federal divide-and-conquer tactics, diseases, and forced assimilation policies. They resisted, revolted, rose up, and rebelled, and continue to do so today.

RESISTANCE NOW. RESISTANCE FOREVER.

Neither colonial settlers nor their descendants living in the early republic contemplated the extent of Indigenous resistance they would encounter, the protests that would become a mainstay, or the counterattacks by those they sought to oppress. The Indigenous stood their ground as their land was commandeered by explorers, then colonists and settlers from Europe drawn to North America under royal charters and private incentives of free land and, later, free labor—the African enslaved laborer.[8] Resistance was protest. For over six hundred years, Indigenous peoples of North America have fought to protect their land and way of life from invaders intent on procuring their land. Those protests have taken many forms through the centuries, led by men and women with vision.[9] Forces behind settler colonialism labeled Indigenous people as undeserving of their land—land with which they had been in special relationship from time immemorial.

In the words of historian Roxanne Dunbar-Ortiz, author of *An Indigenous History of the United States*, "The history of the United States is a history of settler colonialism—the founding of a state based on the ideology of White supremacy, and the widespread practice of African slavery, and a policy of genocide and land theft."[10] There is also a history of Indigenous being sold into slavery and sometimes subjugating other Native people into slavery.[11]

All manner of legal machinations, public contempt, violence, propaganda, political tactics, economic subjugation, criminal injustice, theories of White superiority, and civilian militia and military attacks were used against Indigenous resistance.[12] They fought back in myriad ways, and survived.

RESISTING JAMESTOWN

The origin story of the United States of America begins in Virginia. Indigenous resistance to the building of Jamestown, the first permanent English settlement in North America, began soon after the English landed. Before the arrival of Europeans, the Indigenous population in that region was estimated at twenty thousand.[13] This was before

explorers claimed swaths of North America in the name of their monarchs, and before settlers created colonies and lured millions to purchase land from sellers who asserted their claim to the land was legitimate—when, in fact, unilateral charters had been given to corporations in cities across the Atlantic. Given that there were thousands of Indigenous tribes in North America and hundreds of European explorers from various nation-states arriving in the fifteenth century, this book could commence in any region. But it begins with the Jamestown settlement of Virginia and the Powhatan people, indigenous to the land called Tsenacomoco, and their resistance to settler expansion. By 1669 only 1,800 Powhatans were left in the Virginia Colony.

On April 10, 1606, King James granted a charter to English investors to establish a profit-generating company in North America. Born in Scotland to the ill-fated Mary Queen of Scots, King James had an erratic reign. The royal decision to grant a charter took place in a reign that spanned between 1603 and 1625, ending with his death. A Protestant, James I was nearly assassinated by a group of Catholics, led by Guy Fawkes, incensed over the king's unyielding stance on Catholicism. James was embattled, constantly at odds with Parliament, and belittled as the "wisest fool in Christendom" by Henry IV of France.[14]

However, James holds an irrefutable place in history for ordering the translation of the Bible from Latin into English and for founding the first successful English settlement in North America, thereby laying the foundation for the United States of America. In deciding to conquer Native land in the name of King James, a hardy band of English colonists triggered a vortex of events that led to the nadir of human depravity and the creation of myths to cover it up. Africans from Angola arrived in Virginia in 1619, a year before the *Mayflower* landed. Multiple sins—of both commission and omission—abounded.

Europeans had been aware of the existence of Indigenous peoples in North America as early as 1492, when a misguided Christopher Columbus encountered the Arawak, Taíno, and Lucayan in the Bahamas, a Caribbean island, on a mission to India financed by Spain. Columbus left the Old World for a new one, finding inhabitants who welcomed him and a land rich with resources. In a letter to King Ferdinand and Queen Isabella, sent first to the Vatican and published in 1493, Columbus described with covetous candor the rich natural resources he saw in the New World.

