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## The Sovereignty of Transmotion in a State of Exception: Lessons from the Internment of ‘Praying Indians’ on Deer Island, Massachusetts Bay Colony, 1675-1676

DEBORAH L. MADSEN

“Natives have always been on the move, by chance, necessity, barter, reciprocal sustenance, and by trade over extensive routes; the actual motion is a natural right, and the tribal stories of transmotion are a continuous sense of visionary sovereignty”  
(Gerald Vizenor, *Manifest Manners* ix)

The concept of Native sovereignty in Vizenor's writing is both complex and simple, connected inseparably to his notions of “survivance” and “transmotion.” While he would seem to reject the territorial understanding of “tribal sovereignty” as a restrictive concept that limits the practices of sovereignty to designated geographical boundaries (like the reservations described as “federal enclaves where tribal people are contained” in *Earthdivers* 34), the sovereignty that “transmotion” encompasses is, as Michael Snyder explains, “rooted in traditional Native uses of land and cultural practice” (47-48). These land usages and cultural practices assume the fundamental right of unrestricted movement, a right which is highlighted in the Preamble to *The Constitution of the White Earth Nation* where the Anishinaabeg of the White Earth Nation are initially defined as “the successors of a great tradition of continental liberty.” In his commentary on the Constitution, David Carlson cites the list of definitions of selected terms used, published in *Anishinaabeg Today* (Wednesday, September 2, 2009), which includes the phrase “continental liberty”: “Continental liberty refers to the Continent of North American [sic], and native liberty refers to the natural freedoms and rights of natives before contact with Europeans. Natives had established extensive and active trade routes throughout the continent and hemisphere. Trade routes, and other associations of native communities required a sophisticated sense of rights, travel, trade, and native liberty” (19; quoted in Carlson 28).

The sovereignty of transmotion is, then, the right to freedom of travel but not simply the right of motion. Transmotion is the freedom to move across physical and conceptual boundaries;

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between what, in *Interior Landscapes*, Vizenor calls “communal tribal cultures and those material and urban pretensions that counter conservative traditions” (162). However, in the absence of that freedom of physical movement, many other freedoms become impossible. This is where the inherent link between transmotion and survivance becomes crucial. As I have written elsewhere,

in its original French meaning ... [s]urvivance signifies the qualification to inherit an estate and formal recognition of the legal status of a survivor. Or, in Vizenor's words to Jöelle Rostkowski, '[s]urvivance ... is the heritable right of succession or reversion of an estate, and, in the course of international declarations of human rights, a narrative estate of native survivance.' What this means in a Native context is the readiness of individuals and communities alike to continue the transmission of tribal cultures, values, and knowledges to future generations, through international and domestic legal instruments, through creative storying in literature, art, music, and through the practices of everyday life. (XIII)

Transmotion, then, is the practice of transmitting tribal cultural practices across time as well as spaces of travel and trade. Above all, it is the freedom explored by Jodi Byrd in *The Transit of Empire* to resist “the cultural and political modes [by which] 'Indianness' [is] regulated and produced by U.S. settler imperialism née colonialism” (xv), a regime of production that generates an understanding of indigeneity, Byrd continues, “as rooted and static, located in a discrete place” (xvi).

Christopher Schedler opens his essay, “Wiindigoo Sovereignty and Native Transmotion in Gerald Vizenor's *Bearheart*,” with an incisive account of the criticisms of Vizenor's tricky position on the issue of tribal sovereignty—made from the perspective of American Indian literary nationalism by Elizabeth Cook-Lynn and Sean Kicummah Teuton—in which Schedler defends Vizenor's vision of “the inherent Native rights of presence, motion, and survivance on this continent as an 'originary' form of sovereignty, which is sustained through treaties but is not limited by them,” quoting Vizenor's claim that “Sovereignty as transmotion is not the same as notions of indigenous treaty sovereignty; transmotion can be scorned and denied, but motion is never granted by a government” (Schedler 35; *Fugitive Poses* 188). As Schedler goes on to explain, treaty sovereignty is constrained by the context in which it is granted: the authority of the US federal government. But as Vizenor insists throughout his work, indigenous sovereignty,

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ultimately, is not a power that can be granted. The sovereignty that is indigenous “presence, motion, and survivance” – transmotion – inheres in Native peoples and not in the settler state.

This conception of Native sovereignty, as articulated by Vizenor, has always been in conflict with the claims to sovereignty made by settler-colonial authorities: not only the federal US government but, much earlier, those colonial governments and the European Crowns they served that initiated the symbolic economy of “Indianness” that Jodi Byrd addresses. Metacom's War (or “King Philip's War” 1675-1676) offers a dramatic instance of this early conflict, as well as the process of clearing colonial space through the settler-colonial “logic of elimination” defined by Patrick Wolfe as the separation, dispossession, removal, and disappearance of indigenous peoples from their homelands (Wolfe 387).<sup>1</sup> Among the many grievances that Metacom presented to the deputy governor of Rhode Island colony, John Easton, during their negotiations in June 1675 were the increasing pace of land loss, the threat posed by Christian proselytizing, and the loss of tribal jurisdiction. These grievances represent two major dynamics of later US settler colonialism: territorial and cultural dispossession. However, at the outset of hostilities, the settler colonies employed a further strategy of Native displacement and sequestration, culminating in the internment of so-called “praying Indians” on Deer Island in Boston Harbor: the focus of this essay.<sup>2</sup> Atrocities committed against Christian “*indians*” have a special resonance: as subjects of the English Crown, a fact acknowledged by Metacom in his negotiations with Easton, these “friendly” Natives should have enjoyed the protections accorded English subjects.<sup>3</sup>

