



universität
wien

MASTERARBEIT | MASTER'S THESIS

Titel | Title

How Empire Punishes: Land, Loss and Assimilation through Genoa Indian School,
1884-1934

verfasst von | submitted by

Laura Lee Honsig

angestrebter akademischer Grad | in partial fulfilment of the requirements for the degree of
Master of Arts (MA)

Wien | Vienna, 2025

Studienkennzahl lt. Studienblatt |
Degree programme code as it appears on the
student record sheet:

UA 066 805

Studienrichtung lt. Studienblatt | Degree
programme as it appears on the student
record sheet:

Masterstudium Globalgeschichte und Global Studies

Betreut von | Supervisor:

Univ.-Prof. Christian De Vito PhD

Abstract

This masters thesis looks at the history of a residential Indian boarding school in the United States in the last decades of the 19th century and early decades of the 20th century. This work examines punitive configurations — sedimented practices and ideologies of punishment as well as their contextualization — at Genoa U.S. Indian Industrial School from the mid 1880s to the early 1930s. Genoa School's digitized archive forms the source base for this thesis and grounds the analysis in the concrete details about school life contained therein. Looking at punishment in this way shows that even the pluralistic, humanitarian and benevolent approaches to assimilation that emerged in the reform era were based in the interwoven supremacist logics of racialization, penalty and settler colonial expansion. The theoretical intervention of the work draws on the methodological approaches of micro-spatial and global history in order to connect empirical findings to the broader social processes of Indian assimilation, American settler colonial empire, and the penal system. Given that these histories are often considered separately, the conceptual framework of punitive configurations becomes particularly useful as a way to analyze how settler and expansionist logics developed in and through penal institutions, including the boarding school. Indigenous resistance and survival are central to this story, both despite and because of the extraordinary and ever-changing violence of indigenous elimination on the North American continent.

Abstrakt

Diese Masterarbeit untersucht die Geschichte einer “Boarding School” für indigene Kinder in den USA in den letzten Jahrzehnten des 19. Jahrhunderts und den ersten Jahrzehnten des 20. Jahrhunderts. Diese Arbeit untersucht “punitive configurations” – sedimentierte Praktiken und Ideologien der Bestrafung sowie deren Kontextualisierung – an der Genoa U.S. Indian Industrial School von Mitte der 1880er bis Anfang der 1930er Jahre. Das digitalisierte Archiv der Genoa School bildet die Quellenbasis für diese Arbeit und begründet die Analyse mit den darin enthaltenen konkreten Details des Schullebens. Eine solche Betrachtung der Bestrafung zeigt, dass selbst die pluralistischen, humanitären und wohlwollenden Ansätze zur Assimilation auf den miteinander verwobenen suprematistischen Logiken der Rassifizierung, Bestrafung und kolonialen Siedlerexpansion basierten. Die theoretische Intervention der Arbeit stützt sich auf die methodologischen Ansätze der “microspatial” und globalen Geschichte, um empirische Erkenntnisse mit den umfassenderen sozialen Prozessen der Assimilation, des amerikanischen Siedlerkolonialreichs und des Strafsystems zu verknüpfen. Da diese Geschichten oft getrennt betrachtet werden, ist der konzeptionelle Rahmen der “punitive configurations” besonders nützlich, um zu analysieren, wie sich Siedler- und Expansionslogiken in und durch Strafanstalten, einschließlich des “Boarding Schools,” entwickelten. Der Widerstand und das Überleben der indigenen Völker stehen im Mittelpunkt dieser Geschichte, sowohl trotz als auch wegen der außergewöhnlichen und ständig wechselnden Gewalt deren Ausrottung auf dem nordamerikanischen Kontinent.

Table of Contents

Introduction 5

Genoa Indian School and the Boarding School System 9

Methodology 11

Punitive Configurations 16

Chapter One: An Expanding Nation 20

The 18th Century 23

Acquisition 30

Removal 41

Allotment 49

Conclusion 54

Chapter Two: A Punitive Configuration 56

Genealogies of Penalty 56

The Origins of the Boarding School System 74

Disciplinary Logics at School 81

A Wide Disciplinary Web 86

Conclusion 90

Chapter Three: A Runaway 92

Removal and Transfers 96

Enrollment 101

Leaving with Permission 108

Leaving without Permission 112

Conclusion 122

Bibliography 127

Primary Sources 127

Secondary Sources 130

Introduction

It was the presence of an ostensible absence in the archive that first caught my attention. Recent headlines about the horrors of Indian boarding school history in North America had first pushed me to search for digitized archives from some of these schools. Present-day revelations about excessive punishment, sexual and physical abuse, and widespread death at 19th and 20th century boarding schools shaped my expectations about what I would find in the archive. As I stumbled upon an archive that already contained a category of documents called “Discipline and Punishment,” I hoped to find a biased and incomplete but informative picture of what day to day life within the boarding school might have looked like, traces of discipline and punishment that I could read both along and against the grain. What I found instead was letter after letter, source after source, about runaways. It was students who were not present at the school who were most present in the sources, evidence of a bureaucracy whose attention, energy, and capacity was profoundly shaped by those who escaped.

As Ann Laura Stoler has so beautifully articulated, it is the archive’s form as much as its contents that provide true insight into the workings of colonial worlds.¹ The clustering of the issue of so-called runaways in the archive suggests not only that school officials and federal agents were highly occupied with the management of escapees’ return and punishment, but also points to an

¹ Ann Laura Stoler, *Along the Archival Grain: Epistemic Anxieties and Colonial Common Sense*, Princeton University Press, 2010.

“epistemological anxiety” about the very order of American life with regard to the so-called Indian problem.² Anxiety in this context refers not to a superficial worry but rather to a deep-seated and motivating fear on the part of federal officials about indigenous communities continuing to live as they preferred and thus about the very possibility of a continually expanding settler state. The central concern of this thesis is to examine the logics underlying this epistemological anxiety: to understand how it is that runaways came to take up so much space in these documentary sources, how spatiality was so core to the functioning of assimilation, and how the multiple social processes of American empire-making in the late 19th and early 20th century worked together. Attention to the inconsistencies, conflicts, attempts, and failures of colonial governance are an essential part of this story, even as the domination and violent dispossession of indigenous peoples at the hands of this governance structure remains undeniably clear. Varied forms of resistance on the part of indigenous students and nations become vital to understanding the gaps between colonial officials’ visions of the world and the worlds in which they actually lived. As Stoler suggests, reading along the grain as much as against it “calls on us to understand how unintelligibilities are sustained and why empires remain so uneasily invested in them.”³

Taking runaways as an entry point led me to focus on two major veins of analysis for this thesis: territorial expansion and punitive configurations. Both of these together ultimately conditioned Indians students’ possibilities for escape and are thus vital for understanding the trajectory of a runaway student as discussed in Chapter Three. Pursuing these lines of inquiry first raises foundational questions about how to understand settler colonialism and imperialism as analytical categories and as material histories of the United States though. Following the useful

² Stoler, *Along the Archival Grain*, 25.

³ Stoler, *Along the Archival Grain*, 53.

differentiation outlined by Lorenzo Veracini, and indeed the core imperative of the settler colonial studies paradigm, this thesis understands the United States as a place where colonial dynamics of asymmetrical domination operated (and continue to operate) within a settler society.⁴ Like many newly independent Latin American countries in the 19th century, the United States was both a post-colonial republican nation and a settler colonial regime. Beyond recognizing the tensions and contradictions this brings to the material realities of American history, Matthew Crow also argues that “it was precisely the radically democratic aspects of revolutionary republicanism that proved to be inherently exclusionary and foundational to the extension of United States sovereignty over the North American continent.”⁵ In Patrick Wolfe’s parlance, this thesis understands “invasion as a structure, not an event,” one in which a logic of elimination “coordinates a comprehensive range of agencies” to implement myriad concrete goals.⁶ That is to say that the logic of elimination morphed within and through a revolutionary colonial state, which I argue made possible the specific forms of supposedly benevolent paternalism that characterized the assimilation period. Boarding schools, and particularly the conflicting visions of how precisely such acculturation into an American citizenry should occur, entire the picture at this nexus.

This lens invites an analytical focus on the discursive, ideological, and cultural aspects of settlement and indigenous possession in the United States, in addition to the material, territorial and economic ones, foreground contradiction as a continuity in American history. Indeed, the interweaving of these factors forms a central thread of this thesis. In this vein, Bethel Saler adds

⁴ Lorenzo Veracini, “‘Settler Colonialism’: Career of a Concept,” *The Journal of Imperial and Commonwealth History* 41, no. 2 (June 2013): 324.

⁵ Matthew Crow, “Atlantic North America from Contact to the Late Eighteenth Century,” In *The Routledge Handbook of the History of Settler Colonialism*, edited by Edward Cavanagh and Lorenzo Veracini, 95, London: Routledge, 2016.

⁶ Patrick Wolfe, “Settler Colonialism and the Elimination of the Native,” *Journal of Genocide Research* 8, no. 4 (2006): 388.

nuance to the conception of “settler,” which likewise serves as a guiding framework for understanding the many shades of grey between dominating (white male Christian) settlers taking over territory not previously owned or occupied by them and colonized (racialized non-Christian) indigenous peoples who previously lived on the territories of the United States. This work seeks to do so while keeping asymmetrical power structures foregrounded in the analysis.⁷

How, then, to understand the distinctly imperial nature of the American nation-state? Both in terms of practice and in terms of ideology, the end of the 19th century brought overseas territories under American federal power (the Philippines, Cuba, Guam, Puerto Rico, Panama, Hawai’i) in ways related to and importantly also different from the forms of colonial subjugation that had been exercised against Indians on the continent in the preceding centuries. These processes were built on maintaining white supremacy and inferior racialization of all non-white peoples, as well as capitalist economic development and expansion. As Benjamin Weber persuasively shows, population control and penal intervention was attempted through land acquisition patterns and global colonization, among many other avenues, and this had as much to do with what was attempted and implemented overseas as it did with that which was attempted and implemented in the contiguous states and territories. This work thus situates the Indian residential boarding school system in a global view that understands American imperial ambitions and policies as situated both at “home” and “abroad,” amongst settlers and non-settling colonial officials, and many in between.

⁷ Bethel Saler, *The Settlers’ Empire: Colonialism and State Formation in America’s Old Northwest*, Philadelphia: University of Pennsylvania Press, 2014, 9-10.

Genoa Indian School and the Boarding School System

Genoa U.S. Indian Industrial School provides the microhistorical focus of this work. Opened in 1884 in Genoa, Nebraska, the school was in operation until 1934 and underwent significant changes in its five decades of operation. Located on what was originally a Pawnee reservation, the federal government took the existing school house and began renovation to build what eventually became a large campus.⁸ Indigenous students from dozens of Nations across the entire country were sent to Genoa Indian School, which enrolled over 4,000 students during its time.⁹

Genoa was opened in the 1880s alongside several hundred other federal Indian boarding schools, many of which were modeled on the much more well-known Carlisle Indian School founded by Richard Henry Pratt.¹⁰ The emergence of the boarding school system came at a time when federal Indian policy began moving away from military conquest and removal of Indian nations, though these outright violent conflicts were still occurring. As states were formally acquired from territory status, the federal government often did not have the capacity to fully control those lands it laid claim to. The question of what to do with both quelled and still actively resisting Indian nations remained prescient but changing. Alongside the reservation system and allotment, boarding school assimilation provided some answers to this question. The ideological and practical commitments behind the policy shift at the end of the 1800s were varied though, as a new humanitarian movement argued that violent military treatment of Indians was unacceptable

⁸ Genoa Indian School Digital Reconciliation Project. “About Genoa & Indian Boarding Schools.” Accessed October 24, 2024. <https://genoaindianschool.org/about-genoa-indian-boarding-schools>.

⁹ Ibid.

¹⁰ K. Tsianina Lomawaima and Jeffrey Ostler, “Reconsidering Richard Henry Pratt: Cultural Genocide and Native Liberation in an Era of Racial Oppression,” *Journal of American Indian Education*, no. 1 (2018): 79–100.

while others suggested on practical grounds that assimilation was simply much more cost-effective than waging war.¹¹

The stated goal of the boarding schools was to assimilate Indian children into white, Christian, industrial society and, crucially, to make indigenous peoples self-sufficient. This meant distancing them as much as possible from their indigenous ways of life, languages, cultural customs, religion and spirituality, economic structures and practices, tribal identities and, especially, families and kinship networks, and land use practices. Once children were removed from their families and placed at school – sometimes forcibly – school officials often lamented that continued contact with indigenous kin was detrimental to children’s progress.¹² As the scholarship makes abundantly clear, assimilation in boarding schools was as much about disrupting the cohesion and functioning of indigenous communities and their territorial homelands as it was about acculturating children into a new way of life.¹³ Most schools offered educational curriculum for half the day and had so-called “outing” arrangements for the other half; children were supposed to learn vocational skills, either on the schools’ campus or working for non-Indian families, often resulting in the creation of a cheap source of labor for whites households rather than preparing students for economic stability or upward mobility after graduation.¹⁴ As this work will show, the implementation and enforcement of this program of assimilation was violent in a myriad ways, direct and indirect, individual and collective.

¹¹ Scott L. Pratt, “Indigenous Agencies and the Pluralism of Empire,” *Philosophical Topics* 41, no. 2 (2013): 20; Benjamin D. Weber, *American Purgatory : Prison Imperialism and the Rise of Mass Incarceration*. New York: The New Press, 2023.

¹² Andrew Woolford, *This Benevolent Experiment: Indigenous Boarding Schools, Genocide, and Redress in Canada and the United States*, Lincoln: University of Nebraska Press, 2015.

¹³ See: Thomas Biolsi, “The Birth of the Reservation: Making the Modern Individual among the Lakota,” *American Ethnologist* 22, no. 1 (1995): 28–53; Jacqueline Fear-Segal, *White Man’s Club*, Lincoln: University of Nebraska Press, 2007.

¹⁴ K. Tsianinia Lomawaima, *They Called It Prairie Light: The Story of Chilocco Indian School*, Lincoln: University of Nebraska Press, 1994.

Methodology

SOURCES

Digitized archival documents from Genoa Indian School form the source base for this thesis.¹⁵ These were made available online beginning in 2016 through a collaborative civic project whose goal was to bring greater awareness to the general public about the history of Indian boarding schools and to return archival materials to the groups it most directly targeted.¹⁶ The project is part of the University of Nebraska-Lincoln's Center for Digital Research in the Humanities and thus has followed specific Digital Humanities principles and practices.¹⁷ Digitization is not yet complete, though the archive contains nearly 3,000 pieces of text.¹⁸ The documents have been gathered from the Bureau of Indian Affairs collections at the National Archives and Records Administration (NARA) locations in Denver, CO, Kansas City, MO, and Washington, D.C. as well as from the Oklahoma State Historical Society.¹⁹ How Genoa Indian School records ended up in these four locations and how precisely selection of materials occurred in the digitization process is unclear. Substantial gaps in the existing collection of digitized sources exist, particularly with regard to the early decades of the school's operation.

¹⁵ Genoa Indian School Digital Reconciliation Project, "Browse," Accessed 18 December 2024, <https://genoaindianschool.org/about-genoa-indian-boarding-schools>.

¹⁶ Participants specifically include: "the Genoa U.S. Indian School Foundation, Community Advisors from the Omaha, Pawnee, Ponca, Santee Sioux, and Winnebago tribes of Nebraska, the University of Nebraska-Lincoln (UNL), and descendants of those who attended Genoa." The original collection of documents from various physical locations began in the 1990s. The motivations and concerns of indigenous descendants seems to be quite central in the design and ongoing implementation of the project. Erin Lynne O'Quinn, "A Practice in Collaboration: Communities, Universities, and the Community-Based Digital Archive," Ph.D., North Carolina State University, 2022, 51-52, 55-56.

¹⁷ Center for Digital Research in the Humanities, "Digital Scholarship," Accessed October 24, 2024, <https://cdrh.unl.edu/digital-scholarship>.

¹⁸ Jamison Wyatt, Genoa Digital Project Coordinator, email to author, July 27, 2024.

¹⁹ Ibid.

Both the Genoa Indian School Digital Reconciliation Project itself as well as Erin Lynne O’Quinn’s research on community-based digitalization projects centers the role of native descendants in the design and development of the archival project. O’Quinn’s research shows that other stakeholders had secondary goals as well, such as historic preservation, broadening access to archival materials, transitioning to digital records, building strong university-community partnerships and meeting grant requirements.²⁰ O’Quinn quotes several participants who talked about the need to offer concrete information to family members of former Genoa students to help native communities piece together the many traumatic missing pieces of their history.²¹ Both the sustainability of the digital archive as well as its future growth are seen as key to achieving especially its primary (and also its secondary) goals. In this vein, O’Quinn describes sustainability – including, presumably, an interest in future projects – as a “social system of relationships” in which the process of digitizing the archive is as important as the outcome.²² It is important, then, to situate this thesis in the context of the digitization project’s goals, which are not primarily to enable academic research. Particularly for a non-indigenous scholar such as myself, this also serves as an important reminder that just as the archive is a “living document,” as one participant described, the histories it offers small windows into are living histories whose legacies are situated in the present as much as in the past.²³

My archival engagement also takes seriously the cautions that Laura Putnam articulates in her well-known essay “The Transnational and the Text-Searchable: Digitized Sources and the

²⁰ O’Quinn, “A Practice in Collaboration,” 54.

²¹ O’Quinn, “A Practice in Collaboration,” 55-66.

²² O’Quinn, “A Practice in Collaboration,” 64.

²³ O’Quinn, “A Practice in Collaboration,” 63.

Shadows They Cast.”²⁴ Putnam asserts that accessing archival materials in digitized forms runs the risk of physically, socially, and physically decontextualizing the process of archival research. This can make it too easy for “historians to find without knowing where to look,” resulting in geographically far-flung but superficial analyses that sacrifice depth for breadth.²⁵ Putnam also identifies the huge potential in combining macro and micro analyses through the sheer quantity of digitized material.²⁶ Given that a global microhistory is precisely the goal of this thesis, I have taken care to intentionally create what Putnam calls experiential “multidimensional awareness” in the research process that often comes automatically when physically sifting through documents and confronting lots of information one does not actually want or need.²⁷ Both Stoler’s calls for granular reading of the form of the archive as much as its contents, and the theoretical framework of punitive configurations – as outlined in the next section – help slow down the process of interpreting archival documents such that correlational and causal connections are deeply investigated rather than assumed. It is for this reason that the third chapter features an extremely close reading and multidimensional contextualization of just a few digitized documents.

The digital archive has a category of documents entitled “Discipline and Punishment” with about 50 documents. As mentioned earlier, this category contains letters and telegrams almost exclusively related to runaways, correspondence primarily between school and reservation officials regarding the logistics of returning, punishing, supporting, and/or transferring students who have escaped. Other categories labeled in the archive include: Family; Coming to Genoa; Health, Disease and Mortality; School Operations; Leaving Genoa; Education and Curriculum;

²⁴ Lara Putnam, “The Transnational and the Text-Searchable: Digitized Sources and the Shadows They Cast,” *The American Historical Review* 121, no. 2 (April 2016): 377–402.

²⁵ Putnam, “The Transnational and the Text-Searchable,” 377-378.

²⁶ Putnam, “The Transnational and the Text-Searchable,” 386.

²⁷ Putnam, “The Transnational and the Text-Searchable,” 392.

Student Finances; Student Life; Labor, Training, and Outing. The materials are tagged with mentions of 41 separate “tribes.” This work’s engagement with these sources begins primarily with the category labeled “Discipline and Punishment” and draws on individual sources from other categories as well.

GLOBAL MICROHISTORY

This thesis is not intended to provide an overview of the entire history of Genoa Indian School nor a thorough review of all the digital source materials available in the online archive. Rather, following especially the work of Christian De Vito, this thesis applies a micro-spatial methodological approach that takes the detailed and hyper local accounts of school life in the archive as an entry point for tracing broader social processes.²⁸ Microhistory offers a fundamentally relational view of history, in which individual experiences and choices, group strategies and dynamics, and institutional constraints are all mediated by social relations of power. What are often understood as “macro” structures are, in this view, constructed and reconstructed by and through “micro” social practices, in this case especially practices of punishment and escape. Rather than taking fixed spatial and temporal units to start with, this approach interrogates the sources to determine what spatiality and temporality is most relevant to the questions at hand.²⁹

The methodological foundation of this project follows in the vein of those who have sought to bring microhistory and global history together.³⁰ Microhistory focuses on agency in a way that is deeply contextualized while many approaches to global history foreground macro-level

²⁸ Christian G. De Vito, “History Without Scale: The Micro-Spatial Perspective,” *Past & Present* 242, no. Supplement 14 (November 2, 2019): 348–72.

²⁹ De Vito, “History Without Scale,” 361; Bertrand, Romain, and Guillaume Calafat, “Global Microhistory: A Case to Follow,” *Annales. Histoire, Sciences Sociales - English Edition* 73, no. 1 (March 2018): 9,

³⁰ See, for example, *Past & Present* 242, Supplement 14 (2019).

structures, particularly across seemingly fixed spatial boundaries. The combination of the two offers a differentiated and complex understanding of how history happens. Thinking these perspectives together also challenges given conceptions of scale. Here, I understand the *local* as “the sum of spatialized interactions and relations that cannot be described in detail without noting the plurality of identifications, allegiances and memberships” within a specific context.³¹ Different from an exclusive focus on the micro level of scale, which we might understand as the physical and sociological space of Genoa Indian School, this approach is necessarily “multi-sited,” which contributes to the foregrounding of spatiality in this analysis.³² This perspective provides the basis for examining multiple time periods and geographic spaces in order to tell a thickly textured and deeply contextualized story of one runaway student. Indeed, precisely this is the goal of a global microhistory.

The global historical intervention to question methodological nationalism is also core to this work.³³ Methodologically and theoretically, this requires a deep historicization of the ever-changing and contested borders of the nation-state. Nebraska was formally incorporated as a state in 1867, less than 20 years before the opening of Genoa Indian School in the eastern part of the state. South Dakota to the north and Wyoming to the west were still territories, not yet incorporated into the republic as states. As Chapter One will show, the incorporation of territories as states, the particularities of federal and state control over newly formally acquired lands, and the dynamics between various peoples in these localities were not given, uniform, or inevitable. Rather, these developments were outcomes of specific strategies, contests, conflicts, and alignments between

³¹ Bertrand and Calafat, “Global Microhistory: A Case to Follow,” 15.

³² Ibid.

³³ Andreas Wimmer and Nina Glick Schiller, “Methodological Nationalism, the Social Sciences, and the Study of Migration: An Essay in Historical Epistemology,” *International Migration Review* 37, no. 3 (September 2003): 576–610. Kramer, “Power and Connection,” 1363-1365.

multiple institutions, groups and individuals that changed across time and space. Today's image of a continental United States that stretches between the eastern and western coasts was neither the reality at the end of the 19th century nor a clear or known outcome of the decades that would follow. This work hopes to tell a story about indigenous assimilation that examines how deeply contested the space of the American frontier was, highlighting that core questions about identity and belonging profoundly shaped this history.

Punitive Configurations

The chapters that follow are divided into three themes: land and territorial expansion; carcerality and penalty; and family separation and running away. Punitive ideologies and practices can be identified within each of these chapters and identifying these, as well as their temporal and geographical relation to each other, becomes the core thread of the thesis. This theoretical framework of punitive configurations understands punishment as a dynamic and multi-dimensional set of practices and institutions situated in specific spatial and temporal contexts.³⁴ Punitive configurations are characterized by a multiplicity of practices and institutions alongside always specifically selected actors, groups, objects, spaces, and social and legal categories within any given punishment regime. Importantly, punitive configurations fully encompass the dynamics of family separation and land, the themes of the first and last chapters, not just those I have termed carceral or penal, which is the theme of the second chapter and perhaps more obviously befitting of the term *punitive*.

³⁴ This concept, and my research applying it to Indian boarding schools, was developed in a seminar on the same topic. Christian De Vito, "Research Seminar Global History and Global Studies - Punitive Configurations," Seminar at University of Vienna, March to June, 2024.

The concept of configuration represents neither the closed and fixed nature of a system, nor the completely fragmented and disconnected nature of an assemblage, but rather something in between. There are, in other words, both continuities and discontinuities across space and time, often at the same time, an idea best captured by the term *sedimentation*. Analyzing practices of punishment in earlier phases of Indian policy and in geographic regions beyond eastern Nebraska illuminates how ideologies related to the so-called Indian question – and settler colonial nation-building more broadly – changed in sedimented ways. This focus on punishment makes possible the crucial insight that even the pluralistic, humanitarian and benevolent approaches to assimilation that emerged in the reform era were based in the interwoven supremacist logics of racialization, penalty, and expansion. The remainder of the thesis follows Jacqueline Fear-Segal’s central intervention in telling a story of the “shadow narrative” lurking behind the often optimistic and progress-oriented story of nation-building and assimilation, which both historical actors of the time period often preferred and that often still find their way into contemporary historiography about the early American republic.³⁵ The framework of punitive configurations offers an entry point for an investigation foundationally concerned with the multi-dimensionality of both narrative and material reality, looking at the ways in which the radical republicanism and foundational exclusion identified by Matthew Crow indeed worked together.

Chapter One, entitled Land, focuses on territorial acquisition and population control. This section builds on Paul Frymer’s argument that the expansion of the United States was a process of land acquisition shaped by and itself shaping the politics of race, land settlement policies and legislation, and demographic control. In part because the federal government was weak in certain respects, it utilized social engineering to specifically create racialized demographic realities in its

³⁵ Fear-Segal, *White Man’s Club*, xv.

western territories before and in the process of incorporating these lands as states. Frymer argues that the federal government used a wide variety of tactics to negotiate a non-linear but ongoing process of expansion, often incentivizing and relying on “commitments to property rights, cultivation, and individual enterprise.”³⁶ Assimilation in the form of boarding schools and allotment on the reservation system were vital building blocks in the project of expansion as (mostly) non-militarized processes of social engineering and population control that were nonetheless deeply disruptive to the existing communities on the American frontier. This chapter embeds the specific history of indigenous nations in the region that would become Nebraska (home of Genoa Indian School) within the larger macro developments of settler colonial expansion and racialization. The central question of this chapter is how control over space on the American frontier happened.

Chapter Two analyzes the punitive configuration controlling indigenous peoples’ lives in the first three decades of the twentieth century. The chapter begins with a broad examination of the multiple genealogies of penalty that made the specific configuration of the early twentieth century possible and shows that racialization, punishment, and territorial conquest were deeply interlinked in the United States long before the assimilation period. A deep dive into the origins of the boarding school system, practices of punishment within Genoa Indian School, and what I term the “wide disciplinary web” surrounding Genoa make up the core of the chapter. Together these multiple temporal, geographical, and scalar levels of analysis show the multiplicity and selectivity of the punitive configuration at work during the period in focus. This chapter contends that, in Kelly Lytle Hernandez’ words, systems of incarceration are about the “disappearing of indigenous peoples and racial outsiders” in a variety of ways, which points to the central insight of this thesis

³⁶ Paul Frymer, *Building an American Empire: The Era of Territorial and Political Expansion*, Princeton University Press, 2017.

that institutions beyond the prison were also instrumental in the perpetuation of settler colonial expansion and elimination.³⁷ The boarding school is understood in this chapter as one such penal institution. This analysis lays the foundation for a close reading of a few archival texts and a focus on one individual student in Chapter Three.

The last analytical chapter traces the presence and absence of one runaway student, Fred Bonser, at Genoa Indian School. The framing concept of this chapter is separation from family and home. Beginning with this separation grounds this work's analysis in the details of students' lived experience, foregrounding their agency and resistance while reading the archive both along and against the grain to illuminate the often contradictory logics of assimilation. The political, social, economic and geographic foundations laid in the preceding chapters make this story about Fred Bonser differently and usefully intelligible. This chapter shines a light on the messy, contradictory, and inconsistent nature of colonial rule.

Taken together, the three core chapters of this thesis show a differentiated and nuanced picture of both the macro and micro levels of North American settler colonialism, assimilation, and boarding school education. Reading the threads of territorial expansion, punitive configurations, and student escape alongside each other shows not only that the history of the United States penal system is interwoven with the history of spatial expansion and racial domination, but also that Indian boarding schools are best understood as penal rather than educational institutions.

³⁷ Kelly Lytle Hernández, *City of Inmates: Conquest, Rebellion, and the Rise of Human Caging in Los Angeles, 1771–1965*, Chapel Hill: The University of North Carolina Press, 2017.

An Expanding Nation

Most historians agree that the context of territorial expansion is vital for understanding the emergence of the federal boarding school system.³⁸ To see settlement policies, territory transfers, land ordinances, homesteading, treaties, Indian removal, and allotment to have occurred before and parallel to boarding school assimilation is not yet to understand the precise ways in which these processes were interrelated though. This chapter examines how social and cultural dimensions were interwoven with the politics and geography of territorial expansion on the 19th century American frontier.

