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# Carceral Power and Indigenous Feminist Resurgence in D'Arcy McNickle's *The Surrounded* and Janet Campbell Hale's "Claire"

*Dory Nason*

> Archilde, saying nothing, extended his hands to be shackled.
>
> —D'Arcy McNickle, *The Surrounded*

In her analysis of carceral writing titled *From the Iron House*, Deena Ryhms identifies the writings of eighteenth-century Kanien'keheka intellectual Joseph Brant as one of the earliest critiques of Western prison systems. For example, in a 1786 letter to British colonial official Lord Sydney, Brant wrote that the "palaces and prisons among you form the most dreadful contrast."[1] This letter, Ryhms reminds us, is part of a long-standing "tradition of protest writing that seeks to address, among other things, the historical criminalization of indigenous people and the use of institutions such as prisons."[2] Two centuries later, the late Mohawk feminist Beth Brant took up this protest tradition once again in the groundbreaking 1988 anthology of Native writing *A Gathering of Spirit*, first published in 1983 as an edition of the literary magazine *Sinister Wisdom*. Alongside more established writers, Brant also included in the collection drawings, letters, poems, and other writings from indigenous women in prison. One of the first works to claim the banner of indigenous feminism, Brant's inclusion of the voices of incarcerated women explored the gendered impacts of colonialism's carceral power.

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Despite these important works of protest by indigenous writers, critical prison studies, as well as more general critical engagements with carceral power and expansion in the United States and Canada, have tended to ignore Native cultural production as a source of critical insight. Despite the limits of disciplinary boundaries, one goal of this article is to make a case for more scholars to bridge the divide between literary and sociopolitical theorizing on colonialism's carceral power. Put simply, this essay argues for the importance of Native literature's insights to discussions of contemporary and historical carceral conditions and, more importantly, the merits of an indigenous feminist approach to this interdisciplinary analysis. Such an approach would attest to indigenous women's staggering rates of imprisonment as it examines the varying impacts of settler colonialism on women, girls, and gender nonconforming individuals, in addition to their relationships to their lands, their families, and their own bodies.

Perhaps no novel so richly depicts the connection between criminalization, dispossession, and gendered colonialism in the post-reservation period than D'Arcy McNickle's *The Surrounded*, published in 1936. *The Surrounded* is heralded as the first Native American novel and also as one of the most important critiques of assimilation-era policies such as mandatory boarding schools, allotment, and the bans on cultural and ceremonial life for Native peoples. It is also an incisive critique of how these policies depended on criminalizing and surveilling Native people, often by regulating spaces such as Native reserves/reservations and the territory around them. At the same time, McNickle plants the seeds of resurgence by surrounding his protagonist, a boarding school graduate named Archilde Leon, with loving characters who desire to bring him home. In this way McNickle's masterpiece calls for reclaiming indigenous legal traditions, ceremonial life, languages, and narrative traditions.

Nearly sixty years later, Janet Campbell Hale, a Salish writer, published the short story collection *Women on the Run*, which echoed themes from her more well-known text *The Jailing of Cecilia Capture*. Hale's short stories depict contemporary life for Native women as a struggle against the co-constitutive carceral conditions of sexism and colonialism.[3] Standing out among the rest is "Claire," the opening short story, in which Hale seems to directly respond to *The Surrounded*, but with an important difference. McNickle depicts settler-colonial carceral power primarily over reservation spaces in his novel, while Hale explores carceral power over the body itself—in particular the racialized, aged, female body of Claire, her seventy-nine year-old protagonist. In moving the nexus of colonial surveillance from the reservation to the body, Hale's short story collection offers an indigenous feminist perspective on the ways carceral power works to capture indigenous women no matter where they travel, across settler or Native space. Read together, these two narratives demonstrate that Native literature has always offered an evolving and consistent critique of settler colonialism's carceral conditions—and, more importantly, show carceral power's contemporary critics where they might locate literary forms of resistance that seem to have evaded most scholarship on the subject.

In that they suggest a pessimistic and uncertain future, the ambiguous endings of both stories have been the cause of much hand-wringing amongst literary scholars, at least in the case of McNickle's novel. In contrast, I argue instead that both texts point

the way to a hopeful future, but that they condition that hope on Native women's success in repairing the heteropatriarchy's damage to their sense of self. Both writers insist that such a positive future depends on a resurgence of indigenous feminists who will restore and rebuild kinship networks—the source of right relationships with the land, others, and community cohesion. There are no easy answers in these stories; rather, they manifest how Native literature and storytelling imagines and mobilizes an indigenous future by powerfully articulating its possibilities in the present. As Anishinaabe feminist scholar Leanne Simpson argues, "Storytelling becomes a space where we can escape the gaze and cage of Empire, even if it is just for a few minutes."[4] Both McNickle and Hale artfully imagine that escape, while they also depict the conditions that facilitate the imperial gaze and make the cage unbearable.

## McNickle's Carceral Conditions On and Off the Reservation

> A settler society emerged, and with it, a new human geography. . . . Others, and the geographies of others, dominated the management of space, the essence, as Foucault knew, of disciplinary strategies (1979, 141). To the extent that they made space for themselves . . . these others created an increasingly carceral environment for native people, of which the reserves were only the most obvious manifestation.
>
> —Cole Harris, "How Did Colonialism Dispossess?"

> He would wind up like every other reservation boy—in prison, or hiding in the mountains.
>
> —D'Arcy McNickle, *The Surrounded*

In the epigraph above, Cole Harris notes that the "survey lines, the property boundaries, the roads and railways" as well as the reserve boundaries themselves, created a "new human geography" of resettlement and an "increasingly carceral environment" for Native peoples. In his recent work *Liberalism, Surveillance and Resistance*, historian Keith Smith details what he terms the "liberal surveillance complex": the vast array of institutions and techniques that facilitated the settlement of Western Canada by means of "[c]onstituting an individual or group as an object of knowledge [in order] to assume power over them."[5] Smith argues that as "closed sites" reserves facilitated this surveillance power and provided the space "where missionaries and agents of the state could indoctrinate indigenous populations in economic behavior, political activity, religious practices and social conduct acceptable to a liberal Canada."[6]

As Salish sociologist Luana Ross has argued, the criminalization and imprisonment of Native peoples in the United States is the culmination of its own long history of legal and political imposition of reservation surveillance. Moreover, Ross contends, assimilationist-era agents especially targeted Native women, leaving today's legacy of the overwhelming number of indigenous women being held in North American prisons. Indeed, as Ross points out, during the height of the assimilationist period, a superintendent wrote this telling opinion in an annual report: "Indian women as a rule are much more conservative and cling more to the old practices of their ancestors than the men."[7] Lamenting the lack of "progress" on the reservation, the superintendent

notes that Native women should be watched more closely.[8] Smith's research further implicates church officials as part and parcel of this monitoring: an 1875 missionary's report, under a heading marked "surveillance," states that "without surveillance, no satisfactory relationship can ever exist between the Government and the Indians."[9]

