

Transcription

Allotment Stories: Daniel Heath Justice and Jean M. O'Brien

University of Minnesota Press

<https://share.transistor.fm/s/e3095d3e>

Allotment Stories: Indigenous Land Relations Under Settler Siege

—

Intro:

Daniel Heath Justice: There's so much here that is relevant to people's lives today and, you know, it might be troubling and it might be upsetting and it might be really illuminating, but I think it's important.

Jean O'Brien: These stories resonate, and people have no idea that they are participating in this process.

—

Justice: My name is [Daniel Justice](#). I'm a citizen of the [Cherokee Nation](#) and a professor in critical indigenous studies and English at the [University Of British Columbia](#) on traditional ancestral and unceded territories of the hən̄q̄əmin̄əm̄-speaking Musqueam people.

Brien: Hi, I'm [Jean O'Brien](#). I am a citizen of the [White Earth Ojibwe Nation](#), and I teach in the history department at the [University of Minnesota](#), where I'm also affiliated with American Indian studies, American studies, anthropology and heritage studies and public history. We are located on the traditional homelands of the Dakota people.

Justice: So Jeanie, our book is out.

O'Brien: I know, it's so exciting. Daniel, I was so excited to get back from a trip and rip open a package, and there was my first copy of [Allotment Stories](#). It's beautiful.

Justice: It's really beautiful. I'm glad we have the opportunity to have this conversation, because we actually haven't chatted since the book came out.

O'Brien: I know, it's perfect.

Justice: So what are your first thoughts when you have your book in your hand?

O'Brien: I have to say my first thought is your brilliance in giving great direction to the art department. You had so many good ideas. Sometimes I have a really strong idea about what I want in a cover, and other times I haven't. This one I just didn't know, and you had great ideas and [gave] great direction and [did great] work with the designer.

Justice: Oh the designer was so great. Yeah, I was really pleased. One of the things I really was taken by was, I'm kind of a fussy font person — you know, typefaces — I have very particular ideas.

O'Brien: Garamond.

Justice: Oh Jeanie! Take the knife from my heart. The subtitle is in a slightly different font, and I wasn't too sure about it, and [it] turns out that font actually dates to the allotment period. So the designer really put some careful thought into all of those aspects and so it's very thematically appropriate. So after that I was like, oh I love that font.

O'Brien: Yes, I remember that conversation where we were like, “We're not too sure about this shade of red,” and then the font, and then all that just showed us how absolutely thoughtful the designer was and we were excited all over again.

Justice: Yeah, and you know all the contributors have been really happy with it. And when you actually see the book itself as a material object, it's just so, so striking. I'm really proud of it.

O'Brien: It's beautiful.

Justice: I think as an object of beauty, it's really striking. Then you start opening it up, and you're like, “Oh my gosh. People did such good work.” I've been carrying it around and just kind of flipping through it and rereading chapters. It's such a delight.

O'Brien: I just have to say what an amazing experience it was to work with you on this book. I just treasured every bit of it. Maybe we should talk a little bit about the origin story of this book.

Justice: Absolutely. Yeah, I have to say that working with you has been a high point in my career. I must say, I don't know that I've laughed so much in editorial work as you and I did —

and not laughing at anybody but just like the experience has been joyful. So for folks who don't know, Jeanie and I have known each other for a very long time. The book actually had its origins at a conference — the [Native American and Indigenous Studies Association](#) conference — when it was held at UBC. That's where the book started.

O'Brien: Yeah, I remember getting to the opening reception for this great, big, wonderful, fantastic conference that we all just love — [which] we haven't been able to do for a couple years because of the pandemic — and of course there you were, one of the people who helped put this big monster together. We were just socializing. We just started the usual thing you do — “what are you working on,” “what are you working on” — and we came upon the fact that we were working on our various personal family allotment stories, and we just started gabbing away about how excited we were about our own projects, and how different they were from each other.

Justice: Yeah, that was what really struck me. I was talking about how allotment sent my family away from what's now Oklahoma, and how, to my mind, allotment was at least as hurtful to the Cherokee Nation as the [Trail of Tears](#) was. But you had a very different kind of allotment story.