Paul Frymer's work offers a foundational framework in its examination of the legal, political and spatial forces at work in federal and state attempts to control land acquisition and settlement.³⁹ Frymer brings together several strands of research with a focus on legislative history to argue that 19th century territorial expansion into the American West happened as much because of the federal state's weakness as its strength. Policies about who could settle where – and how and when – regulated the ways in which supposedly unoccupied lands were to be populated as much as did military conquest of indigenous nations or wars against foreign empires. A throughline of Frymer's work is that the actual actions of white settlers on the frontier were often in tension

³⁸ See, for example: Andrew Woolford, *This Benevolent Experiment: Indigenous Boarding Schools, Genocide, and Redress in Canada and the United States*, Lincoln: University of Nebraska Press, 2015; Margaret D. Jacobs, *White Mother to a Dark Race: Settler Colonialism, Maternalism, and the Removal of Indigenous Children in the American West and Australia, 1880-1940*, Lincoln: University of Nebraska Press, 2009; and K. Tsianina Lomawaima, *They Called It Prairie Light: The Story of Chilocco Indian School*, Lincoln: University of Nebraska Press, 1994.

³⁹ Frymer, *Building an American Empire*.

with the consensus in Congress and thus federal policy, particularly in the years before the Civil War. This speaks to the second core thread of this chapter, which follows the work of Beth Saler and John R. Van Atta.⁴⁰ Both scholars center the role of on-the-ground social dynamics in shaping the settlement and subsequent political organization of territories claimed and eventually controlled by the United States. The American Midwest and West was not just home to Indian nations and white American settlers but citizens and soldiers from multiple empires – the French, British, and Spanish – as well as traders, speculators, immigrants, foreign travelers, federal agents, Creoles and those of African descent alike. The frontier was a dynamic, varied, and complex space of cultural encounter as much as a violent place of dispossession and acquisition. The material and the social become inextricably linked in this view.⁴¹

Confrontations, disagreements, and negotiations with Indian nations were, of course, constant and varied through all these dynamics. This chapter will embed the question of the so-called “Indian” problem within the forces described above by specifically looking at the history of the Nebraska’s Indian peoples, following the work of David Wishart. This is a specific reading of the macro dynamics as described by Frymer, Saler and Van Atta alongside the seemingly local particularities of a region within a territory that would become a state within a nation. The chapter is organized generally but not perfectly linearly, precisely because different things were happening

⁴⁰ Saler, *The Settlers’ Empire: Colonialism and State Formation in America’s Old Northwest*; John R. Van Atta, *Securing the West: Politics, Public Lands, and the Fate of the Old Republic, 1785–1850*, Baltimore: Johns Hopkins University Press, 2014.

⁴¹ Patrick Wolfe conceives of this process as one of ongoing primitive accumulation, which highlights the capitalist economic logic undergirding the developments described here. Though this thesis will not pursue this framing further, much literature suggests that an expansive, global and nuanced conception of primitive accumulation which takes seriously the history of colonial conquest contributes significantly to our understanding of capitalism and settler colonialism. Wolfe, “Settler Colonialism and the Elimination of the Native,” 395. See also: Tim Di Muzio, “The ‘Art’ of Colonisation: Capitalising Sovereign Power and the Ongoing Nature of Primitive Accumulation,” *New Political Economy* 12, no. 4 (December 2007): 517–39; Siddhant Issar, “Theorising ‘Racial/Colonial Primitive Accumulation’: Settler Colonialism, Slavery and Racial Capitalism,” *Race & Class* 63, no. 1 (July 1, 2021): 23–50; Michael Warren Murphy, “No Beggars amongst Them,” *Humanity & Society* 42, no. 1 (February 2018): 31–44.

in different places at different times across the continent. Instead, the story of the Nebraska Indians is interwoven alongside and through the national- and state-level story about territorial expansion.

This chapter integrates the concept of punitive configurations throughout the analysis but does not yet utilize the framework as a core analytical thread. Indeed, this chapter shows that punitive practices are best understood as existing on a spectrum of sorts: on one end we see relations between different socio-political groups of people characterized by relative symmetry which are not best understood within a punitive lens, and on the other end we see the most explicit and brutal forms of punishment clearly steeped in asymmetrical structures of racialized power. Importantly, the space in the middle of the spectrum might be characterized by various forms of structural precarity, often with threats of punishment or coercion looming but not yet implemented. The broad scope of the 19th century as told in this chapter demonstrates the ways in which punitive configurations emerged and became ever more complexly entrenched in the story of indigenous dispossession and resistance at the hands of American empire. In this reading, expansion was not inevitable, linear, or consistent, but rather contested, fragmented, and, at times, erratic. To conceive of the former would be to tell a story about manifest destiny; to grasp the latter would be to tell a story about multi-dimensional and sometimes ambiguous racial politics at the heart of state formation. This analysis examines how the politics of race and settler colonial nation-building contributed to the geographic and political conditions for an assimilationist federal boarding school system to be established in the United States and, more specifically, for Genoa U.S. Indian Industrial School to be established on former Pawnee homelands.

The 18th Century

INDIGENOUS LIFE ON THE CONTINENT

At the time of independence from Great Britain in the 1780s, more than half of the territory that the newly-formed United States laid claim to was unincorporated. Cherokees, Chickasaws, Choctaws, and Creek in the south and southwest, the Shawnee, Miami, Delaware, and Iroquois in the northwest, and the Pawnee, Ponca, Otoe-Missouria, Omaha, Wichita, Caddo, Sioux, and Osage – among others – in the west owned and lived on this land.⁴² The indigenous nations of the region that would become Nebraska included the Pawnee, Ponca, Otoe-Missouria and Omaha, of which only the Pawnee had centuries-long roots to the area; the other groups had immigrated to the western plains in the 18th century.⁴³ Their lifestyles were centered on farming and bison hunting. Bands were organized into small decentralized villages usually along river banks. Significant differences in religious belief and custom as well as the centrality of growing and harvesting crops, particularly corn, existed amongst these cultures.⁴⁴ Rituals related to the cycles of the natural world were deeply embedded in diverse ways amongst all these nations.

Substantial contact between Europeans and the Indians of the Nebraska region did not occur until about 1790, however significant downstream effects of European presence on the continent had hugely affected the life of these indigenous groups by the time of the United States' founding: the introduction, in particular, of guns and horses contributed to significant changes in the ways that communities hunted, subsisted, and lived in relation to neighboring polities. This combined with substantial influxes of traded goods and (especially French) traders – and the

⁴² Frymer, *Building an Empire*, 33.

⁴³ David J. Wishart, *An Unspeakable Sadness: The Dispossession of the Nebraska Indians*, Lincoln, Nebraska: University of Nebraska Press, 1994, 4-7.

⁴⁴ Wishart, *An Unspeakable Sadness*, 11-12.

wealth they brought with them – as the 18th century wore on meant that indigenous nations in this region were increasingly on the move, that rivalries between Indian leaders intensified, and that military encounters increased.⁴⁵ Nevertheless, many groups benefited from these imports and found effective ways to adapt to the new constellation of political, cultural and economic forces around them.

Disease is also central to the story of the Indian nations in the Nebraska region during this period. Smallpox hit the Omaha from 1800 to 1801, for example, after which their population decreased by more than half.⁴⁶ The death rate from epidemics across all groups was sometimes as high as 70 percent.⁴⁷ Knowledge and cultural customs were lost as well as hunting and farming practices disrupted in these periods of crisis, often causing long-term changes to multiple areas of life.⁴⁸ Lewis and Clark, in their famous expedition westward, recognized that such small communities of Indian peoples in such fertile landscapes must be a sign of underpopulation, eventually coming to the conclusion that disease played an immense role in the decimation of Indian populations.⁴⁹ Despite these ravages, centuries-old institutions and cultural and political procedures provided the indigenous peoples of Nebraska with resilience, as they ultimately survived somewhat intact certainly to the end of the 18th century, and even to some degree into the 19th century.⁵⁰ The punitive configurations of this period did not yet represent the deep, systematic and widespread asymmetry between Europeans and Native groups that would emerge in the next century.

⁴⁵ Wishart, *An Unspeakable Sadness*, 35.

⁴⁶ Wishart, *An Unspeakable Sadness*, 7.

⁴⁷ Ibid.

⁴⁸ Wishart, *An Unspeakable Sadness*, 35-36.

⁴⁹ Wishart, *An Unspeakable Sadness*, 7.

⁵⁰ Wishart, *An Unspeakable Sadness*, 36.

ACCOMODATION

Alyosha Goldstein describes the federal governments' approach to relations with indigenous nations during this early period as largely "accommodating."⁵¹ The territorial focus was still on the eastern colonies, as delineated by the Treaty of Paris signed in 1783. Legislators saw many indigenous nations as a military threat and, unlike a century later, "American political and military leaders were very aware that the United States was not the most powerful entity on the continent."⁵² In other words, the federal government did not have much choice besides accommodation, which points indeed to the more symmetrical economic and political relations between indigenous nations and the United States at this time. Indeed, accommodation was not precisely a punitive configuration. Nevertheless, questions about expanding into new territory preoccupied politicians and potential settlers as tensions between a centralized Federalist vision and a burgeoning republican vision of governmental power gained significance in the last decades of the 18th century.⁵³ During this phase, federal and state governments offered treaty and compromise to indigenous nations who negotiated often with significant leverage and strategically utilizing their own sets of political alliances with each other and with other European empires.⁵⁴ Land transfer was inconsistent and not systematized.⁵⁵ Although the idea of a nation stretching across the continent was well and duly part of the American political imaginary, political leaders' immediate

⁵¹ Alyosha Goldstein, ed., *Formations of United States Colonialism*, Duke University Press, 2014, 19.

⁵² Frymer, *Building an Empire*, 34.

⁵³ Van Atta, *Securing the West*, 50-52.

⁵⁴ Patrick Wolfe argues that the particular form that settler colonial relations between the United States and indigenous nations took was premised on this diverse array of actors: "In North America...treaties between Indian and European nations were premised on a sovereignty that reflected Indians' capacity to permute local alliance networks from among the rival Spanish, British, French, Dutch, Swedish and Russian presences." Wolfe, "Settler Colonialism and the Elimination of the Native," 391.

⁵⁵ Goldstein, *Formations of United States Colonialism*, 19.

goal was to wrest control of the expansion process from individuals and groups on the ground, largely by slowing settlement down.⁵⁶

Due to the lack of resources to physically control new territories, the federal government used land ordinances to prohibit white settlers from purchasing land from Indian nations and created requirements related to surveying and institution building before settlement and incorporation was allowed.⁵⁷ The ambition of most officials was to settle and govern the land such that it could be cultivated for subsistence and agricultural production, with significant differences of opinion about the role that industrial production should take.⁵⁸ These carefully laid-out plans were not always possible to implement, as realities on the ground forced legislators and federal and state officials to change course. Nevertheless, a vision of empire was forming in which a uniform and homogenous white polity should build and farm the expanding nation.⁵⁹ The approach to territorial expansion was racialized from the beginning, though the implementation of this idea was often much messier in practice, as we will see.

Philosophical and legal justifications for colonization played an important role in this context, although these should perhaps not be overstated, as certainly not all settlers moving west fully reflected and rationalized their actions on theoretical grounds. Nevertheless, decades and

⁵⁶ Frymer, *Building an Empire*, 35.

⁵⁷ Frymer, *Building an Empire*, 43, 51.

⁵⁸ This speaks to different visions of an agrarian-based society versus an industrial one that shaped political discourse in the early republic, perhaps best summed up by Van Atta: “The goal [of the commerce-oriented faction] was to build a nation of prosperous freeholders situated in close proximity to developing markets, preferably operating in harmony with Native American interests—as opposed to a scattered population of impoverished agrarians living in rustic desperation and at sword’s points with neighboring tribes” such as that advocated by Benjamin Franklin or Thomas Jefferson. Underlying these visions was, in some ways, a question about the direction that a fledgling American capitalism should take, one that spurred or inhibited excessive land speculation, for example, one that advanced systems of credit to the ordinary person seeking access to land or prohibited these entirely, and one that sought to mobilize land acquisition for the nation’s poorest or leave it to land monopolists. Over time, these divisions began deepening the divide between politicians from the East and the West. Van Atta, *Securing the West*, 69, 92-93, 109.

⁵⁹ Saler, *The Settler’s Empire*, 21.

centuries-old European debates about the legality and morality of conquest informed American legislators' and politicians' views on expansion. There was no clear consensus or singular perspective. Some legal theorists argued that Natives had preexisting property rights that needed to be respected. Others, following in particular the natural law framework of John Locke, argued that cultivation of the land was a necessary precondition for property rights, which indigenous peoples supposedly did not fulfill. This was in certain respects a conception of a continent of "empty land," where emptiness was delineated especially through the lack of cultivated land. In both cases, and in the view of most political figures in colonial America, Indians were not seen as civilized and therefore certainly not as political or social equals.⁶⁰ Racial inferiority was almost universally assumed, creating the preconditions, of sorts, for the exclusivity of white settlement practices that would continue well into the 19th century. Nevertheless, varying opinions on the legitimacy and specificity of property rights, in particular, meant that a multitude of conceptions of conquest and settlement existed, ones that reflected competing ideas of American imperial power.⁶¹ In the period of accommodation, these ideas were tested to some degree in the eastern colonies and then states, but they would come to gain new significance in the century following the founding in the western territories.

⁶⁰ Frymer, *Building an Empire*, 36-48.

⁶¹ Supreme Court Justice Marshall's influence over Indian law and policy cannot be overstated, but his views were importantly not consistent or fixed, particularly with regard to whether Native Americans could have legitimate original claims to land. According to Frymer, "Marshall's legitimacy rested on a variety of themes, none of which were fully explicated in [cases themselves], about the rights of the conqueror, rights that may have been rooted in the discovery doctrine, Coke's division between infidels and Christians, or Locke's understanding of property rights. Indians, he argued at one point, 'were fierce savages, whose occupation was war, and whose subsistence was drawn chiefly from the forest. To leave them in possession of their country, was to leave the country a wilderness.' ... Marshall is remembered primarily for putting his stamp on American imperial law: the United States reigns supreme in its right to conquest, and all those who are defeated have secondary rights under the nation. As he describes, 'However extravagant the pretension of converting the discovery of an inhabited country into conquest may appear; if the principle has been asserted in the first instance, and afterward sustained; if a country has been acquired and held under it; . . . it becomes the law of the land, and cannot be questioned.' But it is also worth noting that Marshall reversed himself on the sacredness of ownership—here, unlike in *Fletcher* and *Biddle*, Native Americans were distinguished as not having the right of original title." Frymer, *Building an Empire*, 111-112.

TRADE

Trade was the most important and substantial point of contact between indigenous nations in the 18th century. Both British and American colonial governments regulated trade – or less so – in a variety of ways due to illegal and private activities on the frontier.⁶² The factory system was dominant in the decades following the founding of the United States. In this system, trading posts were run by a combination of licensed private trades and the federal government.⁶³ Trade factories operated in a relatively decentralized system across a large stretch of territory from the eastern seaboard into the western territories.⁶⁴

The lives of the Indian groups in the region that would become Nebraska were dominated by the fur trade in the first decades of the 19th century, not by issues of settlement, which had not reached that far west in any substantial way. The peoples in the eastern part of Nebraska were a “regional cog” in an extensive trading network, with their furs funding multiple trading posts both near and far.⁶⁵ The Otoe-Missouria and the Omaha became increasingly dependent on trade, which decreased their economic autonomy at the same time that epidemics, changing hunting and farming opportunities, and compounding changes to social structure increasingly threatened their existence. The Pawnee were less affected, in part because they maintained their reputation and capacity for raiding to obtain horses and guns and in part because of their geographic location further away from primary routes of exchange.⁶⁶ The Ponca were also less impacted, likely due to

⁶² Francis Paul Prucha, *The Great Father: The United States Government and the American Indians*, University of Nebraska Press, 2014, 8.

⁶³ William S. Belko, “John C. Calhoun and the Creation of the Bureau of Indian Affairs: An Essay on Political Rivalry, Ideology, and Policymaking in the Early Republic,” *The South Carolina Historical Magazine* 105, no. 3 (2004): 170–97.

⁶⁴ Belko, “John C. Calhoun and the Creation of the Bureau of Indian Affairs,” 174.

⁶⁵ Wishart, *An Unspeakable Sadness*, 41.

⁶⁶ Wishart, *An Unspeakable Sadness*, 43.

their newly adopted nomadic lifestyle, which resulted from increased attacks by indigenous nations to the north.⁶⁷ Despite some differences in adaptation, the fur trade eventually led to “disastrous loss” not only of many craft, artistic, and subsistence skills but, more crucially, of the cultural and social rituals that had been the foundation of these nations’ ways of life for centuries. As David Wishart poignantly describes, trade also brought alcohol to the region, which then “worked like ice in the crevices of Indian societies, expanding the level of pressure until fragments broke away.” This laid the groundwork for ongoing struggles with alcoholism and led to further social breakdown in many indigenous communities.⁶⁸

The relationship between indigenous nations and various groups of traders (mostly American and French in the Nebraska region, but Spanish in territories further west, as well) took on deep cultural and social dimensions in addition to economic ones. Many traders integrated into indigenous communities over time, particularly through marriage with indigenous women. In some areas, the population was made up dominantly of the children of mixed marriages.⁶⁹ Both whites and Indian communities benefited from this intermixing, although the social power dynamics particularly for Indian women were certainly not always symmetrical, as marriages were sometimes arranged by elder relatives whose priorities lay in the economic benefits of stronger trade partnerships. Some individuals who were products of this cultural mingling would come to have prominent roles in the relations between the federal government and Indian nations, especially as translators in treaty negotiations.⁷⁰ There was thus no realm of “pure” economic exchange or encounter. Instead, the economic benefits of trade were fundamentally entangled with

⁶⁷ Wishart, *An Unspeakable Sadness*, 43.

⁶⁸ Wishart, *An Unspeakable Sadness*, 47.

⁶⁹ Wishart, *An Unspeakable Sadness*, 46.

⁷⁰ *Ibid.*

the social and physical motivations and outcomes of the contacts between Europeans and indigenous groups.

This brief overview shows that the years immediately following the Revolutionary War saw a multitude of dynamics happening on the continent at the same time: the federal regulatory apparatus in its early stages sought to restrain and regulate settlement in the eastern colonies and the lands immediately adjacent. Indigenous nations both in the east and in the west had encountered Europeans, both American and others, for decades and centuries already and this encounter was dominated by the social, cultural, and economic dimensions of trade relations. Such contact had already significantly changed the reality of Indian life, even as systematized settlement by the American state was not yet occurring. Although some individual and specific group instances of trade, contact, and exchange could be characterized as coercive, at this point a structural asymmetry of power, whether economic or political, and an attendant punitive approach to absolute colonial domination, had not clearly taken over relations between the federal government, white settlers, and indigenous nations.

Acquisition

COLONIAL GOVERNANCE AS “DENSE” SETTLEMENT

A change in outlook regarding expansion was underway among American politicians by the turn of the century. Federal officials still faced resource constraints even as an administrative apparatus dedicated to managing public domains and Indian affairs developed. This period marked a shift toward a gradual system of land purchase alongside partial acknowledgement of indigenous land rights.⁷¹ George Washington, among many other leading political figures, sought to settle

⁷¹ Goldstein, *Formations of United States Colonialism*, 19.

“compactly,” progressively, and methodically, with the goal of establishing a barrier between dense white settlements and lands occupied and owned by Native Americans in many cases.⁷² The federal government engaged in substantial treaty negotiations to acquire lands that would become public domain then available for sale and for settlement. This was not a smooth or easy process. As Saler suggests, “much of federal officials’ energies in managing the public domain were taken up with trying to turn [the] fiction [of a public domain] into a reality” during this period.⁷³ Additionally, there was much debate about what public domain should be used for, once acquired: sold for federal revenues, with the additional thorny questions of sale to whom and revenue for what; contributing to the payment of public debt. lowering taxes and building military strength; maintained in federal control for internal improvement; or transferred to state jurisdiction, for example.⁷⁴

The aims of profit from sale of public lands and protection of citizens and Indian country were often at odds. Settlers continuously pushed the barriers of land open to settlement, often engaging aggressively with indigenous nations and causing consternation amongst legislators who were concerned about the outbreak of war and settler alliances with foreign powers.⁷⁵ The government had an interest in minimizing speculation, unlicensed trading, private speculation, and foreign influence among Indian communities as well. Tensions between state and federal governments came to the fore, as states argued they had the right to defend themselves from attacks and it became increasingly difficult for the federal government to enforce authority over new lands.⁷⁶ Northerners and southerners approached settlement differently, as the former favored

⁷² Frymer, *Building an Empire*, 45.

⁷³ Saler, *The Settler’s Empire*, 28.

⁷⁴ Van Atta, *Securing the West*, 69-71.

⁷⁵ Frymer, *Building an Empire*, 46.

⁷⁶ Frymer, *Building an Empire*, 49-50.

surveying, carefully establishing townships, and then settling, while southerners generally settled first – often indiscriminately – and attempted to survey and organize townships later.⁷⁷

The Northwest Land Ordinance of 1787 was the most significant piece of federal legislation related to land in the immediate post-war period.⁷⁸ The goals of the ordinance were to maximize profits, “spur and protect settlements” in a “orderly and coherent fashion,” and prioritize maintaining connection between the federal government and peoples in newly settled areas for the purposes of a future transition to statehood (a sort of “inducement” regarding the benefits of incorporation).⁷⁹ Here legislators continued prioritizing “density” and uniformity regarding how settlers should occupy and live on new land, meaning groups of whites should live in close proximity to other settled areas rather than spread out across vast stretches of land. The “should” here is key, as very often the reality on the ground did not match the vision or understanding of lawmakers, what Saler describes as “repressed knowledge [leaving] political beliefs untroubled by contradicting realities.”⁸⁰ Nevertheless, the law explicitly laid out the process by which territories would become states, including, for example, the structure of territorial governments and the number of inhabitants needed to qualify for statehood.⁸¹ The implementation of the ordinance took on an important temporal dimension, as not all areas of the vast Northwest Territory were settled, surveyed and organized at the same time.⁸²

⁷⁷ Frymer, *Building an Empire*, 51.

⁷⁸ The acquisition of the Northwest Territory encompassed the area that is today Ohio, Indiana, Illinois, Michigan and Wisconsin. Saler, *The Settler's Empire*, 4.

⁷⁹ Frymer, *Building an Empire*, 55.

⁸⁰ Saler, *The Settler's Empire*, 4.

⁸¹ Frymer, *Building an Empire*, 55.

⁸² Saler, *The Settler's Empire*, 5.

Many have described the specific governing vision as laid out in this ordinance as a de facto colonial government, particularly in its goals to “Americanize” newly settled territories so that these areas would be fit for citizenship in the nation.⁸³ Frymer quotes the Reverend Mannaseh Cutler, who argued that Americanization would prevent “the children of settlers from ‘losing all their habits of government, and allegiance to the United States’” and “‘revive the ideas of order, citizenship, and the useful sciences’” in these regions.⁸⁴ The objective of cultivation was central in the motivation and design of settlement policy: the point was for American settlers to use the land productively and, ideally, do so in households headed by married Christian men.⁸⁵ This cultural and social prescription was not only directed at the supposedly “savage” Indian whose uncivilized ways threatened the progress of the nation, but also at the myriad of other immigrants, foreigners, Creoles and freed Blacks who filled the spaces of the American frontier.⁸⁶

Colonial governance of white settlements and Indian peoples at the macro level was not designed to be the same, despite the goal of Americanizing all peoples on the frontier. The former was designed as temporary, until territories became fully self-governing and incorporated as states, while indigenous polities were seen as foreign bodies within the borders of the United States, requiring federal guardianship and evaluation of competence until fully assimilated citizenship could theoretically be earned.⁸⁷ In both cases, officials explicitly tied the process of territorial

⁸³ Goldstein, *Formations of United States Colonialism*, 14-15.

⁸⁴ Frymer, *Building an Empire*, 55.

⁸⁵ This is what John R. Van Atta describes as political leaders’ desire for the “right” kind of people to settle the West, pointing out, for example, that Benjamin Franklin was initially concerned about German immigrants destroying the Anglophone base of the American colonies and the accompanying virtuous, productive, and loyal citizenry thought to only be possible through white English settlers. Van Atta, *Securing the West*, 10.

⁸⁶ Saler, *The Settler’s Empire*, 23-24; Van Atta, *Securing the West*, 59-60.

⁸⁷ Although this notion of future citizenship could also suggest that the status of colonial subject was meant to be temporary, the promises about what this could look like were vague and certainly not legally guaranteed. This would evolve into the federally legislated program of assimilation and secondary citizenship at the end of the 19th century. This was also explicitly connected to the series of supreme court cases known as the Insular Cases in 1901 in which the status of overseas territories (Puerto Rico, Guam, the Philippines) was debated. These decisions introduced a

expansion and settlement to civilized, economically incentivized, and specifically American ways of living, though these worked on different groups of people in very distinct ways. This was a paternalism that concerned itself with everyone moving into or living on the frontier, but that treated white and immigrant settlers differently than Indian peoples. Thus, an assimilationist structure had already emerged in the first decades of the 19th century. Here we see the first clear contours of a punitive regime in which indigenous peoples were treated differently than whites, in which Indians would be condescended to and dominated differently than settlers, and in which cultural and social expectations of Indians would take on punitive dimensions.

The federal government explicitly encouraged immigration of Europeans to fill the spaces of the west. Frymer argues that “federal land policies represented the earliest form of national immigration policy.”⁸⁸ These were formalized into actual immigration policy through the Nationalization Acts of 1790 and 1802, which stipulated the free white persons needed to live in the United States for only five years to become citizens and that citizenship was barred for non-whites. Congress also passed the Alien and Sedition Acts of the 1790s, which promoted keeping the non-English out of the United States. Many leading figures commented explicitly in a variety of ways about the need to keep the white race dominant on the continent. Competing definitions of whiteness were at work here, with the most restrictive definitions counting only English and Saxon, and more expansive conceptions including all Europeans.⁸⁹ This continual but varied process of racialization can be understood as a throughline of all the institutional, territorial,

certain flexibility into the concept of territory under U.S. law, based on which the territories eventually became incorporated. These dimensions of an emerging global American empire will be taken up again in later chapters. Importantly, the conception of indigenous nations as foreign or quasi-foreign – indeed there was no consensus, only a pressing and thorny legal question – political entities within the unclearly defined borders of the United States itself points to the imperial nature of the American project. Saler, *The Settler’s Empire*, 27; Walkiewicz, *Reading Territory*, 7; Kramer, “Power and Connection,” 1357.

⁸⁸ Frymer, *Building an Empire*, 60.

⁸⁹ Frymer, *Building an Empire*, 60-62.

political and geographical dynamics of expansion described above. The location, density, and political and economic power of settlements along the expanding frontier were not coincidentally white but rather “manufactured” – to use Frymer’s term – to be a majority or exclusively white through the specific choices of state and federal governments as well as settlers themselves.⁹⁰ This evolution at the beginning of the 19th century represented an entirely structural punitive configuration, in which social categories of race were produced and reproduced to control who could live where in territories that the United States laid claim to, both those it successfully governed as well as those that neither federal nor state governments had particular control over.

THE LOUISIANA PURCHASE

The Louisiana Purchase in 1803 was an “assertion of sovereignty before a reality of incorporation,” a dynamic that would come to define the particular ways in which settlement occurred in this vast territory.⁹¹ Legislators struck the deal without any participation by the people who actually lived in the newly defined territory, from French settlers in Louisiana to indigenous nations who had occupied the lands for centuries, including, of course, those in the place that would become Nebraska.⁹² Indigenous nations did still live on large parts of the land that would eventually become incorporated as western states.⁹³ Although military losses against Indian nations were still

⁹⁰ Although I am leaving African Americans outside the scope of this analysis, entanglements with Black racialization and anti-Black racism are an essential part of this story. Black resistance to enslavement and attempts by African Americans to stake out different forms of freedom after the Civil War are fundamentally also stories about spatiality and sovereignty. Indeed, access to land for formerly enslaved African Americans was indeed a central concern of the Reconstruction period. This includes maroon settlements of self-governing freed Blacks in the South, to which I will return later. Crucial, too, is the particular way that Afro-indigeneity was racialized, feared, and excluded among many white and non-white groups. See especially: Kathryn Walkiewicz, *Reading Territory: Indigenous and Black Freedom, Removal, and the Nineteenth-Century State*, Chapel Hill: The University of North Carolina Press, 2023.

⁹¹ The addition of this territory nearly doubled the size of the nation, beginning in the east at the Mississippi River and stretching over what is today Louisiana, Oklahoma, Arkansas, Missouri, Kansas, Nebraska, Colorado, part of Iowa, part of Minnesota, the Dakotas, part of Wyoming, and part of Montana. Frymer, *Building an Empire*, 73.

⁹² Ibid.

⁹³ Frymer, *Building an Empire*, 82.

occurring in this period, several midwestern states were incorporated after militarily defeating Indian nations.⁹⁴ The War of 1812 is understood to have been particularly detrimental to the political standing of Native peoples vis-a-vie the federal government, a “final turning point” in settler domination of the territories east of the Mississippi.⁹⁵ This marks a clear shift along the spectrum of punitive configurations in which the military and economic might of the United States began to overtake increasingly weakened indigenous nations.

At first, federal policy regarding settlement in the new territory remained quite similar to the process that had been in place up to that point. State and federal governments continued to disagree about if and how to control expansion, and settlement often took place in a haphazard way.⁹⁶ Settlers continued to illegally occupy lands and the new federal General Land Office’s enforcement of existing policy was not especially successful, particularly as the territories over which the United States now claimed sovereignty were far flung and distant.⁹⁷ Politicians saw the process of expansion and settlement into the territories of the Louisiana Purchase as dangerous in many respects, both in terms of protecting settlers from indigenous and foreign aggression and in terms of the federal governments’ control over the institutional, economic, and social life of citizens (and immigrants) settled so far into the west. Political leaders remained concerned about whether settlers would ascribe to the political and institutional requirements of participation in the American republic, including whether they would be sufficiently industrious and committed to the cultivation of land as required by the country’s quickly expanding economy. That is to say that the

⁹⁴ Frymer, *Building an Empire*, 84.

