Native Nations.²⁵⁹ Anything less preserves settler futurity and domination in bad faith. A decolonial and land-based future is incommensurable with land claims based on violence, exclusivity, and accumulation. This form of “ownership” does not require local knowledge, instead it rejects relationships to keep land abstracted and transferable. Sustainable land relations are also impossible with this framework – the transferability revokes any responsibility to know and care for land in ways that ensure continued cycles of abundance. Western notions of “property rights” separates human experience from the landscape in contrast to the relational “belonging” to place as identity.²⁶⁰ While enforceable legal ownership is one way for settlers to express dominance and attempt to ensure their place, property is still

²⁵⁶ Klutts et al, “Unsettling Allyship, Unlearning and Learning towards Decolonising Solidarity,” 51.

²⁵⁷ Alfred and Cornassel, “Being Indigenous,” 613.

²⁵⁸ Cornassel and Hardbarger, “Educate to Perpetuate.”

²⁵⁹ Tuck and Yang, “Decolonization Is Not a Metaphor,” 26-31; Goeman, “From Place to Territories and Back Again,” 26.

²⁶⁰ Brooks and Brooks, “The Reciprocity Principle and Traditional Ecological Knowledge,” 12.

transferable and can still enforce senses of paranoia over economic and class instability in a market system. Settlers can also recognize that they have invoked a foreign system of private property on a landscape with historically different methods of claim. There is always stress and fear of revolt when something is forced onto unwilling recipients – shifting land back to its original form of ownership can help calm that discomfort.

Once land is fully returned to the First Nations and no longer structured as transferable plots, indigenous and nonindigenous populations can explore relationships of coexistence (should tribes care to). There is no sustainable way for some land to be held as territory in common and some as private property, both boasting their own kinds of sovereignty. It would very quickly start to look something like the modern reservation system and still allow for the transferability of commons to property. Instead, any nonindigenous community must pursue the knowledge and relationality of their human and non-human neighbors to have any claim. However, this imaginary is where things get sticky. As a settler, it is important to avoid “settler emplacement,” the search for ways to resolve the dislocation of decolonization and replace native peoples as the rightful claimant of land as a method of addressing guilt and paranoia.²⁶¹ Imagining settler futurity risks this; however, I also wish to imagine a realistically radical future, and I struggle to imagine the hundreds of millions of nonindigenous residents of Turtle Island arriving at a post-property future while still being compelled to leave. I hope there is a possibility for coexistence through reciprocity, a way for settlers to engage in honest treaties and annual acknowledgments of shared inhabitation with indigenous stewards. However, this hope is admittedly idealistic. In Brooks and Brooks’ analysis of the Presumpscot River protests in the 18th century, attempts at treaties and reciprocity repeatedly failed in the face of English

²⁶¹ Tuck et al, “Land Education,” 15-16.

misunderstanding and greed.²⁶² Only through a willingness to re-understand land as both territory and an active participant in ensuring the wellbeing of others can settlers learn from their mistakes. As it is though, something must change. Current understandings of private property and associated developments prevent indigenous resurgence, limiting the availability and their access to traditional medicine and foods. A Cherokee elder bemoans this loss, saying:

“Families can tell you that our forefathers didn’t have any problems coming to the woods and finding what they needed. Nowadays, we struggle to find medicines that we are accustomed to. The people [who] don’t believe in traditional ways, the first things they will do when they buy land, they will clear-cut and start to fence in the area where nobody can go in.”²⁶³

The cosmologies apparent in indigenous stories help settlers understand how entangled the health of the natural world and native nations are, as well as the indigenous imperative to be an active participant in land. They indicate to settlers “why” the decolonization process is so necessary, as well as “how” to make peace with the monumental changes that need to happen. The endurance of land-based worldviews affirms that ideals alternative to Western imperialism can be successful and stable, especially those grounded in something as enduring as the earth. Tuck and Yang explain that for meaningful decolonization to occur, parties “must be fluent” in each other’s stories and struggles but point out that there is a global considerable lack of understanding about indigenous lifeways and how they interact with settler norms.²⁶⁴

Stories of place-based identity highlight the structures that create the need for native social movements, as well as “one’s own complicity in sustaining those structure.”²⁶⁵ The

²⁶² Brooks and Brooks, “The Reciprocity Principle and Traditional Ecological Knowledge.”

²⁶³ Cornthassel and Hardbarger, “Educate to Perpetuate,” 108.

²⁶⁴ Tuck and Yang, “Decolonization Is Not a Metaphor,” 30.

²⁶⁵ Kluttz et al, “Unsettling Allyship, Unlearning and Learning towards Decolonising Solidarity,” 4.

imperative restructuring of power in response is so enormous and unknown to settlers that it can easily turn them off, or at least prompt more reconciliation-focused solutions. Giving up entitlements and attachments in good faith is challenging.²⁶⁶ Admittedly, though, finding gratitude and relationships in the natural world is a beautiful, fulfilling, albeit unsettling process. The biopoetics of the many nations who thrived in their homelands because of their wealth of environmental knowledge for millennia is powerful, to say the least. There is a fine line here, between moral growth and a desire to “become Native,” but ideally the respect indigenous narratives generate for wisdom and elders can help settlers prioritize indigenous resurgence.

In the Wabanaki stories, “positive, powerful others share; negative, powerful others withhold.”²⁶⁷ While the values of community support transcend cultures, the importance of dependence and responsibility are especially featured in the stories that inform native cosmologies.²⁶⁸ They exist between all members of a place, from within tribal communities, to non-human neighbors, to natural features. For any possibility of settler-native cohabitation, settlers need to enter their localized web of responsibility, listening and responding to their neighbor’s needs. Not only do indigenous stories show how communities can sustainably support each other, but engaging with them also gives settlers a framework to support indigenous resurgence and reclamation, from guidelines for being in community, to highlighting the spaces where room needs to be made for native autonomy. For indigenous peoplehood to be more than aspirational, settlers need to move beyond “diplomatic language and the veneer of free trade to mask the ugly truths” of unflinching modern encroachment to actually giving tribes what they

²⁶⁶ Stein, “Truth before Reconciliation,” 22.

²⁶⁷ Morrison, “The solidarity of kin,” 161 cited in Brooks and Brooks, “The Reciprocity Principle and Traditional Ecological Knowledge,” 17.

