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A Clash of Native Space and Institutional Place in a Local Choctaw-Upper Creek Memory Site: Decolonizing Critiques and Scholar-Activist Interventions

Jason Edward Black

For the past few years I have been involved with a project in Northport, Alabama to preserve part of a thirty-three acre site on which a 1785 battle to determine ownership of portions of the Old Southwest took place between the Choctaw Nation and Upper Creek Nation. The main reason for my activism has much to do with my studies in American Indian resistance and heritage, especially of the Five Southeastern Nations, of which the Choctaw and Upper Creek nations are part. Issues of cultural memory matter, and for me, social theorist Stuart Hall's 1996 challenge to the organic scholar is also vital: "I think anybody who is into cultural studies seriously as an intellectual practice, must feel, on their pulse, its ephemerality, its insubstantiality, how little it registers . . . if you don't feel that as one tension in the work that you are doing, theory has let you off the hook."¹ For Hall, studying cultural representations is important. But only through our manifest intervention as social actor-scholars can we make a tangible difference in the ways that cultures—such as indigenous nations—are presented to and remembered by a larger public.

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The effort to preserve this particular parcel of land (which also includes such nineteenth-century gems as the original site of downtown Northport, a Civil War battlefield, a gin, a railroad trestle, and wetlands) is officially called the Riverfront Protection Project. The project's primary sponsor is The Friends of Historic Northport (FHN), a nonprofit preservation group. As is characteristic with preservation efforts, the project was motivated by the rhetoric that gathered around the plans of a municipality and local business leaders to acquire the land for development. In its land preservation struggle the FHN has faced enormous material pressures and suffered deleterious symbolic oppression from dominant forces.

Four years in the making, this milieu ultimately has become a clash of historical-cultural proportions, one that pits Native "space" in opposition to institutional "place."² Typically, Native spaces lose out to moneyed interests in these contexts. Native scholar Sonya Atalay contends this is because the Native-US relationships reflected in these debates are "deeply entrenched in western epistemological frameworks and have histories that are strongly colonial in nature."³ Indeed, this power differential can be seen throughout the Riverfront Protection Project thus far: that is, FHN has embodied an indigenist memory buffeted by historical narrative, while the arguments of the City of Northport and its developers are undergirded by scientific and capitalist ideologies.

I argue that the City of Northport and its developers (referred to herein as "institutional agents") have maneuvered within a colonial context to mute the voices of indigenist-centered preservation efforts. Importantly, I am not ascribing intent to these institutional agents; rather, I am indicating how their strategies reflect such ideologies and also punctuate this context. In the process, Native narratives and memories have been ignored, and a presentation of these memories has been left out of the "place" of the thirty-three acres. Here, Native "space" faces a "rhetoric of control" that further manages the image of American Indians as supposedly "already conquered," particularly in the southeast.⁴ Regarding such rhetorics of control, social movement scholars John W. Bowers, Donovan J. Ochs, Richard J. Jensen, and David P. Schulz write that the "establishment has control of language through its ability to name and to define what is correct in society, to define the nature of authority, to outline the rules of society, and to specify the terms under which members of society must obey these rules."⁵ In the Riverfront Protection Project's situation, institutional agents have been able to dictate the terms of the controversy itself.

Inasmuch as physical evidence is the only type that stands as authoritative, Native memories generally are made illegitimate when oral stories are trumped by paid-for physical evidence, in a Foucauldian process of "discursive formation" that leads to "governing rules."⁶ In the Northport case, institutional agents

perform these colonial and neocolonial strategies primarily by disregarding a quintessential narrative of the Choctaw-Upper Creek battle, one that places the Native confrontation directly on the thirty-three acre plot. In addition to demystifying the institutional agents' colonial renderings, I contend that *decolonial tactics* might best disrupt the ideologies involved in the control of Native memory.

First this essay briefly discusses the general management of subaltern memories—mainly of Native cultures—and considers colonization and neocolonization as ideological perspectives. Then it explores the specific context of the Riverfront Protection Project and the attendant rhetorics of control fomented by institutional agents in Northport. Finally, the essay calls for an interventionist charge in this local case study that will use prescriptive decolonial tactics to remedy this particular moment of neocolonization. This final section also connects the local case with more general potentialities for such struggles over Native memory.

MEMORY, NATIVE HERITAGE, AND COLONIZATION

Memory and Native-US Relations

Cultural scholars have taken interest recently in exploring cultural sites such as memorials, monuments, museums, and performative historical events and festivals.⁷ Social critic Tamar Katriel calls this the “heritage industry,” an area that has become a “pervasive feature of the cultural landscapes of contemporary Western societies.”⁸ Such community spaces simultaneously condense, reflect, and challenge the ways that public memories inform a culture’s histories and identities. Regarding this function of the heritage industry, rhetorical critics Greg Dickinson, Brian Ott, and Eric Aoki argue that as “official and institutionalized cultural expressions” these landscapes “play a crucial role in the construction and maintenance of national mythologies, histories and identities.”⁹ Indeed, sites of memory constitute how a culture perceives its past character and guide how it should move forward as a whole.

Native-US relationships and the cultural considerations that frame them are a fruitful area of memory study. The chronologies of events and cultural identities experienced at points of Native-US interactions hold constructive possibilities. Because the “artifacts, images and narratives . . . are understood to be real,” they become “the most trustworthy source of information about the past” and “reliable markers” of the communities represented.¹⁰ As publics come into contact with these sites they begin to see in the representations who they are as a people, as well as who they are not. Eventually, the identities revealed

there can call into existence not just *who* a people are but *how* they are—how they function, how they interact with others, and how they compare to others.¹¹

Typically, dominant and colonizing elements saturate sites carrying Native-US themes. Since Native-US relations depended on dominance and conquest, these sites reflect these ideologies. As Dickinson, Ott, and Aoki put it, such sites rely on “a consistent expansion of Western ways of being, foisting onto the colonized other values of savagery, communalism and domination, while reserving for the Western actor the privileged values of civilization, democracy and freedom.”¹² Uncovering these dominant themes remains a vital first step of analyzing memory.

In the case of the FHN’s Riverfront Protection Project, memories are not even able to garner consideration by the general public, as institutional agents shut down the FHN and shut out the traces of Native heritage. This is part of the justification for the present essay. Most memory research examines heritage sites, especially those dealing with Native communities, for their extant representations of culture and community.¹³ However, the thirty-three-acre site in Northport, Alabama is still in the process of realizing its potential for constituting community memory. The danger at this point is that institutional agents will occlude Native ties to the land. As Atalay contends, “unidimensional representations of colonization are vastly oversimplified and remove the agency of actors involved.”¹⁴ In Northport, as we will soon see, Choctaw-Upper Creek connections are certainly being excised from the memory process.

That Choctaw-Upper Creek cultures would lack representation at this historical site tellingly reveals the ideologies of the City of Northport and local developers. In an area of Alabama that historically has privileged white-settler cultures over Native voices, this lack represents a contemporary version of colonial disempowerment. Choctaw-Upper Creek absence here recalls rhetorical theorist Phillip Wander’s argument that subaltern groups become “Third Personas.” That is, they become collectivities that are “negated.” Negation “extends beyond the ‘text’ to include the ability to produce texts, to engage in discourse, to be heard in the public space.”¹⁵ As critics, we might attend to omission of certain agents and story lines. Similarly, rhetorical theorist Raymie McKerrow claims that a responsible reading of the power dynamics in a rhetorical milieu is mindful that “absence is as important as presence in understanding and evaluating symbolic action.”¹⁶ Here, the institutional agent’s strategies align with rhetorics of control: the agents in the Northport milieu specifically work through avoidance, the refusal to engage in communication, especially through omission.¹⁷ When the absence, as a residue of this avoidance, occurs in a colonial milieu, it provides fertile ground for cultural critique.