To say that Columbus's intent was murderous is not hyperbole, as evidenced by the fact that after he unceremoniously unfurled the Spanish flag, declaring the land to be a Spanish possession, he put the plot for subjugation in writing. Although he had met with no resistance, it was evil that guided his thoughts toward those who had demonstrated kindness. He wrote:

> I came into the Indian Sea, where I discovered many islands inhabited by numerous people. I took possession of all of them for our most fortunate King by making public proclamation and unfurling his standard, no one making any resistance. . . . The inhabitants . . . are all, as I said before, unprovided with any sort of iron, and they are destitute of arms, which are entirely unknown to them, and for which they are not adapted. . . . They would make fine servants. . . . With fifty men we could subjugate them all and do whatever we want.[15]

Taking their land in the name of Spain was his foremost objective. Columbus, by his own words, plainly characterizes the murderous mindset and tactical scheming that would confront Indigenous people for five hundred years. The first settlement by the Spanish in North America was a fort community called St. Augustine, established in 1565, though Spanish explorers had sailed along the coasts of Texas as early as 1528.

The Jamestown colonists arrived aboard three English ships aptly named *Discovery*, *Susan Constant*, and the *Godspeed*, which had set sail from London on December 6, 1606, their voyage lasting 144 days. They were the pride of the United Kingdom and burdened with the expectations of eager investors in the Virginia Company of London.[16] On May 13, 1607, when the three ships carrying one hundred and four men and boys arrived, they had been warned about antagonizing the native people. After sailing along the coastal region, and fifty miles up a waterway later named the James River, these English colonists landed at the Powhatan hunting grounds, a grassy peninsula with seemingly no signs of people but with abundant wildlife and water deep enough to allow large ships to dock. Since the peninsula was surrounded by water on three sides, it was thought to be a strategic location for defending against a possible attack by the Spanish. This humble settlement was named Jamestown in honor of King James I.

The English settlers arrived at a point of entry that was flat and grassy but led to a swampy marsh of mosquitos and a creek. The Powhatan wondered why the European men would choose their hunting ground, a place where they themselves would not live, as a site to rest and assumed it would be a temporary stay for supplies and food. However, as we know, the colonists were more than explorers of the land, as they had been given an edict to survive, thrive, and colonize. In 1606, the newly crowned King James I had given a royal charter to the Virginia Company of London to expand the United Kingdom into North America by taking land, growing a profitable crop, and creating a thriving English colony.

It was a commercial venture from the start, with settlers seeking a source of revenue to sustain and grow a population that had no planned return to England once they ensconced themselves on foreign soil. A failed Roanoke Colony in 1590 gave this second royal investment in the New World an unspoken directive to succeed or die trying. However, the Powhatans, under the impression that the colonial travelers were merely passing through to other lands and needed temporary assistance, found themselves giving aid and comfort to Europeans who were secretly intending on appropriation and conquest.

Additionally, the monarchs of Portugal, The Netherlands, Spain, and France had planted their flags in Indigenous lands at least a century earlier. Powerful forces in Italy, allegedly guided by holy Catholic monarchs, had given instructions to invade the lands and subsume all territory belonging to non-Christian people. It began with Pope Nicholas V, born Tommaso Parentucelli, who decreed in the papal bull of 1455 that the Portuguese king Afonso V had the right "to invade, search out, capture, vanquish, and subdue all Saracens and pagans whatsoever" and reduce them to perpetual slavery, taking all their wealth for the good of Christians and vanquishers.[17] Later, Pope Alexander VI on May 4, 1493, supported Christopher Columbus and Spain's colonization as it was deemed a religious "duty, to lead the peoples dwelling in those islands and countries to embrace the Christian religion; . . . appoint to the aforesaid mainlands and islands worthy, God-fearing, learned, skilled, and experienced men, in order to instruct the aforesaid inhabitants and residents in the Catholic faith and train them in good morals." The Vatican's papal bull fed the pervasive ideology of settler colonialism in the New World of North

and South America as well as Africa, in the name of monarchs using European commoners, governed by a wealthy class loyal to the crown, to populate foreign lands. The impoverished colonial settler was made a weapon—at once indispensable and disposable—against Indigenous peoples and a near-perfect tool for colonialism.

CHIEF POWHATAN AND THE ANGLO-POWHATAN WAR

Although he was the leader of an empire, his name has changed with time and whoever is narrating events. To the Indigenous people of the Powhatan villages, he was Wahunsenacock; to the English, he was Chief Powhatan.[16] A tall, muscular man with gray hair and a thin beard, he carried himself with a royal bearing. When he interacted with the English, he did so with the lives of over 150 villages and dozens of lower chiefs on his shoulders, but Chief Powhatan was a diplomat and seasoned warrior.[17] He had ambitiously created a network of some thirty different tribes, with a population estimated to be over twenty-five thousand and villages that may have spanned as far as Maryland.

