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**REVIEW ESSAY ON
SEEMA SOHI'S *ECHOES OF MUTINY* AND
SUZAN SHOWN HARJO'S *NATION TO NATION***

Kevin Bruyneel*

SEEMA SOHI, *ECHOES OF MUTINY: RACE, SURVEILLANCE, AND INDIAN ANTI-COLONIALISM IN NORTH AMERICA* (OXFORD UNIVERSITY PRESS 2014). Pp. 288. HARDCOVER \$105.00. PAPERBACK \$29.95.

SUZAN SHOWN HARJO, EDITOR, *NATION TO NATION: TREATIES BETWEEN THE UNITED STATES AND AMERICAN INDIAN NATIONS* (SMITHSONIAN BOOKS 2014). Pp. 272. HARDCOVER \$40.00.

Suzan Shown Harjo, editor and multiple essay contributor to *Nation to Nation: Treaties Between the United States and American Indian Nations*, describes in the book's introduction the experiences of her great-grandparents, "Thunderbird or Nonoma'ohsevehtse (Richard Davis), and Nellie Aspenal," as new "hostage-students" of the Carlisle Indian School in Pennsylvania in 1879.¹ After travelling half a continent by train, "[w]hen they arrived at Carlisle, their medicine pouches, moccasins, and comfortable clothes were confiscated. Their long hair was cut short, they were 'deloused' with kerosene, even though they did not have lice, and they were given scratchy uniforms and hard shoes, which never fit quite right. They often were whipped, or their mouths were rubbed raw and blistered with lye soap, for reasons they never knew. Thus began their so-called "civilization."² The sheer brutality, abuse, and torture of Indigenous children described here was done in the name of saving them from their own people's seemingly primitive ways by assimilating them—'civilizing' them—to the western liberal individualist, capitalist practices, and norms of the settler colonial society. These institutions were not literally killing the children, at least not usually, but rather they were seeking, in the words of Colonel

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1. *NATION TO NATION: TREATIES BETWEEN THE UNITED STATES & AMERICAN INDIAN NATIONS* 8 (Suzan Shown Harjo ed., 2014).

2. *Id.*

Richard Pratt, superintendent of the Carlisle School in the late nineteenth Century, to “[k]ill the Indian in him, and [s]ave the man.”³ This phrase exemplifies the genocidal drive at the heart of settler colonialism, in which the elimination or disappearance of the Indigenous person is a central and ever-recurring imperative. It is central, because the acquisition and claim of ownership and belonging to the colonized land resides at the heart of the settler project and of settler identity itself. The Indigenous presence troubles the legitimacy of this project, and as much as institutions such as the Carlisle School sought to eliminate this presence, Indigenous people persist and thus, the Indigenous-Settler relationship and conflict persist as active, if under-appreciated elements of contemporary political, legal, and social life.

One of the most notable and long-standing features of this relationship are the treaties between the U.S. Federal Government, 388 of which were negotiated by the U.S. executive branch, and then ratified by the U.S. Senate between 1777 and 1868. Shown Harjo has put together an edited volume, featuring a number of leading scholars in Indigenous studies that takes a close and diverse examination of the U.S.-Indigenous relationship through the lens of the history of specific treaties, their consequences, and meaning for Indigenous nations and the United States, and the political and legal struggles over them. While nation-to-nation is the familiar legal and historical term for this treaty-based relationship, and is thus the appropriate title of this collection, put into a more global context, it may be worthwhile to think of this as part of an international colonial/anti-colonial struggle involving hundreds of nations in the North American context. Doing so signals the need to de-center the American nation in this relationship or in the least, not contain our analyses and grasp of it within the legal, political, and geographical boundaries of the United States. The need for a more global perspective in this regard is underscored when we place Shown Harjo’s collection into conversation with Seema Sohi’s *Echoes of Mutiny: Race, Surveillance & Indian Anti-Colonialism in North America*, a work that traverses the boundaries of states, colonial and settler colonial contexts, and imperial white supremacist practices and resistances in a work the author frames as contributing to the “study of the United States as part of a global history.”⁴