Colonization and Neocolonization as Constructs

Colonization, to borrow from communication scholars Derek Buescher and Kent Ono, begins when “colonizers appropriate land, conquer indigenous people, and found colonialist governments to oversee the efficient operation of property and labor.”¹⁸ Following suit, the colonizer interpellates the colonized by indoctrinating them into the histories, languages, governmental forms, cultural customs, and spiritual traditions of the colonizing agent. Postcolonial studies examines the ways in which these hierarchical relationships functioned over time and continue to function, not only in regard to issues of labor and territory, but also symbolic constructions and rhetorical control of the subaltern. Social critics Raka Shome and Radha Hegde indicate that this research is focused on the effects of colonization through the frames of dominance/oppression and resistance/emancipation.¹⁹ Because a sole focus on dominant powers re-centers them as foundational, postcolonialism must refocus on the larger transactional relationship in which resistant forces are also important. Resistance through decolonization will be important to the “interventionist charge” I offer at the close of this essay, and also have woven into the case study analysis of the Riverfront Protection Project.

Postcolonialists, then, write about colonization as it manifests both in the material and symbolic realms. Postcolonial scholars such as Hall, Gayatri Spivak, Homi Bhabha, and Edward Said emphasize the ways in which exploitative labor, capitalist structures, conditioned living spaces, deprivation of benefits, subsistent needs, and information, and exposure to diseases and drugs impact the human body/subject (and cultural identities as imbrications of the body and social spaces).²⁰ Rationalizations of colonialism involve the symbolic, as both a generative precursor to and extension of the material realm, and the way that these symbolic structures function has been labeled “neocolonization.” As critic Susan Silbey writes, “control of land or political organization . . . is less important than power over consciousness and consumption.”²¹ In other words, representations and memories of the “other” by colonial forces can entrap as much as material conditions do. This is the core spirit of Said’s arguments about Orientalism—that the linguistic symbolicity and public imaginary of, in his case, the “Eastern other” comes to mean above all bodily characteristics for an imperial (Western) system. Of these representations, he writes that what critics find in them almost universally is a system of discourse “by which the ‘world’ is divided, administered, plundered, by which humanity is thrust into pigeonholes, by which ‘we’ are ‘human’ and ‘they’ are not.”²² In the end, this neocolonial conception lends credence to the social construction of lived experience, especially as found in exchanges between dominant forces and subaltern subjects.

One of the most entrenched characteristics of neocolonialism, in particular, is the control of language and representations. Northport and local developers refuse to admit into evidence the most foundational oral history/narrative concerning Native connections to the “place” vis-à-vis the Choctaw-Upper Creek battle that took place there in 1785—a battle whose participants’ remains are likely located somewhere on the property. To the extent that they elide the FHN’s Native-centered interpretation of the thirty-three acre site, the institutional agents who have the upper hand in the Riverfront Protection Project work through neocolonial ideologies. Again, this severely limits Native “space.” To clarify this argument, the next section of this essay contextualizes and analyzes the Riverfront Protection Project milieu through a postcolonial lens.

FHN’S RIVERFRONT PROTECTION PROJECT AND THE ENTAILMENT OF NEOCOLONIALISM

Origin of the Riverfront Protection Project

The genesis of the FHN’s Riverfront Protection Project was in 1993 when Northport applied for a Federal Intermodal Surface Transportation Efficiency Act (ISTEA) grant. ISTEA grants are intended for “provision of facilities for . . . scenic or historic sites, scenic or historic highway programs . . . historic preservation . . . [and] archaeological planning and research.”²³ Northport’s ISTEA involved the acquisition of thirty-three acres, including “the site of the [city’s] original settlement, original shipping dock, Civil War battlefield site, historic survey base marker, historic railroad trestle and riverfront scenic sites” along the Black Warrior River riverfront.²⁴ An addendum to the city’s ISTEA application mentioned a Choctaw-Upper Creek battle that took place on the thirty-three acres some time in the late eighteenth century.²⁵ This addendum will become an important tipping point favoring Native connections to the property. Ostensibly, Northport sought the purchase of the land for preservation, and purchase of the site for historical-cultural protection became *the* justification for the federal government’s \$480,000 award to the city.²⁶

In October 2008, Northport and a citizen committee approved the Walker Plan, which allowed the city to sell portions of the thirty-three acres for riverfront development. Crucially, the Walker Plan also noted the Choctaw-Upper Creek battleground.²⁷ Subsequently, institutional agents immediately began to talk about launching development plans for “land currently owned by Northport [to] be used for a public marina, townhouses, and single-family homes.”²⁸ Some of the development would impact the historical sites demarcated as “protected” in the ISTEA grant of 1993 and the Walker Plan of 2008. For instance, the *Tuscaloosa News* reported in October 2008 that Northport

had sold some of the site (a historic gin) to a realty company, which was also given the option to purchase the whole of the thirty-three acre historical riverfront property.²⁹ According to FHN, “also mentioned . . . was a plan to sell the parcel of land . . . purchased with ISTEAs grant funds . . . [whose] historic, cultural, and environmental provisions were written into the grant funding documents.”³⁰ In the end, the development plans violated the preservationist mandates of both the ISTEAs grant and the Walker Plan.

In January 2009, FHN unanimously voted to institute its Riverfront Protection Project. Chuck Gerda, FHN president, argued “this action was decided due to concerns about protected areas along the Northport riverfront [and] wetlands and the possibility of development that would be detrimental to Northport’s cultural and environmental resources.” The plan was instituted in response to “published articles in the local newspapers about downtown development, a lack of concern from Northport to address these issues, and concerns voiced by members of the community.”³¹ At that time, the FHN argued that it was not opposed to the riverfront’s development; rather, the organization wanted historic areas slated out in both the ISTEAs grant of 1993 and the Walker Plan of 2008 to be protected. Seemingly, Northport was already working with developers to start converting seventeen acres of the thirty-three acres into prime riverfront properties. These seventeen acres included a number of historical sites, such as the Choctaw-Upper Creek battle site, which has become the main point of contention between the FHN and institutional agents.

The Choctaw-Upper Creek Memory Site

The Native battlefield in question primarily involved the Upper Creek band (part of the Muskogee Nation), which had for centuries controlled the western portion of what is now called the State of Alabama.³² In fact, Tuscaloosa County, where Northport is located, is named for one of the most famous war chiefs of the Upper Creek, Chief Tascaluca—translated into English as “Black Warrior.” The river that runs through Northport is also named for the chief, as are numerous local businesses in the area that have combined the chief’s moniker with generic Plains Indian images.³³