²⁶⁸ Brooks and Brooks, “The Reciprocity Principle and Traditional Ecological Knowledge,” Graber, ““They Call It Ghost Dance... But It’s Feather Dance;”” Kimmerer, *Braiding Sweetgrass*; and Schwartz, *Unmoored*.

need to thrive.²⁶⁹ Moving toward a decolonial future and beyond the rhetoric of individual rights, settlers must start acting on the responsibilities they have towards the places and relationships that sustain us, especially to the First Nations who hold mutual, if not primary, rights and relationships to those resources.”²⁷⁰

Institutional Possibilities

Within a current context, institutions with varying degrees of sovereignty, particularly higher education institutions, have the opportunity as sites of societal innovation to begin localized relations and decolonial practices with any native nations that care to engage. This starts first with recognizing the harms higher education has purveyed as institutions of coloniality and moving away from those harms. Yes, universities often offer the space and resources to imagine radically ethical futures and support decolonial experiments spearheaded by indigenous and non-indigenous contributors, but by large, their role as state-funded contributors to capitalist and military organizations, hubs of extractive development, and evangelists of the superiority of Western knowledge production is harmful to native bodies and land. Tuck, McCoy, and McKenzie point out that most discussions surrounding ethical research are concerned with “protecting the institution from accusations of mistreatment.”²⁷¹ However, until higher education rethinks its role as expanding yet exclusive capitalist institutions, all research (including this work) has harmful roots.

Luckily, there are some steps universities can take now to prepare for the coming necessary societal shifts. Firstly, is realization that indigenous people do not need institutionalized higher education for survival or knowledge acquisition – tribes have developed

²⁶⁹ Alfred and Cornassel, “Being Indigenous,” 602-610.

²⁷⁰ Brooks and Brooks, “The Reciprocity Principle and Traditional Ecological Knowledge,” 23.

²⁷¹ Tuck et al, “Land Education,” 181.

peaceful networks of knowledge exchange and education for centuries, from agriculture to spiritual and culture forms such as dance.²⁷² They have never lacked “higher education;” indigenous personhood is based in lifelong pursuits of specialized knowledge to promote flourishing in place.²⁷³ However, despite the richness and commitment to knowledge production, First Nations have struggled to assert their access and contribution in Western educational spaces. Shifting to a responsibility-based university means being more inclusive of all aspects of indigeneity.

Shifts towards “indigenous inclusion” are relatively digestible from even a Western worldview, including hiring more native faculty, accepting more native students, and incorporating native content, history, and knowledge into course offerings.²⁷⁴ However, it is important to not stop there, and continue to collaborate with tribes through “decolonial indigenization,” a wholesale overhaul of the academy that is commensurable with land-based cosmologies.²⁷⁵ For example, in the pursuit of institutional belonging in community, universities have redistributive responsibilities as entities of prosperity instead of prerogatives of self-investment.²⁷⁶ Similarly, institutions with colonial power have a mandate to exercise it in protection of all parties involved in community relationships. Tribal nations in the US with less political salience have faced the challenges of having their federal statuses revoked and the subsequent denial of land and monetary claims when forces of assimilation dilute what they can

²⁷² Graber, ““They Call It Ghost Dance... But It’s Feather Dance,”” 134 and Chelsea Vowel, “Beyond Territorial Acknowledgments,” *âpihtawikosisân*, September 23, 2016, https://apihtawikosisan.com/2016/09/beyond-territorial-acknowledgments/#_ftn10.

²⁷³ Stein, “Truth before Reconciliation,” 8.

²⁷⁴ Adam Gaudry and Danielle Lorenz, “Indigenization as Inclusion, Reconciliation, and Decolonization: Navigating the Different Visions for Indigenizing the Canadian Academy,” *AlterNative: An International Journal of Indigenous Peoples* 14, no. 3 (July 6, 2018): 218–27, 218 and Stein, “Truth before Reconciliation,” 2.

²⁷⁵ Gaudry and Lorenz, “Indigenization as Inclusion, Reconciliation, and Decolonization,” 219.

²⁷⁶ Brooks and Brooks, “The Reciprocity Principle and Traditional Ecological Knowledge,” 15.

claim as “cultural difference.”²⁷⁷ In response, universities’ public recognition of tribal relationships, as well as tribes’ historical ties to local land, infers native nation existence and relevance in a way that can protect against state and federal erasure. However, this recognition must still reference material relationships and settler change. In the rest of this chapter, I will examine ways that the academy can promote native sovereignty and engage with it, from treaty-based land acknowledgements, land-back, and land-based and holistic education.

Land acknowledgements have grown increasingly popular in recent years to increase indigenous visibility and ideally recognize the colonial violence that enable the institution in question’s presence. At its best, naming the traditional caretakers land was stolen from can be a transformative site of disruption IF those listening feel uncomfortable or unsettled, making them question their responsibilities on colonized land.²⁷⁸ Acknowledgements can combat erasure, reminding settlers of continuous indigenous presence and affirm tribal identity. As Stó:lō Elder Lee Maracle explained in 2008, land acknowledgments are one way to make sure indigenous people, “are not made to feel invisible on their own land. When you steal something, ... you should at least leave a note.”²⁷⁹ However, these “notes” should be thoughtful and precise – a flippant land acknowledgement is only a settler move to innocence that perpetuates colonial status quos.

Because land acknowledgments can serve as partial verbal treaties of cohabitation, or at least a desire for a working relationship, they should be developed in consultation with and approved by the local peoples named. When possible, it is important to not only be specific about the tribes present in a space, but also name the place in question with their original indigenous

²⁷⁷ Goeman, “From Place to Territories and Back Again,” 31.

²⁷⁸ Stein, “Truth before Reconciliation,” 17.

²⁷⁹ J. J. Ghaddar and Michelle Caswell, “‘To Go Beyond’: Towards a Decolonial Archival Praxis,” *Archival Science* 19, no. 2 (May 28, 2019): 71–85, 73.

names.²⁸⁰ This combats the “Doctrine of Discovery,” reminding that the land of Turtle Island was not empty or unknown when Europeans first arrived.²⁸¹ Knowing land by all its names is part of an attentive relationship, and connects native past, present, and future through the memory of language. Speakers must situate themselves as a “guest” actively working against colonialism rather than assuming that there has been a shift in the rightful claimant of the land, otherwise, “the speaker reveals their complacency in ongoing settler colonialism.”²⁸² The wording and language of a land acknowledgment are a critical part of this, especially when describing how the land came into institutional occupation.

For example, the University of British Columbia, Okanagan describes the land they gather on as the “unceded territory of the Syilx people.” However, as Chelsea Vowel (Métis) points out, “unceded” would suggest a lack of treaties rather than broken ones and disguises the violence of those broken promises.²⁸³ At the same time, it infers that areas with treaties were ceded, again, ignoring the trickery and coercion tribes experienced in their dealings with settlers. Language must be honest and subversive in order to do the unsettling work of land acknowledgements, otherwise, it is easy for these statements to become “a situation of familiarity breeding contempt (or at least apathy),” further distancing settlers from meaningful relationships and reparations with tribes.²⁸⁴ Specificity requires settlers to know who they are indebted to and compels ongoing research and engagement. This debt cannot be reconciled by a few sentences at the opening of gatherings.