The focus of the book is that of early twentieth century Indian migrants—the vast majority Sikhs from the state of Punjab—to the United States and Canada, who arrived as laborers and petit-bourgeois entrepreneurs, dealt with harsh exclusion and discrimination, and in the process, became politicized in reaction to becoming central scapegoats in North American anti-immigrant and anti-radical discourse, policy-making, state surveillance, and judicial proceedings in the period leading up to and through the First World War. The twist here is that the intense discrimination, exploitation, and demonization that Indian migrants experienced from Canadian and U.S. governing institutions, agents, and employers did not lead them to mobilize against these North American forces, at least for the most part, but rather, it animated

3. “Kill the Indian, and Save the Man”: Capt. Richard H. Pratt on the Education of Native Americans, GEORGE MASON U., <http://historymatters.gmu.edu/d/4929/> (last visited March 9, 2017).

4. SEEMA SOHI, ECHOES OF MUTINY: RACE, SURVEILLANCE, AND INDIAN ANTICOLONIALISM IN NORTH AMERICA 5 (2014).

their anti-colonialist sensibilities, awareness, solidarity, and activism against British rule in India. As Sohi puts it, “Indian migrants linked racial discrimination abroad to colonial subjugation at home and came to understand their struggles against racial exclusion and political repression in North America as part of a broader movement against colonialism and white supremacy”⁵ For example, in 1914, in an effort to both transport Indian workers to his lumber factories in British Columbia and to “force the British government to protect the rights of Indian migrants abroad,” Gurdit Singh, a well-off Indian businessman, chartered a Japanese boat, the *Komagata Maru*, to transport and pick up hundreds of migrants (including Singh’s seven year-old son) from various ports within the empire, such as Hong Kong and Shanghai, and take them to their final destination of the port in Vancouver.⁶ The rights of Indian migrants, in this regard, would require being recognized as equal British subjects allowed to freely travel from British colony to colony once they had passed an initial customs inspection at the first colony reached after leaving India. By this logic, once an Indian migrant was approved for entry to, say, Hong Kong, they had thereby gained entry as a British subject to any and all subsequent British colonies, without inspection, provided they did not land in territories outside the imperial domain during these travels. When the ship reached Vancouver in late May 1914, with 376 passengers aboard, Canadian immigration officials would not let it dock. Twenty-four passengers were allowed entry upon passing inspection, but the rest, most of whom were Sikhs, stayed on board—in an increasingly unsanitary and poorly supplied state—until the ship was forced to turn around and head back to Asia two months later, after getting refueled and supplied. During these two months, Canadian anti-immigrant white supremacists lobbied, and even stood on the shores, demanding immigration officials not let the passengers in, while the Indian community in British Columbia raised funds to support the passengers and pled their case to government officials and political leaders. This two-month stand-off took on global political significance, from India to the rest of the British Empire and the United States. For Sikhs in particular, the refusal of entry to Canada shed undeniable light on their colonial oppression, as many “believed their history of loyalty to the British crown should have guaranteed them the right to settle in any part of the empire and the treatment of the passengers on board the *Komagata Maru* signaled the failure or unwillingness of the British Indian government to protect its most loyal subjects.”⁷ Sohi’s historically rich and politically insightful discussion and analysis of the *Komagata Maru* standoff occurs in the latter half of the book, serving as an apt illustration and manifestation of the political developments and dynamics traced up to this moment.

At each of its stops along its route to Vancouver, the *Komagatu Maru* was met and briefly boarded by members of the Ghadar Party, who handed out the party paper, *Ghadar*, and gave speeches to inspire the passengers to see themselves and their journey as part of the revolution against British rule. Ghadar is an Urdu word for rebellion, revolt, or mutiny. The Ghadar Party formed in 1913 as a product of

5. *Id.* at 5-6.

6. *Id.* at 134.

7. *Id.* at 140.