The Choctaw Nation (Chahta Nation) had designs on the area in and around the Black Warrior River, and throughout the eighteenth and nineteenth centuries engaged the Upper Creek in battle in several locations. Not simply defensive innocents, the Upper Creek had simultaneously entered into Choctaw lands (mostly located in what is now Mississippi and along that state’s eastern border with Alabama).³⁴ According to adopted Choctaw and Chahta translator Gideon Lindecum, in about 1785 a battle took place “between

the Chahtas [Choctaw] and Muskogies [Upper Creek] on the Tuscaloosa River not far below where the town of Tuscaloosa, Alabama, now stands.”³⁵ Lincecum is credited with writing the earliest and most popularly extant account of Creek culture and lifeways “in the moment” during the eighteenth century; his is the earliest written account that exists in the textual record. Lincecum’s rendition of the battle story was culled from his many interviews of Choctaw elder Eliccha Chito, Choctaw leader John Pitchlynn, and Lincecum’s Choctaw wife and neighbors. In a notable example of his close contact with knowledgeable sources of information, he met for two years (1823–1825) with Chahta Immataha, “the oldest man in the world,” who consistently repeated to Lincecum that “I am, and I regret that it is true, the only man left who can repeat correctly the Shukhah-anumpula’ [literally, ‘hog talk,’ the Choctaw name for traditional history].”³⁶ Chahta Immataha taught Lincecum the Chahta/Choctaw language and his people’s lifeways. To balance this account, Lincecum also met with his Upper Creek neighbors who were witness to the battle in order to learn the Muskogee language and to better understand the Upper Creek narrative of the battle. According to historian Greg O’Brien, Lincecum’s is the most veracious and direct account, one that he argues “contemporary archaeologists and other scholars should also use . . . to verify their interpretations of Mississippi Indian cultures [Choctaw, Creek, Chickasaw].”³⁷ This early-nineteenth-century modicum of factuality became the kernel of the FHN’s arguments about protecting Northport’s thirty-three acres.

By all accounts, Lincecum’s story is not only poignant, but also comprehensive when placed alongside other battle tale fragments found in a variety of secondary sources from the past 150 years. In the only primary account, he places the battle in the area of the thirty-three-acre site. Evidence of this occurs throughout his seven-page narrative. For example, he wrote that the Chahtas “decided that the whole war party should go up river . . . and conceal themselves in the thick cane above the falls, distant about two and a half miles.”³⁸ The site would be now two miles upriver from the falls of the Black Warrior River (Tushkalusa River circa 1785). The Upper Creek also formed a battle line at a “little creek a small distance below the falls” of the Tuscaloosa River and they later fell under heavy Choctaw rifle fire at “a bed of a ravine.”³⁹ These features locate the battle on the plot of land the city is seeking to develop.

Ultimately, the Choctaw won the day and “returned to the battle-ground, secured their plunder, [and] buried in secret places their own dead . . . [a] loss of twenty-seven brave warriors whom they deeply mourned.”⁴⁰ In addition to the twenty-seven Choctaws buried on the site, Lincecum wrote that twenty Upper Creeks were buried, though “with a few exceptions the whole party was slaughtered.”⁴¹ Where the Choctaw Nation went next supplies a final piece of evidence regarding the battle’s location. The narrative indicates that

the Choctaw “camped the first night after the battle on Nuchuba, now called the Sipki River by the white people, about eight miles from the Tushkalusa River.”⁴² Eight miles from the Northport site along the Black Warrior River lies what we now call the head of the “Sipsey River” (in Pickens County to the west).

In addition to locating the event on the thirty-three-acre site, the Choctaw-Upper Creek battle is vital for a number of historical-cultural reasons. First, the site might contain the remains of at least forty-seven Choctaw and Creek people. Whether or not those bones might be found, development of the land not only could desecrate the inviolability of the remains, but also contravene the sanctity of a story of Native lifeways and a memory passed to Lincecum from several Choctaw sources. Second, the battle was pivotal in the ascension of Choctaw warrior Ishtilauata, who earned his brave name at the site for efficiency in his dispensation of the Upper Creek. His name at that point became Apushmataha or Pushmataha (the latter appears in the annals of Native-US history). Following the battle on the Black Warrior River, Pushmataha “became a very conspicuous character, and was the main leader of the war parties in the war against the Muskogee nations.”⁴³

Pushmataha is one of the most noteworthy of nineteenth-century Native leaders. By all accounts, he was a primary catalyst in moving the Upper Creeks from Alabama Territory. His alliance with General Andrew Jackson and the US military during the Creek War of 1813–1814 secured his favor with the federal government.⁴⁴ Notably, Pushmataha deflected the advances of Tecumseh, a Shawnee (Nation) prophet who traveled the southeast among the Choctaw, Creek, Chickasaw, and Seminole nations urging for a pan-Indian resistance against the federal government during the War of 1812.⁴⁵ For his pro-US government efforts, Pushmataha was invited several times to Washington, DC as an envoy in negotiating Choctaw removal west of the Mississippi River. He did so to aid his nation in settling easily and seamlessly onto its new reservation (eventually codified by the Treaty of Dancing Rabbit Creek in 1831).

Ultimately, his “continuous efforts to help the Choctaws caused the tribe to hold his memory dear.”⁴⁶ When he passed away in Washington, DC in 1824, a mile-long procession ended at his gravesite at the old Congressional cemetery, where funeral services included the firing of a military salute. Pushmataha was given the honorary title of Brigadier General in the US Army.⁴⁷ If the awarding of Pushmataha’s warrior name took place on the thirty-three acres of Northport property, this was a momentous occasion in the life of a foundational nineteenth-century Native leader, and surely the historical site should be memorialized.

Furthermore, as mentioned above, Pushmataha's defeat of the Upper Creek band helped to open up the Mississippi/Alabama territories to Anglo settlers. This in turn contributed to the Battle of Horseshoe Bend during the Creek War in 1813, when the Upper Creek faced its demise. This battle helped elevate General Jackson to national stardom and assisted him to the US presidency, where in 1830 he sponsored the Indian Removal Act.⁴⁸ Northport and its attendant Choctaw-Upper Creek battle hold significance as a penultimate event of Native removal history second only to the Creek War and the dispossession that followed. This correlation marks the site as hallowed and worthy of commemoration. Lincecum's narrative of the battle piqued the interest of the FHN as it further explored the importance of the acreage to Northport's nearly 200-year history. In fact, the battle has come to represent one of the most central rationales for preserving the site.

Neocolonial Renderings

In January 2009 the FHN began digging deeper into the Choctaw-Upper Creek battle site that had been mentioned in the ISTE A grant application in 1993 and the Walker Plan of 2008. For them, Lincecum's Native oral history narrative was the primary evidence. Because the 1993 ISTE A grant to the City of Northport was based on a promise not to disturb historical sites and provide public interpretive centers telling the history of the area, the FHN called the city's motives into question. Soon, the *Tuscaloosa News* picked up on the story of would-be development and community members organizing to protect historical, cultural, and environmental values. A story from February 6, 2009 presented the details and quoted pro-preservationist voices such as Susan Hynes, president of the Tuscaloosa County Preservation Society, who argued, "this is not a large area, but it is an archaeological treasure," and aquatic biologist Heidi Wilcox, who stated, "this is a jewel, not something that should be filled in."⁴⁹ A later *Northport Gazette* article quoted FHN President Gerdau's argument that "there are [Native bodies] somewhere between the riverfront and somewhere in the wetlands."⁵⁰ Once these concerns were raised, Northport and local developers hired a team of archaeologists to excavate the site—the usual and successful way moneyed interests ensure that construction can start.