²⁸⁰ Ghaddar and Caswell, “‘To Go Beyond,’” 3; Graber, “‘They Call It Ghost Dance... But It’s Feather Dance,’” 124.

²⁸¹ Vowel, “Beyond Territorial Acknowledgments.”

²⁸² Vowel, “Beyond Territorial Acknowledgments.”

²⁸³ Vowel, “Beyond Territorial Acknowledgments.”

²⁸⁴ Vowel, “Beyond Territorial Acknowledgments.”

“Misinterpretations and misunderstandings,” about debt and land use have led to indigenous-settler conflict since the earliest interactions between the two groups.²⁸⁵ For the early English as well as the modern US state, debt is imagined as an undesirable condition that stands to be corrected between two parties.²⁸⁶ Once that condition has been corrected, such as with a cash deposit or an acknowledgement of wrongdoing, the parties move on and try avoid similar situations of power imbalance. Meanwhile for many indigenous groups, particularly the Algonquin-speaking First Nations that English settlers first encountered, debt introduces the possibility for ongoing relations between parties.²⁸⁷ “Just dealing” requires ongoing communication about mutual satisfaction as well as internal work.²⁸⁸ In the same way, land acknowledgements do not resolve colonial debt or indicate a finalized recognition – they are only the beginning of a long process of relationship building.²⁸⁹

In order for institutional land acknowledgments to be meaningful, they must reflect material treaties that formalize tribal relationships and hold settlers accountable for ethical land use. In Lisa Brooks and Cassandra Brooks narration of the series of events that would lead to the United States’ first dam protest in 1739, they emphasize the importance of reciprocal material agreements (or lack thereof) between the English settlers and the Wabanaki nation. When the first English settlers arrived at the Presumpscot watershed in present-day Maine, they observed and were given the opportunity to join in the kind of regional “belonging” that Wabanaki leader Polin would eventually describe to the Governor of Massachusetts as his authoritative claim to oppose dam construction. Polin and his fellow Wabanaki intimately knew the seasonal ebbs and

²⁸⁵ Brooks and Brooks, “The Reciprocity Principle and Traditional Ecological Knowledge,” 16.

²⁸⁶ Schwartz, *Unmoored*, 71.

²⁸⁷ Schwartz, *Unmoored*, 71.

²⁸⁸ Schwartz, *Unmoored*, 72.

²⁸⁹ Ghaddar and Caswell, “‘To Go Beyond,’” 73, Stein, “Truth before Reconciliation,” 16, Vowel, “Beyond Territorial Acknowledgments.”

flows of the Presumpscot ecosystem, much like the Virginia Pamunkey, and organized their annual movements, resource use, and foundational stories and spiritualities around it. Those with the most prosperous and successful use of local knowledge were honored as local political leaders and were tasked with the responsibility of redistributing their own wealth, as well as family tributes, among the community.²⁹⁰ Tribal family tributes, often of a bushel of corn, demonstrated their own knowledge of place through prosperity, and was a commitment to their village to ensure future “belonging” through all seasons of excess and scarcity.²⁹¹ Upon their arrival, settlers were offered the same opportunity as they searched for land to plant and hunt. Local sagamores negotiate agreements with the English, exchanging land and resource use for annual pledges of a bushel of corn as “acknowledgement.”²⁹² Through this system, settlers could develop intimate relationships with the landscape and “belong” through annual acknowledgements to the local family leaders.

However, despite the terms of these agreements being clearly recorded in local records, the English struggled to shake their conceptions of the enclosure. They instead pursued “transactions of property,” while the Wabanaki viewed them as “formal agreements regarding share inhabitation and resource use.”²⁹³ By the 1630s, settlers began to claim these agreements as exclusive titles, exhausting coastal resources and ceasing to pay tributes or participate in redistribution.²⁹⁴ When tribal leaders reprimanded the English for their broken treaties and over-extracting fish and game without regard for the seasons of scarcity that occur in a watershed ecosystem, conflict quickly arose and led to the First and Second Abenaki-English wars.²⁹⁵

²⁹⁰ Brooks and Brooks, “The Reciprocity Principle and Traditional Ecological Knowledge,” 15.

²⁹¹ Ibid, 16.

²⁹² Ibid, 16.

²⁹³ Ibid, 15.

²⁹⁴ Ibid, 16.

²⁹⁵ Ibid, 16.

Rather than renegotiate land use agreements, the settlers were compelled to assert total domination in order to feel secure; they were unaccustomed to prosperity through cohabitation coming from a nation where nobles held exclusive property rights while others starved. In these early colonial conflicts, the Wabanaki ended up on top, yet they still extended “tributary relationships” to the English, once again asking for annual corn tributes in exchange for the “privilege of resettlement.”²⁹⁶ This peace was short lived, as settlers gained more military and political power to support their subjugation of the sea and river shores, yet these early interactions demonstrate the political possibilities of treaty-based land use as well as their power as legitimate paths to reconciliation.

In the present, where the technologically advanced market has dramatically changed resource use and where privately held property is the norm, and indeed only way to protect against the arguably worse fate of state or bank seizure, treaties will also look very different. But despite these shifts, treaties are still a highly relevant form of political relationships. Not only is respectful to finally come to native negotiations on indigenous legal terms, but the living nature of treaties is ideal for this ever-changing world. Treaties are not fixed at the time of signing; they are revisited and evolve over time to ensure the responsibility and satisfaction of both parties.²⁹⁷ Higher education-native treaties are also another site to visibly recognize First Nation political independence and salience, legitimizing them in the eyes of federal and state governments as entities deserving of diplomacy. So, what could institutional material acknowledgments to tribal nations for the privilege of land use look like? Despite changes in agriculture, there is no reason institutions should not consider traditional gifts of crops or wildlife. These kinds of pledges are

²⁹⁶ Ibid, 16.

²⁹⁷ Stein, “Truth before Reconciliation,” 8 and Gaudry and Lorenz, “Indigenization as Inclusion, Reconciliation, and Decolonization,” 224.

intentional; they ensure residents learn and engage with the landscape they are a part of through following regional cycles and coming to respect the abundance of ecosystems. These discoveries help newcomers use land more responsibly, which benefits everyone.