⁹⁵ Frymer, *Building an Empire*, 85.

⁹⁶ Frymer, *Building an Empire*, 74-75, 90.

⁹⁷ Frymer, *Building an Empire*, 94.

political and cultural attachments to newly acquired lands were just as diverse, varied, and fluctuating as was physical control over the land itself.

Land management became increasingly complex and contested in the now vast territory of the United States that stretched from the Atlantic coast in the east to the Rocky Mountains in the west. Many different kinds of land titles dating to different periods and under different sovereigns surfaced, including French, Canadian, and Indian grants with often overlapping claims.⁹⁸ State and federal courts approached such disputes quite differently, further entrenching tensions between these levels of government. At the federal level, judges often ruled against so-called squatters and even removed them from land they occupied illegally; at the state level, judges often granted land to settlers who occupied it and who had not been removed by previous owners.⁹⁹ These cases sometimes took on class dimensions, as relatively poor settlers often sought protection from the courts for their small plots of land and means of subsistence.¹⁰⁰ Differing legal definitions of property rights and land claims, as well as justifications for conquest, played a central role here, including common law interpretations of preemption that de facto allowed and often explicitly supported illegal occupation of public land.¹⁰¹

⁹⁸ Frymer, *Building an Empire*, 104. See also Saler, *The Settler's Empire*, 3.

⁹⁹ Frymer, *Building an Empire*, 104.

¹⁰⁰ The debates in Congress about who should settle the west took on both a moral and an economic valence with regard to questions such as whether government credit sales had supported a “moral population” of settlers or a population of settlers that was irresponsible and indebted. More profoundly, Van Atta points out that the positions of politicians from western states who advocated a significant reduction in centralized federal control over land settlement, acquisition and sale “implied more than just the opportunity for lower-class settlers to acquire government lands. It argued a labor theory of value that gave highest recognition not to capital investors but to the ‘actual producers’ of wealth—the ‘humbler’ classes of farmers and workingmen. Poorer men and women, supposedly, would benefit most from the policy changes that the more radical westerners advocated,” namely significant reforms to earlier federal land policies. These signified two very different paths forward for governmental control of the west. Van Atta, *Securing the West*, 112.

¹⁰¹ Frymer, *Building an Empire*, 105-105, 131.

AMERICANIZATION AND DISPOSSESSION IN NEBRASKA

Attempts at “Americanization” occurred not only in the territories governed by the Northwest Territory, but across the continent in areas. Missionaries, all of various Protestant denominations, were the first and primary actors who took on the role of Americanization and Christianization of indigenous peoples in the American Midwest and West. The reigning idea was that Christian reform would lead quickly to significant changes in indigenous lifestyles.¹⁰² The first missionaries arrived in the region of Nebraska in the 1830s and faced far more obstacles than they anticipated, not least of which were the language barrier and Indians’ disinterest in giving up their religious beliefs.¹⁰³ Attempts at conversion were unsuccessful with adults, so missionaries turned their focus to children, whom they wanted to place in schools and homes in order to teach English and preach the Gospel. In the 1820s and 1830s, this, too, largely failed. By the 1840s, however, living conditions among the Otoe-Missouria, Omaha, Ponca, and Pawnee had deteriorated so significantly that indigenous parents took on the help of missions to feed, clothe, and house their children.¹⁰⁴ Both children’s and adults’ resistance to conversion and teaching generally remained steadfast, however the lack of basic necessities in many communities allowed missionaries to deepen their presence in the lives of these groups. The dynamics that developed here – and in many other parts of the country and its territories – would morph into the federal boarding school system, including the emerging logic of separating children from adults in order to achieve the aim of “Americanization.”

The first treaty to manage the acquisition of indigenous lands of Nebraska was signed in 1830. One of the largest councils for treaty negotiation in the first half of the 1800s, the Treaty of

¹⁰² Prucha, *The Great Father*, 179.

¹⁰³ Wishart, *An Unspeakable Sadness*, 49.

¹⁰⁴ Wishart, *An Unspeakable Sadness*, 52.

Prarie du Chen involved the Sauk and Fox, eastern bands of the Dakota (Sisseton, Wahpeton, and Medawakonton), Iowa, Menominee, Winnebago, Omaha, and Otoe Missouria (with the Yankton and Santee Dakota bands also party to the treaty but not present).¹⁰⁵ The indigenous leaders present were told to end their warfare against the federal government or else they would face the United States military, an explicitly militarized and punitive mechanism of colonialism.¹⁰⁶ The negotiations ended with an agreement negotiated by John Daugherty, the director the federal agency with supposed jurisdiction over the Indian nations of the Nebraska region: “the Omaha and Otoe Missouria gave up their ‘title and claim’ to their traditional lands east of the Missouri...retained the right to hunt there...were each given an annual annuity of twenty five hundred dollars for ten years... provided with the services of a blacksmith and five hundred dollars worth of farming equipment... [and] an annual educational fund of three thousand dollars.”¹⁰⁷ The deal was deceiving both for the Omaha and Otoe-Missouria peoples and for Dougharty himself. None of these parties had understood that indigenous peoples removed from other territories could be settled in the lands subject to the treaty, which is exactly what happened in 1835.¹⁰⁸ Dougharty attempted unsuccessfully to obtain compensation for the groups he represented due to this additional loss.¹⁰⁹ Although increasingly violent punitive configurations dominated the western landscape at this point, this instance importantly shows the heterogeneity and inconsistency of the federal government itself, as an Indian agent attempted and failed to assert himself against the government on behalf of indigenous peoples. Still a paternalist approach, clearly a variety of stances on how to deal with Indians existed and were vocalized. The deception led to increased

¹⁰⁵ Wishart, *An Unspeakable Sadness*, 59.

¹⁰⁶ Ibid.

¹⁰⁷ Wishart, *An Unspeakable Sadness*, 59-60.

¹⁰⁸ Wishart, *An Unspeakable Sadness*, 60.

¹⁰⁹ Ibid.

conflict between distinct (and immigrant Indian) groups in the area and continued to escalate the loss of indigenous lands. The next section of this chapter discusses removal more in-depth, yet here we see that the period of treaty negotiation with individual nations already contained mechanisms by which Indians were relocated throughout multiple territories, a situation that added vastly to the social, political, and economic disruption and dispossession they were already experiencing.

Federal Indian policy in the middle of the 1800s explicitly foresaw a program of assimilation for the indigenous nations of the western territories. The Nebraska Indians fell under the jurisdiction of the St. Louis Indian agent and were governed by the local Upper Missouri Agency. Dougherty had already proposed in 1829 that the Otoe-Missouria, Omaha, Ponca, and Pawnee be forced to change their communal ways of life in favor of individualism and private property ownership, and this was the course that he pursued over the next several years:

... the Indians should be placed on a small tract of land which could be farmed and where there was no game, “in order to wean him from his favorite pursuit and thereby prepare his mind to encounter the laborious duties of domestic life.” Blacksmiths, farmers, laborers, and implements should be furnished, so that in time the Indians would be able to “clothe and subsist themselves by individualized exertions.” Once settled down, the Indians should be “taught to read, use figures, divide the year into months and days, so that they could undertake domestic manufacture.” Agriculture was the key, Dougherty concluded, to raising the Indian “one grade higher in civilization,” and self sufficiency would reduce the sums of money needed for their support when the game gave out.¹¹⁰

The specific ideas that would inform the assimilation program of boarding schools for indigenous children decades later were envisioned by local Indian agents on the American frontier several decades earlier. Like many reformers in later decades, Dougherty fought for a dignified quality of life for indigenous nations and also believed strongly in the civilizing mission. “Americanization”

¹¹⁰ Wishart, *An Unspeakable Sadness*, 57.

for these indigenous groups meant a complete transformation of their material, social, and cultural lives, even as the foundations of their autonomy and self-determination were taken away. Assimilation and territorial dispossession went hand in hand in this punitive regime, even as some white officials at the helm of these transformations believed wholeheartedly in a benevolent and peaceful transition. Such were the contradictions of American colonial rule.

Removal

THE INDIAN REMOVAL ACT

Most Indian polities wanted to be acknowledged and treated as fully sovereign independent nations and, interestingly, some American political figures were open to this (including George Washington's Secretary of War, Henry Knox, for example).¹¹¹ Although most removals had already happened by the time the Indian Removal Act was passed in 1830, the legislation marked the first federal attempt to systematize the removal of indigenous peoples from their eastern homelands to the west.¹¹² Up until this point, as we have seen, removals had occurred through a combination of military violence, treaties, and land purchases. The Indian Removal Act stipulated that the remaining indigenous peoples east of the Mississippi would be removed and resettled, involving an exchange of public lands in the west for Indian lands mostly in the south, and a federal appropriation of a half million dollars. This was one of the most explicitly punitive mechanisms for colonial control carried out by Congress to this point and marked the beginning of a more aggressive and brutal campaign of indigenous dispossession.

¹¹¹ Frymer, *Building an Empire*, 114.

¹¹² Frymer, *Building an Empire*, 126-127.

The most well-known instantiation of systemized removal was what would become known as the Trail of Tears. An ongoing dispute between the Cherokee nation and the state of Georgia laid the groundwork, intensifying when Cherokees declared sovereignty within the borders of the state, lobbied Congress to recognize their rights under existing treaties, and wrote a Constitution modeled on the U.S. Constitution. The federal government sided with the state of Georgia in this conflict: under the auspices of the Indian Removal Act, beginning in 1838, Cherokee and Choctaw nations were to be removed from their territories.¹¹³ This specific set of historical developments highlights what Patrick Wolfe calls the core “problem” with indigeneity for settler societies, namely collectivity and permanence, not, in fact, “uncivilized” ways of life.¹¹⁴ Indeed, it was arguably the Cherokee nation’s last futile but strong-willed attempts at “civilized” life – declarations of sovereignty, use of the parliamentary system, writing a constitution – that so threatened white political leaders in Georgia. As Wolfe points out, the few Indians that successfully remained in Georgia after removal were no longer seen as a threat because they were not permanently present as a collective; they had become individualized, a process to which I will return at the end of this chapter.¹¹⁵

The logistical undertaking of removal was overseen by the War Department, which soon became overwhelmed by the project of moving several thousand Indians who refused to leave. Volunteer troops were called in to force the transfer, however funds, supplies, personnel, and transportation vehicles (first planned by boat along the river and then by wagon over land) were all lacking.¹¹⁶ The result was catastrophic:

¹¹³ Frymer, *Building an Empire*, 116-117.

¹¹⁴ Wolfe, “Settler Colonialism and the Elimination of the Native,” 400.

¹¹⁵ Ibid.

¹¹⁶ Frymer, *Building an Empire*, 123-124.

It has been estimated that between four and eight thousand people, roughly one-fourth of [the total] population, died in the process. Faced with mass resistance from [two Indian] nations, the government's capacity to govern was stretched thin and exposed for its severe limitations. The veneer of liberty that remained at least plausible in the midst of incentivized land movements was gone, and the ability of the government to assert its will was as clumsy as it was horrific.¹¹⁷

As is so often the case with colonial governance, brutality here was not a product of absolute state power or the brute force of white supremacy. Rather, federal officials were responding to a number of accumulating dynamics: the actions of a state government, increasing difficulties in maintaining a policy of treaties and (comparatively peaceable) territorial acquisition through purchase, settler pressure to access lands, and indigenous resistance. Federal capacity to manage these forces alongside the material and geographical reality of removal was institutionally as weak as it was physically. The scandal prompted protest and public action, the rising prominence of advocates that would become central in the abolition movement (such as Harriet Beecher Stowe), and a desire by Congress to overhaul existing Indian policy.¹¹⁸

These removals led to the first systematized federal use of what would become Indian Territory in the west. A territory specifically for relocated indigenous nations had first been very loosely conceptualized as anything west of the Appalachians several decades earlier and made more plausible through the Louisiana Purchase.¹¹⁹ In the 1830s, Congress began concretely debating what this territory should look like. Very briefly, a proposal was entertained that sought to grant Indian Territory eventual statehood. After substantial backlash, members removed the language from the proposed bill.¹²⁰ This episode encompasses, in some ways, the fundamental tension at the heart of the American project, the brokering between that which Saler describes as

¹¹⁷ Frymer, *Building an Empire*, 123-124.

¹¹⁸ Frymer, *Building an Empire*, 125.

¹¹⁹ Frymer, *Building an Empire*, 43, 114.

¹²⁰ Frymer, *Building an Empire*, 126-127.

“postcolonial republican commitments” and a “federal colonial administration [over] variegated territorial populations.”¹²¹ Here we see one of what would have been an alternative path forward, as a white settler state struggled to assert itself across a vast and peopled continent and explicitly denied a version of equal citizenship to indigenous nations. Punitive configurations ranging from asymmetrically and deceptively negotiated treaties to coercive cultural “Americanization” to physically violent removal all constituted the arsenal of tools that state and federal governments used to assert colonial control over the expanding United States territory.

REMOVAL IN NEBRASKA

Removals continued in varied but continuous ways across the vast United States in the decades that followed the Indian Removal Act and the region of Nebraska was no exception. The 1830 Treaty of Prairie du Chien, mentioned earlier, spurred two additional land cessations related to relocation of Indian nations. First, several indigenous groups had requested a separate territory to designate for their “mixed-blood” children. Federal agents delineated and surveyed a piece of land known as the Nemaha Half-Breed Reservation, which actually involved the cessation of lands that had been promised the Otoe-Missouria in the original treaty.¹²² Secondly, the Kickapoo and Delaware had been forcibly removed from their eastern homelands to the Nebraska region (in the case of the Kickapoo, what is today Kansas). This spurred conflict between the Pawnee and the Delaware, leading to treaty negotiations in which federal officials sought to have indigenous

¹²¹ Saler, *The Settler’s Empire*, 2.

¹²² What actually happened with this land in the decades following was not ownership and occupation of the land by the designated nations, as Wishart describes: “In 1833, according to Prince Maximilian, about one hundred twenty to two hundred mixed bloods were eligible for settlement in the tract, but none had done so. The boundaries of the tract were surveyed in 1838, but it was not until 1860 that mixed bloods were actually settled in the area. In that year, 389 descendants of Americans (mostly fur traders) and Indians were issued patents for individual allotments. These were the first allotments assigned to Indians in the United States. They were almost all sold to white settlers within a decade.” Wishart, *An Unspeakable Sadness*, 61.

groups give up their lands in the southern part of the Nebraska region for the purposes of relocation.¹²³ The treaty that resulted in 1833 set up the “general pattern” for the agreements that would follow in the 1850s: lands and hunting rights were ceded in exchange for annuities in the form of cash, cattle, agricultural equipment, farming services, and educational provisions.¹²⁴ David Wishart describes this as the moment in which “began in earnest the process whereby the Nebraska Indians sold their lands for a living.”¹²⁵

These cessations further deepened the crises the Nebraska Indians faced, as the base of their means of subsistence disappeared and encroachments by settlers as well as neighboring indigenous nations intensified. In 1845, the federal government decided to build a fort in order to ensure the “tranquility of the Indians” and safety of the emigrants settling in the region.¹²⁶ Military involvement was seen as a necessity to implement a punitive Indian policy, as bases became crucial to control overly newly settled territories. This required the acquisition of land from the Pawnee who, by this time, were starving due to the lack of bison, corn, and even root plants on which they attempted to survive.¹²⁷ This Indian nation had no option besides giving up their lands in exchange for basic government provisions, despite the arguments of their federal agent at the time that they did not understand the technicalities of the cessation and that they had received payments significantly lower than the estimated value of the land.¹²⁸ Annuities were often received in the form of low quality supplies rather than cash, as indigenous leaders requested.¹²⁹ In practice, this

¹²³ Wishart, *An Unspeakable Sadness*, 61-62.

¹²⁴ Wishart, *An Unspeakable Sadness*, 62.

¹²⁵ Ibid.

¹²⁶ Wishart, *An Unspeakable Sadness*, 65.

¹²⁷ Ibid.

¹²⁸ Ibid.

¹²⁹ Wishart, *An Unspeakable Sadness*, 68.

often meant that Indians did not receive the full amount owed to them. The program of assimilation was, in theory, supposed to accompany land acquisition and provide a new social and economic foundation for indigenous groups. Yet this was not successful as indigenous communities were systematically denied fair compensation, resisted the punitive and violent nature of this acculturation, and struggled with the social and cultural disruptions to their known ways of life.¹³⁰

The Kansas-Nebraska Act was passed in 1854, formally opening the doors to a flood of white settlement across the Missouri River. By 1858, a series of treaties with the Otoe-Missouria, Omaha, Ponca and Pawnee resulted in the cessation of almost all their remaining lands and the beginning of their turbulent relocation to small reservations.¹³¹ The Omaha were relatively successful in managing the transition to the reservation while the Pawnee struggled the most. Many of the settlers that came to the area in the initial period were not the hardworking Christian farming families so idealized by politicians but were, instead, speculators who wanted to maximize profit through the sudden abundance of available land.¹³² Thus some settlers worked in construction or outfitting, not in agriculture, and settlement followed the more chaotic process that the federal government so ardently sought to avoid in which surveying came after settling. Preemption claims were often registered – under the auspices of the Preemption Act – without settlers actually staying to live and work on the land.¹³³ Though Nebraska's indigenous peoples were intended to live on reservations, their segregation to these small territories was not a cohesive or consistent process and settlers also increasingly encroached on the land along the reservation. Sometimes the federal government intervened and sometimes it did not. This brought continued conflict, including

¹³⁰ These dynamics occurred with nations across the western part of the continent of course, not just the Nebraska Indians. Prucha, *The Great Father*, 125-127.

¹³¹ Wishart, *An Unspeakable Sadness*, 102.

¹³² Wishart, *An Unspeakable Sadness*, 109.

¹³³ Ibid.

violent incidents between settlers and indigenous groups. This might be considered a downstream effect of the direct violence that indigenous nations faced through removal, yet the consequences of this social breakdown clearly functioned on a punitive level as many Indian nations became less and less capable of substantially resisting colonial dispossession.

GENOA, NEBRASKA

In 1857, a small group of Mormons founded the town of Genoa along Beaver Creek in the eastern part of what would become the state of Nebraska. The Mormons erected buildings and plowed about one thousand acres of land.¹³⁴ By 1860, the group had left for Utah upon orders of the agent of the Indian Office, as they had encroached on the lands of the Indian reservation. In 1857-1858, the Pawnee settled onto a reservation that already had some basic infrastructure that the Mormons had left behind.¹³⁵ The years that followed brought bad harvests and hunting seasons, epidemics of measles, diphtheria, dysentery, and dramatically insufficient annuities from federal agents to compensate. Population decline was not linear, as population growth spiked during intermittent good years. Nevertheless, famine and starvation generally dominated the decade of the 1860s for the Pawnee. Attacks by the Dakota and settlers also devastated the already weakened nation, and the federal government rarely intervened to provide sufficient protection.¹³⁶

Funds and services stipulated in the Pawnee treaty were designed to continue the project of assimilation, which had theoretically been in place for a few decades already. This included the building of two manual schools, only one of which came to fruition.¹³⁷ American farming

¹³⁴ Wishart, *An Unspeakable Sadness*, 128.

¹³⁵ Wishart, *An Unspeakable Sadness*, 175.

¹³⁶ The prevailing justice system on the frontier systematically disadvantaged Indians. Chapter Two will pursue this more in depth. Wishart, *An Unspeakable Sadness*, 179-182.

¹³⁷ Wishart, *An Unspeakable Sadness*, 175-176.

techniques had not been adopted by the Pawnee and the traditional annual cycle with its bison hunt were still occurring in 1870.¹³⁸ Here, too, the federal agency then chose to focus its assimilation efforts on children rather than adults. Officials at Genoa Manual School taught academic subjects and vocational training, which conveniently also provided free labor for the federal agency. Separation of children from parents continued to be a governing logic here as well.¹³⁹ Despite these developments, Pawnee enrollment in school remained low throughout the 1870s. Assimilation attempts on the reservation remained largely futile.

The development of the Union Pacific Railroad, intense settler demand for land – of which the “choicest” was often on reservations – and the immense role of speculation in buying up supposedly available land added to the above-named dismal living conditions on the reservation.¹⁴⁰ By 1870, the Pawnee reservation was no longer remote but rather surrounded by settlers. Life on the reservation was shaped by increasingly punitive government measures: metal annuity goods could no longer be sold to traders for income, rations were withheld from families who did not send their children to school, and individuals could not leave the reservation without a pass.¹⁴¹ By 1874, the majority of the Pawnee nation wanted to leave.¹⁴² Removal to Indian Territory began in October and by the spring of 1875, the Pawnee had been relocated multiple times, ultimately arriving on land of vastly lower quality than their homeland in Nebraska had been. Here we see the nefarious and multi-layered effects of the punitive configurations at work in the American west: removal in this instance might be conceptualized as both voluntary and forced. Despite

¹³⁸ Wishart, *An Unspeakable Sadness*, 176.

¹³⁹ Wishart, *An Unspeakable Sadness*, 179.

¹⁴⁰ The rapid building of railroads was a primary – though rarely exclusive – motivator for accessing indigenous land. Prucha, *The Great Father*, 134.

¹⁴¹ Wishart, *An Unspeakable Sadness*, 195-196.

¹⁴² Wishart, *An Unspeakable Sadness*, 198.

available funds to help adjust to life in a new territory and improve the significantly deteriorating condition of the group, the Pawnee “population plummeted from 2,036 in 1876 to 1,045 in 1885, at which time their agent declared that they were destined to become extinct.”¹⁴³ In the mid-1830s, by comparison, the Pawnee population had been estimated at 8,000 members.¹⁴⁴

The money from the sale of the Nebraska reservation amounted to no more than \$1 per acre by the time the Pawnee actually received their share. In 1883, Nance County was incorporated on what had been the Pawnee reservation in Nebraska. In 1884, Genoa U.S. Indian Industrial School was opened in the reservation’s schoolhouse.

Allotment

Congress passed the General Allotment Act (Dawes Severalty Act) in 1887, outlining the process by which Indians on reservations would be given individual plots of land for farming and eventually gain private property rights. Allotment was implemented through a legal doctrine of “wardship,” which was “founded on the assumption of Indian incompetence to function effectively in the market economy of the wider American society.”¹⁴⁵ Wardship as a legal category dates back to the medieval period in Europe, and was significantly transformed by its application in colonial contexts in the Americas. I will return to this genealogy in Chapter Two. Importantly for now, this punitive form of paternalism functioned alongside ongoing direct and physically violent removal of indigenous nations in the West, however the turn to allotment also marked the beginning of a “demise of the frontier.”¹⁴⁶ Wolfe notes that as frontier spaces available for expansion and

¹⁴³ Wishart, *An Unspeakable Sadness*, 201.

¹⁴⁴ Wishart, *An Unspeakable Sadness*, 75.

¹⁴⁵ Woolford, *This Benevolent Experiment*, 64.

¹⁴⁶ Wolfe, “Settler colonialism and the Elimination of the Native,” 399.

colonization began to close, the eliminatory logic of settler colonialism “turned inward, seeking to penetrate through the tribal surface to the individual Indian below, who was to be co-opted out of the tribe, which would be depleted accordingly, and into White society.”¹⁴⁷ Though Americanization efforts had been attempted for decades in the western territories, the Federal Allotment Act was passed just as the last states in the West (with the exceptions Arizona and New Mexico) were incorporated. Assimilation was about the internal lives and affairs of indigenous nations as much as their territorial presence.

The supposed incompetence of indigenous peoples was heavily steeped in colonial stereotyping, scientific racism, and market logic. In this thinking, Indians were racially inferior, socially and cognitively incapable of maintaining the industrious individualistic work ethic necessary for participation in a capitalist economy. Thomas Biolsi has persuasively argued that this legal doctrine and its practical implementation required the construction of a new kind of individual.¹⁴⁸ Through this policy, indigenous individuals were not just to become “competent” property owners, but also bearers of a certain amount of (administratively determined) blood quanta and members of nuclear families, the form of kinship legitimized as normative by the government and often forced onto indigenous communities. The determination and use of blood quanta, in particular, was premised on the logic that the less “Indian blood” an individual had, the less they required supervision, training and wardship in order to successfully assimilate.¹⁴⁹ Both as practice and as ideology, assimilation seeped into almost every aspect of indigenous life on the reservation.¹⁵⁰

¹⁴⁷ Wolfe, “Settler colonialism and the Elimination of the Native,” 399.

¹⁴⁸ Biolsi, “The Birth of the Reservation,” 28–53.

¹⁴⁹ Woolford, *This Benevolent Experiment*, 59.

¹⁵⁰ As Biolsi also importantly notes, this is not to say that Lakota culture and ways of life completely disappeared: “Although there was clearly “culture change” during this period—change that entailed both new identities and some

The language and framing of wardship has much in common with the infantilization of indigenous peoples so common in the broader history of settler colonialism. The Office of Indian Affairs' agent on Rosebud reservation described this framework in 1889, quoted by Biolsi:

"The time has arrived when it is absolutely cruel to treat the Sioux as children or wards. Public sentiment is restive under the [budgetary] strain and will not long permit them to retain their present status; they must become individualized and acquire the rights of citizenship. The strain of civilization will deplete their numbers, as in the case of the Omahas, Winnebagos, and other semi-civilized tribes, but the principle of the survival of the fittest will apply, and such may acquire a reasonable degree of independence."¹⁵¹

What might be called genocidal or ethnocidal¹⁵² thinking is here couched in the language of civilization and natural selection, a particularly pernicious kind of punitive regime in which seemingly benevolent language obscures violence. The government framed its task as supervising, training, and crucially individualizing Indians in order to prepare them for the rights and duties of full American citizenship. The actual administration of this principle relied on new types of social categorization documented through surveys and measurement of the "progress" of individuals and households towards the "competence" necessary to no longer be deemed a ward of the state.

"deculturation"--an autonomous Lakota culture survived and even thrived: the language, a rich social and ceremonial life, a native kinship system entailing rights and obligations, and an indigenous form of political process. But the state apparatus and the capitalist social formation could live with this native cultural persistence -- as long as the Lakota were subjected to the new definitions of the individual." Biolsi, "The Birth of the Reservation," 44.

¹⁵¹ Biolsi, "The Birth of the Reservation," 44.

¹⁵² Biolsi, "The Birth of the Reservation," 29.

The literature on the question of genocide of the indigenous peoples of North America is broad and contentious. Andrew Woolford helpfully argues for a conception of genocide as an ongoing process occurring in different ways on "multiple levels at the same time" and not necessarily always in a "coherent or systematic way." This aligns with the approach of punitive configurations, to which I will return later. In this view, genocide is "uneven, uncertain and inconsistent," even as it is violent and eliminationist. Thinking like that demonstrated by the Rosebud agent quoted above can thus be conceptualized with some nuance: genocidal policies and approaches did not take one form, and certainly not one that is always recognizable to the 20th and 21st century contexts so often used as comparison. Rather, genocidal thinking could seep into a multitude of policies in a myriad of ways that were not always thoroughly planned or even entirely intentional. Woolford also points out that explicit language about "averting" the "total destruction" of indigenous nations was not used in the United States context until the mid 1800s, as westward expansion markedly changed the power dynamic between the settler colonial state and indigenous access to and control over land. The seeds of exterminationist discourse began much earlier though. Woolford, *This Benevolent Experiment*, 3-6, 10, 53-57.

Evaluation of categories like blood quanta, age, health status, mental capacity, crops, livestock, sources of income, and family structure were used to determine competence, after which heads of households would be given full title rights to the land which were otherwise held in a trust by the federal government.¹⁵³ Descriptions such as industrious, thriftiness and reliability abounded in examinations of how well indigenous peoples were farming, how successfully housekeepers (women in the home) were living up to standards of home maintenance and cleanliness, and how responsibly money was being saved and spent.¹⁵⁴ This was the yardstick against which “competence” was defined and measured by the government, an example of what Ann Laura Stoler calls the production of “social kinds.” This production turned ways of living “into problems, subject persons were condensed into ontological categories, innocuous practices were made into subjects of analysis and rendered political things.”¹⁵⁵ These social kinds were defined yet unstable, making the actual practice of governance often messier in practice than in theory.

The impacts of this policy were deep, multi-layered and in many ways a continuation of the disruptions that had been occurring to indigenous life for decades. The goal of the Dawes Act was to “supersede ‘tribal relations’ by empropertying Indians as individuals” rather than collectives.¹⁵⁶ Reservations were broken up into small individual plots, disrupting communal ways of living and schooling, as day schools were increasingly located far away from the homes of Indian families on newly assigned plots.¹⁵⁷ The social relations and customs to be overcome in this civilizing project included the Indian “socialism” of regularly gifting property and other materials

¹⁵³ Biolsi, “The Birth of the Reservation,” 36-38.

¹⁵⁴ Biolsi, “The Birth of the Reservation,” 38.

¹⁵⁵ Stoler, *Along the Archival Grain*, 30.

¹⁵⁶ Thomas Biolsi, “A Short History of Rosebud Reservation,” In *Deadliest Enemies: Law and the Making of Race Relations on and off Rosebud Reservation*, Berkeley, California: University of California Press (2001): 21.

