Native Nations: From Ancient Cities to Today

Tuesday, November 4, 2025

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[0:00:04.5] Lexi Simms: Welcome to Live at the National Constitution Center, the podcast sharing live constitutional conversations and debates hosted by the Center in person and online. I'm Lexi Sims. In celebration of Native American Heritage Month, this episode features a conversation with award winning historian, Kathleen DuVal, about her new book, 'Native Nations: A Millennium in North America.' The book traces a thousand years of Native history, from the rise of ancient cities and the arrival of Europeans, to today's ongoing fights for sovereignty. Thomas Donnelly, chief scholar of the National Constitution Center moderates. This program was streamed live on November 4, 2025. Here's Tom to get the conversation started.

[0:00:45.3] Thomas Donnelly: Thank you so much for joining us today, Professor Kathleen DuVal.

[0:00:49.8] Kathleen DuVal: It's my great pleasure. Thank you so much for having me.

[0:00:52.4] Thomas Donnelly: And this book has been such a topic of conversation in my house. It's so powerful, so beautiful. I have a very curious 8-year-old son who's studying Native American history himself. And maybe just start with maybe the... I don't know if it's the simplest question... how did you choose to write this book?

[0:01:13.4] Kathleen DuVal: Well, I've worked on early American history my whole career, and Native American history is a central, maybe the central part of that. I've always been interested in the interactions among different European groups, different European groups... I'm sorry, different European groups, different African groups and different Native groups. And I teach a class on Native North America. And it starts long, long ago, many, many millennia ago, and goes to the present. And one of the things I've come to love about that class is that every student who takes it, ends up realizing that Native Americans have not only been here a long time, they've been in diverse sovereign polities, for much longer than Europeans, and Africans, and Asians have been here, and that they're still here today. That they're still here not only as Native Americans, individually, but as Native Nations. And I just wanted to give readers a little taste of that big truth, that long, long history. And you talk about kids learning Native history, and I think.... I have a teenager and a 21 year old, and I've been watching them through various levels of school. And I think early on, we tend to teach kids a very sort of generic, static sort of... in the past version of Native history. And they learn about how Native Americans used to do things, and used to build fires, and things like that.

[0:02:50.1] Kathleen DuVal: And then as they get older, into high school, and into adulthood, maybe they learn about Indian removal, and the residential schools, and the real traumatic tragedies of Native history. And that's not enough. Like, those two things, that's such a tiny tidbit of the huge complexity that is Native history, I'd say especially... I mean, the second part, the tragic part, is super important. And of course, we should all know that; the first part, the build things, fire... That way, then maybe we could get rid of that completely. But there's so much more. And I think I wanted to give readers just a little bit of that.

[0:03:24.8] Thomas Donnelly: Absolutely. And I mean, maybe talk a little bit about your choice of title here, and significance of labeling the topic, Native Nations, as opposed to some other descriptor.

[0:03:37.1] Kathleen DuVal: Yeah, yeah. I really wanted, nation, to be at the center of this. And I want readers to realize that... In some ways, polity, might be the better word, but it's not a word that people use every day. And so I think, nation, is.... well, nation, is what I chose because I think it fits better for a reader's understanding. But basically, the idea is that Native peoples have been in polities, their own polities, whether it was on the town level, the clan level, or the, what we would call, the nation level, forever. And they still are today. Today, Native Nations in North America, are under the sovereignties of either the United States, Canada, or Mexico, but they still retain some sovereignty, especially within the United States. And yeah, so this is not, nation, through the whole period, in terms what you might think of 19th century high nationalism. It's... I used an earlier definition, the European word, obviously. But when European explorers first came to North America, they used the word, nation, because what they saw were self-governing polities. In the definition of nation at the time, the medieval and early modern definition of nation, is a people and their territory. And I think it's so important that that's... That's what Native Americans were. It's a 19th century, sort of, white American myth, that Native people were just wandering across the land, hunter gatherers. They didn't really own things. They absolutely did. And they governed themselves. And they still do, within the more than 600 federally and state recognized tribes, just within the United States.

[0:05:19.1] Thomas Donnelly: Excellent. And you've already gestured towards this a little bit, but maybe say a little bit more about... if you were to summarize the conventional wisdom of how we usually teach Native American history, maybe talk a little bit about that, and some of the myths or misunderstandings that you're trying to correct for with the book.

[0:05:40.7] Kathleen DuVal: Yeah. I think there's an older myth that was much more terrible, which was that Native Americans were, sort of... vocabulary word, savage, and just impediments to the progress that Europeans made once they got here. And I think, by and large, most Americans... most Americans, and maybe it's coming back... but most Americans have put that off to the side. And that is no longer the way most non-Native people see Native history. But it's been substituted, I think, for many, many non-Native people with, a sort of... I would say, two pieces of it. This goes back to, I think, what we were talking about with education. A kind of static, generic, in community with nature, sort of view of Native people, and then knowing just a few specific things about history, which might be the Trail of Tears or something like that. And I completely sympathize with K-12 teachers. They have so many things they have to do for our children. But I hope, maybe this book can give them some substitutes. I know with little children, you don't want to teach about the tragedies. With older children, you do want to make sure that's part of what they learn about Native history. But I hope that without burdening the curriculum too much, there are a few more things they could add on, including about learning about the continuing sovereignty of Native Nations, either in the region that they live in, or who used to live in, but were removed, perhaps, but still exist somewhere else in the United States, people who did live in that region.