The correlation between the reservation, surveillance, and criminality is exquisitely rendered in McNickle's novel through its depiction of reservation authorities such as federal game wardens, Indian agents, and missionary priests. Constructed on history as well as metaphor, the novel testifies to the actual ways that Salish men and women were so rapidly incorporated into the federal carceral system. For many, prison was an endpoint of a process of criminalization that had begun in mission schools on-reservation or in boarding schools. Agents, federal game wardens, priests and educators would blame "savagery" and "primitivism" for the high crime rates. Similarly, in the early years of criminology, noted criminologist Hans von Hentig attempted to make sense of the high arrest and incarceration statistics of American Indians that were recorded from 1935 to 1941.[10] Although the years covered by von Hentig's study occur after the time period of McNickle's novel, the attitudes expressed and the statistics recorded in the study indicate the ways in which American Indian criminality was generally understood to be inevitable. Von Hentig was even more perplexed by the large statistical disparities between the later, postwar arrest rates of Native and white persons—a time when all other crime seem to contract.[11] Although he argues in passing that misplaced "anti-mongoloid" racism may be a factor in the wide discrepancy in arrest rates, nonetheless he blithely asserts that "there is little conscious discrimination against the Indian in court."[12]

Recently, contemporary political theorist Robert Nichols has incisively challenged a focus on overrepresentation of Native people in prison statistics as lacking sufficient context, asserting, "In the context of ongoing occupation, usurpation, dispossession and ecological devastation, no level of representation in one of the central apparatuses of state control and formalized violence would be proportionate." The focus on population statistics and race-based causes of carceral expansion "'tacitly renders carcerality as a dehistoricized tool of state power—even . . . displacing an account of the continuity and linkages between carcerality, state formation and territorialized sovereignty," continuities that might aid in better understanding indigenous imprisonment. For Nichols, analysis of indigenous incarceration and carceral expansion must consider the colonial function of this institution.

> Moving beyond the overrepresentation model means then asking after the political function of the carceral system as a whole beyond that of racialized bodies within. Insodoing, we confront a series of new questions: How can we analyze carceral power in the context of an ongoing denial of indigenous peoples not merely as individuals, nor even as "populations," but as self-organizing, self-governing political collectivities?[13]

Of course, to formulate such questions is beyond the capacity of early-twentieth-century criminologists such as von Hentig. Eschewing racism as a factor, von Hentig instead posits that overrepresentation of American Indians in prison populations is

the result of "primitive" peoples' inability to thrive in a modern society. For example, he posits that Native men's propensity to steal cattle and horses may be the result of innate "short-circuit-like intensity of the avidity that links hunter and prey." This comment effectively condemns land-based economies as producing the criminal act itself: it supposes that Native men have an innate need to take livestock as the result of primitive minds and ways of life.[14] In regard to Native women's crimes, Von Hentig argues that these are generally the result of women's sexual promiscuity and lack of civilized morals, including the absence of shame for "out-of-wedlock" children.[15] Von Hentig's inability to understand criminal justice rates in American Indian populations within a larger colonial logic is not surprising. Interestingly, von Hentig ends his carceral study with a throwaway comment on differing racial values—an issue that McNickle also works to uncover in *The Surrounded*. Specifically, von Hentig observes "That many Indians of the older generation believe their values are superior to ours, in the midst of biological and national defeat, of hunger and cold, is a phenomenon affecting even the treatment of delinquency."[16] He worries that Native communities even seem to regard their outlaws as heroes, and thus, American criminal justice is lost on a hopelessly backward race.

As Ross and Smith remind us, writings of the assimilation era show that federal agents became increasingly concerned about the influence of indigenous knowledge and culture held by the older generation, particularly women. In fact, even though his settler perspective reads Native culture as primitive, here von Hentig's closing comments verge on understanding the role of Native values and culture in resistance. In any case, he recognizes that something about indigenous "values" seems to be in the way of a civilizing education. In Nichols's contemporary analysis of the "threat" indigenous worldviews pose to the settler-state, "Indigenous peoples do not merely represent racialized bodies produced by a biopolitics of population management. Rather—and this is the radical actuality that must always be held at bay by the state—they constitute alternative political, economic, ecological and spiritual systems of ordering governing, and relating."[17]

In *The Surrounded*, despite the consequences, the women are the ones to assert the viability and desirability of that alternative to the violence of colonial management. This important feature has not gone unnoticed; as Roseanne Hoefel and others have argued, the actions of the women in the text "are central to [the community's] survivance."[18] Beth Piatote's recent work *Domestic Subjects* similarly highlights the agency of Catherine and Elise as an important source of the novel's power. For Piatote, Catherine's trajectory from devout Catholic to Salish healer is a matter of spiritual resistance and represents the possibility of a resurgence of those traditions in answer to the pain of colonialism. She further argues that Elise, who takes lessons learned in boarding school to subvert gendered expectations of domesticity and settler morality, represents resistance on the part of the next generation.

As an indigenous feminist, I agree with both Hoefel and Piatote on the dearth of sustained critical analysis of women in the novel. I now turn to these women, focusing specifically on the geographical spaces they travel in order to restore themselves and plan for their future. These spaces are off-reservation, yet are within the

traditional territory of their people. As all critics of the novel understand, at its core *The Surrounded* is about the tremendous consequences of land dispossession through allotment, a policy which has claimed nearly half of the reservation. Even before allotment, under the terms of the Treaty of Hellgate Salish peoples and other tribes in the area had ceded more than twenty-two million acres.[19] The novel shows that the effects of the loss of land are not simply economic, but also include the imposition of a system of surveillance while dislocating crucial knowledges from their traditional mapped locations.

The women in the novel, I contend, not only know what to do to challenge this re-ordering of their indigenous world and worldview, they also know *where* to go to make things right again. For these women, to escape the carceral conditions of the reservation requires the freedom to move on traditional lands, not only the "set-aside" territory of reservation allotments. In other words, the feminist aspect of McNickle's text is invested in women characters who articulate the need, as well as act, to restore the tribal narrative histories and attendant legal traditions that are encoded by a specific place and territory. In many instances the novel stresses the land as the birthplace of resurgence. In the pages that follow, I will focus on the novel's most notorious scenes, which take place "off the reservation" in the surrounding mountains. In repeatedly setting these scenes on traditional territory, McNickle builds a trope that underscores the links between land and indigenous knowledges and self-determination. Throughout the text, the protagonist, Archilde, and the reader are confronted with the meaning and consequences of the metaphor of being "off the reservation": that is, outside the bounds of colonial control and surveillance. This space, both metaphorical and real, serves variously as a space of potential freedom, a refuge from reservation life, and an escape from the threat of mission school. Less positively, it is also a space of hypervisibility, and therefore subject to surveillance, regulatory violence, and criminalization. In the end, this borderland between the reservation and white America is the setting for the ruin of Archilde and various family members at the hands of federal, tribal, and state law enforcement.