O'Brien: Yeah, so the White Earth Ojibwe Nation is invented by colonialism in a very different way than the Cherokee Nation exists in the colonial relationship. Ojibwe folks were, in my particular reservation, from disparate bands settled on a particular place that had no prior, concrete, tangible existence. It was established by treaty in 1867, and the idea was to make all Ojibwe people from Minnesota in the area go to White Earth and be planted there. My family was assigned to that reservation but never lived there until allotment came along. They had this classic Ojibwe story in Minnesota where they were just mobile all over Northern Minnesota and various places that were of significance to them. It was allotment that actually drew them to White Earth, and then, of course, they are very quickly dispossessed, and there was a diaspora of sorts that happened after that. But it created a connection to this place that became concrete that hadn't been concrete prior to allotment. So we just got thinking about how different those stories were and wondering, well there must be really, really various stories about allotment — a period that I think, as a historian, is just really — I don't know if it's under-researched, but there's not enough out there in scholarship about the experience. That got us brainstorming.

Justice: And then thinking: we know there would be different experiences in what's called the U.S., certainly different experiences in Canada, where I live and teach. And then worldwide, there would certainly be diverse experiences. How have indigenous peoples grappled with this idea of privatization? The idea just snowballed from there. [We thought] this sounds like a project. Is this a book? This has got to be a book.

O'Brien: I think we decided on the spot over a glass of wine. “We should do this. This should be a project.” We were both [in a time when we had] just finished something and [were] just

embarking on new things, and it was like exactly the right moment to say, “yeah, let’s do this.”

Justice: Yeah, and then I think — did we talk to Jason [Weidemann, senior acquisitions editor at the University of Minnesota Press] at the conference?

O'Brien: I think we did. “We have a project to pitch for you.” Both of us, of course, had worked with Jason before and published monographs with the [University of Minnesota] Press. It seemed to me — it seemed to both of us, I think — like a perfect fit for this kind of volume.

Justice: And I have to say, I've done edited collections before, and I'm really proud of those works, but this one just came together. Certainly there's a lot of work with it. But I think [about] the enthusiasm that people had. We got our call for papers. I think it was a call for proposals first, right?

O'Brien: Yes. There's so many different ways of putting together edited volumes, and same here; I've been involved with some really wonderful edited volumes that I'm very proud of and really love and have been fortunate to work closely with so many wonderful colleagues. But for this one we really talked about it. There's a number of ways to approach this. You can say: Let's get together a list of people who are working on these topics and see if these are the topics I'd like to see covered — or in this case, these are the places that I'd like for us to see a chapter in the book. We did that a little bit, but we decided: Let's open this. Let's see who's out there. Let's draft a call for proposals and send it out into the world and see what [it] brings back using social media, using whatever networks we had. That was really fascinating, I thought, didn't you?

Justice: It was so good. We had so many voices of people that we just wouldn't have known. One thing I'm really proud about is there's a lot of community voices here [in the volume], there are a lot of untenured faculty in here. There are people who aren't in the academy who are doing work out in the world. So it's such a really rich — there are creative writers here. I think it just worked out so beautifully and it became something I didn't envision at the time and is so much better than I had imagined it would have been.

O'Brien: Absolutely. It reflects, I think, in so many ways what many of us have been grappling with for the last several years: How do you think about global indigenous studies? First of all it's global, and you know it centers community and indigenous voices and perspective and experiences, but it's also really interdisciplinary [which is a topic] that you know I'm teaching a grad seminar right now in, and we started with your book, of course.

Justice: Thank you very much.

O'Brien: It's supposed to be a straight-up history class, although it's cross-listed with American Indian studies, but there's only two books that are actually written by people who are trained in history. All the rest are from global science, you name it. So that's kind of how we work, and this book does reflect that, I think.

Justice: Mmm-hmm. It's also multi-genre, and I think that was really important to us, that it's not just about scholarship. It's family stories, like our respective contributions. We've got poems, we've got histories, we've got very reflective pieces that really don't fit a genre [and] that kind of bleed across creative nonfiction, and memoir and scholarship. So I think that, too, is important — that if we're thinking about indigenous responses to privatization, let's get a diversity of approaches and not just a diversity of voices.