[0:07:23.3] Thomas Donnelly: And you have this great quote in your book from Shawnee Tribe Chief, Benjamin J. Barnes, who urged scholars to, "work with, not on, Indigenous communities." And before we dig into some of the specific stories you tell, love to hear more about your approach to the topic, how you took that, and you seem to take that advice and run with it. And there's a lot of integration of both, older history, and then contemporary voices, even within certain historical chapters. And I'm curious, how you went about gathering those stories, and why you chose to weave them together that way?

[0:08:01.2] Kathleen DuVal: Yeah. That's exactly right, Thomas, that's what I really try to do in this book. Even if it's a chapter that takes place, mostly, 700 years ago, say, I wanted there to be contemporary voices of the Native Nation or Nations that I'm talking about, telling about how they interpret that history, and how that history still matters today. And so, I think this is... I'm pretty deep into my career. This is not a book I could have written as my first book. But it builds on relationships of people who've shared their knowledge with me, and their expertise with me, over the years. So it really began with scholars within the Quapaw Nation. Quapaw Nation is now in what's... Northeastern Oklahoma. And my first book... Quapaw history was part of my first book. And it was only after writing that first book, that I deeply got to know many people within the Quapaw Nation who are working on history, and language, pottery, all kinds of things. And it was really in just learning from them, and talking to them, I started thinking about the connections between today and in that case the 18th century. And when I started thinking about writing this book, I thought, I won't have the time to create the depth of those relationships that I have with the Quapaw Nation.

[0:09:24.3] Kathleen DuVal: But I want, in every chapter, to reflect Native knowledge today, of that specific people, and make a point about their continuing presence, and sovereignty, and work. And so, in every chapter, I think of myself as a guide. I know a lot, and I can lead the reader through a lot, but I don't know things in a way that scholars within a tribe know them. And so, I say, Reader, come along with me. We're going to look at some documents together. We're going to, maybe, go to a site and talk about some archeology. But we're also going to learn some oral history, and the kinds of work and scholarship that's going on within tribes today. And as you said, voices, contemporary voices.

[0:10:14.9] Thomas Donnelly: I am so tempted to go right to the Quapaw, because that is actually my favorite chapter of the book. I mean, the way they so creatively leveraged power, despite small numbers. But we'll get to them, hopefully in a little bit. But first, let's go back even further than that, to over a thousand years ago. You begin your story with these cosmopolitan cities of sort, being created with the Native Nations. You know, places like Cahokia, Moundville, the cities of the Hohokam. Maybe, let's start with Cahokia, and maybe describe for us what it looked like, how it rose? Give us a sense of Cahokia, as an early manifestation of a Native Nation.

[0:11:05.1] Kathleen DuVal: Yeah. So as we were talking about... like, one of the things I wanted to do in this book, was not only start before Europeans got here, but not have this, like, potentially seen as static view of North America. And then Europeans arrive and things starts changing. I wanted to sit in those centuries, the couple centuries right before Europeans arrive, and show change over time in those centuries as well. And so yeah, it turns out that about a millennium ago, there began to rise in North America... Certain parts of North America, particularly the Southeast and the Southwest... cosmopolitan, as you say, urbanized civilizations. And the reason that they could, people could build cities, was the spread of large-scale corn agriculture. So people have been farming corn for centuries before that in North America. But there was a certain kind of climate change around a thousand years ago, climatologists call it the Medieval Warm Period. And it's a time when it was just warmer, and the growing season was longer, and weather, for whatever reason, was a little more predictable. And it was great for large scale farming. There were changes that were happening at the same time in other parts of the world because of the climate change, including in Western Europe, more and more large scale farming in Western Europe.

[0:12:34.6] Kathleen DuVal: But around here, basically in what's now the United States, and probably northern Mexico, there's a big change in how people live. And in some places, they take that opportunity of large-scale agriculture, to build cities. And one of the very biggest of them, perhaps the biggest, is the city and surrounding satellite states of Cahokia. The main city of Cahokia

was in, what's now, southern Illinois. You can go visit it now. It's a national park, state park. Anyway, it's an archaeological park you can visit today. And still today, so many centuries later, it has a central mound that is 10 stories tall. And the mound would have been a place, a pyramid, on which things would have been built. So now, it just looks like a giant weird hill, but it was a platform on which there were temples, and palaces and such, and then a huge plaza in front. And then there's satellite cities, so including in where St. Louis is now, and other places around the region.

[0:13:44.5] Kathleen DuVal: And at its height, the main city of Cahokia had more than 10,000 people living within it, which puts it on the same scale as many Western European cities at the time. Its plaza was the size of 30 football fields. And it was ruled by a hierarchical elite who inherited their position, and combined political and religious power. So the religious leaders who rule Cahokia. And the other Mississippian cities, so cities that were similar to Cahokia, built on similar ideals, around the Mississippi Valley, both sides of the Mississippi river, seem similarly to have developed. Though, there's certainly some diversity in exactly how they worked. And then there are parallel civilizations in the Southwest. I particularly write about the Hohokam, as you say, in what's now Arizona and Sonora, but also the Chaco Canyon, and other places all around parts of the Southwest.