"Off the reservation" has several common definitions, but here I deploy Paula Gunn Allen's application of the term to both spaces and personal qualities. "'Off the Reservation' . . . designates someone who doesn't conform to the limits and boundaries of officialdom, who is unpredictable and thus uncontrollable. Such individuals are seen as a threat to the power structure. They are anomalies: mavericks, renegades, queers."[20] While Gunn Allen initially defines how an individual might embody being "off the reservation," she then writes that "Originally the term meant a particular kind of 'outlaw,' a Native person who crossed the territorial border, called a reserve or a reservation. In those days, 'the reservation' signified a limited space, a camp to which Native peoples . . . were confined."[21] While the Native lands "off the reservation"—and they are Native lands—are certainly a space of potential freedom for McNickle's characters should they continue to elude capture, they also engender extreme violence against Native individuals who dare to move freely within them. The danger of the reservation border itself is partially constituted by the hyper-policing of these areas and the violence such policing produces.

> The people called that place Sniél-emen [or the] (mountains of the surrounded) because there they had been set upon and destroyed.
>
> —D'Arcy McNickle, *The Surrounded*

While setting the novel's ominous tone, this opening epigraph registers the mountains' importance as an unstable borderland space. The mountains also represent an historical boundary, one that calls to mind a time when the Salish people had belonged to a vast traditional territory. These mountains are a strategic setting in which McNickle's characters confront the violence of settler power, yet here they also can envision an alternative to settler-colonial expectations of indigenous demise. Setting all these events in the mountains into motion is the murder of a game warden by the protagonist's mother, and a similar act by Archilde Leon's girlfriend culminates the novel. Because, as one legal critic notes, "McNickle is infuriatingly nonspecific throughout *The Surrounded* about whether the homicides in the mountains occurred within or outside the Flathead Reservation," the author has left an opening for the many who have commented on the novel's critique of overlapping jurisdictions and the encroaching powers of the US criminal justice system.[22] Certainly, the matter of jurisdiction is a part of the novel's overall critique of carceral power, but McNickle depicts the mountain spaces not simply as a means to thwart United States law; they are a place of possibility for indigenous agency and resurgence, an "ungoverned" space where, importantly, Salish women assert control of their kin's resistance.

The reservation itself has become the camp and prison that empties Native life, especially for the young men in the novel. The novel opens with a young, adult Archilde Leon eager to leave his family and reservation behind for a life in an anonymous urban city such as Portland, Oregon, from where he has just returned with money, skills, and a cosmopolitan attitude. As early as chapter 2, Archilde's older sister Agnes asks if he intends to stay on the reservation, to which he replies he has "seen enough already." In turn, he asks her, "Tell me, what do you think a fellow can do here—steal horses like [their brother] Louis? Drink and run around? No. The world's big."[23] For Archilde, staying is akin to a prison sentence. The novel presents this as a cynical perspective, one that represents his inability to see the reservation as Salish sovereign territory or the existence of alternative, older traditions. For Archilde, the mountains "off the reservation" are merely a boundary that marks the divide between a doomed life on an Indian reserve and the possibility of anonymity and freedom in a modern America.

For Archilde's mother Catharine, the mountains represent the possibility of reconnecting to her sons Louis and Archilde, and a place where she can reflect on all that has been lost by a life of obedience. Encouraged by Archilde's return, and in hopes to bring Louis back from a life of sin, she begs Archilde to take her hunting in the surrounding mountains. Interestingly, as Archilde and his mother travel deeper into the reservation borderland, he notes that they seemed to be "trying to go backward in time rather than in mountain fastness" (116). For Catharine, the off-reservation space revitalizes her, and offers her one last chance to reconnect not only with the children she still has left, but also with the land of her youth. While Archilde is away tracking deer, she fishes and cooks their meal, thinking to herself: "The fish tasted fatter up

here . . . It was good to be out of her cramped cabin" (118). Having gone "backward in time" to when the fish "tasted fatter," she also seems to gain a youthfulness free from the confines of her "cramped cabin" built behind her white husband's ranch. Archilde notes how different she seems to be: "He was amazed at the sharpness of her perceptions—she who was near blind and near deaf. He with all his senses was dull by comparison" (123).

Rather than relish this space, Archilde is preoccupied with how these borderlands are heavily tracked by colonial authorities eager to empty it of indigenous authority. On the trail, Archilde encounters both the county sheriff and a federal game warden, who, symbolically and actually, represent the reach of both criminal and federal law into indigenous life. At the sight of Sheriff Quigley, Archilde thinks to himself, "It seemed that every time an Indian left the Reservation, he almost certainly ran into the sheriff and had to give an account of himself" (117). In another scene, the brothers spar over hunting knowledge when the federal game warden, Dan Smith, comes across the family's camp. Interestingly, Archilde is "at ease, though he could see that Louis and the old lady were nervous. The Law was a threatening symbol." Archilde's ease is indicative of his false faith in federal authority; however, his faith quickly dissolves as he learns that the game warden does not share his understanding of treaty law. He naively explains to the warden "We're Indians, and we're free of game laws" (124–125). His feebly offered argument is quickly dismissed, and Archilde is confronted with the fact that game wardens do not uphold federal treaty law (the duty of the sovereign); rather, they represent a much diminished criminal authority over their Indian wards.

Catharine and Archilde's hunting trip ends in the novel's first tragedy. When Louis insists on speaking to his mother only in Salish, the game warden murders Louis out of irrational fear. This turning point is often read as tragic for Archilde; for Catharine, this turning point is eventually positive. Upon this death of yet another son, Catherine decides to kill the game warden, setting out on a decolonial path that in time results in her own renaming. On the ride back from the mountains, as the mother and son travel "with the silence of ghosts" (130), the thoughts that haunt Catharine are of the darkness that descended on her family after the arrival of the priests, with their moral codes, churches, and schools. She remembers that Louis had been the "swiftest runner of all his fellows," a great horseman, and a respectful son—until he went away to mission school. Thinking further back, "she still remembered how the Fathers had said, in those first years, that the people would know great happiness" if they accepted baptism, the concept of sin, and feasting the bishops. Her musings end with the simple thought "and still the world grew no better. Their sons stole horses . . . and the old people could see no hope" (131). Catharine's time in the mountains begins her journey "back in time," which by the novel's end has resulted in her fully rejecting church and state authority in all matters of morality.