In July 2009, a cultural resources analyst with the University of Alabama's Office of Archaeological Research, R. Lance Richardson, performed an assessment of the riverfront property. In a July 10, 2009 "cultural reconnaissance report," Richardson determined that only one part of the property could be deemed eligible for protection under the National Register of Historic Places Act—a survey marker from 1858 called the Elias Persinger Marker. Other than the marker, Richardson concluded, "the proposed development may proceed

as planned.”⁵¹ In the process of issuing his determination, Richardson relied on field methods scientific in orientation: visual inspection of the grounds; thirty-one shovel tests to thirty centimeters to reach subsoil; photographic evidence; three-foot test trenches; core drillings; soil profiles; and maps. The documentary records Richardson accessed and cited were institutional, those histories of the area recorded by and deposited in state archives: “Alabama State Site File (ASSF) lists no sites recorded within or adjacent to the project area. *The National Register of Historic Places* (NRHP) and related supplements list no properties presently on the NRHP in the project area. *The Historical Atlas of Alabama, Vol. 2* lists no historic cemeteries located within close proximity.”⁵² Though the FHN had suggested that Lincecum’s account be filed as evidence, he did not access Lincecum’s record or any Native oral histories from the area. Whether by design or coincidence, such obvious elision carries neocolonial undercurrents.

Richardson submitted his report to the State of Alabama Historical Commission, which confirmed “no evidence” of Native remains or artifacts. Deputy State Historic Preservation Officer Elizabeth Ann Brown concluded, “upon review of the cultural resource assessment conducted . . . we have determined that project activities will have no adverse effect on archaeological resources eligible for the National Register of Historic Places (NRHP).”⁵³ Brown’s letter did note that if artifacts were found “includ[ing] but not limited to arrowheads, broken pieces of pottery or glass, stone implements, metal fasteners or tools, etc.,” that “work shall cease and desist and our office shall be consulted immediately.” In addition, any archeological features such as “post-holes, building foundations, trash pits and even human burials” found on the property would stop development.⁵⁴

The *Tuscaloosa News* reported on the lack of scientific and institutional documentary evidence on October 26, 2009. Lydia Seabol Avant wrote that the reconnaissance dig only looked for “arrowheads, pieces of broken pottery or any artifact of previous civilization. Nothing was found,” adding that developers have “permission for future development on the site, something city leaders want.”⁵⁵ Some doubt was cast on the veracity of the reconnaissance report. For instance, a cultural resource investigator with the University of Alabama, Sam Mizelle, admitted that the area was rife with debris layers, noting, “Even before we got started, there was some question as to what extent that area had been previously dredged. It might have been a dump site for other areas.”⁵⁶ It is possible, then, that the dumping and dredging covered scientific evidence of the battlefield or other historical artifacts.

The avoidance of these institutional agents clearly imbricates a rhetoric of control with outright scientific ideologies. For these agents to fail to cite or even to admit the historical existence of Lincecum’s narrative reveals selective

admission of evidence and possibly even muting. The conclusion of a lack of evidence was based on scientific investigation and simultaneously avoids a Native-centered story that should be considered. In the same way that scholar Thomas Kuhn trumped humanistic epistemologies in his discussion of scientific revolutions, here science is being privileged over *homo narrans*—the power of human stories.⁵⁷ Physical and natural sciences are crucially relevant, but when we consider that even “science” must be interpreted by “rhetoric,” clearly they are not the only vessels for knowledge.⁵⁸ In searching for documentary evidence, Northport and developers never accessed Lincecum’s account, despite FHN’s insistence. Instead, using what is perhaps the cut-and-dried standard operational procedure, archaeologists looked solely to governmental repositories for almanacs and general study guides.

According to American Indian studies scholar Linda M. Clemmons, these institutional wells of evidence should not be the only documentary support tapped when it comes to historical US-Native memories. She notes, “native understandings must [also] be incorporated into the historical narrative before a more nuanced and complete story of Indian-white relations . . . can emerge.”⁵⁹ Turning a blind eye to Native memories and lifeways, especially when issues of indigenous life and death are at stake, is dangerous. In the least, these institutional agents violate the so-called pluralism of cultures that governments and public bodies purport to treasure—especially in a state where the record of cultural understanding is modest, to say the least. American Indians, in this neocolonial case, become “Third Persona”—they are silenced, their stories are forgotten, and worse, their cultural renderings are ignored.⁶⁰ These memories, then, are negated. By controlling the terms and language of a controversy, in part, the establishment operationalizes colonialism. Chilling the Native-centered evidence proffered by FHN falls into a rhetoric of control that debilitates fair and conscientious understandings of cultural memory.

Since, according to Gerdau and the FHN, “the battle was part of the 1993 ISTE grant paperwork and the original report” discussing preservation, the institutional agents may have acted illegally in their development of the thirty-three acres.⁶¹ Why were these reports of the Choctaw-Upper Creek battle not included in the 2009 development plans? Why were they excluded from the cultural reconnaissance report? It is curious that the agents have ignored a narrative offered in a 1993 grant and the Walker Plan of 2008, perhaps even specious.

Moreover, the agents’ scientific evidence raises questions that belie their research of the battle site. FHN argues that the Cultural Resources Reconnaissance report at times works from fallacious claims, writing “remember, siltation and rock deposits has [*sic*] elevated the land higher than it originally was 200+ years ago,”⁶² and according to Gerdau, “during the 1890s

much of the rock that was cut to channel the Black Warrior River was deposited on the battlefield site. This would have covered much of the site especially along the river's edge along with many artifacts."⁶³ These rock deposits on the battlefield site imply that there could be a flaw in the archaeological testing: Richardson performed thirty-centimeter bore tests and dug three-foot trenches as methods. Might nearly 200 years of deposits have covered any semblance of remains? Even Richardson's co-investigator Mizelle wondered if the site "might have been a dump site for other areas."

Admitting limitations is a typical component in scientific studies. In this case, where scientific methods could be impacted by "variables" not considered as "limitations" in the ultimate research report, questions abound. A postcolonial analysis points to ideological imperatives that might motivate such a breach of scientific integrity, especially when the result marginalizes Native voices. Presumably, the City of Northport and developers (as clients) did not pay for exposing such limitations in the report because it would call into question the conclusion for which these institutional agents were hoping. For other examples of opportunistic uses of scientific study, one needs only to skim the surface of Native critiques of anthropological evidence that expose similar justifications for taking Native territory, using their labor, controlling their populations, and commodifying their images through gross representations. Understandably, such scientific ideologies are not unwelcome.⁶⁴

Just because physical evidence based on science is not found on a site, does not mean that the territory is *terra nullius*—that it never involved human events. Still, as partial proof that a battle did not occur on the thirty-three acres, the report cites a dearth of artifacts, particularly arrowheads. Yet historical record shows that at this time the Choctaw and Upper Creek also used rifles. This was an era of post-European contact when southeastern nations were in constant negotiations with the US government and its Anglo-American forebears.⁶⁵ Gerdau rightly puts it that "the Choctaws and Upper Creeks used guns in their battles, not arrowheads."⁶⁶ And, if we take Lincecum's word for it, there would be few artifacts of worth and longevity left, as the Choctaw band plundered the battleground.⁶⁷

My skepticism of the institutional agents' claims derives from a radical indigenist stance—a positionality that challenges colonization. According to American Indian studies scholar Eva Marie Garroutte, the perspective of radical indigenism "is centered on the assumption that American Indian (and other indigenous) philosophies of knowledge are rational, articulate, coherent logics for ordering and knowing the world."⁶⁸ Focusing on Native-centered interpretations of Native-US history and relationships confronts and restructures dominant representations of colonized dealings within those relationships. Native scholar Elizabeth Rich specifically notes that when examining

Native memories, cultural critics' understandings of identities can unmask governmental cycles of abuse concerning indigenous cultures and can challenge the ways that this relationship has functioned over time.⁶⁹ This is a decolonial move that is necessary to reconceive both the colonial structures underscoring past Native-US relations and contemporary neocolonial vestiges—like the constraining of Native narratives—deriving from that relationship.⁷⁰