¹⁵⁷ Richmond Lee Clow, “The Rosebud Sioux: The Federal Government and the Reservation Years 1878-1940,” Ph.D., The University of New Mexico (1977): 198.

to kin and neighbors, traditional feasts and dances, and in some cases nomadic ways of life that included regular traveling.¹⁵⁸ As evidenced in the case of the Pawnee, older means of subsistence were taken away through removal policies in the preceding decades and Indians on reservations came to rely on government rations and increasingly on wealth generated through land ownership.¹⁵⁹ The federal government's allotment policy undermined indigenous peoples' ability to become self-reliant farmers and "useful" productive citizens at the same time that these precise attributes became conditions for full citizenship rights. Precisely this was impossible, not just in the case of the Pawnee, but in the case of so many indigenous nations across the continent as well, again reflecting a contradiction at the heart of American political ideals: a discourse and program intended to create equal opportunities was premised on structural dispossession and exclusion.

Allotment policy had an additional goal as well, though, one more explicitly reflective of its settler colonial underpinnings and the theme of white settlement outlined through this chapter: the "surplus lands" of the reservation that were not occupied by indigenous people were soon opened up for "homesteaders," white citizens moving west along the American frontier.¹⁶⁰ The Homestead Act passed in 1862 and allowed settlers to purchase land after living on and cultivating it for a certain number of years; other legislation with similar intent followed.¹⁶¹ Biolsi notes that "allotment is now widely understood in American Indian studies to have been a project that did not result in the elusive civilization of Indians, but that did effectively help to transfer Indian property to non-Indians."¹⁶² The policy of land acquisition was indeed inseparable from the policy

¹⁵⁸ Biolsi, "The Birth of the Reservation," 35.

¹⁵⁹ Biolsi, "The Birth of the Reservation," 33.

¹⁶⁰ Biolsi, "A Short History of Rosebud Reservation," 23.

¹⁶¹ Frymer, *Building An American Empire*, 152.

¹⁶² Biolsi, "The Birth of the Reservation," 31; see also Matthew Crow, "Atlantic North America from Contact to the Late Eighteenth Century," 95-108.

of assimilation. Reservations soon came to look like a checkerboard of Indian and non-Indian plots of land, creating jurisdictional problems for the state and federal government as well as fully undermining Indian nations' ability to govern their peoples.¹⁶³ In the case of the Pawnee, the mutually recognized borders and territorial organization of the reservation was entirely lifted by 1893, when 111,931 acres were allotted in 160 and 80 acre tracts and 171,088 acres were designated as "surplus lands."¹⁶⁴

This system harkens back to the "dense" settlement strategy of the early 19th century in which the very structure by which peoples in the American West – white, indigenous, and otherwise – had or did not have access to land was racialized through the language of civilization and assimilation. Here we see a non-linear sedimentation of the punitive configurations that continued to dispossess indigenous peoples of their lands and their social, political, and economic cohesion: rather than an evolution in which one policy was thoroughly replaced by another, structural forms of access and denial to land shifted alongside phases of direct violence, all of which was controlled in different ways at different times by the military, federal and state levels of government, and individual groups of settlers and indigenous peoples on the ground. Taken together, these violently ended the permanence and collectivity of indigeneity – more so than ended the life of all indigenous individuals – on the territories of the continental states.

Conclusion

Contrary to some images of American expansionism and power that can still be found in historical work today, the process of territorial acquisition was deeply contested, characterized by fits and

¹⁶³ Biolsi, "A Short History of Rosebud Reservation," 30.

¹⁶⁴ Wishart, *An Unspeakable Sadness*, 201.

starts, and driven by multitude of sometimes opposing interests, motivations, and capacities. Federal legislators and agencies relied on land ordinance and regulation of settlement patterns in part because the government lacked the military might and institutional prowess to exercise absolute control over settlers and immigrants, much less indigenous nations on the frontier. Settlers and state governments often had very different ideas about who should have the right to land and how it should be occupied. Indigenous nations remained not only present but economically and militarily powerful certainly until the end of the 18th century, and in some cases even into the 19th century. Following this, a multi-dimensional set of punitive configurations directly and indirectly caused the violent removal of indigenous nations from their land and attempted assimilation into a racialized American citizenry. The next chapter introduces penal history to the configurations discussed here in order to build a more nuanced, multi-layered and complex picture of how territorial expansion and indigenous dispossession in the 19th century occurred.

CHAPTER TWO

A Punitive Configuration

Boarding schools must be understood not just within a context of territorial expansion as discussed in Chapter One, but also within a history of penalty. This chapter will sketch a specific genealogy of penalty that goes beyond the classical story of the rise of the prison. Militarized forms of U.S. empire-making form a crucial backdrop for understanding how and why assimilationist schooling took on the punitive structure it did. The punitive character of the boarding school systems origins, practices of punishment within schools, and what I call the “wide disciplinary web” of the boarding school can be interpreted anew when looking at these histories together.

Genealogies of Penalty

Michel Foucault is the theorist most closely associated with the oft-told story about the rise of the prison. His work fundamentally changed the scholarly conversation about the history of the prison by introducing social discipline and biopower as central penal logics.¹⁶⁵ Foucault brought social science, medicine, religion, and state bureaucracy into the picture as important nodes in the power structure that conditioned the emergence of the prison. Key in his thinking is that incarceration as a form of punishment was productive as much as repressive, particularly as categories of social

¹⁶⁵ Mary, Gibson, “Global Perspectives on the Birth of the Prison,” *The American Historical Review* 116, no. 4 (2011): 1041.

deviancy were co-constructed through the institution of the prison. His analysis locates the rise of the prison in 18th century Europe where Enlightenment ideals increasingly rejected public spectacle and torture, which had been the hallmarks of premodern Europe's modes of punishment.¹⁶⁶ Foucault identifies the shift toward "correcting, reclaiming, 'curing'" as the goal of imprisonment before the 19th century disciplines of criminology and penology developed specific methods and practices for rehabilitation, though these of course then became foundational to the design and functioning of penal institutions. Rationalist and humane approaches to punishment and incarceration characterized the discourse and ideology surrounding the prison in the 19th and 20th centuries. Importantly, Foucault asserts that a "trace of 'torture'" remained even in the 20th century criminal justice system's focus on rehabilitating the "soul" rather than punishing the body.¹⁶⁷

Interventions since the 1975 publication of Foucault's *Discipline and Punish* have added to and also criticized his framework. In the 1970s, David Rothman's work identifies the 1820s in the United States as a period in which multiple kinds of institutions, including but not limited to the prison, were concerned with controlling and curing social deviance.¹⁶⁸ Michael Ignatieff's framing names class as a central concern to the emergent penal system in the United States, as the state became increasingly concerned with subduing a radicalizing working class.¹⁶⁹ Scholars such as Dario Melossi and Massimo Pavarini argue forcefully for the close connection between the prison and the factory in modern capitalist societies, identifying the social disciplining of labor as

¹⁶⁶ Michele Foucault, *Discipline and Punish: The Birth of the Prison*, London: Vintage Books, 1977, 10.

¹⁶⁷ Foucault, *Discipline and Punish*, 16.

¹⁶⁸ Gibson, "Global Perspectives on the Birth of the Prison," 1043.

¹⁶⁹ Gibson, "Global Perspectives on the Birth of the Prison," 1044.

one of the core logics of incarceration.¹⁷⁰ Some scholarship has located the origins of the prison in Germany and Holland's 17th century workhouses, again locating labor as key to understanding the modern prison.¹⁷¹ All of this research has focused on the West, largely adopting a diffusionist model for understanding the ways in which incarceration spread outward from Europe to the rest of the world into the 20th century.¹⁷² Some analyses have taken at face value liberal reformers' ideas about reforming incarceration to be humane while others have retained Foucault's bold intervention that Enlightenment ideals of benevolence and improvement produced differently inwardly violent, if less spectacularly so, forms of confinement.

Scholars coming particularly out of Black studies have long argued that race and colonialism are indispensable for understanding the history of the prison though.¹⁷³ These are key analytical frames and material histories that are missing in Foucault's work and much of what has followed in his vein, thus leaving core aspects out of the oft-told story about the rise of the prison. This is especially true with regard to social deviancies, a core analytical category in Foucauldian analysis that was in so many contexts foundationally inflected through and by race, gender, and colonialism. In Stoler's parlance, these are the "social kinds" whose ways of living were turned into problems to be colonially managed. Newer work in global prison history has taken up these interventions by analyzing the prison as a colonial imposition in, for example, Vietnam or

¹⁷⁰ Dario Melossi and Massimo Pavarini, *The Prison and the Factory: Origins of the Penitentiary System*, London: Macmillan, 1981.

¹⁷¹ Gibson, "Global Perspectives on the Birth of the Prison," 1048.

¹⁷² Gibson, "Global Perspectives on the Birth of the Prison," 1056-1057.

¹⁷³ See, for example: Michelle Alexander Michelle, *The New Jim Crow*, New York: The New Press, 2010; Angela Davis, *Are Prisons Obsolete?* Canada: Seven Stories Press, 2003; Hortense Spillers, "Mama's Baby, Papa's Maybe: An American Grammar Book," *Diacritics* 17 (no. 2): 1987; Alexander Weheliye, *Habeas Viscus: Racializing Assemblages, Biopolitics, and Black Feminist Theories of the Human*, Durham and London: Duke University Press, 2014.

European colonies in parts of Africa.¹⁷⁴ These emphasize that prisons in colonial contexts functioned to repress popular political resistance to colonial rule, often relied on circulating prisoners across multiple institutions, and “imposed new notions of space.”¹⁷⁵ As we will see, these characteristics are also found in the punitive configuration of which Indian boarding schools were a part in the late 19th and early 20th century United States.

Nevertheless, certain approaches in new global prison history continue to reproduce the Eurocentric diffusionist model of modern institution building. Some leave untouched the idea that colonial subjects abroad were those most likely to suffer brutality, torture, and unreasonable confinement at the hands of European colonizers, while European citizens at home were subject to the reformed humanitarian impulses of a prison system meant to rehabilitate, a progressivism which supposedly slowly spread across the globe.¹⁷⁶ Outright violence and rehabilitation in the prison system are imagined to be relatively opposed in these frames, geographically and temporally separated rather than overlapping and non-linear in their development. The prison is often still front and center in these penal histories, though some scholarship certainly integrates a multitude of institutions and practices as relevant to the questions at hand.¹⁷⁷

The framing of this thesis resists these assumptions while taking racialization as an ongoing socio political process seriously. Reading the above-named works alongside and against

¹⁷⁴ Gibson, “Global Perspectives on the Birth of the Prison,” 1052-1053.

¹⁷⁵ Gibson, “Global Perspectives on the Birth of the Prison,” 1052-1054.

¹⁷⁶ Scholarship on the American South and Black history appear to be an important exception to this tendency. Alex Lichtenstein’s study on convict labor in the post-Civil War U.S. South has been particularly pivotal in opening and deepening understandings of the abolition of slavery, racialization, and penalty. Indeed in many ways African Americans at the end of the 19th century were treated more like the colonial subjects of overseas territories than as citizens deserving of (more) humanity in the metropole. This parallel is of course limited, but any idea of clean lines between colonial subjects far away and citizen subjects at “home” must be complicated, not least through the category of race. Alex Lichtenstein, *Twice the Work of Free Labor: The Political Economy of Convict Labor in the New South*, London and New York: Verso, 1996.

¹⁷⁷ Gibson, “Global Perspectives on the Birth of the Prison,” 1060.

Foucauldian scholarship raises key questions for the history of penalty in the United States. The genealogies outlined in the rest of this chapter work towards identifying the intersection of settler colonial logics of elimination and punitive configurations over indigenous life. The Indian boarding school emerges at this nexus and helps show that penal institutions – prisons and otherwise – were never exclusively about discipline, whether socially or in terms of labor. This history suggests that the story about the rise of the prison as an implicit and singular stand-in for penal history, whether intended or not, is a misnomer. Instead, I sketch a story about the *spread* of configurations of penalty—a spread across space, across territory, across collectivities, and across permanent and indeed undisciplined peoples.

EMPIRE

A genealogy of penalty and its subsequent manifestations within the boarding school system is best situated within the history of American empire. In Stoler’s language, empire here is better understood as the fractious and always changing “imperial formations” of the polity we call the United States.¹⁷⁸ The analytical frame of empire accomplishes what Paul Kramer calls “placing the United States in the world,” which sees the U.S. as an evolving heterogeneous polity foundationally interwoven with the social, political, and economic dynamics of other regions of the world.¹⁷⁹ American power, both national and international, was (and is) not possible without these interconnections. This framework not only works against American exceptionalism, but crucially centers asymmetries of power, particularly in the realms of political action, spatiality,

¹⁷⁸ Ann Laura Stoler and Carole McGranahan, “Afterword. Disassemblage: Rethinking U.S. Imperial Formations,” In *Ethnographies of U.S. Empire*, edited by Carole McGranahan and John F. Collins, 477–90. Duke University Press, 2018.

¹⁷⁹ Kramer, “Power and Connection,” 1349.

and social difference, attending not only to the territorial and material, but also to the social and cultural.¹⁸⁰

A brief sketch of the late 19th century and early 20th century shows that American imperial power was changing and growing, even as nationalist self-conception and identity strengthened: from the settler colonial conquest and territorial expansion that is the focus of this thesis; to the explicit policies of hemispheric influence in Latin America (culturally and socially in addition to politically); to interventions on behalf of nationalist movements in Cuba, Panama, and the Philippines; to the territorial acquisitions of Puerto Rico, Guam, the Philippines, and Hawai'i.¹⁸¹ Within the first decades of the 20th century, American diplomatic, military, and economic power stretched from trans-Atlantic alliances across the contiguous 48 states of the continent to power across the northern and southern Pacific.¹⁸² This briefest of outlines suggests that there are core continuities between the various phases of American imperial expansion described above. However, the precise nature of these connections as well as the accompanying differences require specific historical inquiry rather than assuming cohesion based on an analytical frame.

Histories of carcerality offer one way to investigate such relationships. Benjamin Weber argues that the “social-order paradigm” of most histories of the prison have “limited our understanding of how slavery, settler expansion, and empire have influenced federal penal policy.”¹⁸³ There existed no federal prison system in the mid-19th century and yet the federal government had become “increasingly involved in defining and policing all sorts of crime.”¹⁸⁴ This involvement took on distinctly imperial and colonial dimensions. The remainder of this section

¹⁸⁰ Kramer, “Power and Connection,” 1349, 1357.

¹⁸¹ Kramer, “Power and Connection,” 1372.

¹⁸² Ibid.

¹⁸³ Weber, *American Purgatory*, 39.

¹⁸⁴ Ibid.

will briefly touch on a few instances of federal power over punishment and its movement through Indian policy in order to demonstrate these interconnections.

CONVICT TRANSPORTATION

Penal colonization emerged as one way to define and police crime. As the 18th century came to a close and the new American republic sought to assert political and social stability, Thomas Jefferson and James Monroe developed a plan for transporting Black people convicted of specific crimes to overseas locations. This colonization plan was explicitly connected to various projects of African colonization which were already underway, specifically the establishment of Sierra Leone as a place to resettle formerly enslaved Black Americans.¹⁸⁵ Black convicts should be sent “back to Africa” so as not to disturb the social and political development of the republic. Jefferson and Monroe’s core concern was the racial (and, therefore, in their eyes, moral and social) composition of a growing United States, evidenced mostly clearly by Jefferson’s comments that “we [cannot] contemplate with satisfaction either blot or mixture on that surface,” namely the surface of the whole northern continent that many already aspired to conquer.¹⁸⁶ Since only the federal government had jurisdiction over the movement of people across borders, penal transportation was conceptualized as “interstate commerce,” referring to the clause of the constitution that enumerated these federal powers.¹⁸⁷ While ample work has been done to understand the role of “interstate commerce” in the history of slavery, Weber shows that the kind of mobilization and immobilization of people described here places “interstate commerce” of human beings scheme squarely in the history of the penal system as well.¹⁸⁸ In some ways, it is

¹⁸⁵ Weber, *American Purgatory*, 41.

¹⁸⁶ Ibid.

¹⁸⁷ Weber, *American Purgatory*, 43.

¹⁸⁸ Weber, *American Purgatory*, 44.

precisely the lack of a federal prison system that made forms of carcerality based in forced transportation necessary and possible.

Yet such penal transportation also required the “projection of diplomatic and military power in the hemisphere,” which is to say that this particular punitive configuration was indeed distinctly imperial.¹⁸⁹ The newly emerging Monroe Doctrine designated the entire Western Hemisphere as the U.S.’s “sphere of influence” even as the federal government committed to respecting international agreements with European powers.¹⁹⁰ Out of this moment emerged foreign policy legislators and Abraham Lincoln’s proposals for a national penal colony in the Caribbean, which was, at least in theory, supposed to be in the American sphere of influence.¹⁹¹ Other politicians suggested developing an American “Botany Bay”¹⁹² in Alaska, whose purchase from Russia was rumored to have expressly been for the purposes of penal colonization.¹⁹³ Each of these cases represent not simply singular ideas proposed by individuals but rather, detailed plans discussed by lawmakers and even, in the case of Abraham Lincoln, ideas formally presented to Congress.¹⁹⁴ Although none of these colonization ideas (in Africa, the Caribbean, or northwestern North America) ever came to fruition, the multitude of these projects illuminates the deep entanglement of race and space, or rather, the process of racialization and the dream and implementation of control over land and geography. The literal territorial and social space of the newly founded United States should remain a dominantly (or even purely) white space; the forced

¹⁸⁹ Weber, *American Purgatory*, 44.

¹⁹⁰ Ibid.

¹⁹¹ Ibid.

¹⁹² Botany Bay refers to the convict settlement in Australia that marked the beginning of its colonization by the British.

¹⁹³ Weber, *American Purgatory*, 46.

¹⁹⁴ Weber, *American Purgatory*, 44-45.

mobilization, displacement, and removal of racialized groups of people deemed problematic would make this possible.

THE FIRST FEDERAL PRISON

Sarah Benson's remarkable work *The Prison of Democracy: Race, Leavenworth, and the Culture of Law* builds on these ideas, adding depth to our understanding of how penal institutions and policies developed throughout U.S. history.¹⁹⁵ Her analysis focuses on the establishment of the first prison, the U.S. Penitentiary at Leavenworth, Kansas, which paved the way for the formal establishment of the federal prison system in the 20th century. Crucially, Leavenworth was developed in and through Indian Territory in the 19th century, which Benson sees not as incidental but rather as foundational to understanding its history. Her goal aligns with the broad aims of this thesis: "to expand the study of state punitive power [by grounding] the placement of the first federal prison in terms of its political geography: the prison's strategic placement in a specific site of legal instability [Indian Territory] in order to federalize power over the region."¹⁹⁶ Benson argues that understanding the federal prison system and contemporary mass incarceration requires examining the "forms of capacity that made mass incarceration possible."¹⁹⁷ She shows that increasing federal involvement over crime – as well as the accompanying legal arrangements that made this possible – "were always ideas about punishment."¹⁹⁸ Echoing Wolfe, Benson asserts that a "settler state is a carceral state," as logics of elimination operate alongside (not usually in

¹⁹⁵ Sara M. Benson, *The Prison of Democracy: Race, Leavenworth, and the Culture of Law*, University of California Press, 2019.

¹⁹⁶ Benson, *The Prison of Democracy*, 6.

¹⁹⁷ Benson, *The Prison of Democracy*, 9.

¹⁹⁸ Ibid.

opposition to) logics of disciplining and punishment.¹⁹⁹ The federal Indian boarding school system constitutes one of these “forms of capacity,” which will be examined closely in the last sections of this chapter. In order to geographically, spatially, and politically situate this intervention, this section turns to Benson’s account of the specific history of Leavenworth in Indian Territory.

Not unlike the case of Indian policy, which was overseen by an array of federal agencies before its consolidation under the Office and the Bureau of Indian Affairs in the mid-19th century, federal control over punishment shifted from an “intergovernmental structure of power” to a “militarized regime of federal government” when Leavenworth was opened.²⁰⁰ Congress authorized this establishment of this prison in 1891 but provided no funding. For this reason, the Department of Justice used the military Fort Leavenworth for the first decade of operations.²⁰¹ This, too, foreshadows the institutional evolution that indigenous family separation and assimilation would take, from military to civilian, from a fort to a physical structure designed and built for the express purpose of imprisonment (or, in the case of boarding schools, educational and cultural assimilation). The founding of Leavenworth was, in some sense, the culmination of decades of disagreement, conflict, tension, and struggle to deal with the foundational legal contradiction of the United States: did the federal government have jurisdiction over indigenous nations who had long been seen as foreign polities within the actual and desired territory of the expanding republic? How – and pressingly, by whom – should sovereignty be delineated?

Legal incorporation of Indigenous peoples into U.S. law was a protracted and ongoing process. Jurisdiction over criminal cases is one major area in which this debate over incorporation and sovereignty of indigenous nations took place. For most of the 19th century, indigenous nations

¹⁹⁹ Benson, *The Prison of Democracy*, 12.

²⁰⁰ Benson, *The Prison of Democracy*, 11.

²⁰¹ *Ibid.*

had retained, at least in theory, the ability to try criminal cases between Indians that occurred on reservations. With the passage of the Major Crimes Act in 1885, the federal government “expanded the reach of US criminal law to all Native peoples on and off the reservations.”²⁰² This is a well understood and oft-cited moment in American legal and indigenous history. Less well-known, however, is that even at this time, Indian Territory prisoners were convicted and imprisoned for a “separate class of federalized crimes, including misdemeanor offenses,” which was in part precisely because the legal status of Indian Territory had been outside the reach of the federal government up until that point.²⁰³ Based on this legal, political, and spatial constellation, so-called substitution punishments were implemented by Fort Leavenworth beginning in 1828, where leaders of resisting indigenous groups were apprehended and imprisoned when the actual perpetrators of suspected crimes could not be found.²⁰⁴ Here Indians were problematically seen both as foreign nationals and domestic criminals, both of which, though in entirely different legal arrangements, required subduing. Indigenous prisoners were often marched from one carceral site to another, or voluntarily chose to walk long distances instead of acquiesce to imprisonment, in part because the constellation of institutions the federal government had at its disposal was limited, indeed, many of them being forts.²⁰⁵ That which we might call the pre-history of the federal prison system again intersects with the politics of racialization and control over space: in the mid-19th century, the relatively weak federal government relied on military infrastructure (social, political, and physical) to wrest control over territory and exercise punishment over Indians.

²⁰² Benson, *The Prison of Democracy*, 35.

²⁰³ Benson, *The Prison of Democracy*, 40-41.

²⁰⁴ Benson, *The Prison of Democracy*, 42.

²⁰⁵ Benson, *The Prison of Democracy*, 42-43.

The 1834 Intercourse Act encompassed the first federal legislative attempt at authority over Indian Territory and is worth describing in some detail:

the act claimed “sole and exclusive jurisdiction” over “assigned” and “occupied” lands in a moment when whiteness was being settled into law as a propertied expectation. The act gave officers at Fort Leavenworth the power to monitor transactions at the region’s boundaries, where authorities searched steamboats for the introduction of liquor, distributed fines for trade license violations, arrested criminal Indians and white trespassers fleeing to the Indian Territory, and regulated the “character” of residents, visitors, and “persons merely traveling in the Indian country.” This closed political economy established a system of credit and debt in order to create an incentive structure that, as Thomas Jefferson described it, produced debt “beyond what the individuals can pay” so that only “a cession of lands” could level the balance... The [Act] also assigned white “Indian agents” to the reservations, who regulated matters of justice and governed reservations like prison wardens. On the Great Nemaha Reserve, where the Ioway and Sac and Fox nations were concentrated, the agent routinely “laid on the stripes for waywardness” and threatened the use of iron chains.²⁰⁶

The language of this law shows particularly starkly how controlling movement across space – mobilization and immobilization – was tied up with a military-style punitive regime that *also* implemented a financial structure explicitly designed to coercively acquire land from indigenous individuals.²⁰⁷ It is likely for this reason that Benson uses the phrase “reservation-prison” to describe the living conditions on the reservations within Indian Territory. It should be clear that much of what was criminalized within these conditions was, essentially, resistance to domination and assimilation: “As trespassers without rights, the nations of the old Indian Territory were caught in a choice that was structured to make whiteness a matter of survival—Native people could choose to accept citizenship and “become white or to fight for the right to remain Indian,” indeed the same logic by which the boarding schools would operate.²⁰⁸ By 1885, Indian Territory had become what

²⁰⁶ Benson, *The Prison of Democracy*, 42.

²⁰⁷ Such coercion was not only the case in Indian Territory, but rather in territories across the continent. This is what Matthew Crow, among others, calls “commerce as an instrument of empire.” Crow, “Atlantic North America from Contact to the Late Nineteenth Century,” 104.

²⁰⁸ Benson, *The Prison of Democracy*, 44.

Benson calls a “prisonscape” or a “prisonized space” in which “two legal structures—the federalization of all Native crime and the distinction of special Indian Territory crimes—created a mass of federal prisoners in a nation without federal prisons.”²⁰⁹ Thus Leavenworth entered the picture as the first federal prison in which a substantial number of those imprisoned would be Indians.

POLICE AND JAILS ON THE RESERVATION

As we have seen, military conquest, removal, and assimilation led to profound and violent disruptions to indigenous social, economic, and political life on the North American continent. As both indigenous leaders and the federal government attempted to stabilize a new life of individualized self-sufficiency on Indian reservations across the American West, an intense focus on “law and order” emerged in the last decades of the 19th century. The idea of replacing the control of individual chiefs or military troops with a so-called Indian police force developed independently on several reservations in the early 1870s.²¹⁰ In 1874, the Commissioner of Indian Affairs proposed generalizing the use of a police force on all reservations. After several years of debate and disagreement about appropriations, Congress approved funding; by 1880 forty reservation agencies had their own police force and by 1890 the number had risen to fifty-nine.²¹¹

²⁰⁹ It was argued that “the whole legal apparatus of “Indian Offenses” was unconstitutional on the grounds that courts could be established only by acts of Congress. Because the Courts of Indian Offenses were created by the Department of the Interior to govern local reservation spaces, they were not authentic sources of justice according to the terms of American law” according to this ruling. Here again we see the complexity regarding jurisdiction over indigenous affairs broadly and, more specifically, crime and punishment, which was not given but rather highly contested and often implemented in varied and inconsistent ways. The tensions between federal and state and local levels of government again come to the fore. Benson, *The Prison of Democracy*, 37, 54.

²¹⁰ Prucha, *The Great Father*, 136.

²¹¹ Ibid.

Reservation police were comprised of indigenous individuals living on the reservation and operated under the direction of the reservation's federal agent (a Bureau of Indian Affairs employee).²¹² This meant that reservation police were primarily an extension of the agent's power and authority. The police were armed and often also mounted on horses.²¹³ In this capacity, Indian police controlled the borders of the reservation (including tracking who came and went), oversaw annuity and ration payments, brought truant children back to school, and made arrests for drunkenness and theft, among other things.²¹⁴ Police also took on a wide variety of other tasks, sometimes becoming known as the "reservation handyman," often proving vital for the "smooth operation" of institutional control over the reservation.²¹⁵

The establishment of Indian police forces on the reservation marks another moment in the shift from military to civilian rule over indigenous life. This also brought about an institutionalized blurring of the lines between white representatives of the federal government and Indian individuals now participating in political and social rule over their own. The police came to fill necessary maintenance and upkeep roles, creating a situation in which communities relied on the services of those who also gained punitive powers. In some cases, such police forces replaced what had been similar structures of governance under indigenous leadership in previous decades. Whether or not this was the case, the political and institutional context in which indigenous nations had been entirely stripped of their sovereignty makes this transformation of authority not one of a simple substitution. Indeed, at the behest of sometimes more and sometimes less authoritarian federal Indian agents, indigenous communities – whether members of the police force or not – had

²¹² Ibid.

²¹³ Prucha, *The Great Father*, 136.

²¹⁴ Prucha, *The Great Father*, 137.

²¹⁵ Prucha, *The Great Father*, 136.

substantially lost the capacity for self-determination by this point. We have also seen the process by which on-reservation jails were designated as educational institutions intended for assimilation and civilizing. Of course gaining authority through the position of policeman or -woman almost certainly opened new avenues for resistance and power that were not previously available to indigenous individuals. That this might cause problems and abuses of power within communities often already in dire straits comes as no surprise.²¹⁶

The institutional matrix of power of the punishment of Indians gained another layer of nuanced contradiction at the end of the 19th century. The decision of the Supreme Court case *United States v. Clapox* took jails on Indian reservations out of the purview of the penal system altogether.²¹⁷ The response at both the state and later again at the Supreme Court level was to reclassify Indian reservation jails as ““mere educational and disciplinary instrumentalities”” that were ““analogous to schools”” offering training in the ““habits, ideas, and aspirations that distinguish the civilized.””²¹⁸ Key is that the justification for this specific punitive practice deemed punishment necessary in order to rehabilitate, not just discursively, but legally as well. Rehabilitation in this context is, of course, grounded entirely in civilizational and assimilationist thinking. Perhaps even more importantly, though, as Benson notes, “in removing Indian punishments from the possibility of legal scrutiny, US law concealed Native punishment within the rubric of education, embedding and then disappearing its violence in a structure of mass incarceration.”²¹⁹ This betrays the fact that – or at minimum raises the question about whether –

²¹⁶ There does not appear to be a significant body of literature about on-reservation Indian police, particularly regarding their legal powers (potentially to put individuals on trial, make arrests, and place individuals in jail, for example). The specific social and political entanglements of these police forces would be a valuable avenue of future research, particularly within the framework of punitive configurations.

