UCLA

American Indian Culture and Research Journal

Title

Linking Arms Together: American Indian 'Ikeaty Visions of Law and Peace, 1600-1800. By Robert A. Williams, Jr

Permalink

https://escholarship.org/uc/item/2ki4g8b6

Journal

American Indian Culture and Research Journal, 23(1)

ISSN

0161-6463

Author

Drake, James

Publication Date

1999

DOI

10.17953

Copyright Information

This work is made available under the terms of a Creative Commons Attribution-NonCommercial License, available at https://creativecommons.org/licenses/by-nc/4.0/

John Bierhorst's Mythology of the Lenape: Guide and Texts (1995), which Nichols names in her introduction. Another work of equal importance is Daniel Garrison Brinton's The Lenape and their Legends (1885; reprinted, 1969). Finally, there is M. R. Harrington's Religion and Ceremonies of the Lenape (1921). These books cover Delaware legends while the tribe lived in the East and can answer some of the questions raised in this review.

A suggestion for further research is to focus on the differences between Adams' legends and older traditions that were firmly established before the Delaware moved west. Nichols relates that there are many Delaware communities in the United States, and it would be a fruitful to examine the disparity that exists between the traditions of each of these groups.

Finally, even though *Legends of the Delaware Indians* does not live up to its title, I am pleased that someone decided to republish it. As noted, the general public can benefit from reading it; this is what Nichols and her colleagues wanted. It is an excellent introduction. But I encourage lay persons to check out other works discussed herein.

John Richard Beery University of Toledo

Linking Arms Together: American Indian Treaty Visions of Law and Peace, 1600–1800. By Robert A. Williams, Jr. New York: Oxford University Press, 1997. 192 pages. \$32.00 cloth.

In the 1960s, '70s, and '80s, lawyers representing Indian interests had unprecedented victories in United States courts. Most of these successes resulted from lawyers using U.S. laws to the advantage of Indians. In the 1990s, however, the legal tide has turned against Indians, especially in the United States Supreme Court. Of the fifteen cases to appear during this decade, only one ruling has come down in favor of Indians. It is in this climate that Robert A. Williams, Jr. offers Linking Arms Together: American Indian Treaty Visions of Law and Peace, 1600-1800. Believing that "legal scholarship should be actively directed toward the resolution of contemporary policy issues," Williams hopes his book will lay the framework for new legal strategies (p. 4). For too long lawyers have viewed the principles of U.S. Indian law as the "exclusive by-products of the Western legal tradition brought to America from the Old World" (p. 6). As Williams demonstrates, Indians brought their own concepts of diplomacy to the table in negotiations with European colonists in the seventeenth and eighteenth centuries. Resurrecting these visions, Williams hopes, will help ensure Indian sovereignty rights and cultural survival in the twentieth century and beyond. And while Linking Arms Together's effectiveness in this aim cannot be immediately gauged, the book is certainly a welcome addition to the historical literature.

Perhaps the strongest contribution of the work lies in its scope. This short book ambitiously generalizes for all Eastern Woodland Indians over a two-century period, and in this it succeeds about as well as one could hope. Williams admits that his work "simply begins a process of revealing a few of the visions American Indian peoples sought to apply to the complex challenges of achieving law and peace between different peoples on the frontiers of a multicultural world" (p. 39). His is a framework upon which future scholars can build. As one might expect, however, Williams relies heavily on secondary literature, such as volume 15 of the Handbook of North American Indians (Bruce G. Trigger, ed., Washington, D.C.: Smithsonian, 1978), and minimizes regional and chronological variations. Groups such as the Iroquois and Cherokee seem disproportionately represented, and Williams often slips back and forth between the seventeenth and eighteenth centuries. Nevertheless, he makes a compelling case that the language and goals of diplomacy transcended regional and tribal boundaries in the Eastern Woodlands. Long before contact with Europeans, Indian groups had grown accustomed to contact with cultures different from their own. In their contact with other Indians, they developed and diffused a language of symbols, metaphors, stories, and rituals for treaty making. Upon the arrival of Europeans, they were eager to incorporate colonists into their existing diplomatic framework using their customary practices.

Williams finds several prominent themes running throughout diplomatic dialogues between Eastern Woodland Indians and Europeans. First and foremost is the Indian view that treaty relations are sacred texts that link people together. Recurrent use of sacred rituals and objects including pipes, wampum belts, and origin stories brought divine assistance to the treaty-making process. In times of crisis and uncertainty, Indians sought the help of higher powers to solemnize their attempts to make peace with their enemies. Indian peoples saw treaty making as a sacred obligation to "extend their relationships of connection to all of the different peoples of the world" and even as a "way of reconstituting a society itself on an unstable and conflict-ridden multicultural frontier" (p. 50).

Reciprocal connection to others was a prerequisite to survival in the seventeenth- and eighteenth-century Eastern Woodlands. Treaties provided such necessary links as evidenced by Williams' chapter, "Treaties as Connections." Here Williams highlights the central importance of kinship metaphors in diplomatic relations: "the practice of Encounter era Indian diplomacy can best be understood as inscribing the language of connection used within the tribe onto the relations between different peoples on a multicultural frontier" (p. 71). Trade partners and military allies cemented their relationships by viewing one another through kinship terms. Kinship implied mutual obligation. Thus the treaty literature is rife with parties labeling one another with terms such as "brother," "father," and "nephew." Use of these terms, solemnized by sacred ritual, united people on the multicultural frontier and helped assure their survival.