Despite this realization about the fathers, Catharine's time in the surrounding mountains brings back memories of a time before them in ways that comfort her in the present. In contrast, in the last chapter of the novel, Archilde's girlfriend Elise LaRose, granddaughter of the aged Chief Modeste, uses her time in the mountains to contemplate a future in which she escapes the gendered expectations of being one

of the "LaRose sluts" and can release her young, free spirit. When Archilde succumbs to grief following his mother's death and plans to surrender to Agent Parker, Elise takes him away and leads Archilde and his nephews to the surrounding mountains. Although boarding-school runaway Elise does not care to know how to make the best meal, she is quite savvy at eluding capture: tracking carefully back and forth to confuse authorities, she takes "the lead, going somewhere" (285). Archilde awakes from his grieving stupor alarmed that Elise has led them so far, and he insists he must return and fulfill his promise to the Indian agent to turn himself in to federal authorities. Elise, understanding Archilde's certain fate if he goes back, attempts to convince him otherwise: "if you go and tell this story they'll do their god-damnedest . . . to stick you for it" (288). Despite Elise's capabilities and insights, Archilde remains unconvinced and takes control, dismissively telling her that his fate is "official business from now on" (289).

After affirming his faith in the Indian agent and colonial justice, Archilde leads Elise "away from the crest of the ridge" to a "sheltered corner" to escape the wind and make love. Elise had proposed a strategy to remain high on the ridge so that they could "look down on miles of descending country, on a blind maze of canyons," where "if they had been watching . . . they would have seen a rider emerge from the dark canyon maze" (287–291). Archilde takes them away from the "off-reservation" height that had given them the advantage of full vision to a "sheltered" space of comfort, a decision that ultimately leads to their capture. Importantly, however, Mike and Narcisse, his young nephews, remain on the run, leaving open the possibility that Elise's vision for a future as indigenous people may be realized by another generation.

Understandably, many critics have been uneasy with the ending's ambivalence regarding the possibility of an indigenous future. Most disturbing, perhaps, is that the last words of dialogue in the novel are spoken by Mr. Parker, the once-sympathetic Indian agent. Clearly dismayed by Archilde's "deviant" turn from assimilated boarding-school success to criminal breed, Parker admonishes Archilde: "It's too damn bad you people never learn that you can't run away. It's pathetic" (291). This ultimate signifier of colonial surveillance, an Indian agent, is exasperated that his wards refuse to learn the most important lesson of colonization, that there is *nowhere* to run; as the novel's title signals, Native peoples remain "surrounded" at every turn. If, until this moment, the mountains have been a place of possibility for people such as Elise and Catherine, why is it then, that they now become the setting of the cruel lesson that no United States territory remains indigenous? To answer this question, I turn to what the women have invested in the future generation.

Although perhaps the two characters least discussed, Mike and Narcisse's story of healing and learning is crucial to Indian country's indigenous future, despite its rapid enclosure at the novel's end. Importantly, when Mike is being brought into ceremonial life—in order to address the "fear/sickness" he comes home with following his time at school—Catharine and Chief Modeste's wife minister to him and Narcisse in the privacy of their teepees (215).[24] This passage demonstrates that the seed of a resurgent future depends on the ties between grandmother and grandson—a relationship, as we shall see, that is even more important in Hale's short story "Claire."

He quit the lodge and went to his mother across the encampment. She too was occupied, making Narcisse ready. Watching her, Archilde felt suddenly happy. She was pleased with her duties in the way that only an old art or an old way of life, long disused, can please the hand and the heart returning to it. She took up the folded garments of beaded buckskin and placed them on her grandchild in a kind of devotional act . . . Narcisse submitted to her mood and to her ministering . . . For a moment, [Archilde] was not an outsider, so close did he feel to those ministering hands (215–216).

By this point in the text Catharine has become a woman of deep faith in her own Salish spirituality. The acts that "please the heart and hand returning to it" plant the seeds of a resurgent future. Significantly, in addition to her faith in ceremony, Catharine believes in her Native legal traditions and brings back the legal tradition of "the whip covers the fault,"[25] or the long-standing tradition of communal confession by an offender and the ceremonial lashing of that offender to settle the offense. She tells the group of people gathered that she wants the ceremonial lashing to be administered to her. She asks them not to worry about official retribution from priest or Indian agent for returning to these traditions. Her reasoning reveals that she finally understands how much resistance matters in the face of ongoing settler colonialism: "We have had trouble no matter what we do and we ought to just forget about it and live as it seems best" (210). With these words, it seems Catherine wishes to reorient the people and transform "reservation" space back into Salish homelands. However, in the end Archilde is not quite so sure of such a defiant argument. Like him, Elise and Catharine both suffer for their resistant acts of retribution, but despite Archilde's resignation neither woman regrets her choices. They remain defiant.

Literary ancestors to the women in Hale's short story collection (as well as many others), Elise and Catharine represent an alternative to mainstream depictions of Native women's complicity in their own dispossession and gendered oppression. The novel's hope rests in the possibility that Mike and Narcisse's generation will use traditional knowledge and practices they gained from Catharine, as well as the strategic intelligence and loving defiance learned from Elise, to bring forth an indigenous future marked by freedom and self-determination. From an indigenous feminist perspective, it is remarkable that this novel recognizes indigenous women's knowledge as essential to that resurgent future. Yet it also cautions that the future depends on Native men to remember and help restore those legal orders and traditions that belong to women's status and power, as well as reconnecting to the land itself to sustain them all. These themes become even more prominent in "Claire," as Native women's physical safety depends on the recognition of kinship obligations by others and remembering a way back home by the protagonist herself. Like McNickle's Catharine, Hale's Claire faces the impact of an extreme assimilationist federal policy on her relationship with her son.

## Native Women's Bodily Sovereignty "Off The Reservation" in *Women on the Run*

Hale sets the opening story of her collection at the height of one of the most devastating decades of federal Indian policy for Native families, the relocation and termination era of the 1950s and 1960s. "Claire" tells of a Salish woman abandoned by her son Ozzie (and perhaps other children).[26] Unlike Archilde, Ozzie is not conflicted about his responsibility to his mother or his community; he has clearly chosen to turn away from his tribal roots and embrace assimilation's promise. And unlike the reservation community setting of McNickle's novel, Hale's story begins in the early 1960s with a mother incarcerated in the urban center of Oakland, California. Despite these seemingly vast differences, the political climate of both settings is hostile to Native peoples' cultural and physical survival and self-determination.

Claire's incarceration is at the hands of Ozzie and the staff at the Loma Vista nursing home, all of whom represent two assimilationist tactics—relocation and Western education. Ozzie insists that Claire have someone to "look after" her, despite her good health and capable mind.[27] When Claire requests to be sent back home, on the Coeur D'Alene reservation, Ozzie invokes the violence that Native women could expect in the modern world. He reminds her of the story of "poor Mrs. Olson," an elderly widow killed in her own home by a gang of teenage girls, who, like Ozzie himself, represent callous disregard for an older generation. Manifesting a much more extreme absence of moral empathy, the teenage girls decided to murder Mrs. Olson "just to see what it felt like to kill someone" (4). Originally the teens had decided to kill either a child or an older woman living alone, as they would be easy victims. Ozzie manipulates this spectacle of violence to insist that surveillance and relocation are necessary for Claire's own protection and survival. Claire remembers that the teen girls stabbed Mrs. Olson in the back, an unsubtle detail that introduces the theme of betrayal of the older (and future) generations by those who have turned their back on tribal kinship responsibilities and moral codes. That Ozzie relocates his mother so he could rent out her reservation home, not only to fund her imprisonment at Loma Vista, but also to profit himself, is the most obvious manifestation of this betrayal. Loma Vista itself is a metaphor for the state prison and the mission boarding school systems, both essential reform institutions under assimilationist policy regimes. The text introduces this metaphor in the opening line: "A person has to watch her step when she is an inmate of an old people's home" (3).