²¹⁷ Benson, *The Prison of Democracy*, 54.

²¹⁸ *United States v. Clapox*, 33 F. 575 (1888) quoted in Benson, *The Prison of Democracy*, 54.

²¹⁹ *Ibid.*

so-called education of indigenous peoples, both adult and children, always already had a punitive core. It is perhaps not a coincidence, then, that the second Supreme Court decision affirming this legal framework came down in 1888, the decade in which the federal educational system for the assimilation and punishment of indigenous children also emerged.

WARDS OF THE NATION

As mentioned earlier, wardship dates back to multiple legal traditions in the medieval period, including English common law and Spanish law. In England, the concept originated in the legal relationship between feudal lord and tenant, which afforded the lord certain entitlements (such as custody of infants, sale of marriage, use of land before adulthood) while also requiring certain obligations, such as “maintenance” and education of the tenant.²²⁰ The Court of Wards was established in 1540 under Tudor rule in order to collect fees due to the Crown and, in the process, established the King’s guardianship over infant tenants.²²¹ When the Court of Wards was dissolved, a new right of the King as protector of all infants under his reign was established.²²² Similarly, under Spanish law, the King was considered guardian over menores, or minors, allowing control over financial matters in particular.²²³ In both the Spanish and British empires, colonial contexts in the Americas significantly transformed previously established notions of state monarchical protection and control over children. One important aspect of this transformation

²²⁰ Ann R. Evertone, “The Changing Face of Wardship,” *The Law Teacher* 2 no.1 (1968): 18.

²²¹ *Ibid.*

²²² *Ibid.*

²²³ Bianca Premo, *Children of the Father King: Youth, Authority, and Legal Minority in Colonial Lima*, Chapel Hill, NC: The University of North Carolina Press, 2005.

included the increasing reach of the state into aspects of life previously considered familial or private.²²⁴

The paternalistic precedent of wardship was cemented into law through a series of legislative acts in the United States.²²⁵ In 1831, the Supreme Court designated Indian nations as “domestic dependent nations.”²²⁶ The case *Cherokee Nation vs. Georgia* arose amidst the conflict between the Cherokee Nation and the State of Georgia which led to formal removal policy and the Trail of Tears, discussed earlier. The court denied that the Cherokee nation had jurisdiction before the court as a foreign power.²²⁷ Although the decision did not explicitly lay out what this new status meant, it was a landmark step toward minimizing the sovereign rights of indigenous nations within and beyond United States territorial bounds.²²⁸ Interestingly, in this first instantiation, the status of wardship did not yet focus in any specific way on indigenous children.

In 1871, the Indian Appropriations Act unilaterally and unequivocally relegated indigenous nations to ward status: “hereafter no Indian nation or tribe within the territory of the United States shall be acknowledged or recognized as an independent nation, tribe, or power with whom the United States may contract by treaty.”²²⁹ Although the category had existed in legal text for several decades by this point, wardship was still ill-defined and its mechanisms of implementation unclear.

²²⁴ Premo, *Children of the Father King*, 20.

²²⁵ There appears to be little scholarship on the specific trajectory of the concept of wardship in American law into the 19th century. This would be an avenue for future research, particularly as it appears that its emergence in the context of Indian affairs predated its more traditional association with protection of minors and juvenile courts. See, for example, David S. Tanenhaus and Bernardine Dohrn, *Juvenile Justice in the Making*, New York: Oxford University Press, 2005.

²²⁶ Donald L. Fixico, ed. *Treaties with American Indians: An Encyclopedia of Rights, Conflicts, and Sovereignty*, Santa Barbara: ABC-CLIO, 2007, Accessed December 15, 2024, 654.

²²⁷ Important for this context is that the Constitution states that foreign powers can appeal to the Supreme Court in disputes with a state. Fixico, *Treaties with American Indians*, 654.

²²⁸ Ibid.

²²⁹ Quoted in Fixico, *Treaties with American Indians*, 667.

The program of assimilation both on the reservation and in boarding schools would, in some sense, come to be an experiment in actually administering this guardianship status. Wardship was an explicitly hierarchical legal structure that marked a key moment in shifting the punitive configuration controlling Indian life in the 19th century from removal and war to assimilation and allotment. A racialized ideology continued to undergird new structures of punitive control. This moment also constituted a shift from civilizing through Christian reform (which dominated the early part of the 19th century) to a focus on the self-sufficiency and self-support required for survival in an industrializing society.²³⁰ The political discourse about Indians being dependent on the federal government was central.²³¹

The status “wards of the state” was not entirely an invention of the administration of Indian affairs. The first decades of the 20th century also brought a wave of reform thinking in the penal system that relied on this category.²³² Specifically, federal lawmakers and officials of the penal system (from federal parole boards to prison administration to reformers) envisioned a theory of rehabilitation through multiple stages of supervision and indeterminate sentences. The latter was first used for so-called juvenile delinquents, prostitutes and wards of the state, who had to show “evidence of improved character” in order to “rejoin society.”²³³ In language that showcases the parallel to assimilationist thinking, the idea was that “criminality must be exterminated before

²³⁰ Biolsi, “The Birth of the Reservation,” 35.

²³¹ Prucha, *The Great Father*, 180.

²³² The broader history of penology is highly relevant but outside the scope of this thesis. Of particular interest is the apparent turn away from transportation as a meaningful substitute for incarceration at the end of the 19th century and the international scope of this new scientific debate. The “new science of prison discipline” focused on labor and the “prisoner’s hope” for liberation, which on first glance certainly seems to draw parallels to the mentality of boarding school officials. Future research might interrogate the impact that the new fields of penology and criminology had on assimilation and the boarding school system and even examine whether direct knowledge transfers occurred between individuals and institutions involved in these systems. Weber, *American Purgatory*, 47-48.

²³³ Weber, *American Purgatory*, 122-127.

the prisoner can be released.”²³⁴ Importantly, these concepts and practices were “borrowed” from “insular possessions like the Philippines” where a variety of plans for colonization and convict transportation were debated. The United States’ imperial reach again becomes essential for understanding the particular development of the penal system. Not only was ward status explicitly connected to the prison, but all these uses of the category betray a colonial mentality of infantilization and racial supremacy.

Broadly speaking, we begin to see here that it was not only explicit land policies and settler actions as described in Chapter One that shaped indigenous territorial and cultural dispossession in the 19th century. Punitive configurations from convict transportation and overseas colonization to the establishment of the first federal prison and legal framing of reservation police and jails to wardship emerged directly out of concerns about racialization and control over space in the American West. Punishment not only intervened in the development of a settler colonial state, but rather, the very ideological and institutional character of punishment itself must be understood as settler colonial. In this view, land acquisition was foundationally intertwined with penal mobilization, immobilization, repressive guardianship, and incarceration of indigenous peoples. The next section turns, then, to the specific founding of the first Indian boarding school in order to understand the system’s emergence in the punitive configuration outlined thus far.

The Origins of the Boarding School System

The story about army officer Richard Henry Pratt’s establishment of the first federal Indian boarding school contains perhaps the most obvious illustration of the direct connection between penal history and the history of Indian assimilation. In 1885, Pratt began training Indian war

²³⁴ Weber, *American Purgatory*, 127.

captives at Fort Marion in St. Augustine, Florida with the goal of creating a “strong civilized element” of the imprisoned young men.²³⁵ Embodying military penalty in Indian education in the most literal way, “after eight years as an Indian fighter, Pratt began his new career as an Indian educator without even shedding his army uniform.”²³⁶ Before turning to the details of Pratt’s ideology and practice, this section will briefly outline the political and territorial context that made his work at Fort Marion possible and, in his eyes, necessary.

Multiple sets of territorial developments led to the 1885 moment at Fort Marion. The first relates to the Seminole Wars and St. Augustine in what was Spanish Florida before it was acquired by the United States. A lesser known fort, Black Fort, had been a hub of Black and Indigenous activity since the 1600s when the Castillo de San Marcos in St. Augustine was originally built for the confinement of Spanish, indigenous, and Black convicts transported within the Spanish empire. Escaped Africans fleeing slavery had built a thriving maroon community at Black Fort beginning in the 17th century, returning in 1812 after the British occupied the fort in the 1770s during the Revolutionary War.²³⁷ By the second decade of the 19th century, Black Fort “represented a grave danger to the slave system” and formerly enslaved Africans were discursively criminalized as dangerous and violent.²³⁸ U.S. General Andrew Jackson, President James Monroe and Secretary of War James C. Calhoun envisioned an attack on Spanish Florida as a safeguard for ““peace and security”” against the threat of the ““Indian and Negro war.””²³⁹

²³⁵ Fear-Segal, *White Man’s Club*, 2.

²³⁶ Fear-Segal, *White Man’s Club*, 13.

²³⁷ Weber, *American Purgatory*, 2.

²³⁸ Weber, *American Purgatory*, 4.

²³⁹ That these three figures were central in this war is important. As mentioned in earlier sections, James Monroe would become the architect of the doctrine of American influence in the Caribbean and Latin America, whose groundwork was arguably laid in this engagement with the Spanish, Seminole, and maroon Black communities in Florida. James C. Calhoun oversaw Indian Affairs in his role as Secretary of War and would establish the Bureau of Indian Affairs in 1824. Andrew Jackson would become the uncompromising leader of systematic Indian Removal in the 1830s. These trajectories very concretely illustrate the multi-layered shifts from explicit military engagement of

Jackson ordered the invasion of Spanish territory in order to destroy Black Fort in 1816. Black maroons and Seminole Indians defended the fort but were ultimately defeated under heavy bombing, marking the beginning of the First Seminole War.²⁴⁰ The invasion caused diplomatic problems with the Spanish, as the war unequivocally “aimed at establishing U.S. dominion through violence and bloodshed” independent of international agreements or previously agreed upon recognition of foreign sovereignty in Florida (Seminole sovereignty notwithstanding, as this did not even come into consideration for U.S. leaders).²⁴¹ The United States took over what would become Fort Marion close to Black Fort at St. Augustine thereafter.

This demonstrates another of the multiple changing approaches to territorial expansion discussed in Chapter One, as well as one of many individual moments that comprised the making of American imperial power. It was not only Cuba, the Philippines, and Panama at the end of the 19th century that felt the might of American imperial force, but Florida as well, a state perhaps often imagined as simply always having belonged within U.S. borders. But Florida was an imperial acquisition by military force. Essential to understanding this juncture is that Black maroons and indigenous Seminole communities tried to – and briefly successfully did – live freely outside the purview of U.S. sovereignty and the yoke of enslavement. This was fundamentally a conflict over race and space. Indeed, as we have seen, territorial exclusion had always been fundamentally entwined with violent racial exclusion in the ever expanding United States. A future to “civilize” Indian war captives at Fort Marion and thus to envision and practice assimilationist education for

indigenous peoples to civilian administration, a shift which of course Richard Henry Pratt himself best embodies. Weber, *American Purgatory*, 2, 7.

²⁴⁰ Weber, *American Purgatory*, 6.

²⁴¹ Weber, *American Purgatory*, 7.

all indigenous children was made possible through the conquest of Black, Seminole, and Spanish “enemies” in Florida. This was a defining settler colonial moment.

The second historical development key to understanding Richard Henry Platt’s program at Fort Marion has to do with the defeat of the Plains Indians in the Red River Wars in the 1870s. The Arapaho, Cheyenne, Comanche, Kiowa and Kataka nations had been settled on reservations in present-day Oklahoma and Texas in the previous decade. Unwilling to accept this violent disruption to their ways of life, leaders led an uprising beginning in 1874.²⁴² After a series of battles, the conflict ended with the raiding, imprisonment, and deportation of several Indians who had participated in the war.²⁴³ They were first held in Indian Territory and were charged with a variety of crimes, including in some cases murder. However they were never put on trial, as military trials were not legally possible for “wards of the nation.”²⁴⁴ The unilateral constitutional denial of indigenous nations’ sovereignty through their legal status in wardship paradoxically denied the United States the ability to exercise punitive military “justice.”

Political leaders devised a form of militarized civil detention as an alternative: to indefinitely incarcerate these supposed criminals in the east, far away from their (relatively new) homes.²⁴⁵ This echoes, in some ways, the strategy of transporting criminals across space that was in the process of being conquered as well as the practice of family separation through mission school. This dynamic occupied an ambiguous space between military conquest, criminal imprisonment, and civil detainment. None of these systems functioned singularly and cohesively

²⁴² Britannica, Editors of Encyclopaedia, “Red River Indian War,” *Encyclopedia Britannica*, January 8, 2016. <https://www.britannica.com/event/Red-River-Indian-War>.

²⁴³ Fear-Segal, *White Man’s Club*, 6.

²⁴⁴ Ibid.

²⁴⁵ Notably, here too, separating individuals from their communities appears to have functioned as a punitive logic. Fear-Segal, *White Man’s Club*, 6.

to deal with the Indians in the West of the United States at this point. Neither had the direction of Indian affairs crystallized into one clear approach. Civilizing education emerged out of indefinite imprisonment which emerged out of military conquest without military trial: such was the punitive configuration governing indigenous peoples as American colonialism was shifting its strategy from removal to assimilation.

It was Richard Henry Pratt himself who arranged transport of the captives from Indian Territory to Fort Marion. By the time the prisoners survived the horrific journey and arrived in Florida, Fort Marion had been completely converted into a conventional prison, with patrolling troops, an exercise yard, holding cells, and dungeons.²⁴⁶ The captives were assigned hard labor. Over the next three years, Pratt gradually eased the conditions of their confinement, including taking off their shackles and organizing a larger structure for communal space instead of incarceration in individual cells.²⁴⁷ He introduced lessons in English as the primary form of instruction alongside teaching basic “civility” and military discipline:

Issuing them with surplus army uniforms, he ordered their white soldier guards to teach them how to crease their trousers, clean their shoes, and polish their buttons and caps. Within six months not only did the younger men look like soldiers, but Pratt also had fifty of them drilling and marching in the grounds of the fort as a military unit with sergeants and corporals. He even armed them with old guns...²⁴⁸

Together, these dynamics perfectly describe the dual nature of these Indians’ new captivity: incarceration with instruction, confinement with collegiality, detention not indefinite but dependent on “progress.” Pratt started out as a military guard and eventually fashioned himself into a mentor, teacher, and friend.²⁴⁹ This specific form of benevolent paternalism offers an apt

²⁴⁶ Weber, *American Purgatory*, 16.

²⁴⁷ Fear-Segal, *White Man’s Club*, 6.

²⁴⁸ Fear-Segal, *White Man’s Club*, 20.

²⁴⁹ Fear-Segal adds fascinating analysis about the role that the built environment of Fort Marion played in making possible this specific form of incarceration, arguing that the military-style prison later offered inspiration for some of

metaphor for the broader situation in which indigenous nations would find themselves in the coming decades: a U.S. Indian policy premised on a punitive logic, sometimes more and sometimes less brutal, but constructed as a supposedly liberating path. That the freedom of the civilizing mission was based on a foundationally violent racial exclusion has become clear throughout the course of this analysis. As Jacqueline Fear-Segal pointedly notes, “the startling dissonance of Indians dressed as U.S. soldiers, their so-recent enemy, offered the prisoners a constant visible display of Pratt’s unabashed purpose.”²⁵⁰ Pratt’s purpose was indeed the very purpose of assimilation, namely to “kill the Indian in him, and save the man.”²⁵¹

This civilizing program at Fort Marion was generally seen as a success. After a few years, Pratt lobbied politicians in Washington to enroll the Fort Marion prisoners at Hampton Normal and Agricultural Institute in Virginia, which had been established in the aftermath of the Civil War to educate freed formerly enslaved Black Americans.²⁵² Hampton’s superintendent Samuel Chapman Armstrong agreed to the placement of Indian students at his school, however, he and Pratt ran distinct educational programs according to differing racial ideologies. Armstrong believed in training Black individuals to transition from enslavement to low-paid wage labor while Pratt, at least in rhetoric, envisioned an education for Indians that would entirely assimilate them into American society as equals.²⁵³ In this view, racial difference was cultural more than

the architectural decisions made in the conversion of formerly military barracks into Carlisle Indian School. Fear-Segal, *White Man’s Club*, 13-16, 18.

²⁵⁰ Fear-Segal, *White Man’s Club*, 20.

²⁵¹ The slogan “kill in the Indian, save the man” so often quoted in relation to the boarding school system is a slight deviation from the original quote, as replicated correctly here. Lomawaima, “Reconsidering Richard Henry Pratt,” 84.

²⁵² Britannica, Editors of Encyclopaedia, “Hampton University,” *Encyclopedia Britannica*, January 27, 2024. <https://www.britannica.com/topic/Hampton-University>.

²⁵³ Lomawaima, “Reconsidering Richard Henry Pratt,” 83.

biological.²⁵⁴ Due to these differences in approach, Pratt soon petitioned the government to open a boarding school designated specifically for Indian students. Carlisle Indian Industrial school was founded in 1879 at unused army barracks near Carlisle, Pennsylvania.

Fifteen young men originally brought to Fort Marion from Indian Territory as prisoners and then to Hampton Institute as students were the first to arrive at Carlisle Indian School as Pratt's wards. Pratt recruited additional students through the Pine Ridge and Rosebud Indian Agencies. The site at which assimilation and education of these students should take place in no way yet resembled a school in 1879 though. The students' first tasks were to "turn the former army barracks into a school," which involved building a seven-foot-tall fence around the 27-acre property that now belonged to Carlisle.²⁵⁵ This was intended to "protect and keep the Indians in and the whites out," echoing earlier strategies of separating white settlements and Indian villages (and later reservations) in newly conquered or acquired territories of the American West.²⁵⁶ Reminiscent of the structure of Fort Marion, the design of the barracks allowed a "panopticon of surveillance," including a high platform from which much of the campus could be seen.²⁵⁷ Although the space

²⁵⁴ Outside the scope of this thesis is a deeper investigation into the multitude of ideologies and practices related to racial difference that existed at this time. Scott Pratt argues persuasively that even the most progressive forms of pluralism such as that advocated by Francis Leupp (Commissioner of Indian Affairs from 1905 to 1909), who called for the incorporation of some Indian cultural and social practices, ultimately agreed with the goal of radically changing collective indigenous ways of life for the purposes of inclusion into American citizenship. Richard Henry Pratt, by contrast, believed that Indian equality in American society had to be predicated on the full erasure of indigenous culture, identity, and ways of life. Broadly speaking, these differences point to shifting attitudes not only towards indigenous peoples in the United States in this period but also from biological explanations for racial differences to cultural evolutionary ones. In the framing of the latter – increasingly prominent in the early 1900s – Native cultures would eventually become extinct for cultural reasons and thus needed saving through assimilation, whether of an absolute or pluralistic form. For Scott Pratt, this historical moment marks, provocatively, a shift from "genocide by war to genocide by caring" in the history of U.S. expansion. In this view, humanitarian ideals, couched as they were in white savior thinking, ultimately did not undercut the core violence of settler colonialism. This raises the question of whether any form of even the most progressively reformed boarding school might have had emancipatory or radically egalitarian potential. The analysis developed in this thesis, following Scott Pratt's thinking, suggests no. Pratt, "Indigenous Agencies and the Pluralism of Empire," 17.

²⁵⁵ Weber, *American Purgatory*, 22.

²⁵⁶ Ibid.

²⁵⁷ Ibid.

would come to look more like a school than a military base in the years and decades to come, the physical and pedagogical structure of surveillance and the practices of hard labor and rigid discipline remained. With the establishment of Carlisle Indian School, the punitive configuration governing Indian life in the United States began to cement into one of benevolent brutality, different certainly than earlier (and ongoing) policies of outright military conquest and violent removal, yet unchanged in its core conviction that – whether physically or socially and culturally – Indians could not remain as they had for centuries on the North American continent.

Boarding schools across the country were modeled on Pratt's program, both in their ideological underpinnings and their material operations. The next section examines the dynamics of discipline and punishment within Genoa Indian School.

Disciplinary Logics at School

The hard labor and rigid military discipline found at Carlisle also defined the student experience at Genoa Indian School. The digitized archives suggest that excessive discipline and corporal punishment were common. Most extremely – and in the perhaps unsurprisingly distanced and bureaucratic language of school employees – only a few letters between officials explicitly reference student allegations of being whipped and punched.²⁵⁸ These are denied by the superintendent. The majority of the archival materials make no such mentions. Oral histories with former students as well as archives from the Bureau of Indian Affairs analyzed by Shelley Frear in her dissertation about Genoa Indian School paint a fuller picture: that a form of punishment

²⁵⁸ See for example: Letter from Fred Bonser to Sam B. Davis, 3 Dec. 1921; Folder: Genoa Indian School 1920-1921, Box 4; Series 82: School Correspondence, 1896-1925 (NAID 6595673); Office of Indian Affairs, Rosebud Agency; Record Group 75; National Archives and Records Administration—Kansas City and Letter from unknown Acting Superintendent to Sam B. Davis, 7 June 1920; Folder: Genoa Indian School 1920-1921, Box 4; Series 82: School Correspondence, 1896-1925 (NAID 6595673); Office of Indian Affairs, Rosebud Agency; Record Group 75; National Archives and Records Administration—Kansas City.

“known as the ‘belt-line,’ or ‘running the line,’ utilized the students themselves to punish the offending student, who was forced to run down a line of students who all took part in striking the offender with a belt or board” and that a “jail,” or locked room in which students were often only fed bread and water was also used.²⁵⁹

A position of “disciplinarian” existed at Genoa. This person was involved in recruiting and transporting students to the school in addition to administering punishments on site.²⁶⁰ Here, the organizational structure of the school puts its punitive logic – that which this thesis has sought to illuminate – in stark relief: the employee whose job it was to physically punish children was also one of the primary transporters of coercively and sometimes forcibly removed children from their families across the space of the American West. Literature on other boarding schools confirms that both these disciplinary techniques and the role of disciplinarian were common across the federal boarding school system.²⁶¹

The politics of visibility illuminate much about the logic of punishment at work at Genoa. Some forms of discipline were made explicitly public and even participative, as with the “belt-line” where other children participated in the punishment of their peers or a case in which students were forced to go see the body of a colleague who died from excessive alcohol intake as a

²⁵⁹ Shelley Frear, “The Genoa Indian School: A Mixed Legacy 50 Years of Transformation, Survival, and Hope in a United States Government Indian Boarding School on the Nebraska Plains,” Ph.D., University of Nebraska at Kearney, 2012, 152-154.

²⁶⁰ See, for example: Letter from H. M. T. to Louisa Star, 5 Sept. 1918; Folder: Corr Genoa School 8-29-1017 - 12-11-1919, Box 1150; Series 196: Correspondence with Off-Reservation Indian Schools and Related Records, 10/8/1910 – 1/28/1920 (NAID 1154492); Office of Indian Affairs, Pine Ridge Agency; Record Group 75; National Archives and Records Administration—Kansas City and Letter from Francis Chapman to Henry M. Tidwell, 13 Sept. 1918; Folder: Corr Genoa School 8-29-1017 - 12-11-1919, Box 1150; Series 196: Correspondence with Off-Reservation Indian Schools and Related Records, 10/8/1910 – 1/28/1920 (NAID 1154492); Office of Indian Affairs, Pine Ridge Agency; Record Group 75; National Archives and Records Administration—Kansas City.

²⁶¹ See, for example: Lomawaima, *They Called It Prairie Light*, 106-112; Landrum, Cynthia Leanne. *The Dakota Sioux Experience at Flandreau and Pipestone Indian Schools*, Lincoln: University of Nebraska Press, 2019, 122-128; Woolford, *This Benevolent Experiment*, 140-153.

“warning” against consumption.²⁶² Older students were often given “leadership” positions in which they reported or even enforced certain lighter disciplinary measures; in the early years this explicitly reflected military hierarchies in some cases, through the title “officer,” and in later years this was softened to the title of “group leader.”²⁶³ To directly incorporate students into a punitive regime likely served not only to entrench the visceral fear of punishment but also to remove some of the direct responsibility from and hostility towards adult employees and to potentially complicate the relationships between students themselves, whether strengthening solidarity or creating divisions or a mixture of both.

In other cases, however, traces of punishment were deliberately made invisible – or attempted, in any case. Genoa’s “campus jail,” later renamed the “detention room” was in operation during the entirety of the school’s history, but was “hidden from view of outside visitors.”²⁶⁴ Frear also recounts a rare instance in which an outside public was made aware of the abuse happening at Genoa: “In 1906, two runaway boys were tied to the axle of a wagon and another tied around the waist and driven before a team of horses.”²⁶⁵ This incident was reported in the local newspaper and led to the disciplinarian’s removal, but such cases were an exception. It appears that little was known in the wider American public about the cruelty happening at Indian boarding schools until the 1920s. The paucity of information about specific punishments in the archival documents reflects this process of invisible-making, upon which the core logic of assimilation rested. Civilizing was not, after all, supposed to be a violent process.

²⁶² Frear, “The Genoa Indian School,” 159.

²⁶³ Lomawaima, *They Called it Prairie Light*, 105-106.

²⁶⁴ Frear, “The Genoa Indian School,” 155.

²⁶⁵ *Ibid.*

Genoa Superintendent Sam B. Davis is a case in point. His communications make up the majority of documents in the archival record and portray a benevolent if strict superintendent genuinely concerned for the well-being of his Indian students. Reading between the lines offers a potential hints of a physically violent employee, but on the whole, these materials do not create an impression of cruelty or repression at Genoa Indian School. Other administrative records show a different side, though, a “shadow narrative”²⁶⁶ more representative of the boarding school reality for indigenous children under Davis’ ward:

Nothing much was done, in fact, on behalf of the children until previous employees and former students came forward in the late 1920s and testified against Superintendent Davis for excessive abuse of students and the misappropriation of government property. Documented in the pages of the U.S. Senate Subcommittee hearing on Indian Affairs, are charges against Superintendent Davis for striking a girl down with his fist, whipping boys with leather straps and harness tugs, and striking children over the head with his cane and umbrella, as well as a 3 to 4 foot 1x4 piece of lumber.²⁶⁷

Sam Davis was not fired after these hearings, though his reputation within the Indian Service apparently suffered.²⁶⁸ Clearly school superintendents answered to the federal government in some form, however it appears that they maintained significant independence and leeway in the operation of their schools.²⁶⁹

The Commissioner of Indian Affairs communicated a change in policy to all staff of the Indian Service in 1929 after several reports of such instances: “Hereafter, no corporal punishment shall be administered to any Indian pupil and no other means of discipline of a degrading character

²⁶⁶ Fear-Segal, *White Man’s Club*, xv.

²⁶⁷ This information was found in Senate Archives of the Subcommittee on Indian Affairs in Washington, D.C. Frear, “The Genoa Indian School,” 156.

²⁶⁸ Frear, “The Genoa Indian School,” 156.

²⁶⁹ This raises a series of questions about the precise interconnections between individual schools, the Bureau of Indian Affairs, and the federal government in Washington D.C. Access to physical archives in D.C. would likely be necessary to delineate precisely how schools worked together with, in tension with, and/or independently of the multiple institutional layers supposedly governing them.

shall be employed.”²⁷⁰ After a mass runaway event at Genoa in 1929, federal officials came to investigate the incident and were told by nearly all employees that the inability to use corporal punishment was what had led to so many students escaping.²⁷¹ The use – or not – of corporal punishment exposes the violence of the underlying assimilationist logic at work: at this moment at Genoa, it was only through violently coercive measures that school officials could imagine controlling the student body and their supposed goals of assimilation.

Yet, as we have seen, the degree of outright physical abuse varied significantly with personnel and across time periods. Richard Henry Pratt and Sam B. Davis were very different characters nevertheless operating in the same system with an underlying common aim (although this does not mean that their vision, ideology or understanding of racial difference and assimilation was the same). The publication of the infamous 1928 Meriam Report detailed the abuses and failures of the boarding school system. A leader of the reform movement, John Collier, was appointed Commissioner of Indian Affairs thereafter. He successfully implemented significant changes, including phasing out schools located away from reservations and reintroducing some measure of indigenous practice, culture, and identity to boarding school programming.²⁷² Importantly though, the civilizing assimilationist goals of the system – indeed violent at their core – did not change.

²⁷⁰ Commissioner of Indian Affairs Memorandum to Superintendents and Officers in Charge, regarding corporal punishment of Indians students, January 10, 1929 as quoted in Frear, “Genoa Indian School,” 163.

²⁷¹ Frear, “The Genoa Indian School,” 165.

²⁷² Lomawaima, *They Called It Prairie Light*, 7.

A Wide Disciplinary Web

Vital for understanding how discipline and punishment functioned within Genoa Indian School is an examination of the school's links to other penal institutions. Sarah Whitt coined the phrase “long disciplinary reach” of the boarding school to describe the matrix of people and actions beyond the boarding school that actively participated in controlling and punishing indigenous students.²⁷³ The framing is useful to think about a range of institutional connections, particularly police, jails, and reservations. I take the concept of a “long disciplinary reach” as a starting point to articulate a conception of a “wide disciplinary web” surrounding the boarding school. The image of a web here intentionally mirrors that of a configuration, with the important caveat that the “web” described here is not understood as a closed system.