The denial of such protections through the suspension of English sovereign law makes this internment an instance of Giorgio Agamben's “state of exception.” Agamben's exploration of the concept draws heavily on Carl Schmitt's *Political Theology* (1922), in which he theorizes sovereignty as arising from the assertion of authority rather than the normative power of law, demonstrated in the sovereign's capacity to suspend law in states of emergency. Indeed, the suspension of law is neither only nor most importantly an assertion of the sovereign's authority; in its performance, this act is constitutive of sovereignty itself. It would be inaccurate to assume that Metacom's grievances were complaints about rights actively taken away from passive Native communities by English settlers; rather, the settler assertion of the right to Christianize, the right to claim land, the right to legal jurisdiction, were performative assertions that produced the colonizing authority that settlers claimed. The power of Agamben's reworking of Schmitt's

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fundamental idea of sovereignty, and much of its appeal to scholars of settler colonialism, lies in his topographical mapping of the concept into spatial or territorial terms: “Being outside yet belonging, this is the topological structure of the state of exception” (2005, 35). Through this paradoxical construction, the exception defines “the very space in which the juridico-political order can have validity” (1998, 19). Native space, while belonging to the territory that is to be colonized and yet placed outside it in juridico-political terms, is rendered exceptional by the assertion of sovereign settler authority to claim land, jurisdiction, and cultural control. In the spaces of New England “praying towns,” the rule of Judeo-Christian law produced an exceptional discursive and material space in which “praying Indians” both belonged to the category of English subjects and yet were placed outside it. As Mark Rifkin so cogently points out in his analysis of the frontier as a space of exception, “being within the sphere of state sovereignty but not covered by the normal legal principles of national law ... bespeaks the fundamental anxiety that animates the settler-state” (2014, 176). Though he is referring to an historical context some hundred or more years after Metacom's War, the discursive dynamics that Rifkin identifies can be seen clearly at work in this earlier moment of the historical record. That is, the state of exception exploited by the US after 1776 had been animating the settler-state at least since the seventeenth century.

Beyond the battles, bloodshed, and unprecedented destruction in New England of Metacom's War, the conflict was essentially one of stories, the “authorizing” power of rhetoric, in what Vizenor calls “the word wars” (*Wordarrows* viii). Granted, the war was motivated by conflict over legal jurisdiction and ownership of land; the imposition of English judicial structures and the worldview embedded in those structures—urgent issues related to Native sovereignty. But these grievances were grounded in a system of conflicting symbolic meanings expressed in cultural narratives, most notably the nascent ideology of American exceptionalism. As I hope to point out, the “exceptional” state of New England Native communities—and specifically the so-called “praying Indians”—represents the attempt to create a state of discursive stasis, of rhetorical immobility: a state imposed by the English Crown, through the government of the settler colonies, as an act of imperial sovereignty. I want to suggest that this symbolic discursive condition contributed materially both to the confinement of Christianized Natives first in the enclaves known as “praying towns” and later the internment camps on Deer Island and Long Island, and also to the enduring simulation of the “*indian*” (*The Everlasting Sky* xiii-iv;

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*Manifest Manners* vii; *Fugitive Poses* 15-14) that is located outside the historical space of European modernity and its conceptual space of rights discourses.<sup>4</sup>

In *Fugitive Poses* Vizenor refers to “[t]ricky stories, totemic pictures, and mental mappery [as] the embodiment of native transmotion and sovereignty” (170). Transmotion then is an expression of native ontology, located in narratives that bring together the physical land with an expression of Native cultural presence. This Native presence is, as Niigonwedom James Sinclair describes in his essay “A Sovereignty of Transmotion,” a vision of “both the physical and psychological realms of the universe [as] made up of interconnectivities and relationships” (127). Words that express transmotion, he continues, are “not only mythic vehicles and vessels for Anishinaabeg spirituality, philosophy, and 'traditional' teachings ... but [are] historical, subjective, and political Anishinaabeg-centered creative, critical, and activist acts” (127). The right to physical spatial movement is a key aspect of indigenous sovereignty, as is the Native spiritual, philosophical, and subjective engagement with material space, without which sovereignty can be rendered precarious and vulnerable to domination by settler-colonial interests. A fully-realized sovereign politics addresses not only the right to land but also the right to express a specifically Native-centered relationship to land through physical and conceptual mobility. The example of the internment of converted Native communities on Deer Island (and elsewhere) highlights the necessary interconnection between territorial and cultural sovereignty.

### **Exceptional “Indians”**

The events of 1675 to 1676 constitute one of the major turning-points in early settler-Native relations. Metacom's War was bloody, brutal, and devastating for both sides. More than a series of violent martial encounters, however, the war highlighted the fundamental incommensurability of Native and settler ontologies, focused on the issue of sovereignty. In this essay, I want to think about this ontological incommensurability in relation to issues of mobility and confinement. As Jean O'Brien notes, in *Dispossession by Degrees*,

Because Indians moved their fields every few years to avoid soil exhaustion, landownership shifted with land use as well as the seasons. Ideas about property rights in hunting, fishing, and gathering related to ecological use ... But principles of mobility existed alongside notions of fixity, as in movements between central village sites and, for example, the annually abundant fish spawning sites. (21)

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These practices, related to Native mobility and fixity, were increasingly denied to the Native communities of New England in the period leading up to and following the war; mobility not only in territorial space but also in judicial, cultural, and spiritual terms was at issue for Metacom from the start. In June 1675, in negotiations with the deputy governor of the Rhode Island colony, John Easton, Metacom presented a series of grievances which included the increasing pace of land loss through fraudulent land sales protected by English law, the invasion of Native cornfields by the settlers' cattle, the threat posed by Christianization and the selling of alcohol, and the loss of tribal jurisdiction.<sup>5</sup> Of course, the latter complaint—the expansion of English legal jurisdiction over Native communities—had been rankling since the treaties agreed in the aftermath of the Pequot War. The extension of colonial judicial sovereignty intensified in the wake of John Sassamon's death in 1674, but the assertion of settler sovereignty that culminated in the internment of Christianized Native communities on Deer Island went beyond the imposition of English law—in a manner illustrative of Schmitt's account of sovereignty as an artifact of authority rather than law—to assert the Crown's sovereign right to suspend the application of legal rights to certain subjects. As acknowledged subjects of the English Crown, the “praying Indians” who were removed to Deer Island should have enjoyed the protections extended to all English subjects. But they were not. In this respect, “praying Indians” occupied a discursive position that increasingly reduced the capacity to exercise the sovereignty of transmotion by enforcing a cumulative regime of sequestration, confinement, and immobilization.