AN INTERVENTIONIST CHARGE: THE IMPORTANCE OF DECOLONIAL DISRUPTIONS

As suggested by the memory and colonization literature discussed above, decolonial intervention is a vital component to remedying the kinds of power differentials brought to light by the Riverfront Protection Project milieu. After all, the Northport situation is one example of a deeper problem. In the field of cultural studies as a whole, Hall reminds us of the importance of reconstruction as well, that “unless and until one respects the necessary displacement of culture, and yet is always irritated by its failure to reconcile itself with other questions that matter . . . a project . . . remains incomplete.”⁷¹ Other humanities scholars have emphasized the role of reconstructing, in addition to deconstructing, a moment involving cultural oppression. In attending to tactics of change, a social actor-scholar enters the moral fray. Calling the critic, in her/his role as interventionist, “the teacher, the interpreter, the social actor,” rhetorical critics James F. Klumpp and Thomas A. Hollihan aver that “the creative energy of criticism—the inventional power—is the essence of the thrust of the critic into social intercourse. The critical act matters because the critic’s observations are nontrivial; they are examples of the act of appreciation.”⁷² Here, the critic is an agent herself/himself invested in the disjunction of cultural hierarchy—a performer who becomes “arguer or advocate for an interpretation” of the event.⁷³ Decolonial tactics are one way to intervene.

To counter what I perceive to be colonial precipitations—not intentions—of Northport and developers, I offer the following prescriptive decolonial disruptions in my particular case study. These disruptions might also be extended to other decolonial efforts involving Native communities, beyond my current work with the Riverfront Protection Project and its efforts to ensure that Choctaw-Upper Creek memories remain stable.

The first is that American Indians should be consulted more regarding the Choctaw-Upper Creek battle site. The Poarch Band of Creek Indians and the MOWA Band of Choctaw Indians are nations/bands situated in the State of Alabama who might be approached about providing oral histories of the event, including Pushmataha’s ascendance as Choctaw leader. Perhaps these Native

accounts would comport with Lincecum's story, or perhaps not. In any case, if institutional agents open themselves to the traces of these indigenist narratives, they might be shown to function more responsibly in their development schemes. The FHN, too, should initiate a conversation with the Poarch Creek and MOWA groups. Efforts have begun to build a network of FHN-Native alliances across the state and region, as well as in Indian country in Oklahoma. On a larger scale, Native nations must be included more in helping to construct the story of a particular "place" in order to secure the preservation of cultural "space." I do not mean to disregard science; however, a full picture must be constructed or, at least, attempted. The idea that Native agency might be excluded from cultural reconnaissance (a troublingly militaristic term) goes beyond insensitive and irresponsible, bordering on the neocolonial. The voices of those who hold the biggest stake in such indigenous memory sites must not only be presented, but respected and privileged. Indeed, this is one way to move beyond merely deconstructing the colonial moment. This reinstatement and respect decolonizes both in thought (criticism of the specific moment) and action (opposing neocolonialism by reconstructing knowledge and memories).

Second, American Indian Studies scholars and Native historians might be asked to join the public conversation. In the Northport case, rather than building an impartial historical and cultural understanding of a community space, the archaeological sphere alone has been accessed, and, performing its work after being hired by a moneyed interest, has offered evidence and conclusions distorted by institutional agents. American Indian groups and humanities scholars might verify or reject the location and stories of the battle; they might corroborate Lincecum's narrative, or find it spurious. Either way, the more evidence offered, the better. Beyond the Northport case, American Indian studies scholars such as Michael Doxtater have emphasized the importance of bringing Native academic voices into powerful roles regarding Native "lifeways, memory, and knowledge."⁷⁴ In fact, an entire recent issue of *American Indian Quarterly* called for indigenist scholars not only to deconstruct in their scholarship, but to get involved in local and federal projects where Native voices and memories are both threatened and necessary as correctives to a colonial storyline.⁷⁵ This speaks to the decolonizing potential of involving scholar-activists in tearing down the power structures that underscore Native memories.

Third, the public needs to be better informed about Native cultural and historical sites such as that located on Northport's thirty-three acres. While this is particular to Northport's Choctaw-Upper Creek battle site, it can be more generally extended to other Native sites under threat. Certainly editorials and public presence at community gatherings would be one mode of action. Another might be petitioning local and state historical associations and governmental agencies to commemorate more Native sites. In the Northport

case, it would definitely help if the Alabama State Historical Association were lobbied for a more responsible representation of cultures that preceded statehood, and whose place names frame and underscore contemporary geopolitical municipalities (Tuscaloosa, Tuscumbia, Tallassee) and physical geographies (Cheaha Mountain, Noccalula Falls, Talladega Forest). To date, the State of Alabama has done a mediocre job of such responsible representation, but as it stands, Tuscaloosa County has barely attempted Native commemoration. In a county named for Chief Tuscaloosa, one of the most important Upper Creek leaders prior to Native-US “contact,” there are ostensibly two monuments regarding Native heritage. One memorial is dedicated not to Native cultures, lifeways, and empowerment, but rather to dismal endings: an Alabama Historical Association marker commemorating the Trails of Tears as it moved through Northport and Tuscaloosa County and into north Alabama on the way to Missouri and then Oklahoma. Located on the Tuscaloosa Riverwalk, the 2002 marker text reads:

“The Indian Fires Are Going Out” – The Trail of Tears led thousands of Creek Indians through Tuscaloosa, capital of Alabama in 1836. Chief Eufaula addressed the legislature with these words: *I come here, brothers, to see the great house of Alabama and the men who make laws and to say farewell in brotherly kindness before I go to the far west, where my people are now going. In time gone by I have thought that the white men wanted to bring burden and ache of heart among my people in driving them from their homes and yoking them with laws they do not understand. But I have now become satisfied that they are not unfriendly toward us, but that they wish us well. In these lands of Alabama, which have belonged to my forefathers and where their bones lie buried, I see that the Indian fires are going out. Soon they will be cold. New fires are lighting in the west for us, they say, and we will go there. I do not believe our great Father means to harm his red children, but that he wishes us well. We leave behind our good will to the people of Alabama who build the great houses and to the men who make the laws. This is all I have to say.*⁷⁶

This plaque is problematic in that the represented characteristics of Eufala (and, perhaps, southeastern Native nations) are those of defeat and surrender. There is no hint at Native empowerment, politics, culture, and community—especially in the face of the US government’s genocidal policies.

The other monument is equally problematic as it focuses solely on the bellicosity of the Upper Creeks, laying primary blame on them for the Creek War of 1813–1814. Dating from 1974, the marker near the Holt community of Tuscaloosa reads:

“Black Warrior’s Town” – *One-half mile north was the Creek Indian village known as Black Warrior’s Town, of which Oce-Oche-Motla was chief. After Tecumseh’s visit in 1811, these Indians became hostile to white settlers. In 1812 Little Warrior brought*

*Mrs. Martha C. Crawley of Tennessee to this Indian Village as a captive. She was rescued by Tandy Walker, a blacksmith, and taken to St. Stephens. This was one of the incidents which led to the Creek War. The village was destroyed in October 1813 by Colonel John Coffee and his Tennessee Volunteers, one of whom was Davy Crockett.*⁷⁷

Here, antagonism, violence, and villainy inhere in the discussion of Tecumseh's character, Oco-Oche-Motla's leadership, and Little Warrior's deed. There is no context given to suggest that these three individuals were responding to actions of the US government or white settlers. Instead, the tone is almost laudatory as the publicly-celebrated heroes the "Tennessee Volunteers" and "Davy Crockett" sweep in and destroy.