The Europeans had come to North America to begin new lives but refused to accept the self-determination of Indigenous and other peoples. Violent resistance to English incursions would come only after diplomacy failed, and, in 1607, the Powhatans were abruptly confronted by English colonists intent on depleting precious resources without explanation, apology, or plan for departure. The battle was over England's efforts to control the region's land and resources. Although the Powhatan tribes had a nomadic lifestyle, following the fertility of the land according to the seasons, Indigenous peoples had occupied the region for thousands of years.

The Powhatan people had governmental structures and systems advanced enough to include female leaders—as did the Iroquois—as well as a thriving economy, educational system, and religious beliefs. The Europeans did not bring "civilization" to the Indigenous. Before the Europeans arrived, the Powhatan grew vegetables, fished along the river, and hunted deer on the grounds later occupied by the settlers, who cut trees, built forts, trapped animals, and killed deer, the latter not only being an Indigenous source of food but also used for clothing, tools, and ceremonial tributes.[18]

Chief Powhatan oversaw a network of various tribes that had been formed two years before the arrival of the English into the hunting

grounds on the peninsula, which the settlers branded. There were Eastern Woodland Indians, called the Algonquian by some of the English settlers. Chief Powhatan was relatively new to his role, but a seasoned man estimated to be in his fifties, he soon faced one of the greatest challenges in his life when the tribes came together for mutual protection and to share food. Chief Powhatan was kept apprised of English ships and their movements. He must have initially viewed this intrusion with curiosity, not knowing the English had selected the area because it was open and unoccupied.[19]

Chief Powhatan met with his leadership to discuss the English. It was not their first encounter with Europeans, as Spanish explorers had come the century before the English. Their ships traveled down the coast, settling on the farthest southeast shores, named for Spain's Easter celebration, the "Pascua Florida." There, and in other regions, battles between the Indigenous ensued. The British Museum holds watercolor drawings of a Powhatan village named Secoton, by John White, dated as early as 1587.[20] The orderly life then must be appreciated or else an assumption that Europeans brought civilization to the Indigenous would persist. One image depicts orderly schemata of corn fields, gardens, roads, and clearings where meetings are taking place, children are playing, and carved thatched-roof structures are built; other drawings show a round compound of thatched structures.

As with Columbus and his interactions with the Indigenous of the Bahamas, the English had taken Chief Powhatan's generosity as a sign of weakness. War did not break out immediately. However, the European men remained. Over two years, more foreign men and then foreign women arrived, and a larger compound was built. They overhunted the area's animals, which threatened to deplete the primary food source for them and the Indigenous. Chief Powhatan's efforts at diplomacy had failed, and, having seen the Europeans' avarice, he realized the invaders meant only harm to him and his people. He told them: "Your coming is not for trade, but to invade my people and possess my country. . . . I know the difference of peace and war."[21] He was correct. The European invasion precipitated the Anglo-Powhatan War, which began in 1609 and did not end until 1614. Here, as in other moments in history, war served as a form of Indigenous protest.

Yet despite the facts about what caused the war, historically, the Indigenous are portrayed as the aggressors and are also blamed for the

near disappearance of the Jamestown colony in the winter of 1609, commonly referred to as "the Starving Time." Weakened by malaria, the region experienced a drought, followed by what was then one of the longest winters in Virginia's history. After a poor harvest, food was scarce. Tensions rose, and skirmishes between the Powhatan and the colonists became battles. Frigid temperatures and the Powhatans' attacks kept the settlers trapped within the Jamestown fort. Drinking water was contaminated and food supplies ran out. Desperation brought the English to madness, murder, and even cannibalism.[22] Starving settlers dug up "dead corpses out of graves" to eat and "licked upp the Bloode," while a young girl's skeletal remains lay in state at the Historic Jamestowne museum bearing the marks of a cleaver or axe.[23]

Food supplies dwindled quickly as nearly five hundred hunkered down in a shabbily built fort that was meant to house about half that number. The English ate the horses and even vermin. One of the settlers, George Percy, wrote of that time: "Having fed upon horses and other beasts, as long as they lasted, we were glad to makeshift with vermin, as dogs, cats, rats, and mice."[24] Unbearable thirst drove some to drink contaminated water. Of life inside the fort, John Smith wrote, "There remained not just sixtie men, women, and children, most miserable and poore creatures; and those were preserved for the most part, by roots, herbs, acorns, walnuts, berries, now and then a little fish . . . yea even the very skins of our horses."[25] Meanwhile, Chief Powhatan's men lay in wait, knowing hunger would draw the English out of the fort. Percy wrote: "Some were enforced to search the woods, and to feed upon serpents and snakes, and to dig the earth for wild and unknown roots, where many of our men were cut off and slain."[26]