O'Brien: We were very fortunate to get — one of our first proposals was from [Leanne \[Betamosake\] Simpson](#) and she gave us two pieces that are in this book. They're brief, but they're so moving and really focus all the issues so well. So we start with her after our introduction. And then the very next pieces — I didn't know [Sarah \[Biscarra-\] Dilley](#). Oh my goodness. She's an artist who you knew. Her chapter on California and her family and embracing art and poetry and — in that piece, itself, it's multi-genre and it's just so captivating for me.

Justice: And in a lot of ways, it's an ideal way to start and introduce readers to the various threads that they're going to encounter as they go. I think the placement of that piece is also really important. There are connecting threads that go through the entire collection.

O'Brien: And then we have pieces on Mexico, on Palestine, on Sápmi land — many, many places, although, of course, as you say in the introduction and probably because of who we are, and we started this project and we shepherded it, it seems kind of heavy U.S./Canada focus. [But] it does reach out. We think of it as certainly not the last word on something, but the opening up of a conversation that will continue.

Justice: Yeah. Absolutely and we haven't talked about this. I vaguely thought: What would volume II look like?

O'Brien: Sign me up.

Justice: Only because there are so many other voices, right? I think that that has been, for me, the biggest struggle with this. We had tried to get a contribution from Australia. We tried to get one from Brazil. We identified the need to have one from Freedmen perspectives in what's currently called Oklahoma. I think there are so many other voices we would love to have as part of this conversation. But of course you know a single volume can't encompass all of that. So I think I would love to see one that takes up other spheres and spaces and other genres and forms.

But I'm really happy with what we have.

O'Brien: I am, too. You know, in addition to the things that didn't come through that we were hoping for, we tried hard. We also wanted to make sure this was done, you know, that we were not — as can happen with edited volumes — waiting and waiting and waiting, so the lag time between [the time when] we're organizing this book and it coming out is too long. So we finally had a moment when we said, "Okay, we've got what we've got." There's more stories to be told but other people can do better. Maybe we'll do our volume II. For me, one of the things that I would like to see represented that didn't end up there is, there are stories out there of indiginous people who chose privatization as a way to try to defend their homelands. We have a little bit of that in [Willy \[William\] Bauer's](#) piece [Stories of American Indian Freedom: The Privatization of American Indian Resources from Allotment to the Present], but I would have liked to have seen a kind of tribally focused chapter on that. If we do do volume II I want to see that, for one thing.

Justice: I think another area we had hoped to get a contribution on was other-than-human peoples, specifically; kind of looking at animal and plant people in relation to privatization. They're so often seen as just resources. But how have indigenous peoples, other-than-human relatives, kind of been either in collaboration or conflict around these ideas of privatization. That was kind of a hard conceptual chapter to find folks with, but I think that would have been something I would have liked to have seen, too.

O'Brien: And you know, with your work, and the work of Leann Simpson and other folks — [Shiri Pasternak](#), who is also in the volume — relationality has become so central to what we're thinking about right now.

Justice: Yeah.

O'Brien: It would have been a great way to actually center that idea, so maybe we should start a list of things for volume II.

Justice: Yeah, sorry I didn't mean to throw that idea out here, but was like, yeah — I can see this. I can hear Jason going, "what?" or maybe "what?" I don't know about the tone on that; it just depends on ... So we've been talking about all the things we wish had been in there, but I've got to say the things that are there, I am so delighted with. I think we have such a good collection. We were talking about the timing thing. We had to get something out, because people also have — especially for the untenured academics here who are going up for tenure — we want to make sure they have a publication so that helps.

O'Brien: Absolutely. We wanted to make sure that we had representation of people in very

different kinds of locations. We both agreed that it's an obligation if you're going to do that to make sure you're going to get things out in good time. I have a story I think I told you about — my first chapter — I think I told you this — that I gave as my conference paper a long, long time ago and [was told] “Oh, we're going to do an edited volume.” It took ten years to come out. It came out I think after I got tenure, so it didn't count.

Justice: Yes.

O'Brien: That felt like something at the time, so I'm always really cognizant of that. So any of you folks out there in early career, if we do volume II, we're committed to getting things out quickly.