The literature on boarding schools makes clear that police and jails were commonly used to detain and punish students.²⁷⁴ Given the presence of jails on reservations, as discussed earlier, it is unclear which jail and under what legal justifications these arrests and detainments occurred. Local city or town jails are mentioned in the scholarship and in the archives, but some correspondence implies that reservation jails may have been used as well. Genoa's archival materials do not entirely clarify this ambiguity. In all cases, the reservation superintendent and day

²⁷³ Sarah A. Whitt, “‘An Ordinary Case of Discipline’: Deputizing White Americans and Punishing Indian Men at the Carlisle Indian Industrial School, 1900–1918.” *Western Historical Quarterly* 54, no. 1 (February 1, 2023): 59.

²⁷⁴ See, for example: Whitt, “‘An Ordinary Case of Discipline,’” 53, 62-64; Benson, *The Prison of Democracy*, 54; Frear, “The Genoa Indian School,” 155.

school inspector²⁷⁵ communicated directly with the school superintendent, having seemingly been directly involved in students' trajectory to (and from) jail.²⁷⁶

A few letters between school and reservation officials use phrasing such as “we will place [student] in jail just as soon as we can capture him” or “[student] is now here in jail,” suggesting that the jail was indeed “here” on the reservation.²⁷⁷ The reservation day school inspector informs Genoa’s superintendent in one letter that a student is “in jail awaiting advise from you and his guardian,” raising the question of whether jail was in this case functioning more as a holding space for logistical reasons than an intentionally chosen detention for punitive reasons.²⁷⁸ One letter from a student asks about “what they got me in again for,” suggesting at minimum that this youth was not informed about a charge or an allegation.²⁷⁹ In none of the cases is any reference to a charge, hearing, sentence, trial or any other similar legal procedure made. The role of the on-reservation or off-reservation (local) police in the above-named instances is not made explicit. According to

²⁷⁵ The sources suggest that the day school inspector was a federal employee responsible for non-boarding schools on the reservation as well as the logistics of reservation children attending their designated off-reservation boarding schools. This position appears to have had a very punitive set of powers and responsibilities but is not covered deeply in the literature.

²⁷⁶ Letter from unknown day school inspector to Sam B. Davis, 20 Sept. 1922; Folder: Genoa Indian School 1922-1923, Box 4; Series 82: School Correspondence, 1896-1925 (NAID 6595673); Office of Indian Affairs, Rosebud Agency; Record Group 75; National Archives and Records Administration—Kansas City.

²⁷⁷ Letter from unknown superintendent to Mr. Davis, 24 Nov. 1922; Folder: Genoa Indian School 1922-1923, Box 4; Series 82: School Correspondence, 1896-1925 (NAID 6595673); Office of Indian Affairs, Rosebud Agency; Record Group 75; National Archives and Records Administration—Kansas City and Letter from unknown day school inspector to Sam B. Davis, 21 Oct. 1922; Folder: Genoa Indian School 1922-1923, Box 4; Series 82: School Correspondence, 1896-1925 (NAID 6595673); Office of Indian Affairs, Rosebud Agency; Record Group 75; National Archives and Records Administration—Kansas City.

²⁷⁸ Letter from unknown day school inspector to Sam B. Davis, 21 Oct. 1922; Folder: Genoa Indian School 1922-1923, Box 4; Series 82: School Correspondence, 1896-1925 (NAID 6595673); Office of Indian Affairs, Rosebud Agency; Record Group 75; National Archives and Records Administration—Kansas City.

²⁷⁹ Letter from Charlie B to Mr. Brennen 6 Oct. unknown year; Folder: Corr with Genoa Indian School 6-30-1915 - 6-15-1917, Box 1150; Series 196: Correspondence with Off-Reservation Indian Schools and Related Records, 10/8/1910 – 1/28/1920 (NAID 1154492); Office of Indian Affairs, Pine Ridge Agency; Record Group 75; National Archives and Records Administration—Kansas City.

Frear, U.S. Senate archival records show that Superintendent Sam Davis testified to the fact that he regularly collaborated with the local police to have students caught drinking placed in jail.²⁸⁰

The distinct but interconnected roles of the reservation agent, superintendent, day school inspector and police force as outlined here point to the reservation itself as a space that the wide disciplinary web of the boarding school reached. Crucially, “web” better describes this linkage better than “reach” because the connection was not unidirectional or one-dimensional. Rather, the punitive regime within the boarding school was able to function as such precisely because the reservation also functioned as a punitive space. We begin to see here that the operation of these two instruments of assimilation were entirely entangled with one another.

Sarah Whitt’s close analysis of archival materials from Carlisle Indian School show how “White Americans were enlisted to surveil and apprehend Indian people in the Carlisle vicinity.”²⁸¹ Her work focuses on adult students at Carlisle, who made up a more substantial portion of the student body than most of the scholarship has assumed and for whom forcible return to school was technically illegal. Whitt finds cases in which school officials were “deputized” to act as parole officers for a student on behalf of the Governor’s office after the young adult served time in a penitentiary; in which a local grocer, priest, and townspeople were activated to help catch a runaway student; and in which newspaper reports instructed locals to arrest Indian students found in town without permission.²⁸² Non-federal employees outside the boarding school and reservation were financially compensated for returning runaway students, which appears to have occurred systematically enough that some individuals complained about the low “pay” they received in

²⁸⁰ Frear, “The Genoa Indian School,” 155.

²⁸¹ Whitt, ““An Ordinary Case of Punishment,”” 53.

²⁸² Whitt, ““An Ordinary Case of Punishment,”” 59-63.

comparison to others.²⁸³ Genoa's records suggest similar patterns. Newspaper archives show that offers of \$30 rewards were published for anyone who could "catch" and return a runaway student.²⁸⁴ Frear cites several regional newspapers that contained reports of escaped students, including not only Genoa's town newspaper but also *The Columbus Journal*, *The Lincoln County Tribune*, *The Omaha Daily Bee*, and *Norfolk Weekly News*.²⁸⁵ Whitt describes this as the emergence of a "complex surveillance network comprised of white men and women" who took on explicitly punitive powers over the bodies and mobility of Carlisle's indigenous boarding school students.²⁸⁶ The same appears to have been the case for Genoa students. These networks were of course characterized by deeply racialized dynamics in which indigenous boarding school students were criminalized by virtue of their very presence outside the school's campus, often simply by virtue of their skin color – citizens "'seeing red'" in their dominantly white towns.²⁸⁷

Taking the role of on- and off-reservation police, on- and off-reservation jails, reservation and school officials, and deputized white civilians together demonstrates a particularly pernicious and widespread punitive configuration ruling the lives of Indian students and their families. This was not a configuration constituted simply by abusive disciplinary practices within the classroom, dormitory, or yard of the boarding school campus. Rather, a multitude of actors and institutions across local and regional space participated in controlling the mobilization and immobilization of indigenous children and youth. The long disciplinary reach of the boarding school was indeed not a singular reach but rather a multi-directional web, then, and must thus be understood as fundamentally *spatial*. A picture emerges in which near absolute power over every area of life

²⁸³ Whitt, "'An Ordinary Case of Punishment,'" 65.

²⁸⁴ Frear, "The Genoa Indian School," 160.

²⁸⁵ Frear, "The Genoa Indian School," 160-161.

²⁸⁶ Whitt, "'An Ordinary Case of Punishment,'" 62.

²⁸⁷ *Ibid.*

existed within the borders of school; diffuse, scattered, somewhat invisible and crucially also unpredictable power through citizen surveillance existed between schools and reservations; and another form of less absolute but nevertheless substantial power through federal agents and their law enforcement cadres existed on reservations. It is here that the foundational territorial logic of assimilation becomes most clear, a punitive configuration in which indigenous peoples could neither individually nor collectively exercise independence or self-determination over space or their place in it.

Conclusion

This chapter has outlined what I conceptualize as the punitive configuration governing indigenous life in the United States at the turn of the 19th to the 20th century. This analysis attempts to identify the aspects of the configuration that existed at this specific historical moment, drawing on sedimentations from earlier periods as they were transformed across space and time. The attention to space is key, as the settler colonial context on the North American context shows that the history of penalty goes beyond the prison and beyond the framework of social discipline. The first section identified the ideological and material connection between mechanisms of racialization and penal mobilizations of people across space in order to show that these twin processes were intertwined long before federal Indian boarding schools were established. Conflict over territory in the United States had always been a conflict about whiteness, and punishment was always implicated in both.

Assimilation through the reservation and boarding school systems transformed foundational ideas about race and belonging in American space into a new set of institutions and practices. These relied on deeply punitive logics through the direct treatment of students at school, the deputization of White civilians to curtail indigenous freedom of movement, and the mobilization and immobilization of Indian students into other penal institutions and back to the

reservation. Taken together, this punitive configuration exposes both the violence and the contradiction at the core of boarding school assimilation: a program espousing individual independence and self-sufficiency functioned punitively to make precisely these attributes impossible, indeed the ones deemed necessary for access to equal and civilized citizenship. The analysis at the intersection of penal history and the history of assimilation asks questions and suggests answers about what this period was actually about, namely the fundamental disruption, indeed punishment of, collective and permanent presence of indigenous life on the continent. Here penalty was an instrument of settler colonialism.

CHAPTER THREE

A Runaway

This chapter tells the story of one student at Genoa Indian School in order to examine the specific ways in which the punitive configuration described in Chapter Two moved in and through the boarding school, the lives of indigenous families, and the archive itself. While the chapter focuses dominantly on one student, details about other students' lives are interwoven throughout in order to add texture to the analysis. This examination shows that family separation and running away – punishment and its resistance – crystallized into dominant aspects of the punitive configuration governing indigenous life at the turn of the 19th to the 20th century. These two themes thus form the core threads of this chapter. As Benjamin Weber puts it, “family separation formed the fulcrum of the triangular system of control between the reservation, the prison, and the residential school,”²⁸⁸ whose web of interconnections I have described in previous sections.

Family separation has a long and varied history in the United States beyond indigenous peoples, ranging from slavery to immigrant deportation to convict transportation. The fear of being “sold down river” or even just to another plantation, families never seeing one another again, and completely disregarding bonds of kinship characterized some of the most violent aspects of the system of enslavement in the American south.²⁸⁹ As discussed earlier, criminal transportation also

²⁸⁸ Weber, *American Purgatory*, 19.

²⁸⁹ Weber, *American Purgatory*, 43.

became an increasingly popular way to deal with slave revolts and escapes.²⁹⁰ Crucially, these forms of convict mobilization also separated families. In addition, immigration detention has not been considered “imprisonment in the legal” sense since the 1890s, even as migrants from all over the world have been systematically detained and separated from their families through various phases of American history. Between 1880 and 1940, the same time period under consideration here, “more than 20 percent of ‘foreign born’ people were imprisoned” for immigration offenses, a deeply racialized instantiation of expansive penal power in the United States that continues today.²⁹¹ The point is not that these instances of family separation are the same as that of the Indian boarding school system, but rather that there are fractious continuities between different spaces and times in United States history that have sought to deeply socially disrupt communities – usually communities of color – for the purposes of enslavement, colonial control, and imperial expansion. Much of what happened within federal assimilation policy was not per se invented by its proponents, though the context of its implementation was of course particular.

Despite the extensive literature that exists about the Indian boarding school system, seemingly little work focuses on ideologies and practices of child removal and family separation itself. Margaret Jacob’s seminal book *White Mother to a Dark Race: Settler Colonialism, Maternalism, and the Removal of Indigenous Children in the American West and Australia, 1880-1940* is an exception. Jacobs centers child removal in her analysis and story-telling, embedding these histories within the frames of maternalism and settler colonialism.²⁹² This analytical shift centers the chronology and experience of indigenous children themselves, rather than taking a single school or the boarding school system as the primary framework. This also widens the

²⁹⁰ Weber, *American Purgatory*, 43.

²⁹¹ Weber, *American Purgatory*, 112.

²⁹² Jacobs, *White Mother to a Dark Race*.

temporal window of analysis, as both the story of an individual child and the story of schooling as assimilation is understood to begin on the reservation, within families, at moments of violent encounter between white authorities and indigenous children and their kin.

Closely connected to the process of family separation is one of the most extreme forms of resistance to which students at Indian boarding schools turned: running away. Runaways experienced nearly all aspects of the punitive configuration discussed until this point as they left school, moved across territories and through institutions in highly precarious ways, were often forcibly brought back to school, and endured punishment and (often) contempt from authorities upon their return. Tracing the trajectory of a runaway brings the penal and carceral logics of the assimilation period into one frame, which is to say that Chapter Three interweaves the threads from Chapter One and Two into one story.

Given the imperial nature of American settler colonialism, runaways from Indian boarding schools can be contextualized in a global history of runaways.²⁹³ Markus Rediker, Titas Chakraborty and Matthias van Rossum's volume of the same name examine the "many varieties and vast quantities of labor" required for imperial expansion and capitalist commercialization through the 19th century. They center resistance to coerced labor in diverse forms.²⁹⁴ As we have seen in Chapters One and Two, imperial and capitalist control used "forced movement as a means of creating and imposing social control" and so, unsurprisingly, running away became a nearly universal strategy used by workers across various geographical spaces and time periods in order to turn such movement into their own benefit.²⁹⁵ In the broadest strokes, running away was almost

²⁹³ Rediker, Markus, Titas Chakraborty, and Matthias van Rossum, *A Global History of Runaways: Workers, Mobility, and Capitalism, 1600–1850*, Oakland, California: University of California Press, 2019.

²⁹⁴ Rediker, *A Global History of Runaways*, 2.

²⁹⁵ Rediker, *A Global History of Runaways*, 4.

always connected to an idea of improving life by regaining “control over the body, labor, and subsistence.”²⁹⁶ More specifically, the authors identify several features common across the chapters in their volume that can also be found in the case of boarding school runaways: authorities’ immense concern with the influence of runaways on remaining workers and workplace dynamics (or, in the case of schools, students), the ways in which running “produced innovation from above,” and the role of whites in buttressing surveillance of escapees through payment for catch and return.²⁹⁷ These specific elements suggest that the forms of social control and its resistance seen in the boarding school context are not purely local and specific to indigenous school students but that their experiences reflect broader dynamics of coercion through mobilization and immobilization in colonial contexts.

At the same time, there are significant differences to the framework suggested by Rediker et. al., not least of which is that indigenous children and youth at Indian boarding schools were not first and foremost understood as *workers*, though some literature suggests that perhaps they should be. Their capacity as laborers and the boarding school system’s role in adding to a class of low-paid manual workers is certainly essential, thus bringing Rediker et. al.’s background of imperial expansion and capitalist commercialization back into the frame. Nevertheless, the overarching goal of assimilation, as well as the need to specifically understand students as children and young adults, as opposed to the mostly adults referenced in *A Global History of Runaways*, shows that nuance is needed in order to understand how and why running away functioned the way it did in this context.

The remainder of the chapter examines the trajectory of Fred Bonser, a student at Genoa Indian School from 1920-1922. The conceptual frame of “runaway heuristics” helps trace Fred

²⁹⁶ Rediker, *A Global History of Runaways*, 4.

²⁹⁷ Rediker, *A Global History of Runaways*, 5.

Bonser through the documentary record in order to read colonial logics and their subversion in the archive.²⁹⁸ This approach takes up a common paradigm of global history: “following” objects or things through an archive because of their “power to reveal networks, relationships, and contacts” while leaving open the question of the relevant level of scale.²⁹⁹ Distance and connection feature centrally in this lens, including historical actors’ own awareness of distance, which will become particularly important in articulating what the archive reveals about Fred Bonser’s place in and movement through a configuration of punitive control. This also emphasizes not only the duality of individual agency and structural constraints but, importantly, the intersection of the two.³⁰⁰

Removal and Transfers

The beginning of the story whose shape we can partially ascertain in the sources is in fact an absence in this archive. We cannot know how Fred Bonser was removed from his family, only that his history of schooling is recorded as beginning in 1916 at Rosebud Boarding School on the Rosebud Reservation where he lived.³⁰¹ Placement in a boarding school presumed removal from family. Born in 1906, Bonser would have been 10 years old.

²⁹⁸ The conceptual frame of this analysis takes inspiration from Johan Heinsen’s conception of “runaway heuristics.” Interested in how asymmetrical social relations are “made and unmade,” Heinsen’s work tells a “story of wandering” of two Scandinavian convicts through “interlocked fields of coercion” in 18th century Denmark-Norway. Heinsen pays close attention to the knowledge of landscape and society that these two convicts gained, carried with them, and passed on as they wandered through a relatively large geographical area and moved through the penal system. Through this circulation of knowledge, these individuals were connected by and through specific social and geographical settings whose shape and character may or may not align with given (and often dominant) spatial units clearly intelligible today. Following Heinsen, this approach allows historians to ask which geographies played a central role in a given story, how these came to be, and how they can be read into or out of the archive. I take the emphasis on “geographies of immobilization” and mobilization as a particularly helpful conceptual frame for an analysis of runaways at Genoa Indian School. Heinsen, Johan. “Runaway Heuristics: A Micro-Spatial Study of Immobilizing Chains C. 1790.” *Annals of the Fondazione Luigi Einaudi* LVI (2022): 37–60.

²⁹⁹ Bertrand and Calafat, “Microanalysis and Global History,” 12.

³⁰⁰ Bertrand and Calafat, “Microanalysis and Global History,” 13.

³⁰¹ Application for Enrollment at Genoa for Fred Bonser, 28 Feb. 1920; Folder: Genoa Indian School 1920-1921, Box 4; Series 82: School Correspondence, 1896-1925 (NAID 6595673); Office of Indian Affairs, Rosebud Agency; Record Group 75; National Archives and Records Administration—Kansas City.

The sources available for investigating removal of indigenous children in depth appear to be somewhat thin, as evidenced by the focus of most of the literature and by Jacobs' own reliance on autobiography and memoir in addition to more narrowly defined historical archives. The literal removal of children from their families' homes thus points to a metaphor of removal too, as the administrative records of indigenous lives – in this case the application of Fred Bonser to Genoa Indian School – remove any trace of the violence and trauma contained in this moment of removal. Bonser shows up in the schooling record starting in 1916 as a particular social category, a “half-blood” whose mother was Oglala Sioux and whose father was white.³⁰²

What is known about practices of removal suggests they functioned explicitly as a punitive regime. Given indigenous peoples' intense skepticism of governmental intervention in their families, “authorities [had] to engage in intense ‘recruitment’ efforts, and if those failed they often resorted to trickery, threats, withholding of rations, bribes, or the use of force to achieve their aims.”³⁰³ As mentioned in earlier sections, this included enlisting the military or police to physically force indigenous children to leave their homes, paying superintendents of reservations for each child “procured” to go to boarding school, denying supplies and food guaranteed by treaty to Indians on reservations, and taking children from day schools off to boarding school without informing parents or kin.³⁰⁴ A variety of institutions and persons were involved, from various levels of employees at the Federal Bureau of Indian Affairs, including Indian agents on

³⁰² Application for Enrollment at Genoa for Fred Bonser, 28 Feb. 1920; Folder: Genoa Indian School 1920-1921, Box 4; Series 82: School Correspondence, 1896-1925 (NAID 6595673); Office of Indian Affairs, Rosebud Agency; Record Group 75; National Archives and Records Administration—Kansas City.

³⁰³ Jacobs, “White Mother to a Dark Race,” 150.

³⁰⁴ Jacobs, “White Mother to a Dark Race,” 159-161.

reservations as well as school superintendents, to law enforcement, and the white civilians sometimes “deputized” to identify Indian children who should be in school.³⁰⁵

The consequences of not complying with the federal schooling policy were dire for indigenous families. Many communities resisted, some resorting to hiding their children, simulating sickness, or flat out refusing to bring them to designated places in order to avoid removal.³⁰⁶ Others sent delegations to Washington D.C. to advocate for different systems of education, signed petitions, and protested.³⁰⁷ This structural and direct violence should not obscure, however, that boarding school was an attractive option for some children and families: because of an interest in education, because of the inducements offered by government officials, or because of the material benefits compared to often impoverished conditions on reservations.³⁰⁸ These dynamics make the framing of punitive configurations particularly useful for understanding how the boarding school system functioned: punishment in a context like this worked by offering rewards or benefits when indigenous peoples complied with federal policy and by designing these bribes and advantages to meet certain needs and wants of those targeted.³⁰⁹ Returning to Fred Bonser, then, it becomes clear that whether or not his experience of removal was voluntary on his part or the part of his parents, the punitive regime of the boarding school system makes a whole spectrum of nevertheless coercive removal scenarios completely plausible.

³⁰⁵ Whitt, ““An Ordinary Case of Discipline,”” 51–70.

³⁰⁶ Jacobs, “White Mother to a Dark Race,” 156-157.

³⁰⁷ Woolford, “This Benevolent Experiment,” 127.

³⁰⁸ Woolford, “This Benevolent Experiment,” 161-162.

³⁰⁹ Woolford, “This Benevolent Experiment,” 140-141. Woolford points out that discipline and desire thus worked in conjunction more so than being oppositional categories. Following and expanding on Foucault’s concepts of despoistic discipline and anti-nomadic techniques, Woolford argues that the desires of indigenous students, including, crucially, those shaped and instilled by the boarding school experience itself, are of significance in understanding the broader project of assimilation. Due to reasons of scope but not importance, I will not delve into this further in this paper.

After removal from his family to attend Rosebud Boarding School in 1916, Fred was transferred first to Carlisle Indian School in 1917, and then to Haskell Indian School in 1918, due to school closure in both cases.³¹⁰ He is listed as being in grade three between 1916 and 1917 and still in grade three between 1917 and 1918. From 1918 to 1919 he is listed as being in grade six.³¹¹ To the extent that this one record is an accurate reflection of any academic progress (which it may not be), as defined by school officials, this does suggest that actual education and learning was not the priority during his time at these boarding schools.³¹² By the time Bonser arrived at Genoa Indian School in 1920, he had attended three government-run boarding schools, none for more than a year at a time. The literature shows that both day schools and on-reservation boarding schools were set up as feeder schools for off-reservation boarding schools, a system in which younger indigenous children were first sent to school closer to home and then transferred to schools further away once they were older.³¹³ Bonser's experience suggests this often did not occur in practice as it was apparently intended.

³¹⁰ School closure is listed in Fred Bonser's application as the reason for his transfer from Haskell to Carlisle. A letter from the superintendent of Rosebud reservation to the superintendent of Genoa Indian School, however, states that Haskell school "sent word to his father to send for him," suggesting that the reason may have been something different than school closure. No further clarifying information is available in the records. Application for Enrollment at Genoa for Fred Bonser, 28 Feb. 1920; Folder: Genoa Indian School 1920-1921, Box 4; Series 82: School Correspondence, 1896-1925 (NAID 6595673); Office of Indian Affairs, Rosebud Agency; Record Group 75; National Archives and Records Administration—Kansas City; Letter from C. L. Scout to Mr. Covey, 26 Jan. 1920; Folder: Genoa Indian School 1920-1921, Box 4; Series 82: School Correspondence, 1896-1925 (NAID 6595673); Office of Indian Affairs, Rosebud Agency; Record Group 75; National Archives and Records Administration—Kansas City.

³¹¹ The archival materials show some discrepancies on this question. The reservation's day school inspector states in a letter that Fred Bonser's father stated that he was in the 8th grade the year he attended Haskell. Such inconsistencies only further call into question how much actual education was at the center of the boarding school assimilation policy. Letter from C. L. Scout to Mr. Covey, 26 Jan. 1920; Folder: Genoa Indian School 1920-1921, Box 4; Series 82: School Correspondence, 1896-1925 (NAID 6595673); Office of Indian Affairs, Rosebud Agency; Record Group 75; National Archives and Records Administration—Kansas City.

³¹² Sources suggest that officials during this period were aware that boarding schools were unsuccessful in many ways, even by their own metrics. The extensive literature on the extent to which vocational training was prioritized also undermines the purported emphasis on academic learning and progress. Woolford, "This Benevolent Experiment," 79-80. See also Whitt, "An Ordinary Case of Discipline," 55.

³¹³ Woolford, "This Benevolent Experiment," 78.

Sarah Whitt's work also focuses centrally on the question of age in the boarding school system. She points out that during specific periods, most of the students at Carlisle Indian School were actually above the age of 18 and that the

Fred Bonser's trajectory demonstrates that this supposedly ideal linear progression from day school to off-reservation boarding school did not always occur as such in practice. Here emerges the first outline of the spatiality described in Chapter One: Bonser's life presumably started out somewhere on Rosebud Reservation in southern South Dakota. He was then placed at Carlisle Indian School in southern Pennsylvania, more than 2,000 miles away from Rosebud. His last school placement before Genoa was in Lawrence, Kansas, where Haskell Indian School was located about 500 miles away from the reservation. Bonser likely returned home between these school transfers.

The distance between off-reservation boarding schools and reservations was not an accident, but rather an intentional choice of boarding school policy.³¹⁴ The distance between off-reservation boarding schools and reservations was not an accident, but rather an intentional choice of boarding school policy.³¹⁵ As evidenced both in the scholarship and in the archival sources related to Fred Bonser, government officials saw the influence of family and community on the reservations as detrimental to indigenous students' progress. Stoler's conception of epistemological anxiety is helpful to highlight that the colonial state could not fully or even partially know about, much less control, those "familial attachments and affections" which were often "impervious to the meddling priorities of a supposedly 'rational' and reasoned state."³¹⁶ Mobilization and immobilization in the boarding school system served to break the bonds between indigenous children and their communities and thus their very future. Moving a great distance

particularities of this historical development are not well understood. She forcefully argues that the discourse of education and civilizing becomes even more contradictory when looking at the actual students, namely young adults, within the boarding school she studies. This raises an interesting question about how to regard Fred Bonser, who was 16 by the time he ran away from Genoa School. I will not pursue this line of thinking further here but make the point that even the categories of "child" and "adult" are not given in this context. Whitt, "An Ordinary Case of Discipline."

³¹⁴ Jacobs, *White Mother to a Dark Race*, 166.

³¹⁵ Ibid.

³¹⁶ Stoler, *Along the Archival Grain*, 2.

away from home was not a stable or consistent experience for the individual student though. Out of Bonser's frequent transfers emerges a specific and unstable dynamic of immobilization and mobilization in constant flux. Stoler's intervention about the inconsistency and uncertainty of colonial governance makes this reading of immobilization and mobilization particularly fitting. Whether intentional or not, this level of volatility through continuous displacement would have had an impact both on Fred Bonser's relationship to his home reservation, his communities' relationship to him, the "success" of his assimilation, and perhaps most essentially, the goal of undermining indigenous collectivity and permanence on the continent.

This background expands the context in which to interpret Bonser's eventual escape from Genoa Indian School. Though running away was an entirely new experience in many ways, one of independence and precarity, it was also, in other ways, a continuation of several years of destabilizing forced mobilization and immobilization. Seen from this perspective, the western frontier of the United States – what is today called the Midwest – took shape in one student's life as a social geography shaped but not contained by state borders, the limits of the Indian boarding school grounds, and the boundaries of the reservation. Though Bonser was likely not separated from his family the entire time (as visits during the summer and especially between school transfers were possible), key is that he and his family had relatively little control over when, how, and for how long their child would come home.

Enrollment

The administrative space of the reservation figures centrally in the enrollment phase of the boarding school experience: life on the reservation was managed by a superintendent and schooling matters were handled in part by an official called the day school inspector. The first

document that begins to sketch a chronology of Fred Bonser's enrollment at Genoa Indian School is a letter written by Rosebud Reservation's day school inspector to the reservation's superintendent in January 1920. He begins by writing that he has been "wondering for some time what would be the best thing to do about the school attendance of Fred Bonser."³¹⁷ The tone implies some sense of collaboration between these officials, this likely not being the first time they had worked together to ensure children on the reservation went to school. Other documents in this digital archive support the view that federal agents on the reservation, particularly day school inspectors and reservation superintendents, were actively involved in the school placement of indigenous children. Indeed, the implementation of federal assimilation policy was put squarely on the shoulders of these agents "in the field."³¹⁸

In the rest of the letter the day school inspector describes his exchanges with Bonser's father, who wanted his son to attend Rosebud's Public school after returning from Haskell and then transfer to a new boarding school the next fall. A solution had been attempted in which Bonser would be "employed" as an "orderly" in the inspector's office but actually attend school for most of the day. Per the day school inspector's account, Bonser and his mother intentionally delayed his arrival the day he was meant to begin school. On the back of the letter is a handwritten note to the day school inspector, stating that the (unknown) writer does not want "this boy" in the office, nor will the patrons of the public school. Discussion about the negative influence of the reservation on Bonser's school attendance are relayed in the letter, including the suggestion to have police involved in ensuring that the child goes to school and does not "chase about at night at all," likely

³¹⁷ Letter from C. L. Scout to Mr. Covey, 26 Jan. 1920; Folder: Genoa Indian School 1920-1921, Box 4; Series 82: School Correspondence, 1896-1925 (NAID 6595673); Office of Indian Affairs, Rosebud Agency; Record Group 75; National Archives and Records Administration—Kansas City.