Indian migrant organizing on the North American west coast which emerged to deal with anti-Asian racism, anti-immigrant sentiment, and a heightening Indian migrant consciousness regarding British imperialism. In its time, Sohi notes, the Ghadar Party became “the most widespread anticolonial organization in North America, which called for the direct overthrow of British rule through armed revolution . . . [and] connected Indian struggles for self-determination with the battles waged by racialized and colonized peoples across the world fighting for racial equality and political independence.”⁸ It also opposed “racially restrictive immigration policies in British white settler countries and the United States” and western imperial intervention in Asia, supported revolutionary struggles in “Ireland, China, Russia, and Egypt, and pledged [] solidarity with all peoples struggling against tyranny and oppression.”⁹ Ghadar Party publications, rhetoric, and emergent activism became fodder for those who were fomenting anti-immigrant and anti-radical views and policies in the United States during the First World War, including discourse that linked a seemingly emergent “Hindu Menace” with Red Scare fears of communists and anarchists. As Sohi deftly articulates through her detailed historical narrative, the Canadian, British, and U.S. governments collaborated in the surveillance, apprehension, and trials of Indian migrant activists, such as with the monitoring and prosecution of the so-called “Hindu Conspiracies” that sought to fund, arm, and mobilize military expeditions to India to fight British rule. At the same time, when juxtaposed with Shown Harjo’s volume, it is also easy to notice that this solidarity and anti-colonial resistance did not include direct resistance to Canadian and U.S. settler colonialism itself or advocating on behalf of the status and claims of the Indigenous nations of North America. This is not a critique of Sohi’s text, which sets out its specific subject of study and carries it out very well, nor necessarily of Indian migrant activists of the time, some of whom such as Lajpat Rai did write about the history of colonial genocide against Indigenous people and the accompanying “land grab” that brought into being settler colonial nations such as the United States.¹⁰ Rather, this absence exemplifies the invisibility of Indigeneity, produced by the logic of elimination that resides at the core of settler colonialism itself. Paying closer attention to settler colonialism goes hand-in-hand with developing a more layered and accurate understanding of North American history and thereby placing struggles against colonialism into a truly global perspective.

For example, during the early twentieth century, as Indian migrant activists mobilized to fight British colonialism in India, Indigenous nations were in the midst of dealing with one of the most consequential ‘land grabs’ in United States history. As a consequence of the U.S. General Allotment (Dawes) act of 1887, which sought to break up tribal collective landholdings by allotting portions to Indigenous male citizens and selling off the rest of the land to non-Indigenous buyers, Indigenous peoples’ territory in the U.S. context diminished from 138 million acres in 1887 to 38

8. *Id.* at 3.

9. SOHI, *supra* note 4, at 47.

10. *Id.* at 69-70.

million acres in 1934. The impact of this policy was felt far and wide amongst Indigenous nations. As James Riding In states in his chapter in *Nation to Nation* on the Pawnee Treaties, the Dawes Act “struck at the heart of the Pawnee’s communal ways of living and owning land.”¹¹ The Dawes Act was part of a wider U.S. government effort at the turn of the century to use such state policies as, in Theodore Roosevelt’s words in 1903, “a mighty pulverizing machine intended to break up the tribal mass.”¹² The Pawnee were just one of the hundreds of Indigenous nations feeling the blunt force of this settler colonial machine that was not only expropriating Indigenous peoples’ territory so that it could become incorporated into the liberal capitalist system which turned land into property and subjected it to ownership and exchange; but as part of this process, the federal government looked to starkly shift away from a nation-to-nation framework for defining the relationship between the United States and Indigenous nations. In the same general time period in which Indian migrants were going through their political awakening in the United States and Canada, leading them to actively fight for India’s right to exist as an independent nation free from British colonial rule, treaty-making between the U.S. federal government and Indigenous nations in North America came to an end. This process started politically with an 1871 Congressional amendment that subjected such treaties to the approval the House of Representatives (which made it fairly certain such approvals would never happen), was helped along materially by the ‘pulverizing force’ of the Dawes Act, and affirmed legally by the 1903 Supreme Court decision in *Lone Wolf v. Hitchcock*, which asserted the federal government had plenary power over Indigenous people and thus did not require the latter’s consent or agreement regarding legislation that concerned them.¹³ The officially recorded number of Indigenous people in the United States during this period also reached its historical low-point, at around 250,000 by 1900. As such, it is not hard to imagine that Indian migrant and allied activists in the early twentieth century may not have registered the reality of Indigenous presence and political life, other than as the long dead victims of North American conquest and colonialism, because governmental and colonialist social forces of the period openly fostered the “myth of the ‘vanishing’ Indian.”¹⁴ Here, then, is why Shown Harjo’s volume on treaties makes an important contribution to how we understand and tell the history of political developments, statist practices, struggle, and resistance in settler states such as the United States.