Justice: I think the energy of having emergent scholars who are asking very different kinds of questions — and we have a few pieces in here that are like that, that are transformative in the field — I'm really excited that those works are here and that [they] are part of this conversation but are also in the world. The discussion is better as a result.

O'Brien: Absolutely.

Justice: For folks who are listening to this who don't have the book, one thing that I'm also really proud of is we have a glossary of terms.

O'Brien: Yes.

Justice: It actually can help people navigate some of the specialist legal terms, some of the political concepts that just might not be evident. The glossary is kind of collectively authored by our contributors and us. We had the assistance of a colleague of mine here at UBC who is in the [Peter Allard School of Law](#). His name is [Douglas Harris](#), and he was kind enough to give that a review and had some really helpful lawyerly advice, so we were able to incorporate that into the glossary.

O'Brien: Absolutely. That's really critical because, of course, these processes operate at all kinds of levels but certainly at the legal, political level. Precision with that sort of thing is really important. I think it was one of our external reviewers who suggested the glossary, wasn't it?

Justice: I think you're right. Yeah, when the suggestion came to us, it was like, yeah.

O'Brien: It's like, of course, that's a really good idea — especially when you're putting together stories from so many different times and places, that you're like, “What is that again?”

Justice: Yeah.

O'Brien: So our readers can very easily access that. And you know, certainly, there are some concepts that cross many chapters, but some are unique to particular chapters.

Justice: Yeah, like particular land tenure conversations in Aotearoa, New Zealand, and the Maori experience with privatization in a very particular way. The article itself does a good job of talking about that, but it's also helpful to have the glossary just to break that down.

O'Brien: I can remember, too, just in terms of the sheer joy of doing this book, we've both done several books at this point, and authors out there will recognize this: At a certain point when you get to the point of the copy edits, all this stuff to run down, and we're in a time crunch, and then you're doing the page proofs, it's like, oh I am so tired of this. Yeah, I remember you and I having this conversation. One of the things we did really well was share the workload. We both did the page proofs, because we wanted to make sure. I remember having the conversation that I love this book and the mere sensation of fatigue was not there with this book.

Justice: I think part of that also was because we had delightful contributors who — even if they had stuff going on — they were attentive. We didn't get ghosted by anybody, which was nice.

O'Brien: Well, I think we wrote some pretty stern email messages to our authors.

Justice: We did, but they came through, too, right?

O'Brien: True, they absolutely came through.

Justice: People were really responsive to queries. It was good. I have to say, you know, for a book that deals with such traumatic issues, it was a little weird to enjoy the development of it so much. But I think part of it was also, I felt like it was a book — and I still very much feel that — it's a book that matters.

O'Brien: Yes. And it is for sure a book that takes up all kinds of trauma. But I think every single chapter looks to or touches on or reverberates with ideas around resurgence that are so important to indigenous peoples everywhere — always and everywhere, but certainly it's foregrounded right now in really profound ways. We were looking at these chapters piecemeal all the time and then deciding on how to organize them and all those kinds of things, so I guess once we got to the page proofs that was the first time we really sat down and carefully read it all the way through in its final form. So maybe that's part of it too. And it hung together for us.

Justice: Yeah, and the organization, that was actually your brainstorming, was how to organize

it. But it took us a little while to get there.

O'Brien: We talked a lot about how to organize it. We didn't want to do some boring historical thing where you just do some kind of chronological thing or do something about regions or parts of the world or certainly not nation-states. So [we were] figuring out: So what are the themes here? How can we break it down into chunks that kind of hang together. [That] was quite a process. I think you said, "I don't know what to do about this." I said, "I'll do it."

Justice: And you had it there. I was like, "Oh thank god, Jeanie," because I was not going to get there.

O'Brien: I think it speaks to how we worked together. I mean one of the things that can be really complicated if you're co- anything with somebody is, how do you balance the work such that whoever's involved feels like they're participating in something collectively as opposed to maybe carrying the burden too much, or [thinking], "Where are they?" I think we just figured that out really well. And while you're just such a delight to work with — as you said, we laughed a lot; we had fun — thank goodness for Zoom. We did most of this over Zoom and it was just really great.