In his account of the establishment of the “praying towns” by the missionary John Eliot, between 1651 and 1674, Neal Salisbury argues that the fourteen towns deliberately isolated Native converts from “both settlers and independent Indians” (1974, 32). Town government was structured on a biblical model and the court system was analogous to that of an English county court; while Native men played a role in town governance, all decisions were subject to approval by the “superintendent of subject Indians” (32), a position occupied by Daniel Gookin at the time of the war. The legal code enforced by the town courts, designed by Eliot, regulated a range of customs and behaviors in the interests of pursuing the colonial project of “civilizing” the Christian converts. Through territorial isolation and acculturation, Salisbury claims, “[i]n countless subtle ways the Indians' distance from their past was reinforced while they were as far as ever from being accepted as members of 'civilized' society” (34).

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The settler or migrant rhetoric of American exceptionalism, which has roots in this colonial period, posits the United States and its founding Pilgrim Fathers as the nation uniquely able, and indeed charged, with the mission to bring into being a perfected world. From the colonial period, the understanding of New England's exceptional destiny has depended upon the "visible sainthood" of leaders who guide God's mission into the wilderness of the New World. But the assumption of sainthood for some relies upon the conviction that others are diabolical agents, active agents of evil, determined to destroy the divinely-sanctioned New World experiment. The prominent Boston minister Cotton Mather, in *The Wonders of the Invisible World* (1693), describes the land colonized by New Englanders as having originally belonged to Satan, who is just waiting to claim his lands back: "The *New-Englanders* are a People of God settled in those, which were once the *Devils* Territories; and it may easily be supposed that the *Devil* was Exceedingly disturbed, when he perceived such a people here accomplishing the Promise of old made unto our Blessed Jesus, *That He should have the Utmost parts of the Earth for His Possession*" (xi-xii original emphases). In these settler terms, the exceptional nature of colonial New England lies in the ability to win over, for Christians, territory (both literal and spiritual) that is Satan's. But in order to do this, those visible saints must engage in continuous combat with the invisible agents of Satan who will use any means to retake what they believe is theirs.

Within this symbolic context, seventeenth-century Native communities occupied an ambivalent position. On the one hand, Natives were seen as heathen, as barbarous, uncivilized, and often as the agents of Satan. On the other hand, Natives were also interpreted as tools in the hands of a punishing God. So sometimes their attacks on English settlements were interpreted as the acts of Satanic agents, working on behalf of the Devil who was trying to recapture his lost territory. At other times, Native people were interpreted as God's scourge, punishing the colonists who were failing to advance in their exceptional mission. This is how Metacom's War was interpreted by Daniel Gookin, a sympathetic observer: "To make a rod of the barbarous heathen to chastise and punish the English for their sins" (*Historical Account* 437). Since gentle chastisements had not worked to produce among colonists "effectual humiliation and reformation, hence the righteous and holy Lord is necessitated to draw for this smarting rod of the vile and brutish heathen, who indeed have been a very scourge unto New England, especially the Jurisdiction of Massachusetts" (437-8).

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Elsewhere, Gookin is more ambivalent in his inscription of Christian converts into the Puritan providential scheme. J. Patrick Cesarini's account of the interconnections between Gookin's empiricism and providentialism highlights the complexities of his thought concerning the exceptional position of “praying Indians.” In his *Historical Account*, Gookin writes the active presence of Native allies into the historical record of Metacom's War, in ways that caused the book to be refused publication in 1677. As Cesarini points out, he presents the hostility of settlers as the justification for Native mistrust and, in some cases, defection to unconverted communities (492). Indeed, Gookin claims that the “praying towns” were at one point during the war offered as a kind of human shield or “wall of defence [sic] about the greatest part of the colony of Massachusetts” both as evidence of the fidelity and loyalty of the inhabitants and their desire to “take off the animosity and displeasure that they perceived was enkindled in some English against them” (*Historical Account*, 436). He then takes the opportunity to observe that the English could have avoided much of the suffering of the war if only they had embraced converted Natives as their full allies. At its most radical, Gookin's writing portrays the “praying Indians” as victims of what Cesarini calls “a Puritan colony unable to control itself – either politically or spiritually” (500). This view leads Gookin then to propose a dramatic reversal of the providential role played by Puritans and “praying Indians” respectively: in order to test the authenticity of their conversion, God has transformed the settler community into a scourge of indigenous converts. This is a radical subversion of the providential scheme in which, as Cesarini explains, “the Indians were considered the *objects*, the special instruments, of God's agency, but the English alone were God's *subjects*. God spoke *through* the Indians, but he never spoke *to* them” (497 original emphases). The perception that the settlers may be in need of reminders of God's disfavor was not, as Cesarini notes, confined to Gookin; contemporaries like Increase Mather saw Metacom's War as a providential sign of the colonists' sinful backsliding and so called for a general renewal of the covenant that joins all members of all New England churches with each other and with God.

Gookin claims that his “primary appeal on behalf of the converts was to remind colonial authorities that they were bound by their covenants to deal justly with them” (Cesarini 506). Here then is a further “exceptionalization” of Christian Natives: they were English subjects but denied the protections of that status; they were members of the Puritan covenant but they were denied the rights of membership.<sup>6</sup> Even such a sympathetic commentator as Daniel Gookin

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admits as much, in a striking use of typological rhetoric to express his providentialism. Describing one of the “praying towns”—Okommakamesit—he writes: “This town doth join so near to the English of Marlborough, that it was spoken of David in type, and our Lord Jesus Christ, the antitype, *Under his shadow ye shall rejoice*: but the Indians here do not much rejoice in the English men's shadow; who do so overtop them in their number of people, stocks of cattle, &c. that the Indians do not greatly flourish, or delight in their station at present” (*Historical Collections* 45).<sup>7</sup> By failing to answer the biblical promise (“spoken ... in type”) of flourishing in the shadow of the “godly,” the “Indians” fail to answer (in the antitype) the exceptionalist promise of the New England mission. The symbolic promise symbolized by David and fulfilled by the coming of the Messiah has not been fulfilled by the promise of the converts' delivery into a new dispensation. They are excluded from the divine destiny of the New England colonies by biblical authority, which Gookin interestingly spatializes. Thus, even converted “Indians” can never become sufficiently converted to participate fully in the exceptionalist colonial mission and so can never possess the full rights that attach to a Puritan subject of the English Crown.