Of course there are ways to honor Native heritages other than to reinscribe the colonial duality of the "disappearing, stoic American Indian" and the "wild, savage warrior."⁷⁸ A good place to start would be to increase community efforts to memorialize important events, key Native leaders, and positive contributions. This admits that American Indian cultures preceded what we now see before us, and also ensures an understanding of how these cultures matter, both now and then. In the present example, to add Northport's Choctaw-Upper Creek battle site to that list of indigenous representations would assist in decolonizing the stories involving Native-US relations that we, as a public, have received from a colonial milieu that still persists in our localities. This could likely be said of any locale where Native communities are underrepresented and/or misrepresented in these western, mythical ways.

Fourth, the FHN should continue to demand a respectful hearing from the Northport City Council and its affiliated agencies and commissions to discuss the importance of the battle site. At present, developers have been given the green light to act on their purchase of part of the land. Although groundbreaking began in 2011, after some delay due to inspections, budgeting, environmental audits, and the like, there is still time to act. In fact, the current economic downturn has halted construction, allowing some time for activists to regroup. Continued persistence—with the added element of pitching the idea of preservation to the public—would help, to be sure. The FHN and Gerdau have done the courageous work of entering the public arena, presenting a challenge to Northport's normative, governmental channels. At the same time the FHN has often noted that while it is pro development, it is pro *ethical* development.⁷⁹ Continuing to preface each statement and direct action with this disclaimer will act as a bridge among those torn between memory and money.

The FHN is not extremist in its ideology and tactics. Rather, the group is a *mélange* of views that accommodate development and yet resist the desecration of historical and cultural voices that the group views as more important

than the single issue of money. Under these circumstances there is a potential danger that negotiations could provide the dominant public and powers with a door into getting their way and even co-opt a campaign to make Native memories more resonant. However, there is also something to be said for reformers getting their feet in the door of the establishment in order to work on decolonization from the inside.

Fifth (closely related to the previous point on persistence), tangible plans of protest and change should be devised. In the FHN's case, institutional agents have asked the group exactly what it wants to do with the thirty-three acres (or portions of the acreage). As of 2011, the FHN had still not decided what it wanted for/from the thirty-three-acre site. Was FHN calling for an all-out blockade of development (which, according to the above discussion, was not the case)? Would FHN settle for a marker noting the battle? Was a statue of Pushmataha suitable in FHN's view? Alternatively, was a public reflection area replete with historical panels, statuary, and signage preferred? Groups aiming to decolonize such ideological underpinnings need to know what they are asking for, and need to understand their negotiating power. What is at stake for Native communities? What do they have to gain by fighting development? What does the community have to gain by a favorable resolution?

As this essay goes to press, the FHN is now asking for the creation of a Pushmataha Park. The park would provide for a community area of reflection with a statue and historical markers. The park would adjoin the developed areas (including homes and a conference center) that Northport and institutional agents are planning. As FHN has contended all along, it is willing to support development, but not to the detriment of Native history and memory. FHN's current plan seems to hold true to the group's indigenist ideologies while also allowing for a compromise with the city and its developers.

Sixth, decolonization involves building coalitions. As noted, the history of Northport's thirty-three acres includes not just the battle site, but also Anglo and settler histories. Working with larger, varied historical preservation efforts in order to pool financial and human resources is a beneficial tactic. Moreover, the site contains a wetland. A similar co-alignment with environmentalists will help with the severely limited resources usually available to local grass-roots efforts. On a side note, if one manifest benefit of alignment is sharing resources, coalition building involves presence. The blending of interests working toward a common end is empowering, but importantly, it also sends a powerful message to institutional agents and the general public that an issue matters. If a civic body is made up of pluralistic and polyvalent voices, then the demonstration of a co-aligned effort is a microcosm of that very diversity. This showing of cooperation resounds with strong presence and meaningful agency.

Seventh, and finally, the Northport campaign—and, by extension, other local cases throughout the United States—might benefit from an examination of Canada’s *Delgamuukw v. British Columbia* decision.⁸⁰ The *Delgamuukw* case began in 1984 as an appeal of the Gitksan and Wet’suwet’en nations, who were seeking ownership and sovereign jurisdiction over 133 territories in British Columbia. Though, according to the British Columbia Treaty Commission, the case was never resolved, in an important holding the Supreme Court of Canada admitted in 1997 that indigenous oral histories were indeed admissible nodes of evidence.⁸¹ Anthropologist Julie Cruikshank reminds us that prior to the *Delgamuukw* case the Canadian government found that “broad concepts embodied in oral tradition did not conform to juridical definitions of truth.”⁸² However, this particular case made clear that “courts must be willing to rely on oral history, including traditional stories and songs” in future controversies involving a clash of Native space and institutional place.⁸³ Perhaps another decolonial intervention involves doing more research within other North American judicial systems, including the US, to find spaces of dissension where oral histories and Native lifeways have achieved a platform of agency. Marshalling these related cases in official appeals would be useful, as would bringing these cases to light for the general public with the purpose of solidifying a popular preservationist campaign.

In a postcolonial analysis of the Riverfront Protection Project’s case, I have been arguing that in the rhetorical milieu of the debates over developing the Choctaw-Upper Creek battlesite, institutional agents demonstrate a colonial ideology in a US-Native context that has stymied indigenist-centered preservation efforts. Throughout the ordeal, Native stories and memories have been negated, and potentially, presentation of these memories could be obscured or even excised from the “place” under consideration. Native “space” has been checked by dominant powers that seemingly propose to further manage Native cultures, particularly as represented by memories found in Lincecum’s account. Though institutional agents have been able to dictate the terms of the Riverfront Protection Project, all is not lost. The present essay has decolonized institutional agents’ strategies, while simultaneously offering useful ways to demystify the colonial roots of the controversy. One of the hopes of this essay is that preservationists working from an indigenist perspective can benefit from the Northport case study’s experience and derive some hope from decolonial strategies that are currently underway.

As a critical scholar, I am reminded of Hall’s call to act, to do, to intercede with my scholarship and activism. “Unless we operate in this tension,” he writes, “we don’t know what cultural studies can do . . . [i]t has to analyse certain things about the constitutive and political nature of representation itself, about its complexities, about the effects of language, about textuality as

a site of life and death.”⁸⁴ This argument rings true when considering that for Native memories, sites like the thirty-three acres in Northport represent lives lost and cultures displaced, as well as the promise of remembering indigenist lifeways in our polyvalent communities.

Acknowledgments

This article is dedicated to those struggling to preserve the sacred ceremonial grounds and burial site at Oce Vpota (Hickory Ground) in Wetumpka, Alabama.

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NOTES

1. Stuart Hall, “Cultural Studies and its Theoretical Legacies,” in *The Cultural Studies Reader*, 3d, ed. Simon During, (London: Routledge, 2007), 42.

2. According to Delaney, place is the physical location of boundaries and terrain, whereas space is “about social relations of power” within these physical locations. He says when we speak of these social spaces, that we refer to “the complex ensemble of lines” and “territorial configurations” that give meaning to “actual lived-in landscapes.” Geography then involves “the shifting approximations of social space, the creation and transformation of real places, and the differing experiential geographies of real people” (David Delaney, *Race, Place and the Law, 1836–1948* (Austin: University of Texas Press, 1998): vii, 13, 14.

3. Sonya Atalay, “No Sense of the Struggle: Creating a Context for Survivance at the NMAI,” *American Indian Quarterly* 30, nos. 3–4 (2006): 597.