Justice: It was, and you know it also felt like we were being held up by the project in some ways, because if things were really intense for me, they weren't quite as intense for you. It was almost like the cosmos knew. And when things were really busy for you, I had some time I could just kind of attend to it, so we were able to each hold the other up and take on stuff, so it felt very collaborative at every level. It's hard sometimes to feel like you're on the same page all the time with everything that's going on. But I always felt really like we saw each other in the process, and that made a difference.

O'Brien: Yeah, I go back to the story of the cover, which I had no ideas for at all, and you were full of ideas. I couldn't figure out how to get a Pinterest page, remember?

Justice: That's right, that's right! Yeah, but I think on that point, too, and it goes back to some of the things we've talked about — I had ideas. This is better than any of those ideas I had. At the end of the day, you have all these ideas, [and] you give it over to the designer and hope.

O'Brien: Do you want to talk about your chapter a little bit? Should we talk about each other's chapters?

Justice: Yeah, yeah, absolutely. My chapter was kind of a weird one. I've been wanting to write this story for a while. I'm a Cherokee Nation citizen through my dad, and we've got deep, deep roots in the nation, but through my mom's family, I'm a descendant of white people who tried to

get [Chickasaw](#) land during the allotment period. I wanted to write that story and kind of put them parallel with one another. My dad wasn't raised in Oklahoma; he was raised in Colorado. My grandmother was the last member of our family to be born in the reservation boundaries. He grew up estranged from his mother's family, because she died when he was 14, so he was a phenotypically Native person who was raised not really knowing much about that. He had the kinship but not the stories, whereas my mom's dad had this entirely imagined story of Native heritage. He took up beading. He had stories but no kinship. That parallel was something I wanted to look at. And also, I was writing it around the time when there was a renewed pushback from Cherokee citizens on Elizabeth Warren's claims to Cherokee Heritage. I've always — well I haven't always — but for a long time, I've been thinking that so many of these family stories of kind of vague Cherokee heritage or vague Native heritage really do come from the time of allotment. Falsified stories were rampant, but then they became kind of embedded in families' cultural lineages, so a lot of people who have no Native heritage sincerely believe they do because it was constructed in order to get hold of Native land. My essay is really kind of tracking that through and looking at the ways that these constructed stories displace and sometimes overlay genuine kinship for other people and what the consequences are for our nations, for that, and also how it's different for different communities and how communities like Freedmen are displaced in a lot of those stories as well. And so trying to weave those threads together was the purpose of my essay. I'm pretty pleased with it. I'm curious to see how people are going to respond, because anytime you take up people's stories that aren't supported by any evidence, there can be some painful pushback, but we have to talk about it.

O'Brien: I think that's one of the things that's so important about this volume. You have this really important family story, and it's wrought with all kinds of things. It also just kind of helps illuminate the complexity of the whole process of land privatization, that it is experienced at the familial and the individual level as well as at the tribal and national level, and it brings outsiders in. By definition, that's what it's trying to do. That brings its complexities with it, as well. I think your story shows that, and as you say, the tie to claimant such as [with] Elizabeth Warren, it gives a kind of insight into this one way that those kinds of stories can percolate up and take hold. I think Elizabeth Warren really believed that story for the longest time and probably still does a little bit somehow.

Justice: I actually think she probably does. I mean she was called to account by a group of Cherokee citizens — I was part of that initiative — and has never acknowledged that the story is false. [She's apologized for the DNA stuff](#), but she's never actually acknowledged that there is no evidence to support that story. I think she does believe it. I think that's also the point with all these allotment stories is that there are consequences that aren't just about the immediate moment, but there are consequences that communities and families are still dealing with, and they're wide reaching and they're wide ranging. That's your chapter, too, right?