Only sixty colonists survived the Starving Time; however, the Powhatan, too, had a harsh summer and poor crops and experienced a long, frigid winter. In occupying the Powhatans' natural hunting ground, the English had chased away the deer, and they hunted without concern for preserving the food supply. The Powhatans were left unable to store adequate amounts of meat and vegetables. Indigenous children went hungry, while elders fell to diseases brought from Europe and for which there was no ready cure. It was a tragic irony that the Indigenous peoples, after giving hospitality and making sacrifices by sharing their food with the Europeans, also had to struggle to survive.

The Anglo-Powhatan War ended in 1614 with the marriage of Chief Powhatan's favorite daughter to the widower John Rolfe in Jamestown. Amonute was her given name, yet she was better known by her nickname, Pocahontas (or "Playful One"), as well as Matoaka; she was born about 1596. In 1607, John Smith was captured and brought before Chief Powhatan. The details are murky, but, according to most accounts, Smith was freed when Pocahontas, who was considered kind-hearted, begged for his life. The colonists, led by need and greed, made further demands on Chief Powhatan for land and food. When relations between Chief Powhatan and the colonists deteriorated, the colonists laid a trap.

The events leading to the union of Pocahontas and Rolfe were initiated by Captain Samuel Argall, who, through a scheme using the local chief of the Patawomeck tribe, took Pocahontas hostage and held her for ransom. During months of captivity, under the influence of Rolfe, Pocahontas converted to Christianity and agreed to marry him. This union brought the "Peace of Pocahontas" that secured the end of the Anglo-Powhatan War. Rolfe took Pocahontas to England as a showpiece for the Virginia Company of London, the financier of the expedition to Virginia. The only known portrait of her shows the "Playful One," as Chief Powhatan fondly called her, now a severe, worn-looking woman at only twenty years old, bound in tight English fabric, throat covered in a lace brocade collar as high as her chin, with fingers awkwardly holding a feather as a symbol of her people and former self. This was the face of assimilation.

European invaders plotted for the acquisition of Indigenous lands as well as their souls, intent on making them adherents to Christianity and European culture. Assimilation had diminished Pocahontas, now baptized with the Christian name Rebecca. On March 21, 1617, during a return trip to Virginia, she died—likely from an infection, probably tuberculosis or pneumonia.[27] Although life in the seventeenth century was precarious, and early deaths were common, some have suspected there were more nefarious factors in her death because she planned to reveal to her father all she had seen and heard abroad. Chief Powhatan followed her in death just a year later.

Many years after the fact, the story of this Indigenous girl's life was molded by John Smith, perhaps borrowing from a Scottish tale

and then retold as myth. But as Camilla Townsend stresses in her *Pocahontas and the Powhatan Dilemma*, Pocahontas's life serves as a case study of Native American agency and strategies of defiance in the face of overwhelming odds.[28] In the propogandist retelling of the Europeans' invasion, the focus on Pocahontas and Chief Powhatan's role is limited, overlooking the fact that, as leader of thousands, he was an effective diplomat and military strategist who thwarted early European conquest.

Unlike Chief Powhatan, Chief Opechancanough was not a peacemaker with long patience but a charismatic and dynamic leader whose diplomacy skills included the threat of war. Chief Opechancanough represented the more militant contingent of lower chiefs, who had tired of the settlers' betrayals and lies as they took Indigenous land.[29] He angrily watched as a growing European population harmed his people and the land. Tobacco plantations were spreading across the colony, depleting the soil, requiring more workers for the labor-intensive tobacco crops. Responding to the call, the Virginia London Company sent more ships filled with laborers. Settlements were growing, spreading Europeans across Indigenous land while the Powhatan confederation of tribes was shrinking from disease. Disarray among the once-orderly tribes revealed fault lines where European divide-and-conquer tactics caused in-fighting among the lower chiefs. The emboldened English plantation owners turned to military measures to secure their profitable business enterprises.