While "Claire" does not explicitly state that Ozzie was part of the Native urbanization that resulted from the federal Indian Relocation Act, the two cities in which he lived particularly evoke relocation history. In addition to his current home in Oakland, California, he spends his college years in Los Angeles, two of this period's largest relocation sites. Moreover, the few details given about Ozzie's life represent both the promise and the limits of assimilationist mandates. The promise of the relocation program was incorporation into the American dream through access to the economic and educational opportunities of urban life, such as Ozzie's attendance at UCLA. As a businessman, he became savvy enough to rent his mother's home and take control

of her assets. The impact of colonialism and racism on Ozzie's life experience is made visible in little details. For example, Ozzie has a grandson named Buddy, but there is no mention of Ozzie's own son or daughter as Buddy's parent, an absence that suggests some unexplained tragedy. These details lend Ozzie some sympathy—the missing son or daughter, the star athlete ignored by his own classmates—yet for the most part he functions as the colonial insider, not unlike the tribal police officer in *The Surrounded* through whom the Indian agent regulates the reservation. Ozzie too is a regulatory figure who, emboldened with patriarchal authority to make decisions for his mother and her property, leaves her with no option but to move to Loma Vista.

Like Elise's high ridge in *The Surrounded*, Loma Vista occupies a space above the urban landscape. "Claire" overtly compares the nursing home to a prison where the "inmates were all on death row": "Loma Vista, housed in a dingy grey concrete-block structure, loomed on a high hill, dominating the landscape. In its dark-grey ugliness it could have been a penitentiary. . . . A house of detention for those who committed the crime of getting old" (21). Loma Vista's hilltop location manifests its key function—surveillance. Constantly under the surveillance of a staff that is often abusive and always neglectful, Claire learns to avoid them by keeping quiet, just as she did in the mission boarding school of her childhood. Indeed, several deaths at the home result from the same neglect and abuse Claire witnessed as a child. Tragedies befall Claire's nursing home roommate and an older married couple who challenge the staff's authority. To silence the older couple, staff members kidnap the husband in the middle of the night, reminiscent of government agents' kidnapping of young Native children from their families. Distraught, his wife Martha commits suicide by jumping off Loma Vista's roof.

Shortly after, Claire wanders outside to visit the spot where her friend's body had left an impression in the earth. Stepping outside the boundaries of her metaphorical prison, Claire is violently reminded that the real transgression of going "off the reservation" is leaving a space where she can be seen and controlled. A nurse tells her, "You know good and well you're not allowed outside without supervision. I'm going to have to file a report on you now. . . . Just about had me fooled but you're like all the rest" (12). Like the exasperation of McNickle's Agent Parker, the nurse is exasperated by Claire's breach of trust and the fact that she will "have to file a report" on Claire. The nurse reminds Claire of the "nuns when she was a little girl. . . . The nuns treated children like that, grabbing, manhandling, scolding." At this moment, she realizes the correlation between Loma Vista staff and mission school teachers. Claire thinks to herself that "she never dreamed she would spend her old age in the same way she had spent most of her childhood, under lock and key . . . being rudely spoken to and physically abused." It is the first time in the story she hears an inner voice tell her she has to escape. At this moment, she also asks herself a question similar to the one evoked by *The Surrounded's* ambiguous ending: "Did anyone ever succeed in running away?" (12).

Ultimately, Claire escapes from an open window dressed in clothes she steals from another man at the home and simply walks away—an idea given to her by her eight-year-old great-grandson Buddy on his last visit. The name "Buddy" represents the bonds of friendship between the past and future generation in the story, and Claire's

insistence that Ozzie and others acknowledge Buddy as her *tupiya*—the Salish word for both great-grandparent and great-grandchild—also underscores the importance of their kin relationship. Claire's *tupiya* promises to help her escape when he is old enough. He tells her: "I'll bring a disguise of some kind. We'll walk right out the front door. Then we'll run away. They'll never find us" (16). Before leaving Oakland, she stops to see her grandson and relays her fear that her hair may give her away. Buddy offers his baseball cap to help in her disguise, and "The old woman now disguised as a man and her now bare-headed great grandson held hands as they walked briskly down the street."

As Claire walks Buddy to school she thinks to herself, "Something good and important had come out of the California fiasco" (22). In a text that is an allegory about relocation and the program's impact on Native families, this is an important moment. Claire, born in the early 1880s, witnessed the first waves of assimilation policy first hand, only to be caught up in a new wave of assimilation in the early 1960s. She embodies generations of policy history. Buddy, who will soon come of age, will witness and perhaps participate in the radicalism of the Red Power movement in the Bay Area in the late 1960s and early 1970s. Like Mike and Narcisse in McNickle's *The Surrounded*, Buddy represents a possible, radical future.

Claire's escape from the surveillance of the nursing home prison succeeds due to her great-grandson's help in her decision to disguise herself as an old man. To be an unaccompanied Native woman would make her more visible and therefore more vulnerable to being caught in "off reservation" spaces of the city. Indeed, while Claire waits at the San Francisco depot for the bus to Portland, she observes two policemen harass an older homeless woman. Claire wonders why the homeless woman is allowed to live on her own when Claire is not. The homeless woman, who is not racialized in this scene, of course is of no importance to the state agents; she is simply a nuisance. Claire is relieved that the policemen ignore her altogether and that they "don't even give her a second look" in her old-man disguise (24). Testing her freedom, she visits the men's room without incident, and is emboldened by her success (26).[28]

In the men's room, she begins to speak Coeur D'Alene Salish again—a moment that signifies the undoing of relocation's assimilationist power. Claire's disguise affords her some of that power; she cloaks herself in patriarchal anonymity. For instance, when she contemplates the diamond ring now missing from her hand, pawned to buy her bus ticket, she thinks that "it showed something important was missing. Nobody looked at her. Nobody at all. It worked!" (26). Although some might read the missing "something important" as a lament for her late husband, the text is careful to note that she still has her wedding band. What seems to be "missing," then, is the visibly female mark of state-sanctioned marriage that would limit her mobility "off the reservation." At the moment Claire realizes her success in freeing herself, the text comments on the gendered hypervisibility of Native women's bodies in a colonial and patriarchal society.