O'Brien: Yes, where you end up in diaspora because of the process. My family ends up going to reservations as a result. One of the reasons I wrote my chapter the way I did is [that] while my mother grew up on the reservation at White Earth and only went away to go to college and ended up getting married and settling away, my grandmother kept her place on the reservation until she passed in the 80s. Her husband passed a couple decades before that, and at that point, she moved in with us down in southern Minnesota when I was about seven years old and lived with us. I grew up with my grandma in my house. At the same time she kept her house on the reservation and would go back in the summers with one of us helping her out, because she had some issues with mobility and so forth. When she was with us — and she was so funny and delightful and just a bad girl in all the best ways: “Take my purse. Go across the street and get some fudge.” — that sort of thing. One of the ways she passed her time — she had mobility issues — so she was, lots of times, just sitting in the living room, reading and scribbling away. It wasn't until much later I realized what she was scribbling about was her memories of growing up on the reservation and family stories and all of these things that were sometimes just lists of names, other times kind of extensive memories of her dad and her brother going to work in the lumber industry, which lots of Native folks did. Her dad was non Native but her brother [was of Native heritage]. So all these stories came together and I'd always wanted to do something with them, and at that point I think I'd gotten to the point where I had transcribed all of them. There's like eight or ten little notebooks, and it's maybe two hundred pages. I was able to use her writings — complemented with other kinds of work — historical, archival things and secondary literature — to talk about the experience of her family coming to the reservation, which they did for allotments, and how they were always leaving and coming back and leaving and coming back until finally, they lost — well not “finally” — they lost all their land really quickly, like most people but stayed. They move to the metropolis of Mahanomen, Minnesota, which has always been I think twelve hundred people and still is. So that was the big urban center on the reservation, and that was her beloved Mahanomen where we always used to go to visit her. I was able to tell: What does this look like? One of the things that happens in my family is her siblings, many of her siblings — this is the reservation story — died in infancy or really young, but those who lived to adulthood, they are part of the building [of] the urban [Native] community of Minneapolis upon being dispossessed as adults. Then finally her parents made the move, so at the end, she was the last one left on the reservation until she passed. So I was able to tell the story. She had a lot of colorful characters in the family which was fun to be able to write about.

Justice: Yeah, I think that's going to be something for readers, is just to really get a sense of [the fact that] there's a lot of joy in these stories, and there's a lot of pain about the losses, but you really get a sense of the human beings who are grappling with the consequences of these things and sometimes who are thriving for a while but who also are seeing things on the horizon, the constancy of the assault on Indigenous lands, and how folks are trying to navigate that by whatever means necessary. But the family stories I think are often the ones that really click for me, because you actually get a sense of the human beings there.

O'Brien: Yeah, I absolutely love that part of the volume. That goes across so many of the different selections. It's one of the things I reflected on when I was writing: By everything I can figure out about that time in my grandma's life is [that] they were dirt poor. Once they lost their land, they didn't own anything. They rented. They moved around. My great-grandfather did all kinds of different things just to put food on the table, I guess, and yet the overwhelming sense in her writings is joy, like you just said. At least her memory of those times was one of just delight and wonder, which is so very interesting, and also [it is] interesting from the perspective that mostly she was reflecting not on her life as a mother but really looking back at those times on the reservation. It's something that's fascinating and I wish I would have asked her about when she was alive.

Justice: I lost my mom in November. Those are the questions. You don't necessarily know which questions you needed to ask until you can't ask them anymore.

O'Brien: Exactly.

Justice: I think a lot of our contributors actually reach to that, right? They're doing the family work, and they're like, oh my gosh, I wish I had known some of this. Then you really start to think, well the reason we don't know some of this is also one of those consequences of allotment and privatization.

O'Brien: Yep.

Justice: There are so many things I love about the collection. We talked a little bit about it before, but I think that global reach is really exciting and went in directions I didn't expect. We have two Sami contributions, not just one. Oftentimes you get just one. So we have two different perspectives on privatization in Samiland. You mentioned our contribution that's dealing with Palestine. We've got work on Guam; Aotearoa, New Zealand; lots in Canada and the U.S.; Hawaii — which I don't put in the U.S. — yeah, just such a good range of —

O'Brien: And Alaska.

Justice: And Alaska. Yeah, absolutely, yeah.

O'Brien: We have one that's Hawaii and Alaska, and one that's just Alaska.

Justice: That's true. And Mexico.

O'Brien: Yep. [And] Palestine.

Justice: I think for folks to see that these are these are global struggles, and in a lot of ways the [General Allotment Act](#) of the U.S. sets a template.