However, in a capital-based economy with mass-produced food, any kind of traditional gift should be paired with more economically salient goods as reparations for the erasure and poverty many indigenous communities have been forced into. While technically a decolonial project should move away from Western conceptions of property and capital, economic realities suggest that that institutions could and should pay “rent,” to tribal custodians. Native resurgence involves the flourishing of indigenous peoples, which includes having the financial means to thrive, preserve historical and cultural resources, and meaningfully organize. The legacies of racism, prejudice, and dispossession have disadvantaged large parts of native population, and it is the responsibility of anticolonial institutions to shift the status quo.

Scholars have theorized about other meaningful agreements that could be included in treaties. One way to promote indigenous success is through greater institutional access, such as making educational funding a treaty right to minimize financial hardship on families whose elders still recall extreme, violent dispossession and bigotry.²⁹⁸ However, higher education should serve indigenous success, not assimilation to capitalist norms and values. Adam Gaudry (Métis) and Danielle Lorenz imagine a “treaty-based,” “dual” university where local native histories, cosmologies, skills, and knowledge are empirically taught alongside their western counterparts as a way to “make space” for native people in higher education.²⁹⁹ Both sides of a “dual” university would have autonomous, embedded faculties, but share in their resources,

²⁹⁸ Stein, “Truth before Reconciliation,” 8 and Gaudry and Lorenz, “Indigenization as Inclusion, Reconciliation, and Decolonization,” 224.

²⁹⁹ Gaudry and Lorenz, “Indigenization as Inclusion, Reconciliation, and Decolonization,” 224.

successes, and communities. Dual university or not, higher education institutions can also work with tribes in shaping the future of their communities and homeland. This includes taking First Nations into account for any local land development proposals (not just those where consultation is legally required) or creating intentional “zones of refuge” that are on and off campus, where native people are immune to the reaches of imperialism and can find security in their own culture.³⁰⁰ For example, the Pamunkey tribe’s state funded shad fishery was an important means of income and cultural preservation until the state pulled its funding and began enforcing fishing limitations in 2014.³⁰¹ While the Pamunkey people have largely participated in refusal and continued shad fishing as a cultural practice and many game wardens have stepped back, they still occasionally run into conflicts with wardens near tribal land as political attitudes cycle.³⁰² Situations similar to this could benefit from initial institution protection, offering free access to ancestral land and resources, and legal protections in the form of commitments to not prosecute based on laws that promote colonial hierarchies. These kinds of negotiations can ensure indigenous-settler relationships are maintained while shaping local futures. However, settlers may find that not everything can involve compromise. Vowel writes that part of renewing long-term tribal relationships involves saying:

“‘we want to be better guests, how do we do that according to your laws and hey by the way, what ARE your laws’ and being prepared to hear the answers, even those that are uncomfortable like ‘give us the land back’”³⁰³

Perhaps the most uncomfortable response for a settler to hear, land back is one of the most, if not the most, critical elements of indigenous resurgence. Land back is the direct rejection of settler

³⁰⁰ Vowel, “Beyond Territorial Acknowledgments.”; Alfred and Corntassel, “Being Indigenous,” 605.

³⁰¹ Spivey, “Tidewater Foodways.”

³⁰² Ibid.

³⁰³ Vowel, “Beyond Territorial Acknowledgments.”

claims to land, fully relinquishing control over space and returning it to the hands of its rightful tribal nations. It is important to remember that requests for land back by indigenous peoples do not come from a place of capitalist greed or settler apartheid. Instead, as this project has discussed, ancestral land is integral to native identity and personhood; it is the space where they can sustain themselves most fully, transcending time across place. As Jamila Ghaddar and Michell Caswell write, “Land and repatriation are about ancestors and children, family and community, and the possibility of a future.”³⁰⁴ Contests for land can be true contests for life.³⁰⁵

At the end of the decolonial project, settler private property and indigenous territory cannot coexist side by side on Turtle Island. The conception of ownership that is entangled with private property is incommensurable with a worldview where land and humans belong to each other through responsibility.³⁰⁶ This is partly why engaging with indigenous stories and ontologies is so important for those of us with settler backgrounds. They help to see beyond the colonial self into other ways of being and living, ways that have been discredited and oppressed, but ways that must return for human justice and survival. Jeff Corntassel emphasized that to truly bring about indigenous resurgence, participants cannot merely protest on state terms which can be dismissed as interest politics. Instead, he encourages total refusal, “turning away from heteropatriarchal state institutions,” and instead demonstrate to onlookers alternative forms of trade, relationships, and treaty, fully delegitimizing the god-like role of the state.³⁰⁷

When the state and its framework is irrelevant to progress and change, so then is its spatial organization and modes of exchange. Some of the most effective recent acts of native resurgence has been through acts of refusal, from evicting oil and natural gas companies from

³⁰⁴ Ghaddar and Caswell, “‘To Go Beyond,’” 73-74.

³⁰⁵ Ghaddar and Caswell, “‘To Go Beyond,’” 73.

³⁰⁶ Tuck et al, “Land Education,” 11.

³⁰⁷ Jeff Corntassel, meeting with ASPT: 6004, November 10, 2022.

homelands, to ignoring private and state property lines to care for traditional plants.³⁰⁸ However, settlers can participate in refusal too. Goeman expressed her concerns that many of the legal frameworks, vocabularies, and battles that tribes have had to engage with to reclaim their land “moves us away from the connected dimensions that land holds.”³⁰⁹ Alternatively, when settlers freely give land back to native nations as a result of new, broader perspectives protects, tribes do not have to subvert (or appear to subvert) their own values in their fight for reclamation. While indigenous people have been fortunately adept at the consciousness-shifting (which settlers do so clumsily) in order to advocate for themselves through Western notions, it is time settlers met them where they are. Once First Nations can exercise their sovereignty within their ancestral territory, a new space will open up to delegitimize Western norms.

There is one uncertainty here in this discussion which requires further research and thought. Should institutions begin to gift land back to their tribal neighbors, what format should that gift take? Creating a new land title held by indigenous communities creates subsequent opportunities for that ownership to change hands due to any number of pressures. However, continued institutional ownership, even on paper, also creates space for treaties to be broken as they were in the past. Perhaps the thing to do is to transfer the official title, and trust that native communities know how to “belong” to their land. The possibilities for land back are very much alive.

Institutions can also make internal changes that legitimizes native knowledge in the present which allows for more effective resurgence in the future by instituting “land-based education.” Land-based education centers native knowledge, realities, and metaphysics through the analysis of territoriality and settler colonialism, learning land history as indigenous, and

³⁰⁸ Jeff Corntassel, meeting with ASPT: 6004, November 10, 2022.