There is no doubt that converted Natives submitted formally to the sovereignty of the colonial government and hence to the Crown. Neal Salisbury traces the events that led the Massachusetts sachem Cutshamekin to submit formally to the Massachusetts Bay government in 1644, in a move designed to protect his standing among his people but that instead opened his community to the influence of missionaries, which soon challenged his authority. Salisbury remarks, “The Massachusetts thereby became the first Indians in New England to enter a new legal status, one in which they were neither independent nor assimilated into white society” (1974, 36). Four years later, the Massachusetts General Court, at the session held on 4 November, announced that two ministers would be sent each year to preach in Native communities because of the fact that “divers of them [Indians] are become subjects to the English, and have engaged themselves to be willing and ready to understand the law of God” (Shurtleff, 178). Daniel Gookin, in his *Historical Collections of the Indians in New England*, explains that “The reason, why the English government is concerned with the Indians' affairs in point of rule and order, is because all those praying Indians in Massachusetts colony did long since, before they began to worship God, actually and solemnly submit themselves unto the jurisdiction and government of the English in the Massachusetts, as the records do declare” (39). And in his “Notes on the Nipmuc Indian Reservation at Hassanamesit,” quoting from the

Massachusetts Bay Records (MBR, 30:146), Thomas Lewis Doughton highlights the moment in May 1668 when Nipmuc sagamores formally “submitted” to English colonial authority, which is worth quoting at length:

The humble submission and subjection of the Native Indians sagamores and people of the Nipmucks inhabiting within the bounds of the pattens [sic] of Massachusetts and near adjoining unto the English towns so-called of Mendon and Marlboroug[h]

We the inhabitants of Mongunkachogok Chaubunkongkomuk Asukodnogest Kesapusgus Wabuhquoshish and the adjacent parts of Nipmuk being convinced of our great sinns & how good it is to turn unto the Lord and be his servants by praying or calling upon his name ... do give up ourselves to God ... we finding by experience how good it is to live under laws & good government and how much we need the protection of the English. We doe freely out of our own motion and voluntary choyce do submit our selves to the government of Massachusetts (n.p.).

Despite this symbolic and material “subjection” to the Crown, in the course of the war, “praying Indians” were denied their fundamental rights as English subjects. The order for their removal was passed by the General Court in Boston in October 1675; survivors were permitted to return to the mainland in May 1676. The notion that an entire community can be deemed a security risk is a recurrent theme in American history, but this settler logic reaches back into the colonial heritage, and produces the enduring image of the threatening unassimilated “Indian.” That the people could be removed to Deer Island so efficiently was the consequence of their earlier confinement to so-called “praying towns” – notably Natick, from which *everyone* was removed to Deer Island.

In the 1647 tract, “Day Breaking if not the Sun Rising of the Gospel with the Indians of New England,” John Eliot describes the missionary effort to persuade the Massachusetts General Court to establish a separate town for converted Natives (9, 27). The request came from Native leaders and, as scholars such as Jean O'Brien have noted, represented one strategy by which Native communities attempted to retain some formal title to what land they could claim, as well as allowing Native participation in political and legal matters. However, as she goes on to explain in relation to Natick specifically:

The commonwealth elaborated a special judicial mechanism for Indians when

Daniel Gookin was appointed as superintendent of Indians in 1656. The system Gookin implemented followed the precedents of the submission agreements and Praying Town codes, while creating a structure of Indian magistrates operating under the ultimate supervision of the English. There was to be no mistaking who gained ultimate power. (*Dispossession by Degrees*, 50)

And, in the course of the war, towns such as this became effective prisons for converted Native people. Interestingly, in his account of the establishment of the “praying towns”, Daniel Gookin cites two reasons why objections to the grant of land are invalid. The first and foremost is “forasmuch as it was all their native country and propriety, before the English came into America; the answer is ready: First, that the English claim right to their land, by patent from our king” (*Historical Collections* 39). Gookin implicitly draws on the doctrine of *vacuum domicilium* but explicitly links the right to land with the sovereignty of the English Crown. There is a contradiction here: if land is rightfully granted to his subjects through the sovereign power of the English King then, as English subjects, Christian Natives should not need to justify their claim to the land. And yet they do. It is here that Gookin captures the paradox of indigenous exceptionalism, the consequences of which are formulated so clearly by Mark Rifkin:

The knowledge of the prior presence and continuing existence of Indigenous peoples in now-'domestic' space ... enters settler law as the difficulty of legitimizing the state's jurisdiction over Native peoples. The attendant series of logical and normative confusions, contradictions, and crises generated by this problem leads to the legal and administrative construction of a state of exception for Native Peoples. (177)

### **Movement, Stasis, and the State of Exception**

The internment of the inhabitants of the fourteen “praying towns” was not a sudden move on the part of the colonial authorities but a process: the culmination of the erosion of the sovereign Native freedom of movement that intensified during the period of the war. Starting in 1675, in a process of ever-increasing confinement and immobilization, these Native people were first prohibited from leaving their villages, and then were removed from their homes to Deer Island in Boston Harbor, where many perished of hunger, disease, and exposure. In June 1675 all the

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“praying Indians” in New England were relocated to five towns; in October 1675 the General Court removed the people to two camps: one on Long Island, the other a larger camp on Deer Island—including, as I remarked earlier, the entire population of Natick (Clark 22). On 5 May 1676, the General Court ordered the removal of the Native people confined at the Long Island camp to English garrisons, where they were to stay on pain of death (Shurtleff 86). Granted, the detention of the “praying Indians” took place in the context of the most vicious conflict ever fought on American soil. In the fourteen months between June 1675 and August 1676 more than half the settler towns were destroyed, according to Jill Lepore's account, pushing English settlement back to the coast, and coming within only a few miles of Boston.<sup>8</sup> Thousands of Native people died, many of starvation or disease, and later many were sold into slavery in the West Indies.