O'Brien: I think it probably over-determines how folks in global Indigenous studies think about dispossession of this sort because it was a policy that was meant to apply all over what was defined as the U.S. at that time, and it did affect 118 reservations, I think it is. It's a massive, massive impact and massive dispossession. Some of the other processes are not so much part of the holistic policy or policy era so much as a piecemeal or they just unfolded in different ways.

Justice: Another thing for us that we had talked about was we also wanted a volume that could be useful in responses to contemporary privatization initiatives. I think this volume does that. It's [a] cautionary tale in some ways — you know, cautionary not just for Indigenous communities, but for the privatization advocates to say, “Hey, you might think you're going to solve the so-called Indian problem, but folks are still around. Folks are still working to get their lands back. Folks are still pushing back. These ill-conceived policies only cause harm ultimately.” I appreciate the fact that the writers all engage that. Of course it's going to be different for each context, but I think it's also good for our current moment, because here in Canada, certainly, we've got a renewed push for privatization and [it's] the exact same rhetoric as in the nineteenth century. There is never a bad policy that hasn't been zombified and unearthed to wreak havoc on us again

O'Brien: Yeah, I'm thinking about Shiri Pasternak's chapter, “Why Does a Hat Need So Much Land?” I'm thinking also about J. Kēhaulani Kauanui's chapter on Hawaii, where she's going back to the nineteenth century and showing, here is that history of land privatization by the monarchy. And then let's talk about Mark Zuckerberg trying to monopolize all of northern Kauai and what that looks like in the context of private colonialism. So many of these chapters are contemporary. Or [Ruby Murray](#)'s chapter on Osage and the resurgence of bison there. So many interesting things.

Justice: Our afterword is from [Stacy Leeds](#), former Supreme Court justice on the Cherokee Nation Supreme Court and a legal scholar, who puts it in the context of the [McGirt decision](#) and the acknowledgement of reservation boundaries in Northeast Oklahoma. The timeliness is really clear. It's not just a book about people's families. It's not just a book about history. It's a book about now, and it's also a book about the future.

O'Brien: One of the things about putting this together — we had the open call for proposals and then we looked and saw what we had, and then we thought, “What else could be here?” We called some of our friends. Stacy is that example. You know her, and when this all came together and McGirt had just happened, I think, when we were at that stage, you said, “What do you think

if I asked Stacy?” And I said, “Are you kidding me? You know her?” I mean, I love her work! She’s amazing. And so, it’s great to have that perspective. And really, McGirt is all about this — all of this history precipitates the need for McGirt to get heard and decided and, at least for now, this incredible victory for the Cherokee Nation. Well, for the Muskogee Creek, initially, but the Five Nations. Now that’s getting extended out. I think there’s been a case already where they used McGirt, so it’s going to be interesting to see how that unfolds. It’s all part of this. It’s not over. But like anything is ever over.

Justice: I think more than most topics, this is one when people read it, they will be like, oh my god, how have we not been talking more about this? I think privatization has such immediacy for people. I own my house on unceded territory. We’re woven into these relationships of power and property. On our title, attached to our title, is a defunct rider that said no one who was not of the caucasian race could live here.

O’Brien: You had a racial covenant in yours.

Justice: We did, and it travels with the title of the house, so as long as this house gets sold — and of course it’s no longer valid, but it was put in place when my dad was a teenager.

O’Brien: There is this big [“Mapping Prejudice”](#) project here at the University of Minnesota that’s looking at racial covenants in Minneapolis. There’s now a process where you can get them taken out when you transfer property. I think just in general, you can get them taken out.

Justice: Oh, that’s interesting.

O’Brien: I can remember being at a — my husband is from Rhode Island — being at a family reunion many years ago and we were talking to a spouse of a cousin, and she said, “Oh, you’re from Minnesota? My family had a cabin up at ...” and then she named a place on White Earth and I’m like, “Oh my god. She has no idea what she’s talking about. That’s our land!” And then this story kept unfolding and it turned out that, “Oh, and then there had been a store that had gone out of business, and we went and bought some of the cabinets,” and it was my grandfather’s little clothing store. So these stories resonate, and people have no idea that they are participating in this process that is ongoing.