³⁰⁹ Goeman, “From Place to Territories and Back Again,” 31.

acknowledging the effects of the global on the local.³¹⁰ Corn tassel and Hardbarger acknowledge that this kind of learning is “de-emphasized in formal, institutional educational settings,” but because young people spend a majority of their time in Westernized educational settings, this critical world-knowledge is harder and harder to pass down.³¹¹ This limitation is especially frustrating for indigenous youths who deeply desire to preserve their cultural identity, but feel somewhat disconnected from it because of their immersion in Western society.³¹² At the same time, because traditional Euro-American education typically centers the actions and morals of colonizers, non-white students can easily feel “othered” in the classroom without any viable education alternatives. Somewhat luckily, as climate change presents itself as a real threat and interest in environmental education has grown, administrators and educators have recognized the benefits of local geographical and communal knowledge.³¹³ The working “traditional ecological knowledge” (TEK) tribes have passed down over the generations is not only important for identity but has substantial “scientific” value. Perhaps it is the unfamiliar form of this knowledge that confuses settlers, as land education is framed by indigenous epistemological and ontological accounts before lab results.³¹⁴ The storying of land can be unfamiliar and unsettling to settler students who have little experience imagining the environment as a powerful actor in reality, but this challenge to a human-centric worldview is necessary for decolonizing knowledge.

Engaging with land-based knowledge can open settlers’ eyes to different, healthier ways of being and place, and can prompt them to change their relationship with land in order to pursue a more ethical claim to “home.” This self-work is important for cross cultural conversations as

³¹⁰ Corn tassel and Hardbarger, “Educate to Perpetuate,” 111 and Tuck et al, “Land Education,” 3.

³¹¹ Corn tassel and Hardbarger, “Educate to Perpetuate,” 88-111.

³¹² Corn tassel and Hardbarger, “Educate to Perpetuate.”

³¹³ Tuck et al, “Land Education,” 1.

³¹⁴ Tuck et al, “Land Education,” 3.

well as building a personal ethic. However, it is important for settlers to not commandeer or lay claim this knowledge in order to “skip ahead” to a guilt- and pain- free version of environmental reality.³¹⁵ This is the challenge with storied knowledge – it is very tempting to create new stories that paint the self as a comfortable protagonist. Truly land-based histories must recognize the grief of people and place being ripped away from each other and be realistic about the work that must be done to reconcile that loss. Simply understanding, and even believing indigenous metaphysics does not absolve any settler from colonial harms or make them a chosen environmental educator over their native neighbors. As settlers, we do not understand this place “better.”

When employing land-based education, institutions must recognize that this method decenters the academy as the primary site of knowledge production.³¹⁶ It moves knowledge production out into the world and among places for all, while also legitimizes unique indigenous knowledge of validity and accuracy. Perhaps this will be a hard pill to swallow, even to the most anti-colonially committed university. However, surely the side effects of a decolonial history to learn about and build relationships with the natural world is the goal of any Western science department. Higher education institutions have the opportunity to be on the forefront of supporting resurgence and modelling what successful “stepping back,” looks like. Through their administrative actions and classroom curriculums, they can offer meaningful spaces for indigenous students to connect and preserve their identities while also promoting some of the most powerful learning settler students will ever experience. They can transform the next generation into humans committed to peaceful, reciprocal relationships with the world and each

³¹⁵ Tuck et al, “Land Education,” 14.

³¹⁶ Gaudry and Lorenz, “Indigenization as Inclusion, Reconciliation, and Decolonization,” 225.

other. By teaching all the stories in a given space and place, students will be able to think across “time immemorial,” and be reminded of their responsibilities to each other.³¹⁷

³¹⁷ Goeman, “From Place to Territories and Back Again,” 32.

Conclusion: Reflections on Individual Shifts of Phantasy

Wherever people encounter indigenous stories and cosmologies, whether it be in the classroom or more likely in a personal search, engaging with these non-Western ways of being helps individuals find their place in an anti-colonial reality and sustain honest relationships with the world around them. While institutional shifts in this direction legitimize native sovereignty and legitimacy and can have directly positive impacts in the lives of indigenous people, Alfred and Cornthassel argue that they have not led to decolonization or regeneration, “rather they have further embedded Indigenous people in the colonial institutions they set out to challenge,” since institutional survival relies on perpetual dependence.³¹⁸ While I have tried to suggest some actions that guide institutions in stepping back for the sake of justice and sincerity, the kind of large societal changes necessary for a sustainable human future require shifts in the norm of individual perspectives. This begins with settlers realizing their own miseducation, not only in national histories, but also in their perspectives about human purpose and natural capabilities. The US education system perpetuates Euro-American superiority, painting embodiments of “Western Man” as the heroes of history and development while relegating all other ontological perspectives to a past of irrelevance. As settlers, we need to understand that there are many legitimate ways of being to develop a working knowledge of those we interact with. Who knows, we may discover powerful new modes of experience for ourselves.

A central part of neighboring native ontologies is grounding experience in the natural world. As relatively new guests on Turtle Island, settlers should do the same; clearly this approach has worked in sustaining nations for millennia. In Cornthassel and Hardbarger’s interviews on indigeneity, a Cherokee youth declared that:

³¹⁸ Alfred and Cornthassel, “Being Indigenous,” 612.

“[The land and water] needs to be paid more attention to... If you learned living off the land, you’re going to learn to respect the land and take care of it. [We should be] watching out for our resources. There’s a lot of people taking [these things] for granted.”³¹⁹

Paying attention to the language and health of the environment may feel like a struggle for many settlers who grew up in urban or suburban communities where life centered around accomplishment and convenience. These narrative environments have led settlers to understand land as owned, the continent as conquered, and the natural world as victoriously dominated. This unfamiliarity with another reality does not mean it is not worth trying to understand. Over the centuries, settlers have proven it is possible to acquire ecological knowledge through observation and experience, even when the continent seemed at its newest and most uncertain. However, it is important to use this knowledge for good. During Dummer’s War in the 1720s, Commander Thomas Wextbrook became renowned for his study and resulting detailed knowledge of the seasonal cycles in the Presumpscot watershed... which he capitalized on in his attempts to exterminate the Wabanaki.³²⁰ Betrayals like these are one of the reasons why native nations often do not freely offer their traditional knowledge to any settler who comes along.

Instead, taking the time and effort to build settler relationships with Turtle Island is an act of good faith towards reciprocal relationships and respectful cohabitation with the nations that belong to this land. It also gives settlers opportunities to practice “consciousness shifting” with indigenous cosmologies – discoveries about the power and abundance of this landscape are bound to prompt reflections of gratitude and honor towards it. Through a daily commitment to knowing the ecosystems settlers are now a part of, the narrative relationships that have “been

³¹⁹ Corntassel and Hardbarger, “Educate to Perpetuate,” 107.