³¹⁸ Woolford, "This Benevolent Experiment," 119-121.

a reference to running away. The day school inspector wrote that he would “tell the mother what to expect if she tries to place any obstacles in the way” and that he believed “the boy and his mother should not be permitted to do as they please in regard to this boy’s schooling hereafter.” If this plan did not work, according to the inspector’s telling, he would “be glad to carry out your instructions in the matter.”³¹⁹

The details of these instructions are left unspecified, however the use of vaguely threatening language is clear, as is the implication that ultimately the superintendent would have the last word in the matter. The letter also suggests that there would have been the option of attending school on the reservation without boarding. Presumably Rosebud’s Public School was a day school. These exchanges show both the difficulty and the persistence of these two federal reservation officials’ attempts to enroll Bonser in school, resorting to boarding school and thus family separation relatively quickly when Bonser and his mother did not comply.

The day school inspector’s framing of the problem and possible solutions raises the question of whether being sent to boarding school was used as a threat. The communications included here do not make this entirely clear. It is worth noting, though, that this letter sent between agents on Rosebud Reservation – not school officials of any kind – is included in Genoa Indian School’s digitized archives. Regardless, this exchange undermines the idea that on-reservation schools were used as feeder schools for boarding schools in a rational, consistent and systematized manner. Rather, decisions about children’s school placement were negotiated within an array of institutional and social forces that did not make the implementation of federal policy automatic or smooth. The threat to “carry out your instructions in the matter” if even police involvement could

³¹⁹ Letter from C. L. Scout to Mr. Covey, 26 Jan. 1920; Folder: Genoa Indian School 1920-1921, Box 4; Series 82: School Correspondence, 1896-1925 (NAID 6595673); Office of Indian Affairs, Rosebud Agency; Record Group 75; National Archives and Records Administration—Kansas City.

not ensure compliance suggests that the punitive configurations of assimilation permeated nearly every layer of life on the reservation.

The efforts described in this letter show that resistance by indigenous families made reservation agents' jobs much harder, however that the kinship relationships among indigenous peoples, both on and off the reservation, were more complex than the binary opposition between indigenous and non-indigenous suggests. The fact that specifically Bonser as well as his mother would be on the receiving end of some sort of punishment were they not to acquiesce to reservation agents' plans highlights that it was both separation from his mother and his mothers' resistance to this separation that school and reservation officials saw as a problem. On the other hand, it appears as though Bonser's white father was enlisted as an ally, of sorts, as he actively participated in the institutional matrix that would send his son far away to school. This letter paints a deeply disempowering and infantilizing mindset with regard to indigenous parents. As Cathleen Cahill highlights in her seminal study *Federal Fathers and Mothers: A Social History of the United States Indian Service, 1869-1933*, many employees of the Federal Bureau of Indian Affairs indeed saw themselves as best suited to make parenting decisions for indigenous children.³²⁰ This approach actively sidelined indigenous parents and kin, often considered ill-equipped to make these decisions or, worse, likely to reinforce bad habits and influences that would impede the civilizing process.³²¹

³²⁰ Cathleen D. Cahill, *Federal Fathers and Mothers: A Social History of the United States Indian Service, 1869-1933*, Chapel Hill: The University of North Carolina Press, 2011.

³²¹ For purposes of scope I will not delve into the highly relevant questions of gender and racialization here. These are worthy of further examination, though, particularly in understanding the role of indigenous parents in their children's schooling and the specific ways that federal officials ignored or marginalized their voices while conditionally allying with whites, including parents. This hierarchization of indigenous or part indigenous families is fittingly explained by the concept of punitive configurations, in which some groups are ranked socially over others by those in power in order to implement a punitive regime.

Separation from family via boarding school placement does not appear to have been the first choice. The day school inspector's plan for schooling Bonser on the reservation apparently did not come to fruition, as one month later in February 1920, the superintendent of Genoa Indian School wrote to the superintendent of Rosebud Reservation. In this letter the day school inspector agreed that Fred Bonser could be enrolled at Genoa as long as consent and approval from his parents was secured.³²² The extent to which this consent can be understood as truly voluntary when constrained by the punitive regime of the school enrollment process remains an open question. Federal policy had changed by this point to prohibit the enrollment of children in boarding schools without parental permission, however the practice of sending students out of state without parental approval continued due to a loophole in the law.³²³

In March, the superintendent of Rosebud Reservation sent Bonser's application for enrollment to the Genoa School superintendent, noting that "Fred Bonser is a bright boy but will need a firm guiding hand in school to keep him in the right way."³²⁴ Here the administrative record makes clear who had the social and institutional power to make decisions about whether children were separated from family: the bureaucratic traces in the archive place school and reservation authorities front and center, while parents (both indigenous and white, though not in the same

³²² Letter from Sam B. Davis to Claude C. Covey, 20 Feb. 1920; Folder: Genoa Indian School 1920-1921, Box 4; Series 82: School Correspondence, 1896-1925 (NAID 6595673); Office of Indian Affairs, Rosebud Agency; Record Group 75; National Archives and Records Administration—Kansas City.

³²³ In 1894, Congress passed a law stating that Indian children could not be sent to schools "beyond their state or territory" without their parents voluntarily consenting. This meant, however, that non-consensual enrollment of children in boarding schools *within* the same state or territory was still legal. Given the size of states or territories particularly in the west, schools were often still very far away from children's homes of origin. Removal and placement of children at school without the consent of their parents thus indeed continued. Jacobs, *White Mother to a Dark Race*, 166.

³²⁴ Letter from unknown Acting Superintendent to Mr. Davis, 8 Mar. 1920; Folder: Genoa Indian School 1920-1921, Box 4; Series 82: School Correspondence, 1896-1925 (NAID 6595673); Office of Indian Affairs, Rosebud Agency; Record Group 75; National Archives and Records Administration—Kansas City.

ways) are relegated to the margins. Those with the ability to guide him “in the right way” were school staff rather than his parents or family who were, perhaps, living in the “wrong” way.

The sources show that placement of indigenous children in school occurred for a variety of reasons. A few records reflect family members explicitly asking for children to be placed at Genoa because they could not financially or logistically manage their care at home, in one case, for example, due to one parent being incarcerated.³²⁵ Here we see concrete evidence of the ripple effects of multiple kinds of family separation due to parental incarceration, and the deep economic and social effects such incarceration had. Several applications for enrollment describe “poor home environment,” “no fixed habitation,” or caregivers being sick, old, “decrepit” or unable to care for children as reasons for enrollment.³²⁶ Important is to differentiate whose evaluation the source appears to represent, whether families of indigenous children themselves directly request boarding school placement (according to school officials) or whether federal personnel make the assessment that families are not capable of caring for their children. The latter situation seems to dominate in the archival record, further deepening the sense that the social and institutional power to separate

³²⁵ Student Permanent Record, Albert Jones, 19 Oct. 1932; Folder: 823 Students, Personal File, Box 41; Decimal Correspondence Files, 1919-1975 (NAID 6036849); Bureau of Indian Affairs, Winnebago Agency; Record Group 75; National Archives and Records Administration—Kansas City; Student Permanent Record, Kenneth Armell, 7 Oct. 1932; Folder: 823 Students, Personal File, Box 41; Decimal Correspondence Files, 1919-1975 (NAID 6036849); Bureau of Indian Affairs, Winnebago Agency; Record Group 75; National Archives and Records Administration—Kansas City.

³²⁶ Application for Enrollment at Genoa for Grace William, 1 Sept. 1928; Folder: Genoa 1928; Box 2 Records of the Bureau of Indian Affairs. Department of the Interior. Office Indian Affairs. Rosebud Agency. Yankton Sub-Agency. School Correspondence, 1926-34. Flandreau (1931-1932) - Lawrence (1926-1927); Repository Identifier 7388923; Record Group 75; National Archives and Records Administration—Kansas City; Application for Enrollment at Genoa for Philomene Sully, 15 Aug. 1927; Folder: Genoa 1927; Box 2; Records of the Bureau of Indian Affairs. Department of the Interior. Office Indian Affairs. Rosebud Agency. Yankton Sub-Agency. School Correspondence, 1926-34. Flandreau (1931-1932) - Lawrence (1926-1927); Repository Identifier 7388923; Record Group 75; National Archives and Records Administration—Kansas City; Application for Enrollment at Genoa for William Drunkard, Jr., 1 Oct. 1919; Folder 5: Genoa Indian School, Box 671: Chilocco Indian School, Genoa Indian School, Hampton Institute, and Haskell; Series 8: Cheyenne and Arapaho Nation Records, 1860-1930; American Indian Archives Collection, Oklahoma Historical Society Research Division; Application for Enrollment at Genoa for Saul Birdshead (Armstrong Spotted Horse), 14 Jan. 1918; Folder 5: Genoa Indian School, Box 671: Chilocco Indian School, Genoa Indian School, Hampton Institute, and Haskell; Series 8: Cheyenne and Arapaho Nation Records, 1860-1930; American Indian Archives Collection, Oklahoma Historical Society Research Division.

families lay mostly with federal officials. Poverty appears to have played a direct and central role in many students' lives regardless, dire economic straits that were the direct consequences of land dispossession and forced removals discussed in earlier chapters. The point here is to add nuance and differentiation to the singular focus on Fred Bonser's story: many families may or may not have wanted their children to be sent to boarding school but made the decision that it was necessary anyway.

* * *

Before Fred Bonser was even transferred to Genoa Indian School, a conception of "this boy" had already emerged: one whose schooling was a problem needing to be solved, already defined by a tendency to run away, not wanted for work in the office or placement in the public school, needing police intervention, whose educational decisions should not be left in his or his indigenous parent's hands, and for whom separation from family was in the states' best interest. It remains unclear how much of this information the superintendent of Genoa School knew when accepting Bonser's enrollment. Also unclear is how much experience with running away Bonser gained from his previous boarding school experiences, either by escaping himself or through contact with other students who ran away. If so, this might have been a source of information and learning that would inform his leaving Genoa School. Either way, his trajectory through the boarding school and reservations systems up to 1920 had already come to associate him with a particular set of characteristics defined by his willingness and ability to participate in the project of assimilation away from his family. Deeply embedded in the punitive configurations that sought to separate him physically, relationally, and culturally from his kin, Fred Bonser appears in the archive as a youth who consistently triggered the activation of a punitive regime meant to civilize him into submission.

Leaving with Permission

As with so many of this story's pivotal moments, Fred Bonser's arrival at Genoa Indian School is not recounted in the archive from any perspective. His application was sent to the school in March 1920. The next record included in the archive is a letter written by Bonser himself to the Rosebud Reservation day school inspector. This letter is dated May 1920, presumably one to two months after Bonser's arrival at school. He wrote that he is "contended" with the school, wished he could have become an engineer, though he was a "first class carpenter," described exams and clean-up at the school, and shared that he is in the band. He asked how his parents were doing and stated that his mother told him the money for his return home for the summer was ready, but that the school superintendent said he would need to get approval from the reservation superintendent first. Signing the letter "your friend, Fred Bonser," in the P.S., he again reiterated that the reservation official should ask his mother or father about the money and to please write to him once he had spoken with the Genoa School superintendent.³²⁷ This presumably might have been interpreted as a demonstration of initiative and budding self-sufficiency.

The letter sharpens our view of the actors and institutions central to the mobilization and immobilization of students within the boarding schooling system. Though his family had to bear the financial cost, Bonser appealed to the reservation's day school inspector in order to obtain permission for a family visit during the summer. His relatively positive reports about his schooling experience cannot be separated from his dependence on the day school inspector's approval for his leave. Nevertheless, this is one of the few times that Bonser's voice appears directly in the archive and, unsurprisingly, his letter speaks to that which might be considered most core to

³²⁷ Letter from Fred Bonser to Mr. Scott, 27 May 1920; Folder: Genoa Indian School 1920-1921, Box 4; Series 82: School Correspondence, 1896-1925 (NAID 6595673); Office of Indian Affairs, Rosebud Agency; Record Group 75; National Archives and Records Administration—Kansas City.

indigenous students' experience of the boarding school system, namely separation from kin. The reiteration of his wish and instructions about finding the money in the P.S. of the letter affirm what appears to be the main reason for writing: he wanted to visit his family. Here, too, his mother appears to be the more central figure attempting to help him return home for the summer. Importantly, she and her son seem to have had contact in his first weeks at school.

The next few letters in the archive all have to do with the issue of summer vacation on the reservation, demonstrating a triangulation of communication in which any one person avoided taking full responsibility for prohibiting Bonser's return home. Soon after learning about Bonser's letter, the reservation superintendent wrote to the school superintendent.³²⁸ The reservation superintendent was of the opinion that Bonser should not go home during the summer, explaining that the student only just arrived at Genoa School and that the influences on the reservation were not good. Interestingly, the reservation superintendent specifically wrote that this course of action would be "the very best for him [Fred Bonser] and his father," further solidifying an impression that the reservation superintendent collaborated somewhat closely with Bonser's father regarding his son's schooling. He closed the letter with the hope that the Genoa School superintendent could "prevent his coming home this summer."³²⁹ This superintendent seemed to hope that the final decision would be made by the school superintendent, countering Bonser's impression that the decision would ultimately be made by the day school inspector.

The school superintendent wrote back, agreeing with the position that Bonser had only just arrived and should not go home for the summer, stating however that "his mother has already

³²⁸ Letter from unknown superintendent to Mr. Davis, 31 May 1920; Folder: Genoa Indian School 1920-1921, Box 4; Series 82: School Correspondence, 1896-1925 (NAID 6595673); Office of Indian Affairs, Rosebud Agency; Record Group 75; National Archives and Records Administration—Kansas City.

³²⁹ Letter from unknown superintendent to Mr. Davis, 31 May 1920; Folder: Genoa Indian School 1920-1921, Box 4; Series 82: School Correspondence, 1896-1925 (NAID 6595673); Office of Indian Affairs, Rosebud Agency; Record Group 75; National Archives and Records Administration—Kansas City.

written him and me with reference to getting him home this summer, therefore, I shall not permit him to go unless your office approves it.”³³⁰ Here the school superintendent attempted to give the final say to the reservation superintendent (and/or his office, which may or may not have included the day school inspector). Though not directly formulated as a punishment, approval for a summer visit home functioned punitively to further minimize contact with family and create a privilege that had to be earned.

This series of letters adds nuance to an understanding of how transparently, or not, decisions were made in the boarding school context. These communications suggest that both Bonser and his mother were not clear about who would give final approval for his visit home during the summer, other than that it would not be the exclusive prerogative of his parents. In these letters, the school and reservation officials themselves seem reluctant to take full responsibility for prohibiting the visit, preferring to give the final word to another office. This implies that either the assimilation policy at the federal level did not specify rules about students returning home for the summer, including a process for approving these, or that implementation of federal guidelines at the local level deviated in practice from that which was intended. At the level of federal officials working in their respective capacities, this could point to a conscious strategy to make approval of such visits more difficult for students and families, or a more unconscious insecurity about having to enforce decisions made to keep children and their parents apart even during the summer.

Such lack of clarity, while likely indicative of doubt or anxiety in Stoler’s sense, did not serve to loosen the hold of school officials’ over the lives of students and families. The resulting institutional power structure meant that indigenous families and their children had to navigate

³³⁰ Letter from unknown superintendent to Mr. Davis, 31 May 1920; Folder: Genoa Indian School 1920-1921, Box 4; Series 82: School Correspondence, 1896-1925 (NAID 6595673); Office of Indian Affairs, Rosebud Agency; Record Group 75; National Archives and Records Administration—Kansas City.

multiple (and potentially confusing) sets of actors and spaces in order to fight for contact with one another. The materials in the archive hint at additional communication between these officials and Bonser's parents, as well as potentially Bonser himself and his parents, regarding family visits. This in combination with the clustering around the topic of runaways affirms that contact with indigenous kin – or even more broadly connection to spaces in which indigeneity had not been entirely stamped out – were a primary concern motivating management of student contact with family both on the reservation and at the boarding school.

The sources show that Fred Bonser was certainly not an outlier in terms of wanting and struggling to obtain permission for family visits. The reasoning for barring visits home varied though, and, according to school and reservation officials, did not exclusively have to do with concern about the influence of indigenous kin. Several letters in the archive also discuss the lack of work available on the reservation for students to earn, for example, “carfare” for their return home.³³¹ In other cases students were required to stay for schooling during the summer.³³² At the other extreme, some records appear to show official school explicit approval for students returning to the reservation, potentially permanently, and usually in order to take over farm work on land they or their family owned.³³³ Labor and land issues seem to take on a key component of whether students could live with their families again, crucially, regardless of whether they graduated from

³³¹ Letter from O. C. Gray to M. Bogard, 17 May 1933; Folder: 806.3 Haskell Institute 8. Genoa Indian School, Box 40; Series 8: Decimal Correspondence, 1922 - 1948 (NAID 5898468); Bureau of Indian Affairs, Turtle Mountain Agency; Record Group 75; National Archives and Records Administration—Kansas City.

³³² Letter from Sam B. Davis to R. E. L. Daniel, 12 May 1927; Folder: Genoa 1927, Box 2; Series 5: School Correspondence, 1926-1934 (NAID 7388923); Office of Indian Affairs, Rosebud Agency, Yankton Sub-Agency; Record Group 75; National Archives and Records Administration—Kansas City.

³³³ Several documents like this exist. For example: Returned student form for Thurman Chase, undated; Folder: Correspondence Returned Students, Box 1; Series: Correspondence Files, 1909-1925 (NAID 6036839); Office of Indian Affairs, Omaha Agency; Record Group 75; National Archives and Records Administration—Kansas City.

Genoa Indian School or not.³³⁴ The point is that the logics and influences at work regarding the how and why of family separation were varied even with regard to the same school personnel, time period, and geographic area.

To return to Fred Bonser, then: the last letter referenced in the above account is dated June 1920. Whether or not Bonser went home for that summer is unclear. That this visit was both important and highly contested is unmistakable. It is only with the last set of letters from the end of 1921 through 1922 that Bonser's visits to his family take on a different meaning. The institutional and social constraints on Bonser's permission to leave school likely informed his decision to leave school without that permission, even if the details of what led to his running away remain obscured by the shape of the archive.

Leaving without Permission

The next mention of Fred Bonser in the archive is dated October 1921. The school superintendent again wrote to the reservation superintendent, offering an update about Bonser. The letter is worth quoting directly:

I wish to report that Fred Bonser also ran away. He left in August. We do not care for his return. He is an undesirable and immoral kind of a boy that should be looked after by his own people. Very truly, Sam B. Davis, Superintendent³³⁵

The shift in tone in this letter is stark. Sam Davis is the same superintendent who signed all the letters previously referenced and, in fact, all letters relating to Bonser available in this digitized archive. Though Bonser arrived at Genoa with a reputation, of sorts, for causing problems for school and reservation staff, the letters exchanged between federal officials in 1920 remained

³³⁴ Indeed the archival records show that nearly all the students who returned to their families in order to farm land did not graduate.

³³⁵ Letter from Sam B. Davis to R. E. Manion, 20 Oct. 1921; Folder: Genoa Indian School 1920-1921, Box 4; Series 82: School Correspondence, 1896-1925 (NAID 6595673); Office of Indian Affairs, Rosebud Agency; Record Group 75; National Archives and Records Administration—Kansas City.

vaguely polite, if condescending, with regard to Bonser, and bureaucratically euphemistic with regard to the punitive regime constraining Bonser and his family. Details are, again, not included in this letter but the position of the school in 1921 seems unequivocal: Fred Bonser is not assimilatable. Certainly for Genoa Indian School and potentially for the boarding schools he attended previously, this student appears to have been considered a lost cause.

Both the change in tone and the negative characterization of Bonser point to a core but seemingly contradictory logic of assimilation: some combination of factors made it possible to declare the boarding school unable to civilize a particular indigenous student. The opinion that this student should be “looked after by his own people” seems to imply that Bonser, in the view of school officials, could only ever be cared for rather than become self-sufficient in his own right. Simply looking after indigenous children categorized as immutably bad, “undesirable” and immoral,” was not the job of the boarding school, in fact, it was quite the opposite. Fred Bonser’s “case,” as the superintendent often referred to this student, emerges at the outer edge of what such a schooling program was capable of, marking not just the limits of what assimilation could achieve but, crucially, the nature of its core aims and ideologies. A return to family after years of disrupted separation functions, in the final instance, as a sign of failure.

This dynamic brings to the fore the practical manifestation of shifting ideas about racial difference, mentioned earlier. Davis’ language seems to convey the belief that Bonser’s immorality – though unstated as such, his “savagery – is buried deep within. More so than an explicit position on the biological “or” cultural nature of racial difference, Davis’ thinking, feeling, and practice perhaps sits somewhere in between, indeed in the space between the failure of both cultural assimilation and biological elimination. The point is that in the messy and confounding practice

of administering Indian affairs, clear ideological and theoretical boundaries did not always guide the implementation of assimilation.

Similarly to his removal from family and arrival at Genoa School, the archive does not contain any representations or accounts of Bonser's actual escape. An exchange of letters about this "runaway" begins three months later. The day school inspector wrote to the Genoa School superintendent at the end of November 1921, reporting that Bonser had called the reservation office and requested his trunk of things be sent from Genoa School to Crookston, Nebraska, described in the letter as "his railroad station."³³⁶ Crookston, Nebraska is over 200 miles north of Genoa, Nebraska, right outside the Rosebud Reservation on the state border to South Dakota. It appears plausible that Bonser was intentionally close to but not inside the reservation. Interestingly, the day school inspector made no comments about trying to find Bonser or deploying law enforcement to search for him. Bonser was able to travel a few hundred miles outside the purview of school and reservation authorities and potentially the police.³³⁷

The picture of the social and physical geography this runaway student inhabited begins to fill out here. The sources make clear that managing the mobilization and immobilization of this student was not possible through exclusively the authority of personnel on the reservation or exclusively those within Genoa Indian School. Rather, the delineation of these two spaces and the functioning of their respective institutions were fundamentally enmeshed with one another. Only through communication and collaboration could officials maintain some amount of control over indigenous children. Their communications even suggest that their authority was at times relatively

³³⁶ Letter from unknown day school inspector to Sam B. Davis, 29 Nov. 1921; Folder: Genoa Indian School 1920-1921, Box 4; Series 82: School Correspondence, 1896-1925 (NAID 6595673); Office of Indian Affairs, Rosebud Agency; Record Group 75; National Archives and Records Administration—Kansas City.

³³⁷ Various institutions in the penal system were often called on to find and return runaways. There is no indication in these digitized records about whether police were involved at this point. Whitt, "An Ordinary Case of Discipline," 59.

symmetrically shared, as both superintendents could plausibly prohibit Fred Bonser's leaving school to visit the reservation. The spatiality of assimilation emerges as a matrix of individuals and institutions not confined to separate social and geographical units on the reservation and at the school but rather dependent on, defined even, by one another.

The framing of runaway heuristics adds another vital layer to this spatial matrix. Though Fred Bonser was mobilized and immobilized both on the reservation and at school, including movement between them, he also escaped into space that these federal officials did not have absolute control over. Even as the wide disciplinary web of the boarding school extended the punitive configurations of assimilation beyond the borders of each respective institution, the physical geography between Genoa, Nebraska and the Rosebud Reservation came to be one in which Bonser could mobilize of his own accord.³³⁸ We can presume that the spaces towards which Bonser ran were not "safe" from the punitive regime attempting to constrain him, however even power functioning slightly less absolutely than on the reservation or at the school offered him the literal liminal space for escape.

The next few letters make Bonser's location between October of 1921 and August of 1922 unclear. Bonser wrote to the school superintendent himself during this period (Figure 1). The letter is notably typed, rather than hand written, and was addressed from Rosebud Agency, suggesting that Bonser may have been back on the reservation at this time, or at minimum had some way to contact the agency. The letter reflects a dramatic shift in tone. Bonser no longer wrote with the restrained and polite inflection of his previous note. Reading the school superintendent's letter alongside this one suggests that the dynamic between the two, at minimum – if not Bonser's experience at school more generally – escalated significantly between 1920 and 1921. Whether or

³³⁸ Whitt, "An Ordinary Case of Discipline," 59.

not writing to the commissioner of Indian Affairs was realistic, Bonser understood the federal structure of governance enough to know that such a threat *made sense* within the punitive configurations of the boarding school system. Indeed, students and families navigating these structures of domination often understood them inside and out, a different kind of common sense needed to survive and resist.

This letter contains the only explicit reference to abuse in the sources related to Fred Bonser and one of only a handful in the entire digital archive. The archival record on Sam Davis, as discussed earlier, only confirms the likelihood of Bonser's accusation. As Stoler notes in her discussion of colonial common sense, the state often could not understand the rage of those it attempted to control.³³⁹ Colonial common sense in this context can be understood as that which made a student desirable or undesirable, reasoning that all individuals in positions of power grasped, not something that needed to be articulated in the everyday operations of the school, and something so obvious that explosive anger about its impacts might not even register. It is thus not an accident that the sources here never explain why Bonser is undesirable or immoral. For the school superintendent, in particular, this is either given or not writable. This common sense functioned through a "political grammar" in which "expressing attachment as opposed to pity, contempt, indifference, or disdain provided both cultural and legal 'proof' of who one was, where one ranked in the colonial order of things..."³⁴⁰ Returning to the superintendent shift in tone allows us to see that tracing his changing attachment to Fred Bonser through the archive – from a student to be tolerated and guided to an offense to be disdained and discarded – exposes the multiplicity and selectivity of punitive configurations at work here.

³³⁹ Stoler, *Along the Archival Grain*, 21.

³⁴⁰ Stoler, *Along the Archival Grain*, 40.

Rosebud Agency,
South Dakota.

December 3, 1921.

Sam B. Davis.

Sir:

I received my trunk today but I did not receive my clothes so you see to it that I get my clothes in not less than 2 weeks or there will be hell pepping as I will write to the commissioner of Indian Affairs and tell him the brutal treatment you govern the children there at Genoa I know the way you treat the children there for you know dam good and well how you treat them and also I have the scars on my back where you horsewhipped me that time for nothing, I value those clothes that were mine and not send at 25 DOLLARS so see to ^{it} immediately or I will see to it that you are put out of the service dam quick.

Send those clothes to me immediately or send me the \$25.00 immediately I will wait until the 15th. of this month and if I do not get any satisfaction from you then look out for your walking papers DAM QUICK.

You'll remember me,

Fred R. Bonser

Fred Bonser,

Figure 1³⁴¹

³⁴¹ Letter from Fred Bonser to Sam B. Davis, 3 Dec. 1921; Folder: Genoa Indian School 1920-1921, Box 4; Series 82: School Correspondence, 1896-1925 (NAID 6595673); Office of Indian Affairs, Rosebud Agency; Record Group 75; National Archives and Records Administration—Kansas City.

The next several letters in the archive reveal that the school superintendent changed his mind several times about whether Bonser should return to Genoa School. He first wrote that the school was “in a position to treat his case,”³⁴² soon thereafter that they did “not care particularly for his return”³⁴³ and then that Bonser’s return was requested in order to “make an example out of him.”³⁴⁴ Referenced also is a conversation that apparently occurred with the reservation superintendent about not allowing Bonser back onto the reservation if he did not go to school. The superintendent additionally suggested, in passing, that Bonser might require placement in the reform school, indicating yet a more intensely punitive institution in the regime of punishment at work here. By July, the school superintendent “greatly desires the return of [another student] and Fred Bonser.”³⁴⁵ Amidst these letters are also short notes and telegrams about making arrangements for escort and transportation of Bonser (as well as a few other runaway students) back to Genoa. The timeline makes it plausible that Bonser was back at Genoa School briefly in the spring of 1922 before running away again, or that he did not return at all during this period.

At the outset these exchanges simply read as undecided, suggesting inconsistent governance at Genoa Indian School. Following Stoler’s conception of epistemological anxieties allows this back and forth to be read in a different light though, as “records of uncertainty and doubt in how people imagined they could and might make the rubrics of rule correspond to a

³⁴² Letter from Sam B. Davis to J. A. Buntin, 14 Dec. 1921; Folder: Genoa Indian School 1920-1921, Box 4; Series 82: School Correspondence, 1896-1925 (NAID 6595673); Office of Indian Affairs, Rosebud Agency; Record Group 75; National Archives and Records Administration—Kansas City.

³⁴³ Letter from Sam B. Davis to unknown Supt. Indian Agency, 11 Apr. 1922; Folder: Genoa Indian School 1922-1923, Box 4; Series 82: School Correspondence, 1896-1925 (NAID 6595673); Office of Indian Affairs, Rosebud Agency; Record Group 75; National Archives and Records Administration—Kansas City.

³⁴⁴ Letter from Sam B. Davis to F. A. Coe, 22 June 1922; Folder: Genoa Indian School 1922-1923, Box 4; Series 82: School Correspondence, 1896-1925 (NAID 6595673); Office of Indian Affairs, Rosebud Agency; Record Group 75; National Archives and Records Administration—Kansas City.

³⁴⁵ Telegrams between Peairs and Davis, 3 July 1922; Folder: Genoa Indian School 1922-1923, Box 4; Series 82: School Correspondence, 1896-1925 (NAID 6595673); Office of Indian Affairs, Rosebud Agency; Record Group 75; National Archives and Records Administration—Kansas City.

changing imperial world.”³⁴⁶ The Genoa Indian School superintendent seems deeply uncertain about how to deal with Bonser, a student who not only transgressed the normative expectations of the civilizing project but who responded with a blunt and unapologetic spitefulness that laid bare the ““foundational fictions of colonial rule”” as manifested in the boarding school system.³⁴⁷ Many letters – reflecting time, energy, and attention – were exchanged between January 1920 and the summer of 1921, that were in effect all about keeping Bonser from his family in an effort to assimilate him. Within a matter of weeks by the fall of 1921, the logic regarding family separation appears to have shifted and to have done so ambivalently, uncertainly, and unclearly. What does this change in logic illuminate about the project of assimilation as practiced at Genoa Indian School?