Into rising antagonisms between the Indigenous and Europeans, a heavily damaged English privateer ship arrives with "20 and odd Negroes" from Angola (formerly Ndongo), in the heat of August of 1619.[30] The Angolans carried on the ships were to serve as laborers for the landholders and middle-class tradesmen, supplementing the indentured Europeans who had been living as "White slaves," working unpaid and abused until their contracts or indentures terminated. If these laborers managed to escape this brutality, some attempted to live among the Indigenous while others were killed by them, further exacerbating tensions.

Chief Opechancanough could see that only by waging war could they end the continuing invasion of his land. There was no Pocahontas to broker peace. Besides, her untimely death while living among the English served as a harsh lesson about what lay ahead when someone's most precious gift is entrusted to English hands. In 1622, after the murder of a member of Opechancanough's inner circle by an English settler, Chief Opechancanough declared war. On March 22, the chief led what was planned to be a surprise attack on thirty English settlements and plantations. However, an Indigenous youth who lived with the English is credited with warning the colonists. In a letter to the Virginia Company of London, he is described as "one . . . who had lived much amongst the English, and by revealing yt pl[ot] . . . appon the day of Massacre, saved theire lives."[31] (Despite growing tensions, there were Indigenous people, like this youth, so endeared to the English and willing to betray his people.) Jamestown readied for attack, but despite being forewarned, nearly four hundred Whites were killed, twenty White women were taken hostage, and dozens of structures burned. Chief Opechancanough believed that in winning this battle, a defeated English would sail away within two months' time. Not only did the English not leave, but more arrived. The Euro-White population grew larger, causing more bloody battles over land and deeper Indigenous resistance against White oppression.

Of course, some Europeans interacted peaceably with numerous Indigenous people, like the Monacan Indians, located in the town of Monasukapanough, in what is believed to be present-day Albemarle County, Virginia. This focus on the conflicts between Chief Powhatan and the English is not meant to diminish other tribes or European incursions. Nor were these Virginia battles the first or the bloodiest. But given the early foundational importance of the Powhatan and English in the Virginia Colony, this moment in history remains symbolic of colonial oppression and continued Indigenous resistance during that early time.

DEFENSE IS PROTEST: 1700S

Historical accounts reveal dozens of skirmishes, battles, and outright wars between the Indigenous and the European invaders—and the word "invaders" accurately captures the role the Europeans played, in South America and Africa as well as North America. In fact, since declaring its independence in 1776, the United States government has authorized at least 1,500 wars, attacks, and raids on American Indian tribes.[32] Law, religious belief, and violence were the tools of European conquest. Propaganda was promulgated then and continues to be today: White-led battles against the Indigenous have been called

"wars," while Indigenous victories against Euro-White invaders have often been referred to as "massacres" of innocent Whites.

The names for the wars between the Indigenous and the European settlers depended on who told the story. Metacom's Rebellion in New England, for example, was also known as King Philip's War and the First Indian War, which is an inaccurate name. Metacom was chief of the Wampanoag and had taken the name Philip during the early amicable times with the colonists. The rebellion ended with the signing of the Treaty of Casco Bay in 1678 in New Casco, Maine. It was an agreement that required the settlers to pay for use of the land, and restricted trade and river rights. Of course, the settlers later betrayed the treaty and the Wampanoag, which led to more battles and a second treaty, which the French then undermined using divide-and-conquer tactics to incite hostilities both among Indigenous tribes and between New England settlers and the Native signers of the treaty.

THE FRENCH AND INDIAN WAR

Sometimes resistance involved war between Indigenous groups. One such conflict was the French and Indian War, part of a bloody, all-encompassing Seven Years' War (1756–63). Indigenous nations fought on different sides of the war, for the French and for the British. It began with Great Britain declaring war on France in 1756. As with any rebellion, there were military tactics, political measures, violent acts, and many sides to the story. The Indigenous of the Ohio Valley sought an alliance with the French, hoping it would result in greater protection of their shrinking homeland and fur trade.

There were simmering conflicts, betrayals, and longtime alliances within the Indigenous communities. Europeans pitted tribal nations against one another in conflicts whose principal combatants were Great Britain and France and, later, France's ally Spain. One cannot forget that but for settler colonialism, these tribes would not have attacked Euro-White settlers. France and Britain fought over control of Indigenous land, leaving Indigenous leaders to decide which side would best protect their interests.