³²⁰ Brooks and Brooks, “The Reciprocity Principle and Traditional Ecological Knowledge,” 18.

impacted through the “echoes of colonial discourse,” can open up to hear what the land has to say about itself.³²¹ Just like interpersonal relationships, developing a reciprocal relationship with land as a fellow actor takes regular commitment and interaction. Especially if the goal is to build a relationship that is intimate and foundational, that commitment should be daily. Everyday actions, in their repetition, significantly shape humans’ values and expectations for themselves and others. Corn tassel and Hardbarger found that “unacknowledged everyday actions,” are some of the most impactful sites for renewing indigenous relationships with community, family, and homeland.³²² So too for settlers seeking to decolonize their knowledge and actions. With this in mind, what can unsettling actions in land look like for settlers?

At the beginning of this project, I asked myself the same question. After experiencing the sensations of discomfort and panic described earlier as a settler learning about this nation’s colonial past and present, I turned to reading works by indigenous authors to try to combat the paralysis of trying to find an ethical future. I felt deeply unsettled in the legacy I found myself in. Maybe if I could learn what native people wanted from this reality from their own mouths (or pens), yes, I could figure out how to help them get it, but more selfishly, I wanted to know what spaces I *could* ethically occupy in my pursuit of a happy life. One of the first books I opened was *Braiding Sweetgrass* by Potawatomi ecologist Robin Wall Kimmerer.

Kimmerer shares her journey of connecting her indigenous identity with her professional roles as a scientist in Western academia. Her reflections on the passing down of familial environmental knowledge and its connection with her love of ecology and sharing her knowledge with students are deeply touching. She professes the value of learning to recognize and appreciate the earth’s gifts to all her readers and explores opportunities to respect nature and

³²¹ Goeman, “From Place to Territories and Back Again,” 27.

³²² Corn tassel and Hardbarger, “Educate to Perpetuate,” 89.

simultaneously other people. This was the first time I had heard and truly understood what a worldview based in environmental reciprocity looked like, and in the context of feeling unsettled in space, Kimmerer's ideas of land and humans extending mutual claims to each other was very appealing. Growing up in a suburban and "developed" area, I was fully immersed in the perspective of land as property and sites for either human use or conservation, and subsequently felt very detached from the environment. Kimmerer suggested that humans could live as not exclusively detrimental to the ecosystem, and that it was worth it to try. While I still had much to learn about my role to avoid settler emplacement, I knew at the time that if I was to have any ethical claim to place, I had to reframe the role of land in my reality and my relationship to it.

Throughout the book, Kimmerer shares some of the rituals she grew up with that led to her lifelong connection with land. Some of those included the different offerings of food and drink her father would pour out to the earth while on camping trips, reminding her and her family how to relate to land with a shared meal and the importance of showing gratitude to all beings. Kimmerer reflects on this ceremony, recalling how she used to feel frustrated that the actions seemed "secondhand," instead of part of a forgotten tribal tradition, but then the realization at a tribal offering of tobacco that it is the spirit that matters, and that her families' offerings of coffee and soup were their own.³²³ The fact that they had developed and practiced that ceremony because, as her father said, "it seemed right," was the important part revealing their commitment to land.³²⁴ They found ways to "marry to mundane to the sacred."³²⁵

I knew that ritual and ceremony were important parts of integrating positive land relations into daily life. Interaction and time spent develops a relationship with place, and

³²³ Kimmerer, *Braiding Sweetgrass*, 33-38.

³²⁴ Kimmerer, *Braiding Sweetgrass*, 37.

³²⁵ Kimmerer, *Braiding Sweetgrass*, 37.

structure and repetition help build respect. However, finding ways to incorporate ritual was challenging at first. It was easy to understand a Cherokee youth's acknowledgement that, "the land is where we would go for spiritual things, and the land took care of us, so we need to take care of it."³²⁶ Finding a meaningful way to connect the gifts of the earth with spirituality and self was harder. I wanted to find a way to "include Indigenous knowledge and perspectives" in my life as part of unsettlement but avoid stereotyping Indigenous knowledge or identities.³²⁷ So, I took inspiration from Kimmerer and her father to find what "felt right," trying to listen to the place I hoped to belong to, the Appalachian Mountains of southwest Virginia. Pulling from past religious experiences and prayer, a desire to combat the sterility of suburban America, and the open, chatty white settlers who had spent generations in the mountains and been shaped by ecological relationships of their own, I decided to start talking to the land. Intimate human bonds are built through sharing and conversation. If I was going to start treating the land as another fellow actor in the world, I should give it the same respect. And if it couldn't hear me or talk back in the same way, we needed a different way to feel each other.

I began to start every day with a ritual of getting in contact with the earth – shoes off, sometimes even hands and knees in the dirt – and talking with it. At first, it was hard to know what to say, but I remembered Kimmerer's and others' reminders that each ecosystem humans come to know is unique, and the way it sustains itself and humanity so perfectly is an incredible gift. So, I began with an increasingly popular practice in Western self-care – gratitude. I would look around and thank each part of nature that I could see for the ways I knew it supported human and natural ecosystems. A thank you to the sun for its precise amount of light and warmth that sustains life on earth and the wisdom its light has gathered as it travels across time. A thank

³²⁶ Cornthassel and Hardbarger, "Educate to Perpetuate," 106.

³²⁷ Tuck et al, "Land Education," 11.

you to the trees for filling mammal lungs with their breath, hiding the homes of Appalachian creatures, and sturdily knitting the earth together with their roots. A thank you to the mountains for supporting and cradling the town of Blacksburg and its neighboring communities, for their strength across ages. A thank you to the wind for moving forces of all kinds where they need to be, carrying fresh air to fill lungs, and giving a voice to plant life as it rustles through them. I close with a promise: to use the life and gifts the earth offers me to be an active participant human ecosystem, and to live my day in a way that supports the larger, natural ecosystem I am a part of.

Those non-ritual commitments took many forms as well. I started to try to keep plants alive again after previously shrugging it off as a “hobby” that I was “bad at.” While the first basil plant unfortunately did not make it, the second one did, and still lives happily on my windowsill along with green onions, cilantro, and a coleus plant! The thoughtful care that goes into keeping the hardiest plants alive makes me grateful for the delicate balance the earth maintains to support its complex life. I began to spend more conscious time in land, taking my daily walks without music to learn the sounds of place and observe what other creatures called this place home. I made commitments with friends to going on far more frequent hikes throughout the Appalachians, often taking time to slip away to get in contact with the dirt and rocks of the mountains. As incredible as it may sound, over the course of this project I went camping for the first time and quickly fell in love with making unobtrusive homes with my favorite people. I began to explore the world of medical herbalism, discovering the healing balance the earth offers. Despite the teasing from my friends about the tinctures and jars of “pseudo-science” littering my countertop, some have been won over when their symptoms vanish in hours.