Sohi’s text carefully and clearly reveals the ways in which the domestic racial regimes of the United States and Canada and the global imperial regime of Britain were deeply intertwined and mutually supportive in their collaborative utilization of

11. James Riding In, *The Betrayal of “Civilization” in United States-Native Nations Diplomacy*, in *NATION TO NATION: TREATIES BETWEEN THE UNITED STATES & AMERICAN INDIAN NATIONS* 169 (Suzan Shown Harjo ed., 2014).

12. Steven Newcomb, *The 1887 Dawes Act: The U.S. Theft of 90 Million Acres of Land*, INDIAN COUNTRY MEDIA NETWORK (Feb. 8, 2012), <https://indiancountrymedianetwork.com/news/opinions/the-1887-dawes-act-the-us-theft-of-90-million-acres-of-indian-land/>.

13. *Lone Wolf v. Hitchcock*, 187 U.S. 553 (1903); see Robert N. Clinton, *Treaties with Native Nations: Iconic Historical Relics or Modern Necessity?*, in *NATION TO NATION: TREATIES BETWEEN THE UNITED STATES & AMERICAN INDIAN NATIONS* (Suzan Shown Harjo ed., 2014).

14. *NATION TO NATION*, *supra* note 1, at 152.

state institutional resources, racialized and anti-radical discourse, and juridical harassment and suppression of anti-colonial and anti-racist movements and actors. *Echoes of Mutiny* succeeds in placing white settler domestic politics into the wider global colonial context of the early twentieth century, except as it concerns the noted absence of Indigeneity. It is through Shown Harjo's edited volume that we are then compelled, and necessarily so, to place the so-called domestic realm of United States into its accurate political and historical context as a settler state in its foundation and maintenance, one shaped in no small part through negotiations, conflicts, and violations of relations with hundreds of Indigenous nations. Over the span of thirty distinct contributions that make up *Nation to Nation*—including interviews, scholarly articles, reflections, and explanatory capsule section introductions—readers are offered multiple perspectives on the history of U.S.-Indigenous treaty-making, including on the origin of treaties and treaty principles,¹⁵ early nineteenth century Removal treaties and efforts of nations to avoid removal,¹⁶ the Horse Creek Treaty and Treaty Council,¹⁷ and the Navajo Treaty of 1868.¹⁸ In one of her many contributions, Harjo weaves a family narrative of her Cheyenne and Muscogee peoples' history with these nations' treaty history in a manner that is particularly compelling, because it takes the legal and political form of the treaty and treaty relationship and places it into the context of textured human experience, familial relationships, struggles, and agency.¹⁹ Harjo brings treaty relations to life here. They become more easily understood as breathing documents when the author links their history and their present to the humanity to which they relate. The latter third of the volume focuses on more modern and contemporary struggles, especially those concerned with gaming and fishing rights secured in treaties and the racist anti-tribal movement opposing these rights,²⁰ the path of late twentieth century U.S. Indian Policy and Indigenous struggle,²¹ the

15. Richard W. Hill, Sr., *Linking Arms and Brightening the Chain: Building Relations through Treaties*; Mark G. Hirsch, *The Two-Row Wampum Belt*; Arwen Nuttall, William Penn's Treaty and Shackamaxon Elm Tree; Mark G. Hirsch, *Illegal State Treaties*, in *NATION TO NATION: TREATIES BETWEEN THE UNITED STATES & AMERICAN INDIAN NATIONS* (Suzan Shown Harjo ed., 2014).