When Claire arrives at a bus stop just outside of the Yakima valley, she decides to hike away from the town to spend a few evenings camping by a creek. This pivotal part of the story seems to directly allude to McNickle's canonical text. Like Catharine, Claire feels reinvigorated in this solitary landscape of hills and valleys. She feels that

"At last she was truly, truly free" and that now "alone in her new freedom" she does not have to "watch her step or look over her shoulder for the first time since she left Idaho nearly four years before." And like Catharine's fish, food tastes better here; Claire thinks to herself, "Never had a soda-pop tasted so fine" than in a space where she had "fresh, free air" (32). Walking freely in this place far from the highways of "civilization," Claire removes her disguise and undresses completely, bathing in the cold waters of the river. She also takes down her braids, which until now she had kept hidden under her grandson's baseball cap. Stripped down to her "real" self, Claire contemplates her freedom:

> She felt the sun and warm Chinook wind on her naked body and laughed a little to herself. This was so fine, this moment, so fine. All was perfect. Absolutely perfect . . . Despite everything, despite heartache and loss and meanness and unfairness . . . life is good and in these perfect moments we know the goodness. (33)

In this "perfect moment" Claire is not only able to be alone, she is also free to be in her own body again, without her old-man clothes and with her hair down. She takes back her bodily sovereignty, emphasized in the text by her pleasure at being naked. This moment of freedom "off the reservation" underscores the necessity of a physical and mental space where Native women are free from the colonial gaze.

The text contrasts this scene of freedom with memories of surveillance and resistance. As Claire lies on the warm rock by the river, she recalls a summer she shared with her own *tupiya,* her great-grandmother, after she had run away from mission school. Once on the run, Claire had wondered about certain classmates who might expose her, children who were the nun's "pets . . . put into positions of authority" and who "would have others at their mercy as they were at the mercy of the nuns" (33). Disciplinary regimes' need for such insidious insider surveillance recalls for the reader the complicity of Claire's son Ozzie, as well as that of the tribal police officer in *The Surrounded*. Hale's text then underscores how communities are manipulated into surveillance: when the young runaway Claire arrives at her village, a child tells her that the authorities "told us anybody hiding you would be put in jail" (36). Indeed, when Claire runs to her *tupiya*'s house, she knows quite well the legal consequences: "They told me . . . if I hid you instead of returning you to them they would lock us up." Like Catharine's resistance in McNickle's novel, Claire's *tupiya* tells her, "You know what? I'm not scared of them. Not scared of their jail either" (37).

The authorities had already searched for her at her *tupiya*'s house. The government men "were disgusted" that her great-grandmother did not own any "white people's hiding places: no closets, tables, beds." The racialized confrontation then becomes gendered when they disturb the the one piece of furniture she does possess—a trunk in which she stores her children's' umbilical cords. As the authorities dig through the trunk, their actions evoke a history of violence against Salish women and their families. Specifically targeting indigenous motherhood, this action also symbolically represents colonial authorities control over the maternal history held intact by Claire's great-grandmother. Claire's *tupiya* feels keenly that they "Disturbed my private possessions . . . the umbilical cords of all my children, some of them long dead now like

your grandmother. I hated them for doing that but I didn't let them know. Who knows what they might do to me if they knew?" (37). Despite this demonstration of official control and intimidation, Claire's great-grandmother helps her escape into the surrounding woods, at least for the summer.

Claire's boarding-school escape seems to reference an important scene in *The Surrounded*: Archilde's attempt to save an old mare trying to survive in the desolate landscape of the badlands on the outskirts of the reservation with her young colt. In this scene, Archilde encounters the well-fed and healthy colt, but finds the skeletal mare's appearance revolting. He decides to trim her matted and tangled tail in an effort to ease her suffering, but he has to place a rope around her neck to do so. The mare refuses to allow it, which results in an exhausting chase for both of them. In the end, the mare's determination to remain free trumps Archilde's desire to save her. Archilde's persistent efforts critically injure the old mare, forcing him to put her down and possibly dooming the now-motherless colt to death from starvation. McNickle's text makes clear that Archilde's actions are fueled more by his own obsession than by any good intentions that guided the pursuit. Archilde's kindness and patriarchal and paternalistic desire to control their fate literally kills them.

While the subtext of this scene is obvious to most critics, it is important to point out that the mare's fate represents more than the choice given to Native peoples under assimilation: be free and starve, or be imprisoned and live. The mare also embodies the system's relentless attacks on motherhood. Much like the disgusted reaction of the government men to Claire's *tupiya* and her home in Hale's story, Archilde is revolted by the mare's appearance—the result of her sacrifice for her colt. In the *Surrounded,* the relationship, pursuit, and intertwined death of this mare and her colt may be compared to those of Catharine and Archilde, and also to the relationship of Catharine and Louis, which is destroyed by the interventions of government agents' "good intentions" and seeming obsession with making them conform to colonial expectations.

In "Claire," Hale rewrites McNickle's trope of the doomed mare and colt, old mother and child. Young Claire and her great-grandmother escape from government officials by taking "the old woman's gentle mare and a small young mule" into the safety of the surrounding woods, a space very different from the surrounding badlands where Archilde fatally injures the mare (37). In Hale's text, great-grandmother and great-granddaughter, old mare and young mule, lead themselves into the woods and no one dares to intervene. Like the old mare flaunted Archilde, Claire's *tupiya* flaunts her freedom of mobility to villagers who are willing to be complicit in Claire's capture. Claire remembers "how happy she felt when she and her Ya-ya rode out of the village that day, all the neighbors, the nosey woman next door, the crippled boy who wasn't made to attend mission school, even Claire's father . . . all stared at them but said nothing." Her great-grandmother views their complicity as only a nominal threat: "Let them tell those men from the government" (37).

Claire's great-grandmother tells her that no one will find them. She is right. They spend the rest of the summer camping in the woods, and Claire's great-grandmother strengthens the bond between them. She tells Claire traditional stories as well as stories about her life before and after the coming of the white man. This storytelling

episode underscores the diversity of narratives—cultural, political and historical—that Claire's great-grandmother shares with her. Claire's *tupiya* notes that although whites had brought some beneficial technologies, in the end these did not make up for a stunning loss of freedom. She tells Claire the people "didn't know what was coming . . . how they would come to be under the rule of the white man and have to do everything the white man wanted" (39). Claire's great-grandmother also tells her perhaps the most important part of Claire's own history—the original name Claire's mother had given her at birth, "She-is-free." She tells her that this name "expressed the mother's hopes for her child" though, she notes, "we don't live that way anymore" (40). Instead, their lives on the reservation are characterized by that "loss of freedom;" Claire's *tupiya* reminds her that "[p]eople should not have to live this way" (39).