As with all spiritual practices, individuals are primed to look for evidence that supports their worldview. I recognize that many of the metaphysical outcomes I have experienced are deeply personal and reflect my needs and place in life. However, I will share that building a committed, communicative relationship with the land around me has been overwhelmingly positive. This personal project has been a space of spiritual stability from the beginning, perhaps at first from meditative practices of gratitude and focus outside the body, and later from the more detailed observation this practice has built, which has often felt like affirmations of the land speaking back. Again, as with all spiritual practices, the faith and reflection that leads to personal requests to a larger force also provides conscious and subconscious space to find solutions and healing. I must thank the Appalachian land for prompting these kinds of reflections and providing the framework to guide my reactions. Admittedly, when one has begun to learn the land deeply enough for these experiences, when the land would seem to speak back and offer aid that balances the self as a part of the whole ecosystem, one cannot help but feel more “in place.”

These rituals and commitments have only been in practice for a short time, and I do not believe that they have given me any kind of full claim to the land I find myself in or negated my status as a settler. However, they have been deeply fulfilling, and I do believe they have helped me live a more ethical life. The patience and stillness it takes to try to listen to what land has to say and how it says it develops abilities to search and step back when listening to others humans. I find it easier step out of my own assumptions when learning from indigenous and other perspectives different than my own. Admittedly, a great deal of my settler anxiety has abated knowing that I am doing the best I can to avoid extractive practices and realizing that my comfort is not the resolution of this colonial problem – the next steps are making space for indigenous humans to fully thrive in their own ecosystem. The role of settlers in the current

context is to decenter ourselves to encourage native lifeways rather than choking out ancestral knowledge and assimilating the expert caretakers of Turtle Island. Acts towards decentering and unsettling oneself is uncomfortable and can almost feel counterintuitive to the “out of place” and harmful settler identity that is illuminated with decolonial knowledge. Obsessing over “*I am* the problem,” overemphasizes the “I,” the self, when the colonial problem has historically been the erasure of other, preexisting selves. Instead, focusing on relationships with land, and finding one’s place in a larger ecosystem makes room to encounter all communities on equal footing, with all as actors that balance reality.

Being part of an ecosystem does not establish a permanent claim for settlers like myself. But the reality is that we are here now and cannot pretend our presence does not shift the order of things. The paths of rivers have changed, indigenous natural life must interact with modern agriculture, even the shapes of mountains have made room for settler presence. Rather than seeking to imagine ourselves as victors of this land, forcibly penetrated and opened up as resources for a settler society, we can learn from native respect for homelands and find ways to support the places we are in just as they support us. There is some significant peace to be found in allowing the indigenous ontologies formed with this land to shape settler mindsets. They were made specifically to support thriving life in this place. By reshaping relationships with land and people to be reciprocal and honest, those of us with settler pasts and presents can take steps to renew the land and communities of Turtle Island.

Bibliography

- Alfred, Taiaiake, and Jeff Corntassel. "Being Indigenous: Resurgences against Contemporary Colonialism." *Government and Opposition* 40, no. 4 (2005): 597–614.
<https://doi.org/10.1111/j.1477-7053.2005.00166.x>.
- Bagby, Alfred. *King and Queen County, Virginia*. New York: Neale Pub, 1908.
- Brooks, Lisa T, and Cassandra M Brooks. "The Reciprocity Principle and Traditional Ecological Knowledge: Understanding the Significance of Indigenous Protest on the Presumpscot River." *International Journal of Critical Indigenous Studies* 3, no. 2 (2010): 11–28.
- Bruce, Philip Alexander. *Economic History of Virginia in the Seventeenth Century*. Johnson Reprint Corporation, 1895.
- Bruyneel, Kevin. "Review Essay: On Settler Colonialism." *The Review of Politics* 82, no. 1 (December 20, 2019): 145–57. <https://doi.org/10.1017/s0034670519000627>.
- Buffalo Treaty. "Treaty," 2014. <https://www.buffalotreaty.com/treaty>.
- Corntassel, Jeff. Meeting with ASPT: 6004, November 10, 2022.
- "Freeholders: Petition," King William County, 1843, Legislative Petitions Digital Collection, Library of Virginia, Richmond, Va.
- Jeanette Armstrong, "Land Speaking." In *Read, Listen, Tell: Indigenous Stories from Turtle Island*, edited by Reder Deanna, David Gaertner, and Gabrielle Hill, 141–555 (Wilfrid Laurier University Press, 2017).
- "Pamunkey Indians: Counter-Petition," King William County, 1843, Legislative Petitions Digital Collection, Library of Virginia, Richmond, Va.
- . *Settler Memory: The Disavowal of Indigeneity and the Politics of Race in the United States*. Chapel Hill: University Of North Carolina Press, 2021.

- Bullard, Robert D. *Confronting Environmental Racism: Voices from the Grassroots*. Boston: South End Press, 1993.
- Butler, Judith. *Force of Nonviolence: An Ethico-Political Bind*. S.L.: Verso, 2021.
- Clarke, Peyton Neale. *Old King William Homes and Families: An Account of Some of the Old Homesteads and Families of King William County, Virginia, from Its Earliest Settlement*. Louisville, KY: J. P. Morton and company, 1897.
- Corntassel, Jeff. "Re-Envisioning Resurgence: Indigenous Pathways to Decolonization and Sustainable Self-Determination." *Decolonization: Indigeneity, Education & Society* 1, no. 1 (September 8, 2012).
- Corntassel, Jeff, and Tiffanie Hardbarger. "Educate to Perpetuate: Land-Based Pedagogies and Community Resurgence." *International Review of Education* 65, no. 1 (January 3, 2019): 87–116. <https://doi.org/10.1007/s11159-018-9759-1>.
- Cronon, William. "A Place for Stories: Nature, History, and Narrative." *The Journal of American History* 78, no. 4 (March 1992): 1347. <https://doi.org/10.2307/2079346>.
- Dussias, Allison M. "Protecting Pocahontas's World: The Mattaponi Tribe's Struggle against Virginia's King William Reservoir Project." *American Indian Law Review* 36, no. 1 (January 1, 2010): 1.
- Egloff, Keith, Deborah Woodward, and Virginia Department. *First People: The Early Indians of Virginia*. Richmond; Charlottesville: Virginia Department Of Historic Resources, 2000.
- Encyclopedia Virginia. "Articles of Peace (1677) – Encyclopedia Virginia." Encyclopedia Virginia, 1677. <https://encyclopediavirginia.org/entries/articles-of-peace-1677/>.
- Fanon, Frantz. *The Wretched of the Earth*. Cape Town: Kwela Books, 1963.