The session held on 9 July 1675, where Gookin was present, voted to repeal the law allowing licensed persons to sell to “any Indian or Indians, not in hostility wth us, powder, shott, lead, guns, hand gunnes, rapier blades, swords, &c” (Shurtleff, 45). In the August 1675 session the Massachusetts Council ordered all converted Natives to be confined to “praying towns” and, according to Gookin's report of the Court records, a series of further constraints on Native mobility was imposed: hunting in the woods was prohibited, as was entertaining “any strange Indians,” and a limit was set of one mile from their “dwellings” unless accompanied by English persons (*Historical Account* 450). This issue of Native “dwellings” is supplemented by the Court's assertion that “The places of the Indians’ residence are, Natick, Punquapog, Nashobah, Wamesit and Hassanamesit. And if there be any that belong to other places, they are to repair to some one of these” (*Historical Account* 451). This proclamation defines “Indianness” according to the occupation of space, constraining indigenous identity to specific spaces and enforcing through the threat of death the identification of place with “Indianness.” For a Native person to be “out of place” would be to become a “not-Indian” or a “strange Indian” who can be killed with impunity because such a person has no ontology within this exceptional scheme, once they are located outside the circumscribed paradoxical space of “the Christian Indian.”

The provision for enforcing these orders was death, for which Native people found outside their designated place would be to blame. In this way, the exercise of the sovereignty of transmotion – which so clearly subverts the immobility of the state of exception – was effectively deemed a capital offence. Native people could move between towns only with the

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express authorization of the General Court and the confinement of Christian Natives was further intensified during the following legislative session, on 13 October 1675, when the Massachusetts Council ordered that Christian Indians be forcibly removed to Deer Island. This is the opening article of the session: “WHEREAS notwithstanding the councils former prohibition of all Indians coming to, or remaying in, the toune of Boston, wee finde that still there remajnes ground of feare that, vnless more effectuall care be taken, wee may be exposed to mischiefe by some of that barbarous crew, or any strangers, not of our nation, by the coming into or residing in the toune of Boston, this Court doeth therefore order”... and eight separate orders follow (Shurtleff 47). Firstly, that no one will “entertain or countenance” *any* “Indian” under penalty of treason; secondly, guards will prevent the entry of *any* “Indian” into Boston and armed guards will accompany any “Indian” allowed access and those who are “employed upon any message or business” of the Council will be taken directly to the Governor and by him be “disposed of & secured during their necessary stay for the dispatch of their business,” while no other “Indian” will permitted to stay in the town “unless in prison”; thirdly, any unguarded “Indian” could be lawfully “secured” by any person; fourthly, that the military are instructed to be alert for the approach of canoes; fifthly, that the Charles Town ferry is prohibited from allowing any “Indian” to disembark unless accompanied by an armed guard; sixthly, that any person may lawfully “apprehend and secure” any “Indian” approaching the town; seventhly, and I want to quote this order in full:

That account be taken of all straingers who are not his majestjes subjects, and that they remajne not in toune vnless security be given for their fidelity, and that none be admitted but vpon the like security, and that no master of any vessell bring in any w<sup>th</sup>out acquainting the Gouvernor therewith, & presenting their persons in order to their examination, who, if vpon their examination can give no good account of their business, and security for their good behaviour, shall be sent to prison vnless they doe forth with depart (Shurtleff 47).

The final order in this list of constraints on Native mobility specified that no inhabitant of Boston could lawfully entertain “any stranger” in their house, under pain of any penalty the Court might see fit to impose (Shurtleff, 46-7). I have quoted the seventh order in full because, again, it formally if implicitly, excludes converted Natives from the category of “his Majesty's subjects.” In the state of exception, subject Native people were rendered immobile by these

orders and those that specified the condition of capital punishment under which detainees were interned. The Court Record states:

Whereas this Court haue, for weighty reasons, placed sundry Indians (that haue subjected to our goum<sup>b</sup>) vpon some islands for their and our security,--

It is ordered, that none of the sajd Indians shall presume to goe off the sajd islands voluntarily, vpon pajne of death; and it shallbe [sic] lafull for the English to destroy those that they shall finde stragling off from the sajd places of their confinement, vnlesse taken of by order from authorjty, and vnder an English guard. And it is further ordered, that if any person or persons shall presume to take, steale, or carry away either man, woeman, or child of the sajd Indians, off from any the sajd islands where they are placed, w<sup>th</sup>out order from the Generall Court or council, he or they shall be accounted breakers of the capitall law printed & published against man stealing; and this order to be forthuith posted and published.

The whole Court being mett, it is ordered, that the country Tresurer take care for y<sup>e</sup> provission of those Indians that are sent doune to Deare Island, so as to pvent their perishing by any extremity that they may be put vnto for want of absolute necessaries, and for that end he is to appoint meet persons to vissit [sic] them from time to time (Shurtleff 64).