In these woods, Claire and her great-grandmother, as the antithesis to the doomed mare and colt from McNickle's novel, restore and solidify a generational connection between women previously interrupted by the interventions of mission school nuns and government officials. In a related sense, their successful sojourn outside reservation boundaries partially rewrites Elise's fate at the end of McNickle's novel. Comparatively, Claire and Elise are contemporaries based on historical markers found in both texts. Set around 1914, Elise is a young woman in McNickle's novel. In Hale's story, Claire would have been twenty-two in 1914, making her roughly the same age as Elise. In addition, Catharine and Claire's *tupiya* also share similarities—both witnessed the invasion of white men to their respective Salish communities. Although somewhat of a literary stretch, it is interesting to think of Claire and her great-grandmother's journey into the woods as a contemporary refiguring of the key female characters from McNickle's novel. Like Elise and Catharine, Claire's great-grandmother has faith in their ability to survive such a journey and Claire has no fear attempting such an escape into the surrounding lands. Claire's *tupiya* tells her that "we'll be safe in the woods for as long as we wish" and Claire thinks "no matter what they did to her for running away, she knew it was the right thing to have done" (38). Yet in these woods, Claire's *tupiya* is in control of her actions; she is not led there by an indifferent son. Reading Claire's memories in the text as collapsing time, both Claire and her *tupiya* have left their indifferent sons behind in order to protect future generations.

Interestingly, "Claire" signals the end of the summer of freedom—and possible renewal of confrontation with authority—with a seemingly minor detail, drinking camp coffee from a tin, which echoes and rewrites Elise and Archilde's final confrontation with Sheriff Quigley at the ending of *The Surrounded*. Claire remembers how the summer weather eventually turned cold and her great-grandmother became mildly sick. At this point, she decided to pack up their camp and tells Claire, "I think it's time we went back in, don't you?" She makes this momentous statement sitting on a log "beside the fire drinking coffee from a tin." In the ending of *The Surrounded*, Archilde and Elise are caught off-guard by Sheriff Quigley's appearance: "Archilde, sitting cross-legged, with a tin cup of hot coffee in his hand, stared at the Sheriff. . . . Quigley [had always] made him feel that something would be wrong sometime, and that he would be there to demand settlement. And it was so. Archilde held the coffee cup in mid-air and stared" (291). When Elise decides to shoot, she uses the coffee ritual to distract

the sheriff and facilitate killing him. In Hale's story, no one interrupts the *tupiya*'s morning coffee; Claire's great-grandmother decides to go "back in" on her own.

In Claire's memory, the summer remains "a fine interlude" (42). In the story, that summer represents the importance of Native women's knowledge to resistance politics and history—in particular, knowledge of a tribal history before and outside of colonial surveillance, knowledge which both Claire's great-grandmother and Catharine shared. Both McNickle's and Hale's stories emphasize the importance of kinship responsibilities as a key theme. As her mind turns to think about her current situation, she sees that "Ya-ya and she were fugitives that summer as she was a fugitive now" (43). In turn, this memory triggers a dream the following night that offers Claire a destination and an end to her fugitive life—her nephew Joe's home on the reservation. Joe has a young son whom Claire hopes to help raise. She even thinks that perhaps "she could get Joe to take them all camping" where Claire can tell her nephew traditional stories like her own *tupiya* had years before. Importantly, a successful end to Claire's latest fugitive effort depends on reinstating a fractured relationship between a Native woman and her male kin. Because Claire has now lost both her great-grandmother and her own baby daughter, she will need her nephew's cooperation and acceptance. In the last leg of her journey, Claire hitchhikes a ride to her nephew's home, where she plans on helping him recover from alcoholism and to assist in raising his "motherless child."

Claire's final encounter on the outskirts of home emphasizes the dual nature of the off-reservation territory in both McNickle's and Hale's narratives. The driver who picks her up warns her, "you shouldn't be hitchhiking sir . . . it's very dangerous. A woman's body was found in the woods just outside of Coeur D'Alene" (52). The same woods that she had escaped into as a young girl has now become the dumping ground for Native women's bodies, reminding Claire that the disciplinary violence against women is both a physical and psychic violence. More importantly, it has now infiltrated all spaces once familiar to Claire as safe. Claire "knew he was right and she would never hitch a ride again" (21). In Hale's story, there are numerous missing or dead women mentioned throughout, including Mrs. Olson, Matilda and Martha, and Claire's own family members, such as Claire's mother Clairice, her nephew's wife, and, perhaps, Buddy's mother. At times, the "off-reservation" borderlands is a space where Native woman's knowledge of the landscape and history aid in successfully evading colonial authorities. However, as we have seen in *The Surrounded*, it is also a space of hypervisibility, and at the end of "Claire," a place where predators seek out Native women hitchhiking or traveling alone in reservation borderlands. The story of women who are victimized by unchecked physical violence and de facto incarceration is clearly a part of the gendered critique Hale's story offers its readers.

Although Claire evades capture successfully, her fate in the end, like that of Mike and Narcisse, is ambiguous. The reader is left unsure whether her nephew will welcome her or return her to authorities, or even if her newly developed fever will claim her life. However, Joe's actions seem to suggest he might accept his responsibility to care for her, based on two important details. First, Joe's three dogs alerted him that Claire is walking up the driveway. The small terrier, the "arthritic old lab," and the doberman that Claire had left in her nephew's care demonstrate Joe's willingness to take care of

beings that others might reject. Up until this point all the reader knows about Joe is that he is an alcoholic father. Contradicting the usual stereotype, the last scene reveals that Joe "had just returned from driving Billy to school" and that he "stood at the kitchen sink washing dishes" (54). Given that men have neglected kinship responsibilities earlier in the story, Joe's domestic actions demonstrate an ethic of care for the next generation that goes beyond gendered expectations.

## Conclusion

> Archilde sat quietly and felt those people move in his blood. There in his mother's teepee he had found unaccountable security. It was all quite near, quite a part of him; it was his necessity for the first time.
>
> —D'Arcy McNickle, *The Surrounded*

Both D'Arcy McNickle and Janet Campbell Hale demonstrate the multiple ways in which settler colonialism depends on the management of Native space and bodies through both reservation surveillance and gendered regulatory violence. Yet, while both narratives depict the ever-increasing, expansive reach of settler-colonial carceral power, they also turn to spaces off the reservation, real and imagined, that offer their characters brief moments of freedom to contemplate an indigenous future. In the epigraph above, however, McNickle's story also notes the importance of feeling safe in those spaces. That security comes from the symbolic space of his mother's teepee, where he, like a child in the womb, could feel a kinship connection "move in his blood," for the first time (222).[29] For these small moments to generate an indigenous future, both Hale and McNickle's narratives insist that indigenous futures cannot rely upon convincing a colonial power to grant freedom. They tell us instead that freedom depends on an indigenous feminist resurgence of kinship obligations, especially care for the elders, who do know how to mobilize the future for coming generations. At the same time, these two stories also require the physical existence of the so-called Indian country off the reservation— ungovernable, traditional, and sovereign spaces that can speak to those in crisis, protect runaways, and shift the power of knowledge to the indigenous "outlaws" of settler-colonial capitalist society.