Justice: I hope when they read these, they actually think about that, so when they read Keholani's piece like and they're planning their trip to Hawaii maybe this makes them think a little bit about what that means to be part of that tourist economy and what it means to be supporting Zuckerberg's assault on Hawaiian sovereignty. I think there's so much here that is relevant to people's lives today, and it might be troubling and it might be upsetting and it might be really illuminating, but I think it's important.

O'Brien: Absolutely. Here we have all these stories of dispossession — and in some cases, repossession and restoring and all kinds of things — but you and I, for example, who have been dispossessed and been away, it's still our home. You feel it in your heart, and you still go back and connect. I think non-Native people think they have a sense of it, but it's different. It's layered in very different kinds of ways.

Justice: Yeah, and those layers and complexities I think really do come through here. None of these are simplistic stories at all. They're all very nuanced. There's a lot of ambivalence in a lot of these as well. What is gained under contexts of significant loss? I think [Sheryl Lightfoot's](#) piece really points to that — a family that's asked to return their allotments to the tribe, and how that's actually a really painful thing to consider when it's been held onto so carefully and so tightly and so desperately. Do we give this up now? What happens to it?

O'Brien: And also, the chapter just before this is so incredible — [Nick Estes's](#) chapter on his grandfather, who talks about the world of paper fracturing families. He ends with the [Cobell Land Buy-Back Project](#) without really taking it up, and then Sheryl's [Lightfoot] chapter very tangibly takes it up as a “kitchen table” issue — what are we going to do with the land? Some of those allotments from her family were getting pennies a month. It's not the financial return at all that is at issue here. These are people not living there anymore, because it's not practical, or whatever reasons. How deep these relationships to the land are, even if you're not right there.

Justice: Even in that piece, she said some families said “yes,” and some families said “no,” and they all had good reasons for their decisions. That's something I'm very happy about with this volume, is just how careful and complicated these pieces are. It's not a story of easy heroes and easy villains. There are villains, no doubt. But even some of them are quite complicated.

O'Brien: We tried to keep the villains mostly in introductory kinds of setups.

Justice: Exactly.

O'Brien: The people, themselves, do that as well. It's more about, “well what do we do about this thing?” I think about [Joseph Pierce's](#) amazing chapter: His dad being adopted out and his reconnection to Cherokee. It's just a beautiful chapter to read.

Justice: I'm really excited for people to read this. I'm excited for academics to read it, but I'm really excited for folks in the community to be reading these, too. We've had some opportunities that I think are coming up where they're actually going to be talking about these in various community contexts, and people will be sharing their own allotment stories. The benefit of a project like this — one of the benefits — is that it helps open up more stories so we're having

more of these conversations openly and actually talking about the differences and the distinctions and the complications. You have three main chapters from Cherokee Nation writers and all very different experiences with allotments. I think that's part of the joy of it.

O'Brien: Absolutely. I remember my grandmother sitting around and complaining about these people who stole the lands, in our living room. We would get on the topic and she would name the names. Absolutely awesome. And she does a little bit of that in her writing, but not compared to how much I heard her talk about it. Some of the textbooks you read about allotment, it's all like "160 acres goes to the head of the family." It's all about patriarchy. It goes to the men, and that wasn't how it worked on White Earth. Everybody got a slice — women, girls, men. That's always gotten me to think we really need more detailed stories about how this policy really hit. We have some great accounts of the policies, but there's a lot more nuance we could add, which I think our book does a little bit. I hope we'll do more.

Justice: I do, too, and I'm excited for readers to engage it. I hope we see a lot more allotment stories coming into the world — whether it's a volume II from us, or other people's work. I'm glad it's a conversation that's really expanding and developing. I'm really glad that we're a part of that and that we are joined with this great community of writers and thinkers on that journey.

O'Brien: It's been such a pleasure, Daniel.

Justice: I'm going to miss our regular Zoom calls. But again, we might have another reason to be doing that.

O'Brien: We were joking around one of the last times we were on Zoom about, well what's going to be our next project? Maybe it's volume II.

Justice: The sequel.

O'Brien: Yes, the sequel.

Justice: Well it has been a real delight, and one of the highlights of my career has been working with you on this. So thank you, Jeanie.

O'Brien: Likewise in so many ways. Thank you, Daniel.

[Allotment Stories: Indigenous Land Relations Under Settler Siege](#)