To help diplomatic parties conceive of themselves as connected, Indians told stories. Williams observes that stories played a critical role in solidifying treaty relationships, going so far as to argue that treaties were essentially "a special kind of story: a way of imagining a world of human solidarity where we regard others as our relatives" (p. 84). Stories conveyed the legal meanings of a treaty relationship. Metaphors told by tribal diplomats often included men-

Reviews 241

tion of "opening the path of peace" or "clearing the road" between two groups. Such notions communicated the intent and essence of an agreement. As such, they were not merely stories, but a part of the treaty itself.

A final recurring theme Williams finds in treaty literature is the Indian view of treaties as "constitutions." Williams uses the term in the British rather than the American sense, as "encompassing a whole body of values, customary practices, and traditions basic to the polity" (p. 99). Treaties thus prescribed behavior. More specifically, they created bonds of mutual obligation upon which parties could rely in times of crisis. They did so by virtue of their sacred nature. By engaging in a treaty relationship, a party entered into a sacred covenant and became part of a divine plan in which all people were to unite as one. Using an Iroquois metaphor, diverse peoples became one by "linking arms together" (p. 122). According to constitutional principle, then, treaty partners were obliged to look after one another's interests. Should the balance of power shift or ill fortune beset one of the partners, the more powerful still had the duty to assist the weaker. Indeed, Indian groups entered into treaties because their constitutional obligations enhanced "the chance of survival should some calamity or disaster befall the tribe" (p. 105).

In the seventeenth and eighteenth centuries European colonists undoubtedly shared similar concerns about survival. Yet Williams suggests throughout his work that the treaty visions of Indians differed fundamentally from those of Euro-Americans. He devotes relatively little space to exploring areas of cultural overlap between Native Americans and European colonists. For example, the European custom of swearing on a Bible at a treaty council seems strikingly similar to the Indian practice of smoking a pipe to solemnize the proceedings. In the eighteenth century, many, if not most, Indian diplomats were of mixed descent and culturally syncretic. Did this fundamentally change Indian treaty visions, or was there enough cultural overlap that they remained intact?

Rather than dwelling on overlap, Williams emphasizes the uniqueness of Indian beliefs. Yet the commonalities must have been powerful for Euro-Americans and Indians to repeatedly come together in treaty councils. On this topic, Williams' book noticeably lacks reference to Raymond DeMallie's classic on nineteenth-century Sioux attitudes toward treaties, "Touching the Pen: Plains Indian Treaty Councils in Ethnohistorical Perspective" (in Frederick C. Luebke, ed., *Ethnicity on the Great Plains*, 1980, pp. 38–53). The omission is all the more striking given that Williams does a significant amount of upstreaming from the nineteenth-century Sioux to encounter-era Eastern Woodland Indians.

Such weaknesses are outweighed, however, by Williams' success in sifting through an immense body of complex and often contradictory source material and capturing recurring Indian visions of treaties as constitutions, stories, connections, and sacred texts. Still, these observations beg a number of questions. Williams' book describes the Indian treaty ideal, but offers little analysis regarding the ability of Indians to meet it. Did the reality of Indian behavior match the prescriptive ideal? Even less clear is how Williams expects his findings to influence current policy issues. Are Indians and policymakers

today supposed to look at recurring themes and visions among Native Americans in the seventeenth and eighteenth centuries as a kind of original intent? If so, should not we expect arguments based on this doctrine to founder on the same shoals as debates over how to interpret the United States Constitution? That Williams' book provokes such questions should not be construed as a weakness; rather, it is because it does so that it is such a welcome addition to the historical literature. Subsequent writers have exciting avenues to explore thanks, in part, to Linking Arms Together.

James Drake
Metropolitan State College of Denver

Northern Haida Songs. By John Enrico and Wendy Bross Stuart. Lincoln, Nebraska: University of Nebraska Press, 1996. 519 pages. \$40.00 cloth.

John Enrico, an anthropological linguist, and Wendy Bross Stuart, an ethnomusicologist, pool their specializations and collaborate to produce a volume of Northern Haida songs. In this volume of songs from Massett, British Columbia, and Prince of Wales Island, Alaska, the writers provide an ethnological background to the Haida, transcriptions for 128 songs, and in the final section, both musical and linguistic analyses of the songs. They explain that their collaboration has its basis in providing "proper treatment" of the songs (p. 3), which includes musical and linguistic analysis in harmony, rather than separately, as was the case historically.

A bilingual dedication to Florence Davidson, a well-known descendant of Charles Edenshaw, the even more well-known Haida carver, begins the volume. In the four pages of orthography and abbreviations that follow the contents, it is evident that they assume a competence in phonological and syntactical linguistics, and there is no attempt to acquaint beginners to the field. As you read on to the first section, the authors provide an overview of much of the history concerning anthropological and sociological research among the Haida, and again it is assumed that the reader will have competence in cultural anthropology. They mention that the basic premise for collecting and researching among the Haida, and indeed among all of the tribes along the coast, is to document and to salvage Haida customs, including the songs, history, mythology, and language. They also criticize former works and explain their shortcomings in terms of inconsistent orthographies as well as the rare inability to see the "relationship between text and music" (p. 3). The subsequent ethnography background is specific to the songs and the eight different categories which the authors provide, though they mention that such categorization or labels may not exist within the Haida frame of reference. The eight categories include: major potlatches, lullabies, mourning, warfare and making peace, vengeance, manipulating or manifesting the supernatural, play, and miscellaneous songs. There are five other ethnographical aspects considered, which are borrowed and unassignable songs, composition, performance, Haida musical concepts, and the decline of traditional music.