The effects of this confinement are described by Gookin as follows: “By this order ... the poor Christian Indians were reduced to great sufferings, being hindered from their hunting and looking after their cattle, swine, and getting in their corn, or laboring among the English to get clothes, and many other ways incommoded also, were daily exposed to be slain or imprisoned, if at any time they were found without their limits” (*Historical Account* 451). And even while acknowledging the severe sufferings and the brutal conditions of Deer Island, the Court enforced the detention of Christian Natives with the threat of summary execution. At the end of December 1675, Gookin accompanied John Eliot on a visit to the Island. In his account of this visit he reflects that

I observed in all my visits to them, that they carried themselves patiently, humbly, and piously, without murmuring or complaining against the English for their sufferings, (which were not few), for they lived chiefly upon clams and shell-fish, that they digged out of the sand, at low water; the Island was bleak and cold, their

wigwams poor and mean, their clothes few and thin; some little corn they had of their own, which the Council ordered to be fetched from their plantations, and conveyed to them by little and little; also a boat and man was appointed to look after them. (*Historical Account* 485-86)

### **The Paradoxical Rhetoric of the Exception**

The tone of Gookin's account is apologetic; he explains parenthetically that the Council was obliged to take these measures "to quiet the people" (451) but rhetorically he is caught between a sympathetic view of the Native right to freedom of movement—the sovereignty of transmotion—and the impact of settler violence against all indigenous people, including "praying Indians." Indeed, he attempts to navigate the complex position of Native communities that are acknowledged as sovereign nations, on the one hand, and domestic combatants, on the other. He cites the opinion of the Council that restrictions on Native mobility are necessary because the hostile tribes act "contrary to the practice of civil nations" (450). Trapped physically and rhetorically between the status of "civil nations" and hostile subject peoples, Gookin's communities of "praying Indians" were exceptionally marked for forced removal, immobilization, and summary execution should they exercise the right to transmotion. Rendered "strangers" in their traditional lands, but at the same time subjects of the Crown before the representatives of which they rhetorically prostrate themselves, "praying Indians" were placed in the exceptional rhetorical position of being "out of place" *wherever* they were placed. Being "out of place" for any Native person, who could not justify being in the place where (s)he was apprehended, was treated severely. For example, in the same session of the Court, "Two Indians, one an old man named Mannapaugh, & Mannanesit, a young man, his sonn, pretending themselues to belong to Vncas, being found at Chelmsford, where the haystacke was fired, giving no reason of their coming & staying here, was judged to be spyes, and ordered to be sent away by the Treasurer" (Shurtleff 58). This phrase, "to be sent away by the Treasurer," was a euphemism for being sold out of the colony to the West Indies as a slave. And here we have perhaps the most scandalous exemption from the protections of law suffered by the Native peoples of New England during this conflict—the selling into slavery of loyal "Indians," who had no real part in the conflict. As Jill Lepore explains, a dramatic case was that of Metacom's son. When Metacom's wife and 9-year-old son were apprehended, they were imprisoned in

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Boston while the Court debated the child's fate. Contradictory scriptural passages were invoked to determine whether or not the child should be executed: on the one hand, the injunction that the crimes of the father should not be visited upon the child and, on the other hand, biblical examples where children grow up to be the scourge of future generations. After eight months delay, the boy was sent into exile – sold and shipped to Barbados or Jamaica. As Lepore notes, the legality of enslaving this child was debated but the legality of enslaving Native subjects of the English Crown, interpreting them instead as sovereign enemy combatants, was not debated. Indeed, as she observes: “This ambiguity, over whether Indian peoples are sovereign or subjected, would lie at the heart of Indian-white relations in the colonies and later the union, until the U.S. Supreme Court ruling in *Cherokee Nation v. Georgia* in 1831, in which John Marshall would assign Indians the unique status of 'domestic dependent nations'” (164).

This contradictory and ambivalent condition – the *subjected* sovereign subject – represents Agamben's state of exception as the situation in which the rule of law is exceptionally suspended in an act that validates in its very exercise the sovereignty of the power that suspends the law. In this case, the General Court of Massachusetts, threatened in its very existence by Metacom's resistance, asserted its sovereignty over communities of converted Natives by first accepting their formal subjection to English rule and then exempting those Native subjects from the protections of English law. The denial of such protections through the suspension of English sovereign law makes this internment an illustrative instance of Agamben's state of exception. According to Agamben, exemption from the law through the intervention of a sovereign power confirms that power's sovereignty and transcendence of law by the act of creating the exception. Though this exception is enacted as being itself exceptional, Agamben points out that in fact such exceptions prove the rule of sovereign power: “The paradox of sovereignty consists in the fact the sovereign is, at the same time, outside and inside the juridical order. ... The sovereign, having the legal power to suspend the validity of the law, legally places himself outside the law” (*Homo Sacer* 15).<sup>9</sup> For example, Gookin recorded Joseph Tuckapawill's remarks when he and his family were offered hospitality by English friends of John Eliot before they were sent to Deer Island:

... I am greatly distressed this day on every side; the English have taken away some of my estate, my corn, cattle, my plough, cart, chain, and other goods [Tuckapawill explained]. The enemy Indians have also taken a part of what I had; and the wicked

Indians mock and scoff at me, saying ‘Now what is become of your praying to God?’ The English also censure me, and say I am a hypocrite. In this distress I have no where to look, but up to God in heaven to help me; now my dear wife and eldest son are (through English threatening) run away, and I fear will perish in the woods for want of food; also my aged mother is lost; and all this doth greatly aggravate my grief. But yet I desire to look up to God in Christ Jesus, in whom alone is my help ... I never did join with them against the English. Indeed, they solicited me, but I utterly denied and refused it. I thought within myself, it is better to die than to fight against the church of Christ. (qtd. Doughton, n.p.)

Here we see the space of the exception at its most brutal. Immobilized juridically so he has no recourse to either English or Native justice (both steal from him with impunity), caught discursively between the categories of Native and English, and confronting the prospect of internment at the hands of his fellow English subjects and covenant members, John Tuckapawill is left with only the thought of death. He has no other place to go.