Algonquin, Lenape, Wyandot, Ojibwe, Ottawa, Shawnee, and Mi'kmaq allied with France. The Iroquois sided with England, but some French had respected Indigenous practices and taken time to learn their languages and religions, and even intermarried with them.

Pontiac said: "The French familiarized themselves with us, Studied our Tongue, and Manners, wore our dress, Married our Daughters, and our Sons their Maids, Dealt honestly, and well supplied our wants."[33]

But France found it difficult to finance the war and thus had to ally itself with Austria, Sweden, Russia, and, later, Spain. Less than two centuries later, Winston Churchill referred to the Seven Years' War as the first world war, during which nearly a million people died. It laid a bloody trail through western Pennsylvania and exploded into Canada, with battles waged as far afield as India. The Seven Years' War was not resolved until 1763 with the Treaty of Paris. In the agreement, France ceded to England, as victor, all lands except for what today is Quebec.

Missing from the negotiation table were the Indigenous nations. Despite being on the land for a millennium, and fighting and dying in this protracted war, they were not parties in making the treaty. Their land was divided and distributed as spoils of war. The concept of ceding Indigenous land to French and English ownership and control was nonsensical to Indigenous leaders. By the signing of the Treaty of Paris, England had controlled North America and westward expansion began quickly thereafter. Roxanne Dunbar-Ortiz makes a critical distinction about European colonization that must be emphasized:

> Had North America been a wilderness, undeveloped, without roads, and uncultivated, it might still be so, for the European colonists could not have survived. They appropriated what had already been created by Indigenous civilizations. They stole already cultivated farmland and the corn, vegetables, tobacco, and other crops domesticated over centuries, took control of the deer parks that had been cleared and maintained by Indigenous communities, used existing roads and water routes in order to move armies to conquer, and relied on captured Indigenous people to identify the locations of water, oyster beds, and medicinal herbs.[34]

PONTIAC'S REBELLION

Britain's control of the land included the treatment of all Indigenous peoples as subjects of the British Empire. Although King George III's Royal Proclamation of 1763 recognized Indigenous lands not controlled by Britain to be sovereign, the settlers did not recognize Indigenous rights. By May 1763, another war had broken out over

the encroachment of Whites, and again, the Indigenous peoples were forced to resist the European rulers and fight back.

Pontiac, also known as Obwaandi'eyaag, was chief of the Ottawa and the namesake of a conflict that lasted from 1763 to 1766. Known by some historians as Pontiac's War or Pontiac's Rebellion, and by others as Pontiac's Conspiracy, it was a conflict waged against Euro-White settlers who were drawn to the Ohio Valley to establish an English colony.[35] Up until the Revolutionary War, it was the largest and longest revolt against British rule. Chief Pontiac had believed that after the Seven Years' War, life would be stable with established boundaries for Indigenous land, allowing his people to resume their independence, way of life, and spiritual practices. He was quickly disillusioned.

When Pontiac was born, about 1714, he was surrounded by battles with settlers over his people's lands. He was a demanding leader and persuasive speaker, and many were drawn to hear him speak against British rule and the proud heritage of his people before the Europeans. He said:

> It is important for us, my brothers, that we exterminate from our lands this nation which seeks only to destroy us. . . . Therefore, my brothers, we must all swear their destruction and wait no longer. Nothing prevents us; they are few in numbers, and we can accomplish it. . . . The French are subdued, But who are in their Stead become our Lords? A proud, imperious, churlish, haughty Band.[36]

In May 1763, he led a surprise attack on Fort Detroit. Despite numbering nearly a thousand men, his forces could not take the fort. But this attempt on British soldiers, known as the Battle of Bloody Run, was enough to send a message to the British that led to their Proclamation of 1763, but its restriction on settlements west of the Appalachian Mountains could not be enforced. There were few real consequences for ignoring treaties, except for the lack of protection available to settlers if Indigenous people, furious with the expansion of Whites into their designated lands, decided to attack. Indigenous peoples of the Ohio Valley wanted to trade with Europeans without giving up their way of life and land. But to gain the gunpowder and metal objects that made hunting easier, they had to interact with settlers who desired their animal skins. It was a Faustian bargain with deadly consequences.