4. See the following classic studies on this “conquered” myth: S. Elizabeth Bird, *Dressing in Feathers: The Construction of the Indian in American Popular Culture* (Boulder, CO: Westview Press, 1996); James A. Clifton, *The Invented Indian: Cultural Fictions and Government Policies* (New Brunswick, NJ: Transaction, 1990); Vine Deloria, *Custer Died for Your Sins: An Indian Manifesto* (Norman: University of Oklahoma Press, 1988); Brian Dippie, *The Vanishing America: White Attitudes and U.S. Indian Policy* (Lawrence: University Press of Kansas, 1982); Richard Drinnon, *Facing West: The Metaphysics of Indian Hating and Empire Building* (Norman: University of Oklahoma Press, 1997); Frederick Hoxie, ed., *Talking Back to Civilization: Indian Voices from the Progressive Era* (Boston: Bedford/St. Martin’s, 2001); Maureen Konkle, *Writing Indian Nations: Native Intellectuals and Politics of Historiography, 1827–1863* (Chapel Hill: University of North Carolina Press, 2004); Arnold Krupat, *Red Matters: Native American Studies* (Philadelphia: University Pennsylvania Press, 2002); Richard Morris and Phillip Wander, “Native American Rhetoric: Dancing in the Shadows of

the Ghost Dance," *Quarterly Journal of Speech* 76 (1990): 164–191; John E. O'Connor, "The White Man's Indian: An Institutional Approach," in *Hollywood's Indian: The Portrayal of the Native American in Film*, ed. Peter C. Rollins and John E. O'Connor (Lexington: University of Kentucky Press, 1998), 27–31; and Roy Harvey Pearce, *Savagism and Civilization: A Study of the Indian and the American Mind* (Baltimore, MD: Johns Hopkins University Press, 1969).

5. John W. Bowers, Donovan J. Ochs, Richard J. Jensen, and David P. Schulz, *The Rhetoric of Agitation and Control*, 3d (Long Grove, IL: Waveland Press, 2010), 9.

6. See Michel Foucault, *The Archaeology of Knowledge and the Discourse on Language*, trans. A. M. Sheridan Smith (New York: Pantheon Books, 1972), and Michel Foucault, *Language, Counter-Memory, Practice*, trans. Donald F. Bouchard and Sherry Simon (Ithaca, NY: Cornell University Press, 1977).

7. See Barbara A. Biesecker, "Remembering World War II: The Rhetoric and Politics of National Commemoration at the Turn of the 21st Century," *Quarterly Journal of Speech* 88, no. 4 (2002): 393–409; Jason Edward Black, "Remembrances of Removal: Native Resistance to Allotment and the Unmasking of Paternal Benevolence," *Southern Communication Journal* 72, no. 2 (2007): 1–18; Jason Edward Black, "Memories of the Alabama Creek War, 1813–1814: U.S. Governmental and Native Rhetorical Identities at the Horseshoe Bend National Military Park," *American Indian Quarterly* 33, no. 2 (2009): 59–108; Carole Blair and Neil Michel, "Commemorating in the Theme Park Zone: Reading the Astronauts Memorial," in *At the Intersection: Cultural Studies and Rhetorical Studies*, ed. Thomas Rosteck (New York: Guilford, 1999); Stephen Browne, "Remembering Crispus Attacks: Race, Rhetoric and the Politics of Commemoration," *Quarterly Journal of Speech* 85 (1999): 169–87; M. Lane Bruner, *Strategies of Remembrance: The Rhetorical Dimensions of National Identity Construction* (Columbia: University of South Carolina Press, 2002); Greg Dickinson, Brian L. Ott, and Eric Aoki, "Memory and Myth at the Buffalo Bill Museum," *Western Journal of Communication* 69, no. 2 (2005): 85–108; Greg Dickinson, Brian L. Ott, and Eric Aoki, "Spaces of Remembering and Forgetting: The Reverent Eye/I at the Plains Indian Museum," *Communication and Critical/Cultural Studies* 3, no. 1 (2006): 27–47; Victoria J. Gallagher, "Remembering Together: Rhetorical Integration and the Case of the Martin Luther King, Jr. Memorial," *Southern Communication Journal* 60, no. 2 (1995): 109–19; Marouf Hasian, Jr., "Remembering and Forgetting the 'Final Solution': A Rhetorical Pilgrimage through the U.S. Holocaust Memorial Museum," *Critical Studies in Media Communication* 21, no. 1 (2004): 64–92; Stephen A. King, "Memory, Mythmaking and Museums: Constructive Authenticity and the Primitive Blues Project," *Southern Communication Journal* 71, no. 3 (2006): 235–50; and Barbie Zelizer, "Reading the Past against the Grain: The Shape of Memory Studies," *Critical Studies in Mass Communication* 12 (1995): 204–39.

8. Tamar Katriel, "Sites of Memory: Discourses of the Past in Israeli Pioneering Settlement Museums," *Quarterly Journal of Speech* 80 (1994): 1.

9. Dickinson, Ott, and Aoki, "Spaces," 29.

10. Dickinson, Ott, and Aoki, "Memory," 88, 89.

11. Arjun Appadurai and Carol Breckenridge, "Museums Are Good to Think: Heritage on View in India," in *Museums and Communities: The Politics of Public Culture*, ed. Ivan Karp, M. Muller Kramer, and Steven D. Lavine (Washington, DC: Smithsonian Institution Press, 1992), 34–36. See also Bernard J. Armada, "Memorial Agon: An Interpretive Tour of the National Civil Rights Museum," *Southern Communication Journal* 63 (1998): 235–43; and Ivan Karp, "Introduction: Museums and Communities: The Politics of Public Culture," in Karp, Kramer, and Lavine, *Museums and Communities*, 1–18.

12. Dickinson, Ott, and Aoki, "Memory," 102.

13. More recent prototypical examples of these studies concerning more "finished" or "closed" memory sites are Black, "Memories of the Alabama Creek War, 1813–1814"; and Myla Vicenti

Carpio, "(Un)disturbing Exhibitions: Indigenous Historical Memory at the NMAI," *American Indian Quarterly* 30, nos. 3–4 (2006): 619–31.

14. Atalay, "No Sense of the Struggle," 601.

15. Phillip Wander, "The Third Persona: An Ideological Turn in Rhetorical Theory," in *Contemporary Rhetorical Theory: A Reader*, ed. John Louis Lucaites, Celeste Michelle Condit, and Sally Caudill (New York: Guilford Press, 1999), 370.

16. McKerrow, "Critical Rhetoric: Theory and Praxis," *Communication Monographs* 56 (1989): 109.

17. Bowers, et. al., *The Rhetoric of Agitation and Control*, 55–56.

18. Derek Buescher and Kent A. Ono, "Civilized Colonialism: Pocahontas as Neocolonial Rhetoric," *Women's Studies in Communication* 19 (1996): 131.

19. Raka Shome and Radha S. Hegde, "Postcolonial Approaches to Communication: Charting the Terrain, Engaging the Intersections," *Communication Theory* 12 (2002): 258.