The losses experienced by exceptional “praying Indians” like Tuckapawill are suggested by Michael Clark who, in his introduction to the *Eliot Tracts*, describes the profound changes undergone by converted Native people:

the shift to permanent residence versus a seminomadic [sic] lifestyle, the need for European farming techniques to make the permanently cultivated fields productive, corollary changes in gender roles and generational expectations regarding children and the elderly, and new British names, clothes, and hairstyles, ... name only the most obvious examples of how life changed for the Indians who moved into the Praying Towns. (18)

To these factors Neal Salisbury adds those that were the indirect consequence of environmental changes. For example, the scarcity of bear's grease prevented its use on skin and hair, while furs required for clothing and the construction of wigwams were inaccessible (1974, 34). Harold W. Van Lonkhuyzen, in his “Reappraisal of the Praying Indians,” makes the same point about changing material lifeways but takes this further to observe the ways in which these changes are related to profound shifts in tribal ontology: so the increasing reliance on domesticated animals produced an alteration in relations with animals and animal spirit masters (412), the building of fences changed attitudes towards property, land, and the earth; the influence of heteropatriarchy

disrupted gender and social roles; and education, especially reading, “altered the converted Indians' cognitive appreciation of the world” (413). These transformations, for Christian Natives like Tuckapawill, were the consequences of their choice to live within the territorial jurisdiction of New England and to accept the sovereignty of the English Crown. And yet they were imprisoned in murderous conditions because they remained “Indians” despite their religious conversion and cultural assimilation. Why? Salisbury shows convincingly that while the “praying towns” may have seemed to be in transition to a state of full assimilation into English culture, the greatest opposition to the towns came from those settlers in closest proximity to them, revealing that full integration was never, in fact, on the colonial agenda (1974, 41-42).

The experience of the “praying Indians” exposes the fact that race, and white supremacy specifically, underpins the settler-colonial state of exception.<sup>10</sup> The General Court Record reports multiple cases where the “wrong kind of Indian” was inadvertently sold into slavery – because all Native people looked alike to English eyes. Those who could not be sold were indistinguishable from those who could; the enemy was indistinguishable from the ally. As the Court reflected, “It being difficult to Discern between Friends & Foes ... This Court doth order and appoint that ... such [Indians] as are not [abroad] are forthwith to return to their respective stations, as also such as are Sojourning within any of our Towns excepting only those who are constant dwellers in English Houses” (quoted O'Brien, *Dispossession by Degrees* 70; Mass Archive, 30: 315, 1689/90). The only way to protect friendly Natives was to imprison them. The bodily markers of difference operated only to distinguish “White” from “Red,” not to signify degrees of political and cultural allegiance. Gookin, in his *Historical Account*, is only one of many proponents of the view that internment on Deer Island was a good thing for converted Native people because confinement offered protection from violently hostile settlers (485). Jean O'Brien explains that the term “Friend Indians,” to signify allies, was agreed between the English and the Mohawks who had been raiding “praying Indians” since the 1660s. She describes how “[t]heir negotiations centered on the problem of how to tell the difference between the two” (*Dispossession by Degrees* 65). Mohawks, thinking militarily, would ask: “Why would 'Friend Indians' require 'stockadoes' for protection? 'Friend Indians' resided 'in ye woods,' not barricaded within a fortress in the shadow of English settlements” (65); in contrast, English thinking was in terms of allies and the Council specified four towns where “friends” lived: Natick, Punkapoag, Hassanamisco, and Wamesit. O'Brien notes that “These Indian

settlements carried English implications about boundaries, and the sedentary organization of town activities,” unlike the Mohawk who had different ideas about where friends and allies would be located (*Dispossession by Degrees* 66).

In discursive terms, the category of the “*indian*,” to which enemies and allies of the English alike were subject, reduced all Native people to the cultural binaries of civilization versus savagery. In these terms, all “Indians” were “savages” and of necessity excluded from the exceptional destiny of English America. Placed under erasure as Native yet un-erasable as Christians, the rhetorical or categorical immobility of the exception to which Christian Natives were subject can be seen as the symbolic counterpoint to their material confinement – in praying towns, in English garrisons, on Deer Island and Long Island – and in the continuing restrictions on indigenous mobility, on Native transmotion, imposed in the aftermath of Metacom's War.

### **Conclusion: Transmotion, Survivance, and the Lessons of Deer Island**

Harold Van Lonkhuyzen highlights the profound consequences of immobilization or what he calls the increasing “sedentarism” (412) of the New England tribes during this period, a tendency that was accelerated under the influence of missionaries like John Eliot: “sedentarism impeded mobility and disrupted traditional subsistence cycles of food gathering and production” (412). In addition to changing usages of the land through the abandonment of indigenous forms of agriculture—and the changing material lifeways to which this gave rise—converted Natives experienced changes in their ontological orientation to the world. Among the examples that Van Lonkhuyzen offers is fences, the impact of which he traces directly to missionary influence: “The fences Eliot encouraged the Natick men to build simply could not be integrated into the Indians' traditional ethos but instead required and simultaneously reinforced a new one. Many other bands never made the significant change in behavior and cognitive understanding such enclosures necessitated. Fences went unbuilt; those that were, were not maintained” (413). We might recall here Stone Columbus' proclamation: “The notion of sovereignty is not tied to the earth, sovereignty is neither fence nor feathers” (*Heirs of Columbus* 67). The new tribal nation imagined at Point Assinika is aligned with a vision of borderless sovereignty that exceeds but does not deny territorial sovereignty: Stone Columbus continues, “The essence of sovereignty is imaginative, an original tribal trope, communal and spiritual, an idea that is more than metes and bounds in treaties” (67). Immobilization in place, secured by the discourse of exceptionalism,

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works to oppose the sovereignty of transmotion. Many scholars have addressed the ironic outcomes of the acculturative efforts of Native people in this period; the effort to adapt English social, judicial, and cultural structures to traditional tribal practices in the interests of maintaining claims to land, but which resulted in losses in terms of land and cultural practices, and sovereignty over both. In the aftermath of the war, those survivors who escaped enslavement were sequestered in the four remaining “praying towns” that Salisbury describes as “no longer havens for those making conscious commitments to Christianity; they were reservations for an entire Native population” (1974, 54).