Pontiac was said to have been a leader who possessed courage and vision but lacked self-control and humility, for which he paid a deadly price. He boasted of personal relationships with British diplomats and was invited to private meetings with Sir William Johnson, British superintendent of Indian Affairs. This was in 1766, three years after the Siege of Detroit. Although the attacks on settlements continued, Chief Pontiac ended his siege against the British. To some, he was perceived as arrogant and too friendly with the enemy, which led to rising hostility. It is unclear whether his assassination in 1769 occurred in response to his bombastic personality, out of jealousy over the power he had acquired within the British circles, or because he ignored Indian tradition and took the title of chief, which had not been rightfully given to him.[37]

Pontiac was killed by a nephew of Makatchinga, a rival and Peoria chief of the Illinois Confederation. For some, Pontiac was a self-proclaimed chief riding high on past battle victories that were overblown by the Europeans who catered to him. But history says his courage and diplomacy were pivotal factors in the unification of tribes across the Ohio Valley.[38] Unbeknownst to King George III, the restrictions under his Proclamation of 1763 laid the groundwork for disgruntled American colonists to begin a pursuit of independence and fulfill a quest for land with little thought of Indigenous people.

A PROTEST DECLARATION FOR INDEPENDENCE

Colonists rebelled against British taxes and burdensome laws, such as the unpopular Stamp Act of 1765, which required the colonies to source paper products used for newspapers, cards, and legal documents from London and pay for them using British currency.[39] The purpose of the Stamp Act was to raise funds to pay off British debt left over from the French and Indian War. Grumbling over taxation without representation led to secret discussions about independence and boycotts of British goods. It was December of 1773 when a group of colonists in Boston, Massachusetts, masquerading as Indigenous people, boarded a British ship and dumped 342 crates of highly taxed tea imported by the British East India Company into the harbor.

The irony is that they shamelessly disguised themselves as Indigenous with whooping cries and blackened faces to protest a tax from Britain. They protested taxation without representation while Africans

were enslaved, Indigenous lands were being taken, and both groups were murdered with impunity for challenging these crimes. Thomas Jefferson's Declaration of Independence used the king's Proclamation of 1763 as a royal instigation for war. The proclamation held back new settlements and respected the territory that was designated Indigenous land. To the signatories of the Declaration, by not allowing settlers on the land, the king was refusing "to encourage their migrations hither, and raising the conditions of new Appropriations of Lands."[40]

The land referred to in the Declaration was Indigenous land and protected by treaty, yet the Declaration calls the Indigenous, acting in self-defense, barbarians whose actions were instigated only by the Royal Proclamation of 1763. The Declaration of Independence charges King George with inciting the Indigenous to commit violence against American colonists by claiming:

> He has excited domestic insurrections amongst us, and has endeavoured to bring on the inhabitants of our frontiers, the merciless Indian Savages, whose known rule of warfare, is an undistinguished destruction of all ages, sexes and conditions.[41]

One person's freedom fighter is another person's terrorist, depending on who is recording the history. The Declaration of Independence is a celebrated protest document lifted up as a symbol of freedom, yet it is rarely read, and rarer still is it criticized for the hypocrisy inherent in colonists demanding freedom from English tyranny while terrorizing Indigenous peoples and Africans.

REBELLIONS, WEAPONS, AND THE CONSTITUTION

The US Constitution was drafted in 1787 and ratified in 1789, providing three branches in the federal government and control over Indigenous lands. The Bill of Rights, guaranteeing individual freedoms, was ratified in 1791. Framers of the Constitution, especially Benjamin Franklin, were influenced by the 1744 treaty conference with Chief Canassatego of the six-nation Iroquois Confederacy.[42] They met in Lancaster, Pennsylvania, to discuss settler encroachment on Indigenous land and to possibly work together against the French. Chief Canassatego's philosophy on leadership helped inspire the federalist

system, the balance of power between states and a central government, embodied in the Constitution.

Article 1 of the Constitution did not include Indigenous in counting a state's population to determine Congressional representation. "Excluding Indians not taxed" recognized Indigenous sovereignty, in word only. They were not considered part of the union. The Preamble to the Constitution ensured jittery Americans and European immigrants seeking a stable new home that a central government would "insure domestic Tranquility, provide for the common defense, promote the general Welfare" by quelling Indigenous resistance to the usurpation of their land and controlling African slave revolts. The Constitution also stated, in Article 6—referred to as the Supremacy Clause—that the "Constitution, and the Laws of the United States . . . and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land." Treaties with Europe were recognized as legally binding documents, while treaties with sovereign tribes were ignored when it came to protecting Indigenous lands from settlers. Financial requirements and restrictions in treaties were overlooked for Whites and duly enforced against the Indigenous who rebelled against this double-standard.[43]

States and the federal government enacted laws to limit Indigenous movement, trapping people who believed in a living relationship with nature. They were corralled onto reserved lands, only to be pushed onto smaller and smaller tracts of land. Not only were they physically removed from their tribal land, hunting territory, and burial grounds, but they were also separated from their farming traditions and cultural practices.