## Notes

1. Deena Rymhs, *From the Iron House: Imprisonment in First Nations Writing* (Waterloo: Wilfrid Laurier University Press, 2008), 6.

2. Ibid., 7.

3. Ernest Stromberg notes that Hale's 1985 novel *The Jailing of Cecilia Captur*e has garnered little critical attention due to her realist depictions of "the struggles of many Native American women" that is autobiographical and yet recognizable to many indigenous women's contemporary experiences (104). In the only essay on *Women on the Run* in the MLA database, a review essay at that, Ron McFarland wonders if it is also Hale's gender and gendered themes that have cost her success achieved by other writers such as Sherman Alexie (157). For an excellent reading of the novel that demonstrates this continuity, see Laura M. Furlan, "'Look for the Color Red': Recovering Janet Campbell Hale's *The Jailing of Cecelia Capture*," *Intertexts* 14, no. 2 (2010): 123–41, doi: 10.1353/

itx.2011.0000. Furlan writes, "Educated, fiercely independent, and decidedly conscious of indigenous feminist concerns, Capture is a new kind of Native subject—one who must articulate an identity and a home outside of the confining spaces of the reservation" (124). Both McNickle (Cree and Métis) and Hale have women in their families who were forced to leave indigenous homelands in Canada by policy and force, perhaps lending more than we know to the themes in these stories. Such cross-border genealogies reveal transnational and transgenerational ideas that travel across Native space despite the borders we place on specific texts and nations.

4. Leanne Simpson, *Dancing on Our Turtle's Back: Stories of Nishnaabeg Re-Creation, Resurgence, and a New Emergence* (Winnipeg: Arbeiter Ring Publishing, 2011), 34.

5. Keith Smith, *Liberalism, Surveillance and Resistance 1877–1927* (Edmonton: Athabasca University Press, 2009), 18.

6. Ibid., 8–9.

7. Luana Ross, *Inventing the Savage: The Social Construction of Native American Criminality* (Austin: University of Texas Press, 1998), 39.

8. While McNickle's novel demonstrates the impact of such surveillance on the men in text, the importance of Catharine's conversion and return to traditional ways is the most important and dangerous (respectively) to the success of settlement and colonial control, thus demonstrating what Ross highlights here. For example, while Catharine is able to speak English, she refuses in important moments either to keep her son speaking the language upon his return from Portland or in court to protect her children from incrimination. Importantly, Archilde is rapidly losing his fluency in his mother's tongue, causing him to misunderstand an elder's word for *sickness* for the word *fear*—a Salish punning that reveals the true nature of this colonial condition—that is, the sickness that he suffers from is fear. D'Arcy McNickle, *The Surrounded* (Albuquerque: University of New Mexico Press, 1978), 198.

9. Smith, *Liberalism*, 51.

10. Hans von Hentig is one of the first criminologists to theorize victimology in his classical work *The Criminal and His Victim: Studies in the Sociology of Crime* (Hamden, CT: Archon Books, 1948). However, this theory is largely dismissed by criminologists today because of its reliance on the biological and cultural determinants that make people participants in their own victimization. In the work that I reviewed on American Indian criminality here, it's clear this also extends to his theorizing of criminal behavior in racialized peoples.

11. Hans von Hentig, "The Delinquency of the American Indian," *Journal of Criminal Law and Criminology* 36, no. 2 (1945): 75–84, http://scholarlycommons.law.northwestern.edu/jclc/vol36/iss2/1. Von Hentig points out that his research was limited due to the fact that Uniform Crime reports stopped tracking gender and race data after 1941. Given this narrow data set, von Hentig reports that between 1936–1941 arrest rates for Native males over the age of 15 are 2510.3 per 100,000, compared to 835.5 per 100,000 for whites. For Native females over the age of 15, arrest rates are 596 per 100,000, compared to 57 per 100,000 for whites (in other words 100 times higher than white women!). The incarceration rates are not much better during this five-year period, with Native males incarcerated almost five times more often than whites, and Native women almost *ten* times more often than white women (75–76).

12. Ibid., 78.

13. Robert Nichols, "The Colonialism of Incarceration," *Radical Philosophy Review: The Journal of the Radical Philosophy Association* 17, no. 2 (2014): 444-45, doi: 10.5840/radphilrev201491622.

14. Von Hentig, "Delinquency," 80.

15. Ibid.

16. Ibid., 83.

17. Nichols, "Colonialism of Incarceration," 445.

18. Roseanne Hoefel, "Gendered Cartography: Mapping the Mind of Female Characters in D'Arcy McNickle's *The Surrounded*," *Studies in American Indian Literatures* 10, no. 1 (Spring 1998): 62, http://www.jstor.org/stable/20739435.

19. Carole Goldberg, "A Native Vision of Justice," *Michigan Law Review* 111, no. 6 (2013): 835–54, http://repository.law.umich.edu/mlr/vol111/iss6/2.

20. Paula Gunn Allen, *Off the Reservation: Reflections on Boundary Busting, Border-Crossing, Loose Canons* (Boston: Beacon Press, 1998), 6.

21. Ibid.

22. Ibid., 50.

23. D'Arcy McNickle, *The Surrounded* (Albuquerque: University of New Mexico Press, 1978), 15. Subsequent page citations will be noted parenthetically in the text.

24. Exactly what affliction Mike returns with is hauntingly ambiguous in the novel. He is said to have been locked in a closet where the devil visited him. Taking into account the known rampant sexual abuse in mission schools, a close reading of this scene makes it even more terrible. When Mike returns he is afraid of the dark, sullen, and wets the bed. That McNickle would depict this violence is awful and important at the same time.

25. See Goldberg, "A Native Vision."

26. Janet Campbell Hale, *Women on the Run* (Moscow: University of Idaho Press, 1999). The federal Urban Indian Relocation Program began in 1948 and ended in 1980. Termination began as an act of Congress in 1953 (HR 108) and officially ended with the passage of the 1975 Indian Self-Determination and Education Assistance Act. In popular histories, however, Termination and Relocation is generally associated with the 1950s and 1960s.

27. Hale, *Women on the Run*, 6. Subsequent page citations will be noted parenthetically in the text.

28. It is important to point out that the depiction of this disguise as empowering and successful is only dependent on not being exposed by others. As one scholar notes: "The violence against women paradigm is insufficient to capture all gender-based violence; the inclusion of the experiences of transgender individuals will lead us to a better understanding of gender-based violence." See Daniela Jauk, "Gender Violence Revisited: Lessons from Violent Victimization of Transgender Identified Individuals," *Sexualities* 16, no. 7 (2013): 808–9. Unfortunately, this story does not do justice to this important point.

29. McNickle, *The Surrounded*, 222.