The school superintendent’s uncertain back and forth regarding Bonser’s return is intermingled with communications about the logistics of actually returning him. Stoler calls this an ethnographic sensibility, meaning one in which officials attempted to determine social categories in such a way that fits their evolving rubric of control, occurring in a “quixotic space of premonition, probability, and speculation.”³⁴⁸ The superintendent’s fluctuating opinion on the question of Bonser’s return as well as his shifting descriptions of Bonser himself suggest a nervous awareness that the situation had as much to do with this individual student in the present moment as with the future of schooling and assimilation. Indeed, these two concerns meet for a moment in the superintendent’s wish to “make an example out of him.”³⁴⁹ This points not only to a punitive

³⁴⁶ Stoler, *Along the Archival Grain*, 4.

³⁴⁷ Stoler, *Along the Archival Grain*, 6.

³⁴⁸ Stoler, *Along the Archival Grain*, 5.

³⁴⁹ Letter from Sam B. Davis to F. A. Coe, 22 June 1922; Folder: Genoa Indian School 1922-1923, Box 4; Series 82: School Correspondence, 1896-1925 (NAID 6595673); Office of Indian Affairs, Rosebud Agency; Record Group 75; National Archives and Records Administration—Kansas City.

regime working to minimize the influence on other students of an uncivilizable indigenous student but also hints at a logic of control in which “imagining what might be was as important as knowing what was.”³⁵⁰ It is precisely the “erratic movement back and forth in verbal tense” to which Stoler refers, the back and forth of whether a student should return, the back and forth of whether it is even literally possible to return the student, the back and forth about separation from family, the back and forth in which “the conditional could powerfully reshape an immediate response.”³⁵¹

These archival sources show that an unstable and inconsistent matrix of institutional power spanned across multiple states and territories to immobilize and mobilize indigenous children. Most remarkably, the letters suggest that a student like Bonser may have been prohibited from both the space of the school and the reservation, an absolute exclusion of an indigenous person from all “protected” spaces that embodies the ideological, indeed eliminatory, logic of excluding all indigenous peoples from citizenship who could not be assimilated. The communiques also offer insight into the particular way power worked within this configuration: even as school and reservation officials worked to achieve absolute control over indigenous children in school and their families on the reservation, running away carved out a literal and figurative liminal space in which a student could regain agency, if momentary and precarious, over his own mobilization. Bonser’s specific presence in the archive, alongside the clustering of source materials around the broader topic of runaways, indicates that student escapes forced more than a momentary shift in attention on the part of those in positions of power. The strategies, practices, and words of runaways fundamentally intervened in the mode of domination attempting to control them.

³⁵⁰ Stoler, *Along the Archival Grain*, 21.

³⁵¹ Ibid.

The last record referencing Fred Bonser to be found in these digital archives is actually about another new student enrolling at Genoa Indian School. The school superintendent maintained that “if he is another boy similar to Fred Bonser, I think that he had better continue at Rapid City [his current school].”³⁵² Bonser became a reference point for acceptance of students at Genoa Indian School, one point in a constellation of developments that recentered localized assimilation policy, a configuration seeming to accept its inability to subdue every type of Indian child, changing its evaluation of what kind of indigenous child might be assimilated at Genoa, and unclear about how separation from family would figure in this new constellation. This was a political grammar in which Bonser’s rage, running away, and refusal to comply could only be read as moral degeneracy, racial inferiority, and inescapable savagery.

³⁵² Letter from Sam B. Davis to Robert R. Manion, 24 Aug. 1922; Folder: Genoa Indian School 1922-1923, Box 4; Series 82: School Correspondence, 1896-1925 (NAID 6595673); Office of Indian Affairs, Rosebud Agency; Record Group 75; National Archives and Records Administration—Kansas City.

Conclusion

Scholars have identified *placemaking* as an important analytical category and material reality in United States history. Kathryn Walkiewicz, in particular, understands placemaking as the process by which certain peoples materially and geographically made a place their own as well as the discourses through which these processes were conditioned, legitimated, and perpetuated. Her work takes seriously the concern that a “Westphalian” account of United States history privileges dominant conceptions of space, political organization, and racial belonging, but interrogates the precise role that these ideas and discursive constructs played in invisibilizing and invalidating what Walkiewicz terms “Black and native spatialities” rather than working towards a simple inclusion of these other spatial conceptions and lived experiences.³⁵³ The discursive is material in this view. Statehood can be understood from this perspective as a process for “producing geopolitics where they didn’t belong.”³⁵⁴ More than an abstracted normative statement about who should or should not belong somewhere (though Walkiewicz to some degree takes this stance as well), her analysis invites deep interrogation about *how belonging happens*.

Chapter One is self-consciously constructed as a history (mostly) from above: an account of legislators’ and politicians’ debates about American political development and spatial expansion, an account of philosophical traditions, laws, courts, and military campaigns that supposedly determined the course of United States dispossession of indigenous peoples across the

³⁵³ Walkiewicz, *Reading Territory*, 23.

³⁵⁴ Walkiewicz, *Reading Territory*, 2.

eastern and western territories. This is the process that Walkiewicz describes as “state-making” that “locates power.”³⁵⁵ Those tellings of this history that stay at the level of surveying and settling, incorporation, Congressional oversight, military strategy, and treaty negotiation – to name just a few aspects – participate in obscuring an even more core process that unfolded behind (or in front of, depending on one’s view) this stage of formal politics: territorial accumulation.³⁵⁶ Chapter One thus attempts to weave an account of indigenous presence, collectivity, conflict, diversity, negotiation, resistance, dispossession, removal and survival into the story where land – or more precisely, *belonging* on land, both at the level of the physical and the imagined – emerges as the core thread. This is the perspective that Walkiewicz describes as “placemaking.”

Crucially, though, it is precisely because state- and placemaking locates power in this particular way that this thesis about Indian boarding schools begins with an entire chapter devoted to land and territorial accumulation. Boarding schools were one of many institutions whose discursive, social, economic and political design obscured the very logic by which they functioned, namely expansion and permanent dispossession of indigenous peoples from their land. Exposing this logic in its particularity, variation, and contradictions is not a given but rather the result of precise historical interrogation. As I have shown, the framework of punitive configurations in Chapter Two enters the picture here as a way to do precisely this. Genealogies of penalty highlight that the twin processes of control over space and categorization and control over races had been long-intertwined in American history. The military founding and rigid and often brutal discipline of Indian boarding schools as well as schools’ direct entanglements with other penal institutions undergirded a system meant to punish the “Indian” out of the student or indigeneity out of

³⁵⁵ Walkiewicz, *Reading Territory*, 7.

³⁵⁶ *Ibid.*

existence. It is precisely this ambiguity on which the boarding school system's program was built. Thus, punishment was never the exclusive purview of the prison or its modern disciplinary logic. American settler colonialism co-constituted and relied on penal institutions for access to and control over space before, through, and after the rise of the prison.³⁵⁷

Patrick Wolfe's focus on indigenous collectivity and permanence becomes a particularly useful way to identify that "shadow narratives" that accompanied discourses and practices of rehabilitation, improvement, benevolence, equality and citizenship. As we have seen, plenty of outright violence, brutality and deprivation occurred not just before but *alongside* the supposedly reformed processes of assimilation. Thus, perhaps unsurprisingly, Wolfe notes that Indian populations hit the lowest levels they ever would even in the 20th century shortly after the passage of the Dawes Act in 1887 and that this was closely tracked by rapid and extensive land acquisition: "In the half-century from 1881, the total acreage held by Indians in the United States fell by two thirds, from just over 155 million acres to just over 52 million."³⁵⁸ Wolfe's crucial analytical intervention is in some ways based on a seemingly simple physical reality, namely that steep demographic decline coincided directly with land-ownership statistics.³⁵⁹ Assimilation was a – not the – key component in what Wolfe simply calls land attenuation, which was in fact a complex socio-political process of cultural, economic, and geographic change, as we have seen. He concludes that:

It is impossible to draw simple either/or lines between culture and biology in cases such as these. Though a child was physically abducted, the eventual outcome is as

³⁵⁷ The configurations of punishment outlined in this thesis do not represent a complete picture of penalty, even in the time period and spatial context reviewed here. The institutions of the "insane" asylum, reform school, and reservation day schools as well as varying ideologies and theories of racialization would be of particular importance in fleshing out the picture of punitive control. Future research could examine these institutions and ideas in their overlaps, linkages, and disconnects from the boarding schools, reservations, jails, prisons, and conceptions of assimilation and reform discussed here.

³⁵⁸ Wolfe, "Settler Colonialism and the Elimination of the Native," 400.

³⁵⁹ Ibid.

much a matter of a social classification as it is of a body count. Nonetheless, the intentional contribution to the demographic destruction of the “relinquishing” group is unequivocal.³⁶⁰

Here the political force of “social kinds” – social deviancy, even – acquires its most sinister implications. A story about state-making focuses on power functioning on and through indigenous individuals on reservations, indeed cultures and peoples oppressed but not extinguished, marginalized but empowered. A story about placemaking exposes processes of territorial accumulation and social and economic individualization, that is, unsuccessful elimination and precarious survival. The former understands place as individual presence. The latter understands place as collective belonging.

It is Fred Bonser’s presence and absence in the archive that ultimately reveals both the failure of the full elimination of indigenous peoples in what is today the United States and the profound precariousness of indigenous survival of American settler colonialism. Bonser disappears from the Genoa Indian School archive in 1922, having escaped and presumably traveled across hundreds of miles of by-then incorporated state territory potentially towards his home reservation, potentially somewhere else. Bonser next shows up in (digitized) public records in 1940, having been located and counted by the federal census in South Dakota.³⁶¹ The census describes Bonser according to some of the very categories required by assimilation’s assessment of “competence”: age, education, marital status, household, occupation, income, and weeks and hours worked. Per the

³⁶⁰ Wolfe, “Settler Colonialism and the Elimination of the Native,” 401.

³⁶¹ “1940 United States Federal Census.” National Archives and Records Administration, 1940. Ancestry.com. Accessed January 8, 2024. <https://www.ancestry.com/search/collections/2442/records/111662244>.

census he is no longer Oglala Sioux, but rather “Indian.” His citizenship is listed as unknown — a blank in the record somewhere between eliminated and assimilated.³⁶²

³⁶² Ibid.

Bibliography

PRIMARY SOURCES

All primary sources were accessed digitally through the Genoa Indian School Digital Reconciliation Project: <https://genoaindianschool.org/about-genoa-indian-boarding-schools>.

Application for Enrollment at Genoa for Fred Bonser, 28 Feb. 1920; Folder: Genoa Indian School 1920-1921, Box 4; Series 82: School Correspondence, 1896-1925 (NAID 6595673); Office of Indian Affairs, Rosebud Agency; Record Group 75; National Archives and Records Administration—Kansas City.

Application for Enrollment at Genoa for Grace William, 1 Sept. 1928; Folder: Genoa 1928; Box 2 Records of the Bureau of Indian Affairs. Department of the Interior. Office Indian Affairs. Rosebud Agency. Yankton Sub-Agency. School Correspondence, 1926-34. Flandreau (1931-1932) - Lawrence (1926-1927); Repository Identifier 7388923; Record Group 75; National Archives and Records Administration—Kansas City.

Application for Enrollment at Genoa for Philomene Sully, 15 Aug. 1927; Folder: Genoa 1927; Box 2; Records of the Bureau of Indian Affairs. Department of the Interior. Office Indian Affairs. Rosebud Agency. Yankton Sub-Agency. School Correspondence, 1926-34. Flandreau (1931-1932) - Lawrence (1926-1927); Repository Identifier 7388923; Record Group 75; National Archives and Records Administration—Kansas City.

Application for Enrollment at Genoa for Saul Birdshead (Armstrong Spotted Horse), 14 Jan. 1918; Folder 5: Genoa Indian School, Box 671: Chilocco Indian School, Genoa Indian School, Hampton Institute, and Haskell; Series 8: Cheyenne and Arapaho Nation Records, 1860-1930; American Indian Archives Collection, Oklahoma Historical Society Research Division.

Application for Enrollment at Genoa for William Drunkard, Jr., 1 Oct. 1919; Folder 5: Genoa Indian School, Box 671: Chilocco Indian School, Genoa Indian School, Hampton Institute, and Haskell; Series 8: Cheyenne and Arapaho Nation Records, 1860-1930; American Indian Archives Collection, Oklahoma Historical Society Research Division.

Letter from Charlie B to Mr. Brennen 6 Oct. unknown year; Folder: Corr with Genoa Indian School 6-30-1915 - 6-15-1917, Box 1150; Series 196: Correspondence with Off-Reservation Indian Schools and Related Records, 10/8/1910 – 1/28/1920 (NAID 1154492); Office of Indian Affairs, Pine Ridge Agency; Record Group 75; National Archives and Records Administration—Kansas City.

Letter from C. L. Scout to Mr. Covey, 26 Jan. 1920; Folder: Genoa Indian School 1920-1921, Box 4; Series 82: School Correspondence, 1896-1925 (NAID 6595673); Office of Indian Affairs, Rosebud Agency; Record Group 75; National Archives and Records Administration—Kansas City.

Letter from Francis Chapman to Henry M. Tidwell, 13 Sept. 1918; Folder: Corr Genoa School 8-29-1017 - 12-11-1919, Box 1150; Series 196: Correspondence with Off-Reservation Indian Schools and Related Records, 10/8/1910 – 1/28/1920 (NAID 1154492); Office of Indian Affairs, Pine Ridge Agency; Record Group 75; National Archives and Records Administration—Kansas City.

Letter from Fred Bonser to Mr. Scott, 27 May 1920; Folder: Genoa Indian School 1920-1921, Box 4; Series 82: School Correspondence, 1896-1925 (NAID 6595673); Office of Indian Affairs, Rosebud Agency; Record Group 75; National Archives and Records Administration—Kansas City.

Letter from Fred Bonser to Sam B. Davis, 3 Dec. 1921; Folder: Genoa Indian School 1920-1921, Box 4; Series 82: School Correspondence, 1896-1925 (NAID 6595673); Office of Indian Affairs, Rosebud Agency; Record Group 75; National Archives and Records Administration—Kansas City.

Letter from H. M. T. to Louisa Star, 5 Sept. 1918; Folder: Corr Genoa School 8-29-1017 - 12-11-1919, Box 1150; Series 196: Correspondence with Off-Reservation Indian Schools and Related Records, 10/8/1910 – 1/28/1920 (NAID 1154492); Office of Indian Affairs, Pine Ridge Agency; Record Group 75; National Archives and Records Administration—Kansas City.

Letter from Sam B. Davis to Claude C. Covey, 20 Feb. 1920; Folder: Genoa Indian School 1920-1921, Box 4; Series 82: School Correspondence, 1896-1925 (NAID 6595673); Office of Indian Affairs, Rosebud Agency; Record Group 75; National Archives and Records Administration—Kansas City.

Letter from Sam B. Davis to F. A. Coe, 22 June 1922; Folder: Genoa Indian School 1922-1923, Box 4; Series 82: School Correspondence, 1896-1925 (NAID 6595673); Office of Indian Affairs, Rosebud Agency; Record Group 75; National Archives and Records Administration—Kansas City.

Letter from Sam B. Davis to J. A. Buntin, 14 Dec. 1921; Folder: Genoa Indian School 1920-1921, Box 4; Series 82: School Correspondence, 1896-1925 (NAID 6595673); Office of Indian Affairs, Rosebud Agency; Record Group 75; National Archives and Records Administration—Kansas City.

Letter from Sam B. Davis to R. E. L. Daniel, 12 May 1927; Folder: Genoa 1927, Box 2; Series 5: School Correspondence, 1926-1934 (NAID 7388923); Office of Indian Affairs, Rosebud Agency, Yankton Sub-Agency; Record Group 75; National Archives and Records Administration—Kansas City.

Letter from Sam B. Davis to R. E. Manion, 20 Oct. 1921; Folder: Genoa Indian School 1920-1921, Box 4; Series 82: School Correspondence, 1896-1925 (NAID 6595673); Office of Indian Affairs, Rosebud Agency; Record Group 75; National Archives and Records Administration—Kansas City.

Letter from unknown Acting Superintendent to Sam B. Davis, 7 June 1920; Folder: Genoa Indian School 1920-1921, Box 4; Series 82: School Correspondence, 1896-1925 (NAID 6595673); Office of Indian Affairs, Rosebud Agency; Record Group 75; National Archives and Records Administration—Kansas City.

Letter from unknown Acting Superintendent to Mr. Davis, 8 Mar. 1920; Folder: Genoa Indian School 1920-1921, Box 4; Series 82: School Correspondence, 1896-1925 (NAID 6595673); Office of Indian Affairs, Rosebud Agency; Record Group 75; National Archives and Records Administration—Kansas City.

Letter from unknown day school inspector to Sam B. Davis, 29 Nov. 1921; Folder: Genoa Indian School 1920-1921, Box 4; Series 82: School Correspondence, 1896-1925 (NAID 6595673); Office of Indian Affairs, Rosebud Agency; Record Group 75; National Archives and Records Administration—Kansas City.

Letter from unknown day school inspector to Sam B. Davis, 21 Oct. 1922; Folder: Genoa Indian School 1922-1923, Box 4; Series 82: School Correspondence, 1896-1925 (NAID 6595673); Office of Indian Affairs, Rosebud Agency; Record Group 75; National Archives and Records Administration—Kansas City.

Letter from unknown day school inspector to Sam B. Davis, 20 Sept. 1922; Folder: Genoa Indian School 1922-1923, Box 4; Series 82: School Correspondence, 1896-1925 (NAID 6595673); Office of Indian Affairs, Rosebud Agency; Record Group 75; National Archives and Records Administration—Kansas City.

Letter from unknown superintendent to Mr. Davis, 24 Nov. 1922; Folder: Genoa Indian School 1922-1923, Box 4; Series 82: School Correspondence, 1896-1925 (NAID 6595673); Office of Indian Affairs, Rosebud Agency; Record Group 75; National Archives and Records Administration—Kansas City.

Letter from Sam B. Davis to unknown Supt. Indian Agency, 11 Apr. 1922; Folder: Genoa Indian School 1922-1923, Box 4; Series 82: School Correspondence, 1896-1925 (NAID 6595673); Office of Indian Affairs, Rosebud Agency; Record Group 75; National Archives and Records Administration—Kansas City.

Letter from unknown superintendent to Mr. Davis, 31 May 1920; Folder: Genoa Indian School 1920-1921, Box 4; Series 82: School Correspondence, 1896-1925 (NAID 6595673); Office of Indian Affairs, Rosebud Agency; Record Group 75; National Archives and Records Administration—Kansas City.

Telegrams between Peairs and Davis, 3 July 1922; Folder: Genoa Indian School 1922-1923, Box 4; Series 82: School Correspondence, 1896-1925 (NIAD 6595673); Office of Indian Affairs, Rosebud Agency; Record Group 75; National Archives and Records Administration—Kansas City.

Returned student form for Thurman Chase, undated; Folder: Correspondence Returned Students, Box 1; Series: Correspondence Files, 1909-1925 (NAID 6036839); Office of Indian Affairs, Omaha Agency; Record Group 75; National Archives and Records Administration—Kansas City.

Student Permanent Record, Albert Jones, 19 Oct. 1932; Folder: 823 Students, Personal File, Box 41; Decimal Correspondence Files, 1919-1975 (NAID 6036849); Bureau of Indian Affairs, Winnebago Agency; Record Group 75; National Archives and Records Administration—Kansas City.

Student Permanent Record, Kenneth Armell, 7 Oct. 1932; Folder: 823 Students, Personal File, Box 41; Decimal Correspondence Files, 1919-1975 (NAID 6036849); Bureau of Indian Affairs, Winnebago Agency; Record Group 75; National Archives and Records Administration—Kansas City.

“1940 United States Federal Census.” National Archives and Records Administration, 1940. Ancestry.com. Accessed January 8, 2024.
<https://www.ancestry.com/search/collections/2442/records/111662244>.

SECONDARY SOURCES

Alexander, Michelle. *The New Jim Crow*. New York: The New Press, 2010.

Benson, Sara M. *The Prison of Democracy: Race, Leavenworth, and the Culture of Law*. 1st ed. University of California Press, 2019.

Bertrand, Romain, and Guillaume Calafat. “Global Microhistory: A Case to Follow.” *Annales. Histoire, Sciences Sociales - English Edition* 73, no. 1 (March 2018): 3–17.

Biolsi, Thomas. “The Birth of the Reservation: Making the Modern Individual among the Lakota.” *American Ethnologist* 22, no. 1 (1995): 28–53.

———. “A Short History of Rosebud Reservation.” In *Deadliest Enemies: Law and the Making of Race Relations on and off Rosebud Reservation*. Berkeley, California: University of California Press (2001): 21.

Cahill, Cathleen D. *Federal Fathers and Mothers: A Social History of the United States Indian Service, 1869-1933*. Chapel Hill: The University of North Carolina Press, 2011.

Center for Digital Research in the Humanities. “Digital Scholarship.” Accessed October 24, 2024, <https://cdrh.unl.edu/digital-scholarship>.

Clow, Richmond Lee. “The Rosebud Sioux: The Federal Government and the Reservation Years 1878-1940,” Ph.D., The University of New Mexico (1977).

Crow, Matthew. "Atlantic North America from Contact to the Late Eighteenth Century." In *The Routledge Handbook of the History of Settler Colonialism*, edited by Edward Cavanagh and Lorenzo Veracini, 95-108, London: Routledge, 2016.

De Vito, Christian G. "History Without Scale: The Micro-Spatial Perspective." *Past & Present* 242, no. Supplement 14 (November 2, 2019): 348–72.

——— "Research Seminar Global History and Global Studies - Punitive Configurations." Seminar at University of Vienna, Universitätsring 1, 1010 Wien, March to June, 2024.

Di Muzio, Tim. "The 'Art' of Colonisation: Capitalising Sovereign Power and the Ongoing Nature of Primitive Accumulation." *New Political Economy* 12, no. 4 (December 2007): 517–39.

Editors of Encyclopaedia Britannica. "Hampton University." *Encyclopedia Britannica*. January 27, 2024. Access December 18, 2024. <https://www.britannica.com/topic/Hampton-University>.

——— "Red River Indian War." *Encyclopedia Britannica*. January 8, 2016. Accessed December 16, 2024. <https://www.britannica.com/event/Red-River-Indian-War>.

Everton, Ann R. "The Changing Face of Wardship." *The Law Teacher* 2 no.1 (1968): 18-26.

Fear-Segal, Jacqueline. *White Man's Club*. Lincoln: University of Nebraska Press, 2007.

Fixico, Donald L. ed. *Treaties with American Indians: An Encyclopedia of Rights, Conflicts, and Sovereignty*. Santa Barbara: ABC-CLIO. 2007. Accessed December 15, 2024.

Foucault, Michele. *Discipline and Punish: The Birth of the Prison*. Vintage Books: New York, 1977.

Frear, Shelley. "The Genoa Indian School: A Mixed Legacy 50 Years of Transformation, Survival, and Hope in a United States Government Indian Boarding School on the Nebraska Plains." PhD., University of Nebraska at Kearney, 2012.

Frymer, Paul. *Building an American Empire: The Era of Territorial and Political Expansion*. Princeton: Princeton University Press, 2017.

Genoa Indian School Digital Reconciliation Project. "About Genoa & Indian Boarding Schools." Accessed October 24, 2024. <https://genoaindianschool.org/about-genoa-indian-boarding-schools>.

Gibson, Mary. "Global Perspectives on the Birth of the Prison." *The American Historical Review* 116, no. 4 (2011): 1040–1063.

Goldstein, Alyosha, ed., *Formations of United States Colonialism*. Duke University Press. 2014.

Heinsen, Johan. "Runaway Heuristics: A Micro-Spatial Study of Immobilizing Chains C. 1790." *Annals of the Fondazione Luigi Einaudi* LVI (2022): 37–60.

Hernández, Kelly Lytle. *City of Inmates: Conquest, Rebellion, and the Rise of Human Caging in Los Angeles, 1771–1965*. Chapel Hill: The University of North Carolina Press, 2017.

Issar, Siddhant. “Theorising ‘Racial/Colonial Primitive Accumulation’: Settler Colonialism, Slavery and Racial Capitalism.” *Race & Class* 63, no. 1 (July 1, 2021): 23–50.

Jacobs, Margaret. *White Mother to a Dark Race: Settler Colonialism, Maternalism, and the Removal of Indigenous Children in the American West and Australia, 1880-1940*. Lincoln: University of Nebraska Press, 2009.

Kramer, Paul A. “Power and Connection: Imperial Histories of the United States in the World.” *The American Historical Review* 116, no. 5 (December 1, 2011): 1348–91.

Landrum, Cynthia Leanne. *The Dakota Sioux Experience at Flandreau and Pipestone Indian Schools*. Lincoln: University of Nebraska Press, 2019.

Lichtenstein, Alex. *Twice the Work of Free Labor: The Political Economy of Convict Labor in the New South*. London and New York: Verso, 1996.

Lomawaima, K. Tsianina. *They Called It Prairie Light: The Story of Chilocco Indian School*. North American Indian Prose Award. Lincoln: University of Nebraska Press, 1994.

Lomawaima, K. Tsianina, and Jeffrey Ostler. “Reconsidering Richard Henry Pratt: Cultural Genocide and Native Liberation in an Era of Racial Oppression.” *Journal of American Indian Education*, no. 1 (2018): 79–100.

Melossi, Dario and Massimo Pavarini. *The Prison and the Factory: Origins of the Penitentiary System*. London: Macmillan, 1981.

Murphy, Michael Warren. “‘No Beggars amongst Them.’” *Humanity & Society* 42, no. 1 (February 2018): 31–44.

O’Quinn, Erin Lynne. “A Practice in Collaboration: Communities, Universities, and the Community-Based Digital Archive.” Ph.D., North Carolina State University, 2022

Pratt, Scott L. “Indigenous Agencies and the Pluralism of Empire.” *Philosophical Topics* 41, no. 2 (2013): 13–30.

Premo, Bianca. *Children of the Father King : Youth, Authority, and Legal Minority in Colonial Lima*. Chapel Hill, NC: The University of North Carolina Press, 2005.

Prucha, Francis Paul. *The Great Father: The United States Government and the American Indians*. Lincoln, Nebraska: University of Nebraska Press, 2014.

Putnam, Lara. "The Transnational and the Text-Searchable: Digitized Sources and the Shadows They Cast." *The American Historical Review* 121, no. 2 (April 2016): 377–402.

Rediker, Markus, Titas Chakraborty, and Matthias van Rossum. *A Global History of Runaways : Workers, Mobility, and Capitalism, 1600–1850*. Oakland, California: University of California Press, 2019.

Saler, Bethel. *The Settlers' Empire: Colonialism and State Formation in America's Old Northwest*. Philadelphia: University of Pennsylvania Press, 2014.

Stoler, Ann Laura. *Along the Archival Grain: Epistemic Anxieties and Colonial Common Sense*. Princeton University Press, 2010.

Stoler, Ann Laura and Carole McGranahan. "Afterword. Disassemblage: Rethinking U.S. Imperial Formations." In *Ethnographies of U.S. Empire* edited by Carole McGranahan and John F. Collins, 477–90. Duke University Press, 2018.

Tanenhaus, David S. and Bernadine Dohrn. *Juvenile Justice in the Making*. New York: Oxford University Press, 2005.

Van Atta, John R. *Securing the West: Politics, Public Lands, and the Fate of the Old Republic, 1785–1850*. Baltimore: Johns Hopkins University Press, 2014.

Walkiewicz, Kathryn. *Reading Territory: Indigenous and Black Freedom, Removal, and the Nineteenth-Century State*. Chapel Hill: The University of North Carolina Press, 2023.

Weber, Benjamin D. *American Purgatory: Prison Imperialism and the Rise of Mass Incarceration*. New York: The New Press, 2023.

Weheliye, Alexander. *Habeas Viscus: Racializing Assemblages, Biopolitics, and Black Feminist Theories of the Human*. Durham and London: Duke University Press, 2014.

Wimmer, Andreas and Nina Glick Schiller. "Methodological Nationalism, the Social Sciences, and the Study of Migration: An Essay in Historical Epistemology." *International Migration Review* 37, no. 3 (September 2003): 576–610.

Wishart, David J. *An Unspeakable Sadness: The Dispossession of the Nebraska Indians*. Lincoln, Nebraska: University of Nebraska Press, 1994

Whalen, Kevin. *Native Students at Work: American Indian Labor and Sherman Institute's Outing Program, 1900-1945*. Seattle: University of Washington Press, 2016.

Whitt, Sarah A. ““An Ordinary Case of Discipline’: Deputizing White Americans and Punishing Indian Men at the Carlisle Indian Industrial School, 1900–1918.” *Western Historical Quarterly* 54, no. 1 (February 1, 2023): 51–70.

Wolfe, Patrick. “Settler Colonialism and the Elimination of the Native.” *Journal of Genocide Research* 8, no. 4 (2006): 387–409.

Woolford, Andrew. *This Benevolent Experiment: Indigenous Boarding Schools, Genocide, and Redress in Canada and the United States*. Lincoln: University of Nebraska Press, 2015.

Wyatt, Jamison. Genoa Digital Project Coordinator, email to author, July 27, 2024.