These reckless actions by Euro-White Americans sparked rebellions, but successful revolts require supplies and weapons, which the Indigenous generally lacked. By 1800, the Indigenous population had been decimated by smallpox, murder, and starvation. Census estimates showed that the population, once numbering in the millions in pre-colonial times, was decreasing quickly. By contrast, the White population had increased by 35 percent from 1790 to 1800. Cities such as New York, Philadelphia, Baltimore, and Boston had grown larger. The kidnapped enslaved population was nearly a fifth of the country's total population. European laborers had escaped a feudal

caste system just to reinvent it in a new country while boasting of liberty and ignoring their cruel hypocrisy, which denied others who craved freedom.

As early as 1610, unfair laws were passed prohibiting the sale of weapons to Indigenous people. But they gained rifles and defended themselves. Wagon trains of armed settlers were allowed to expand westward over the Appalachian Mountains into the Ohio Valley and beyond the Missouri River and were protected by federally funded squadrons, hired hands, and civilian militias allowed to kill Native Americans under criminal codes created for White self-defense. During an era of expansion that extended to California, settlers constructed homesteads that became towns and built roads through reserved Indigenous lands.

FROM COLONIAL SETTLERS TO HOMESTEADERS

Westward expansion onto Indigenous land was resisted using many tactics—including the law, even if it was often manipulated against the Indigenous. They challenged the government, and the president, in court, all the way to the US Supreme Court, to defend their treaty rights as land was taken with abandon and laws were passed to prevent them from reclaiming it.

The US Constitution has several direct and indirect references to Indigenous peoples, one of which is coincidently placed within the same provisions determining that an African in America would be counted as three-fifths of a person. Article 1, Section 2, states in part:

> Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons.

In concept, Indigenous people living on their designated lands were not taxed because their land was considered a separate nation, a tribal nation, or sovereign territory within the United States.

Agreements between the US and Indigenous nations are binding treaties and under Article 6, the Constitution, federal law, and all treaties

with nations inside and outside its borders "shall be the supreme Law of the Land." Also, under the Commerce Clause of Article 1, Section 8, Congress has the power to "regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes." Yet the federal government entered into hundreds of treaties with various Indigenous nations and consistently failed to honor their legally binding obligations.

The first treaty between the newly formed American government and Indigenous peoples was under the Articles of Confederation. It was signed on September 17, 1778, in hopes of maintaining an extended peace between the Delaware Tribe and the government, but it fell apart within weeks due to ongoing violence and a lack of communication.[44] The treaty was negotiated in good faith by attorneys Andrew and Thomas Lewis representing the United States of North America and John Kill Buck representing the Delaware Nation.[45] The highly ambitious document laid out how "a perpetual peace and friendship shall henceforth take place, and subsist between the contracting parties. . . . The Delaware Nation would give free passage through their country to the [United States] troops."[46]

However, the forces of settler colonialism, the lack of local enforcement, and the breadth of territory undermined even the few sincere federal efforts to respect Indigenous land rights. Then, Shays's Rebellion, a White, farmer-led uprising in Massachusetts, exposed further weaknesses in the Articles of Confederation, resulting in the historic 1787 Convention, in Philadelphia, to produce a constitution that established a strong central government; it was ratified in 1789. The first treaty with the Indigenous under the second government, the United States of America, was the Indian Trade and Intercourse Act of July 22, 1790, passed by Congress, to give the federal government control over commercial interactions, called intercourse, between non-Natives and the Indigenous people.[47] Unfortunately, the Intercourse laws, and there would be many—1793, 1796, 1799, 1802, and 1834—soon became known as the Indian Non-Intercourse Act. This collection of laws laid the foundation for unequal federal policies governing US-Indigenous affairs, trade, criminal justice, displacement, acquiring lands, and even "civilizing" Native peoples through assimilation to White Protestant culture.

The Seneca Chief, Cornplanter, brilliantly set out the history of concerns over land, violence, and broken promises on December 1,