Reserved and exceptional, the indigenous inhabitants of towns like Natick found, in the decades following the war, that the material necessities of traditional tribal life became increasingly scarce (such as deer and timber); in the 1680s the first white settlers arrived on the Natick reserve; and Van Lonkhuyzen ventures to guess that the practice of communal habitation was abandoned around 1700 (424). Over the following fifty years or so, whites came to occupy all the offices of town government, Native languages fell into disuse, and rights to common land were vested in family inheritance rather than communal membership (Van Lonkhuyzen 423-427). In the state of exception, converted Natives were immobilized discursively and territorially in place; while bounded and fenced this space was not quarantined from the material impacts of the wider settler-colonial environment. Consequently, the capacity of these Native communities to create the conditions for an inheritable estate, a fundamental aspect of survivance, were compromised (though not destroyed) along with the denial of imaginative freedoms that constitute the sovereignty of transmotion.

The legacy of this history then is twofold: insight into the discursive workings of settler colonialism and the possibilities for indigenous resistance highlighted by Vizenor's concept of “transmotion”: “that sense of native motion and ... active presence, [which] is *sui generis* sovereignty” (*Fugitive Poses* 15). The liminal discursive position of “exceptional” Native people during Metacom's War was materialized or symbolized by, but also enabled, their detention on Deer Island and elsewhere. The very denial of indigenous mobility highlights its crucial importance in the structure of settler colonialism. As Niigonwedom Sinclair notes in the essay cited at the beginning of this essay, transmotion in Vizenor's Anishinaabe conception “is the practical combination of perception and expression, thought and action, imagination and motion. ... Transmotion is not about giving up tribal identities, knowledges, and beliefs when you leave

the imaginative world, but bringing them into being. ... It is this movement between imaginative and 'real' worlds that brings sovereignty into being" (145). It is perhaps to historical events such as Metacom's War that Vizenor responds in his emphasis on the symbolic importance of mobility as a fundamental aspect of Native sovereignty, an emphasis that characterizes the imaginative and discursive sovereignty asserted by The Constitution of the White Earth Nation. An emphasis on issues of territorial treaty sovereignty risks the stasis of the exceptional, liminal figure of the "indian"—as the fate of the Deer Island "Indians" shows. In contrast, transmotion, an indigenous understanding of mobility that brings together discursive and territorial practices of sovereignty makes possible a Native-specific, "*sui generis*" sovereignty.

### Notes

1. Patrick Wolfe describes settler colonialism as a structure that works in two dimensions: "Negatively, it strives for the dissolution of native societies. Positively, it erects a new colonial society on the expropriated land base" (388). Here, I focus on the negative dimension of settler colonialism as it works to erase not only physical but also conceptual traces of prior Native presence.
2. I am suggesting that the internment of Native communities on Deer Island in 1675-76 is an early colonial instance of what became the federally imposed Native "enclaves" that Vizenor references, for example, in *Wordarrows* as reservations (82), and in *Chair of Tears* where the museum enclaves (115) that exhibit Native subjects contrast with actual Natives who are, significantly, "museums *in motion*" (116, emphasis added), and in *Earthdivers* where he describes how "[t]he curse of racism rules the ruinous institutions and federal enclaves where tribal people are contained" (34).
3. In view of Vizenor's comprehensive critique of the term "Indian," throughout I have used the term "praying Indians" where it is used in the documentary record but the terms "converted Natives" and "Christian Natives" in my own usage.
4. On the erasure of Native people from the discourse of modernity in general and the colonial New England discourse of nation-building in particular, see Jean O'Brien, *Firsting and Lasting: Writing Indians out of Existence in New England* (2010).
5. See John Easton, "A Relation of the Indian War" (1675) in *A Narrative of the Causes which led to Philip's Indian War of 1675 and 1676*, ed. Franklin B. Hough, 1-31. See also Neal Salisbury's introduction to his edition of Mary Rowlandson's *The Sovereignty and Goodness of God*, and Yasuhide Kawashima's compelling account of the aggressive extension of legal jurisdiction by Plymouth Colony, which shifted discursive relations between settlers and indigenous peoples in the direction of war, in *Igniting King Philip's War* (2001).
6. On the central discursive importance of the federal covenant to proto-national identity, see Sacvan Bercovitch, *The Puritan Origins of the American Self* (1975).
7. In reference to settler opposition to the establishment of praying towns, Salisbury observes: "The most intransigent opposition came from the residents of Marlborough, whose conflict with the praying town of Okommakamesit, immediately adjoining, persisted into King Philip's War"

(1974, 40).

8. Edward Randolph was sent to New England as an emissary of King James II to report on the extent of the losses occasioned by the conflict. In 1685 he reported: “No advantage but many disadvantages have arisen to the English by the warre, for about 600 men have been slain, and 12 captains, most of them brave and stout persons and of loyal principles, whilst the church members had liberty to stay at home and not hazard their persons in the wilderness.

The losses to the English in the several colonies, in their habitations and stock, is reckoned to amount to [£]150,000/ there having been about 1200 houses burned, 8000 head of cattle, great and small, killed, and many thousand bushels of wheat, pease and other grain burned (of which the Massachusetts colony hath not been damnified one third part, the great loss falling upon New Plymouth and Connecticut colonies) and upward of 3000 Indians men women and children destroyed, who if well managed would have been very serviceable to the English, which makes all manner of labour dear” (460). Benjamin Trumbull, in his *History of Connecticut* (1818; I. 351) notes that “All the buildings in Narraganset, from Providence to Stonington, a tract of about 50 miles, were burned, or otherwise destroyed” (editorial note; Gookin, *Historical Account*, 437n).

9. See Mark Rifkin's essay in which he offers a revision of Agamben's concept of the state of exception from three perspectives: “the persistent inside/outside tropology he uses to address the exception, specifically the ways it serves as a metaphor divorced from territoriality; the notion of ‘bare life’ as the basis of the exception, especially the individualizing ways that he uses that concept; and the implicit depiction of sovereignty as a self-confident exercise of authority free from anxiety over the legitimacy of state actions” (90).

10. We might recall here Samson Occom's similar recognition at the end of his *Short Narrative of my Life* (1768) that although he exercised imaginative transmotion, moving between Mohegan and English cultural worlds, still he was confronted with the daily racism of white supremacy. Occom concludes, “I must Say, I believe it is because I am a poor Indian. I can't help that God has made me So; I did not make myself So.” (*Collected Writings*, 58).

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