16. Suzan Shown Harjo, *Removal Treaties: An Interview with Carey N. Vicenti*; Matthew L.M. Fletcher, *Avoiding Removal: The Pokagon Band of Potawatomi Indians*, in *NATION TO NATION: TREATIES BETWEEN THE UNITED STATES & AMERICAN INDIAN NATIONS* (Suzan Shown Harjo ed., 2014).

17. Raymond J. Demallie, *The Great Treaty Council at Horse Creek*; Arwen Nuttall, *Language and World View at the Horse Creek Treaty*; Suzan Shown Harjo, "The Indians Were the Spoken Word." *An Interview With N. Scott Momaday*, in *NATION TO NATION: TREATIES BETWEEN THE UNITED STATES & AMERICAN INDIAN NATIONS* (Suzan Shown Harjo ed., 2014).

18. Jennifer Nez Denetdale, *Naal Tsoos Saní: The Navajo Treaty of 1868, Nation Building, and Self-Determination*, in *NATION TO NATION: TREATIES BETWEEN THE UNITED STATES & AMERICAN INDIAN NATIONS* (Suzan Shown Harjo ed., 2014).

19. Suzan Shown Harjo, *Treaties My Ancestors Made for Me: A Family Treaty History*, in *NATION TO NATION: TREATIES BETWEEN THE UNITED STATES & AMERICAN INDIAN NATIONS* (Suzan Shown Harjo ed., 2014).

20. Hank Adams, *The Game and Fish Were Made for Us: Hunting and Fishing Rights in Native Nations' Treaties*; Suzan Shown Harjo, *River by River: Treaty Rights in Washington State / An Interview with Zoltan Grossman*; Matthew L.M. Fletcher, *Arthur Dubamel: Treaty Fisherman*, in *NATION TO NATION: TREATIES BETWEEN THE UNITED STATES & AMERICAN INDIAN NATIONS* (Suzan Shown Harjo ed., 2014).

21. Kevin Grover, *From Dislocation to Self-Determination: Native Nations and the United State in the Twentieth Century*, in *NATION TO NATION: TREATIES BETWEEN THE UNITED STATES & AMERICAN INDIAN NATIONS* (Suzan Shown Harjo ed., 2014).

relationship of treaties to the U.N. Declaration on the Rights of Indigenous Peoples,²² and the status in our time of modern treaties, Indigenous nations and cultures.²³ The sheer content in terms of historical, legal, and political facts and analysis conveyed across these many works comprise, on their own, a vital contribution toward refusing the absence of Indigeneity and settler colonialism, historically and in our time. This contribution also goes beyond the words of the text, and well beyond.

The glossy volume is rife with historical and contemporary photographs and drawings of treaty council meetings, Native leaders and communities, U.S. government and military officials, maps, craft work, clothing, and treaties themselves. The images convey negotiation, struggle, loss, survival, and, above all, presence—presence of settler colonialism in practice and Indigeneity in resistance, pain, community, and refusal of settler coloniality itself. They also speak to our very moment. In Robert Clinton's chapter, "Treaties with Native Nations: Iconic Historical Relics or Modern Necessity?" there is a photograph of Article 1 of the Fort Laramie Treaty of 1868 with the Sioux and Arapaho.²⁴ The treaty links the past to the present of the struggle of the Standing Rock Sioux and allies to halt the construction of the Dakota Access Pipeline north of their territory. The pipeline's construction is a violation of the Standing Rock Sioux's territorial rights and threatens to jeopardize their water source, and in fact, the water source of everyone in the region. Late nineteenth century treaties such as that of 1868 stand as one of the many bases upon which the "water protectors" of Standing Rock assert claim to their territory and rights tied to the expected fulfillment of the nation-to-nation promises made by the U.S. government to this Indigenous nation. The Standing Rock struggle makes ever-present the precarious political status of U.S. treaties due to the predatory nature of settler colonial capitalism, and does so through the vital resistant presence of Indigenous people in contemporary anti-colonial struggle. When examined in light of such contemporary political conflicts and Indigenous activism, Harjo's volume provides the much needed historical and political context, from the perspective of Indigenous writers, to both grasp and grapple with the reality of settler colonialism as a persistent defining structure of the United States that is made up and continually recomposed and maintained through multiple events, such as that at Standing Rock. In this regard, treaties stand as critical legal and political documents for understanding the history and present of US-Indigenous relations. Just as importantly, they also represent a lived historical and contemporary model for practices of nation to nation engagement that are by no means perfect—treaties were often signed by Indigenous leaders under oppressive, strained, and manipulated circumstances—but can provide a foundation of a viable alternative for resisting the settler colonial model of elimination and domination of Indigenous people, and the expropriation and exploitation of their land.