- Federici, Silvia. *Caliban and the Witch: Women, the Body and Primitive Accumulation*. New York: Autonomedia, 2004.
- Ferguson, Kennan. “Why Does Political Science Hate American Indians?” *Perspectives on Politics* 14, no. 4 (December 2016): 1029–38.
<https://doi.org/10.1017/s1537592716002905>.
- Gaudry, Adam, and Danielle Lorenz. “Indigenization as Inclusion, Reconciliation, and Decolonization: Navigating the Different Visions for Indigenizing the Canadian Academy.” *AlterNative: An International Journal of Indigenous Peoples* 14, no. 3 (July 6, 2018): 218–27. <https://doi.org/10.1177/1177180118785382>.
- Ghaddar, J. J., and Michelle Caswell. “‘To Go Beyond’: Towards a Decolonial Archival Praxis.” *Archival Science* 19, no. 2 (May 28, 2019): 71–85.
<https://doi.org/10.1007/s10502-019-09311-1>.
- Goeman, Mishuana. “From Place to Territories and Back Again.” *International Journal of Critical Indigenous Studies* 1, no. 1 (January 1, 2008): 34.
<https://doi.org/10.5204/ijcis.v1i1.20>.
- Graber, Jennifer. “‘They Call It Ghost Dance... But It’s Feather Dance’: Indigenous Histories in the Study of Religion and US Empire.” In *Religion and US Empire: Critical New Histories*, edited by Tisa Wenger and Sylvester A Johnson, 124–48. New York: University Press, 2022.
- Hartman, Saidiya V. *Scenes of Subjection: Terror, Slavery, and Self-Making in Nineteenth-Century America*. New York; Oxford: Oxford University Press, 1997.
- Hening, William Waller. “Volume 2.” Edited by Freddie L. Spradlin. vagenweb.org. Hening’s Statutes at Large, 2009. <https://vagenweb.org/hening/vol02-24.htm>.

- . “Volume 3.” Edited by Freddie L. Spradlin. vagenweb.org. Hening’s Statues at Large, 2009. <https://vagenweb.org/hening/vol03-25.htm>.
- Kimmerer, Robin Wall. *Braiding Sweetgrass: Indigenous Wisdom, Scientific Knowledge and the Teachings of Plants*. Minneapolis, Minnesota: Milkweed Editions, 2013.
- Kluttz, Jenalee, Jude Walker, and Pierre Walter. “Unsettling Allyship, Unlearning and Learning towards Decolonising Solidarity.” *Studies in the Education of Adults* 52, no. 1 (August 23, 2019): 49–66. <https://doi.org/10.1080/02660830.2019.1654591>.
- Liboiron, Max. *Pollution Is Colonialism*. Durham; London: Duke University Press. Copyright, 2021.
- McClintock, Anne. *Imperial Leather Race, Gender and Sexuality in the Colonial Contest*. New York, Ny London Routledge, 1995.
- Mook, Maurice A. “Virginia Ethnology from an Early Relation.” *William and Mary Quarterly* 23, no. 2 (April 1, 1943): 101–1. <https://doi.org/10.2307/1922434>.
- Mooney, James. *The Powhatan Confederacy, Past and Present*. Amer. Anthropol., 1907.
- Nerney, Sarah. “The Gingaskins of Virginia - the UncommonWealth.” The Uncommonwealth, November 16, 2011. <https://uncommonwealth.virginiamemory.com/blog/2011/11/16/the-gingaskins-of-virginia/>.
- Peat, David F. *Blackfoot Physics: A Journey into the Native American Universe*. Boston, Ma: Weiser Books, 2005.
- Rice, James. “Anglo-Powhatan War, Second (1622–1632) – Encyclopedia Virginia.” Encyclopedia Virginia. Virginia Humanities, 2021. <https://encyclopediavirginia.org/entries/anglo-powhatan-war-second-1622-1632/>.

Rountree, Helen C. *Pocahontas's People: The Powhatan Indians through Four Centuries*.

Norman; London: University Of Oklahoma Press, 1990.

———. *The Powhatan Indians of Virginia: Their Traditional Culture*. Norman: University Of Oklahoma Press, 1992.

Schwartz, Ana. *Unmoored*. UNC Press Books, 2022.

Speck, Frank G. *The Rappahannock Indians of Virginia*. Museum of the American Indian, Heye Foundation, 1925.

Speck, Theodore. “Chickahominy: The Changing Culture of a Virginia Indian Community.” *Proceedings of the American Philosophical Society* 96, no. 2 (1952).

Spivey, Ashley. “‘Knowing the River, Working the Land, and Digging for Clay: Pamunkey Indian Subsistence Practices and the Market Economy 1800-1900.’” 2017.

———. Tidewater Foodways: Ashley Atkins Spivey. Interview by Jessica Taylor. *Southern Foodways Alliance*, 2018. <https://www.southernfoodways.org/interview/ashley-spivey/>.

Stein, Sharon. “‘Truth before Reconciliation’: The Difficulties of Transforming Higher Education in Settler Colonial Contexts.” *Higher Education Research & Development* 39, no. 1 (January 2, 2020): 156–70. <https://doi.org/10.1080/07294360.2019.1666255>.

Tuck, Eve, and K. Wayne Yang. “Decolonization Is Not a Metaphor.” *Decolonization: Indigeneity, Education & Society* 1, no. 1 (September 8, 2012).

Tuck, Eve, Marcia McKenzie, and Kate McCoy. “Land Education: Indigenous, Post-Colonial, and Decolonizing Perspectives on Place and Environmental Education Research.” *Environmental Education Research* 20, no. 1 (January 2, 2014): 1–23. <https://doi.org/10.1080/13504622.2013.877708>.

Vowel, Chelsea. "Beyond Territorial Acknowledgments." âpihtawikosisân, September 23, 2016.

https://apihtawikosisan.com/2016/09/beyond-territorial-acknowledgments/#_ftn10.

Wolfe, Brendan. "Racial Integrity Laws (1924–1930) – Encyclopedia Virginia." Encyclopedia

Virginia, February 25, 2021. <https://encyclopediaofvirginia.org/entries/racial-integrity-laws-1924-1930/>.

Wynter, Sylvia. "Unsettling the Coloniality of Being/Power/Truth/Freedom: Towards the

Human, after Man, Its Overrepresentation--an Argument." *CR: The New Centennial Review* 3, no. 3 (2003): 257–337. <https://doi.org/10.1353/ncr.2004.0015>.

Zanotti, Laura. *Ontological Entanglements, Agency and Ethics in International Relations:*

Exploring the Crossroads. Abingdon, Oxon; New York, Ny: Routledge, 2019.