20. Stuart Hall, "Cultural Identity and Diaspora," in *Identity: Community, Culture, Difference*, ed. John Rutherford (London: Lawrence and Wishart, 1990), 222–37; Gayatri Spivak, *In Other Worlds* (New York: Routledge, 1988); Gayatri Spivak, "Can the Subaltern Speak?," in *Marxism and the Interpretation of Culture*, ed. Lawrence Grossberg and Cary Nelson (Urbana: University of Illinois Press, 1988), 271–313; Homi Bhabha, "The Other Question: Difference, Discrimination, and the Discourse of Colonialism," in *Literature, Politics, and Theory: Papers from the Essex Conference, 1976–1984*, ed. Francis Barker (London: Methuen, 1986), 148–72; Homi Bhabha, *The Location of Culture* (New York: Routledge, 1994); Edward Said, *Orientalism* (New York: Random House, 1978); and Edward Said, *Culture and Imperialism* (New York: Knopf, 1993).

21. Susan Silbey, "'Let Them Eat Cake': Globalization, Postmodern Colonialism, and the Possibilities of Justice," *Law and Society Review* 31 (1997): 210.

22. Said, *Orientalism*, 44.

23. Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991. Title 23, Section 101(a) U.S.C. (Section 1007[c]).

24. Agreement for a Transportation Enhancement Project Between the State of Alabama and the City of Northport, Alabama—Acquisition of Historic Riverfront Sites, Northport, Alabama. Project No. STPTE-0093 (17). Part Two (2): Project Provisions.

25. Friends of Historic Northport, "Our Turn—No Evidence Found for Riverfront Battle," October 26, 2009. Found at http://www.fhnonline.org/fhn/index.php?option=com_content&view=article&id=64%3Aour-turn-no-evidence-found-for-riverfront-battle&catid=1&Itemid=62. Last accessed March 15, 2010.

26. Perry A. Hand, Highway Director (State of Alabama), letter to City of Northport, re "Transportation Enhancement Project Grant Application," February 26, 1993.

27. Friends of Historic Northport, "Historic Northport Riverfront Protection Project," January 27, 2009. Found at <http://www.fhnonline.org/news/hnrpp.pdf>. Last accessed March 15, 2010.

28. Friends of Historic Northport, "Our Turn—No Evidence Found for Riverfront Battle," October 26, 2009. Found at http://www.fhnonline.org/fhn/index.php?option=com_content&view=article&id=64%3Aour-turn-no-evidence-found-for-riverfront-battle&catid=1&Itemid=62. Last accessed March 15, 2010.

29. Friends of Historic Northport, "Historic Northport Riverfront Protection Project," January 27, 2009. Found at <http://www.fhnonline.org/news/hnrpp.pdf>. Last accessed March 15, 2010.

30. Friends of Historic Northport, "Historic Northport Riverfront Protection Project," January 27, 2009. Found at <http://www.fhnonline.org/news/hnrpp.pdf>. Last accessed March 15, 2010.

31. Friends of Historic Northport, "Historic Northport Riverfront Protection Project," January 27, 2009. Found at <http://www.fhnonline.org/news/hnrpp.pdf>. Last accessed March 15, 2010.

32. See Robbie Ethridge, *Creek Country: The Creek Indians and Their World* (Chapel Hill: University of North Carolina Press, 2003); Sean Michael O'Brien, *In Bitterness and Tears: Andrew Jackson's Destruction of the Creeks and Seminoles* (Guilford, CT: Lyons Press, 2003), 1–14; Frank Lawrence Owsley, Jr., *The Creek War and the Battle for New Orleans, 1812–1815* (Tuscaloosa: University of Alabama Press, 2000); Gregory A. Waselkov, *A Conquering Spirit: Fort Mims and the Redstick War of 1813–1814* (Tuscaloosa: University of Alabama Press, 2006); and J. Leitch Wright, Jr., *Creeks and Seminoles: The Destruction and Regeneration of the Muscogulge People* (Lincoln: University of Nebraska Press, 1986).
33. See Jason Edward Black, "The Mascotting of Native America: Construction, Commodity, and Assimilation," *American Indian Quarterly* 26, no. 4 (2002): 605–22.
34. See Colin Calloway, *First Peoples: A Documentary Survey of American Indian History* (Boston: Bedford/St. Martens, 1999), 211–32.
35. Gideon Lincecum, *Pushmataha: A Choctaw Leader and His People*, ed. Greg O'Brien (Tuscaloosa: University of Alabama Press, 2004), 58.
36. Greg O'Brien, "Introduction," in Lincecum, *Pushmataha*, xii.
37. *Ibid.*, xiii.
38. Lincecum, *Pushmataha*, 58.
39. *Ibid.*
40. *Ibid.*, 61.
41. *Ibid.*, 60.
42. *Ibid.*, 61.
43. *Ibid.*, 64.
44. W.C. Vanderwerth, *Indian Oratory: Famous Speeches by Noted Indian Chieftains* (Lincoln: University of Nebraska Press, 1989), 71.
45. Alvin M. Josephy, Jr., *The Patriot Chiefs: A Chronicle of American Indian Resistance* (New York: Penguin, 1993), 129–74.
46. Vanderwerth, *Indian Oratory*, 71.
47. Greg O'Brien, "Protecting Trade through War: Choctaw Elites and British Occupation of the Floridas," in *Empire and Others: British Encounters with Indigenous Peoples, 1600–1850*, ed. Martin Daunton and Rick Halpern (Philadelphia: University of Pennsylvania Press, 1999), 149–66.
48. See Black, "Memories of the Alabama Creek War."
49. Lydia Seabol Avant, "Historic links raise barrier to land sale," *Tuscaloosa News*, February 6, 2009.
50. Barry H. Hendrix, "Friends group seeks to protect historic property," *Northport Gazette*, February 11, 2009.
51. R. Lance Richardson, "A Cultural Resources Reconnaissance of ≈/27 Acres for Proposed Development in Northport, Tuscaloosa County, Alabama," OAR Project Number 09-193, July 10, 2009, 17.
52. *Ibid.*, 8.
53. Elizabeth Ann Brown, Deputy State Historic Preservation Officer (State of Alabama), letter to City of Northport, re "AHC 09-0875, Cultural Resource Assessment, 27-Acre Development, Tuscaloosa County, Alabama," July 22, 2009.
54. *Ibid.*
55. Lydia Seabol Avant, "No evidence found for riverfront battle," *Tuscaloosa News*, October 26, 2009.
56. *Ibid.*

57. See Walter Fisher, *Human Communication as Narration: Toward a Philosophy of Reason, Value, and Action* (Columbia: University of South Carolina Press, 1987), and Thomas Kuhn, *The Structure of Scientific Revolutions* (Chicago: University of Chicago Press, 1962).

58. See Barry Brummett, "Some Implications of 'Process' or 'Intersubjectivity': Postmodern Rhetoric," *Philosophy and Rhetoric* 9 (1976): 35–48.

59. Linda M. Clemmons, "We Will Talk of Nothing Else—Dakota Interpretations of the Treaty of 1837," *Great Plains Quarterly* 25 (2005): 174.

60. See Wander, "The Third Persona."

61. Friends of Historic Northport, "Our Turn—No Evidence Found for Riverfront Battle," October 26, 2009. Found at http://www.fhnonline.org/fhn/index.php?option=com_content&view=article&id=64%3Aour-turn-no-evidence-found-for-riverfront-battle&catid=1&Itemid=62. Last accessed March 15, 2010.

62. Lydia Seabol Avant, "No evidence found for riverfront battle," *Tuscaloosa News*, October 26, 2009.

63. Friends of Historic Northport, "Our Turn—No Evidence Found for Riverfront Battle," October 26, 2009. Found at http://www.fhnonline.org/fhn/index.php?option=com_content&view=article&id=64%3Aour-turn-no-evidence-found-for-riverfront-battle&catid=1&Itemid=62. Last accessed March 15, 2010.

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