22. Arwen Nuttall, *Treaties and the United Nations Declaration on the Rights of Indigenous Peoples*, in *NATION TO NATION: TREATIES BETWEEN THE UNITED STATES & AMERICAN INDIAN NATIONS* (Suzan Shown Harjo ed., 2014).

23. Louis J. Risling, *The Treaty with the Lower Klamath, Upper Klamath, and Trinity River Indians—and Who We Are Today*; Suzan Shown Harjo, *Modern Treaties: An Interview with Ben Nighthorse Campbell*; W. Richard West, Jr., *Treaties and Contemporary American Indian Cultures*, in *NATION TO NATION: TREATIES BETWEEN THE UNITED STATES & AMERICAN INDIAN NATIONS* (Suzan Shown Harjo ed., 2014).

24. Robert N. Clinton, *Treaties with Nations: Iconic Historical Relics or Modern Necessity?* in *NATION TO NATION: TREATIES BETWEEN THE UNITED STATES & AMERICAN INDIAN NATIONS* (Suzan Shown Harjo ed., 2014).

When placed into conversation, then, *Echoes of Mutiny* and *Nation to Nation* also open up important questions about the meaning and political practices of settler identity itself. For good reason, settler identity in the United States and Canada is most often thought of in terms of white settlers. Soohi points us toward settlers from India who become discriminated racial others and aliens in the North American context, while also, if involuntarily, becoming folded into the settler colonial project. It is in this regard that the *Ghadar Party's* resistance to British rule—the effort to mobilize an armed resistance with Indian migrants returning to India to carry out the fight—can in some sense be read as an unintentional refusal of the settler colonial project itself. While Indian migrants opposed U.S and Canadian racist policies toward them within these two state, as their activism pointed them increasingly back to India and British colonialism their sense of political agency was even more precisely defined as anti-colonialist in a way that imagined an un-settling return to and national reclaiming of India.²⁵ This does not speak for all Indian migrants to North America.²⁶ Still, when considered alongside historically contemporaneous efforts of Indigenous nations to assert their treaty rights, territorial claims, and national sense of belonging in refusal of settler colonial imposition, the *Ghadar* story and model underscores the need to take into account the inter-relationship of franchise colonialism such as that of British rule over India and settler colonialism such as that of the United States and Canada in relation to Indigenous people. To do so does not mean collapsing these forms of colonialism into one homogenous conceptual category or refusing to engage in historically and contextually specific studies of what colonialism and anti-colonialism mean in specific formulation, practices, and structures. If anything, Soohi's and Shown Harjo's substantial and important works demand that we be even more rigorous in such studies and efforts to grasp and mobilize meaning, as a way to conceive of trans-national forms of anti-colonial struggle that build from a firm foundation of each nation's specific concerns, context, and capacities. In other words, it is to demand that we see such struggles as those of the Standing Rock Sioux to be about that nation's particular, historically and contextually specific battle to resist U.S. settler colonialism, and on that basis understand the role of water protectors at Standing Rock to be part of a wider global struggle as well. *Echoes of Mutiny* and *Nation to Nation*, on their own, but even more so in relation to each other as texts, provide much needed historical knowledge and tools for making these connections and refusing the centrality and permanence of settler states such as those of the United States and Canada.

25. SOHI, *supra* note 4, 108-151.

26. *Id.* at 153.

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SEEMA SOHI'S ECHOES OF MUTINY

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