[0:14:56.1] Thomas Donnelly: Excellent. And so, you also then tell... As you said, you're trying to also tell a story of change across this period. And there's a certain time in which you have these large, I think from probably, as you suggested, the perspective of European explorers when they see the ruins, a sense of great civilization in North America at the time. But then there's a decision, a conscious decision, to move away from them, and develop different sorts of communities. Can you talk a little bit about that decision? What was driving it, and what kind of communities succeed Cahokia, and some of these other large cosmopolitan cities?

[0:15:42.6] Kathleen DuVal: Yeah. So the climate begins to change. The planet will slip into, what climatologists call, “The Little Ice Age.” And there's a period of uncertain weather even between... Before that starts in the 1200s. Floods, and drought, and all kinds of... It's all over the world. So it causes huge changes in Asia, and Europe, and many other places. But basically, it's a crisis. And wherever... All the different places, people have to deal with it as a crisis, where if you have built a large urban civilization, maybe pushing the limits of your population, your ability to feed that many people already. And then the weather gets worse, and the growing season shortens, there are droughts and floods. There's a crisis. And it seems that among the leaders of the Mississippians, and also the Southwestern, sort of, urban civilizations, these were people who had claimed power over religion as well as politics. And so when people started going hungry, when the crops failed, people blamed their leaders. And it's not a decision people made in one day. It must have been a time of terrible crisis. Certainly, there was a lot of famine and death. But over time... And this is what both the archeology, and a striking number of unrelated oral histories tell, people left the old urban way of living and spread out. Spread out into smaller towns, farms along the riverways of the Southwest and the Southeast, other parts of the continent, and developed economies designed not to have those problems again.

[0:17:30.4] Kathleen DuVal: So people continue to farm, absolutely. So corn agriculture, squash, beans, those continued to be an essential part of most native societies. But they hunted more than their ancestors had hunted. If they lived in a place where they could fish, they fished more than their ancestors had. They gathered more than their ancestors had. And it seems that they also traded more than their ancestors had. And you see all of this as diversifying their economy. As, Okay, there may be years when the corn fails, or it doesn't produce as much as we hope. But ideally, we'll also have these other ways of feeding ourselves, including reciprocal trading networks with people who maybe their crops did better that year. And they also develop more democratic ways of governing

themselves. And so, what we see in the oral history that describes this change, and also in the political systems that come later, that most Native Nations have adopted by the 1500s, 1600s, a... political systems that encourage balance and checks on different kinds of power, to try to prevent the rise of this, kind of, old leader, hierarchical, inherited leader, that it seems that many peoples blamed for the crisis, or for not dealing well with the environmental crisis.

[0:18:58.3] Thomas Donnelly: Excellent. So let's fast forward ahead a bit. And I think, one of the great themes of your book, and one of the main contributions is, I take it to be, to tell the story of how Native Nations, they lost their power not at a single moment at first European contact, but that this was a process that took a long time, at different speeds in different places, based on local circumstances. And I want to dig into a lot of that in some of the beautiful detail you provide. But maybe just first, give us a sense of the early relationship between Native Nations and the earliest European explorers that they're coming into contact with. If you were to generalize, what would that look like? Or how would you describe it?

[0:19:55.1] Kathleen DuVal: Yeah. So Europeans don't come in large numbers, or with a lot of power from the beginning. So we sometimes think of them as coming with very effective weapons, and sometimes disease affects people, and there's enslavement. And so there are some places where when Europeans get there pretty quickly, they start either overpowering the local Native population, or the local Native population clears out and moves away from the coast and moves inland, maybe to lands they already had, or maybe in some cases, takes refuge with a stronger people who's inland. But if we think about the continent as a whole, it is a long, long time before those processes get inland. And so one of the things I like to say, sort of a rough generalization, is that in 1750, Native Americans still have most of the population of North America. And in 1850, Native Americans still have most of the land, they still control most of the land in North America. It really isn't until after the American Civil War, that the United States establishes power and control over most of the continent.

[0:21:03.9] Thomas Donnelly: And from... In these instances of initial contact between the Europeans and some of the different Native Nations, how would you describe the Native Nation perspective as they're meeting these new groups of people from different countries in Europe? If you were to generalize about what they thought of this first contact, and their perspective on the Europeans, initially, how would you describe it?

[0:21:29.3] Kathleen DuVal: Yeah. So Native Nations, they're cosmopolitan already in 1492. They have foreign relations with other Native Nations. They have trade with other Native Nations, and they've had for forever. And so when they met someone new, they might not understand the language of that group. They might not know what they have or what they want, but they're not entirely alien to them. The process of getting to know a new people, and how they might be useful or dangerous, that's not new. And so they come to understand Europeans, try to understand Europeans in the same kinds of terms that they've tried to understand peoples in the past. So they don't see Europeans as entirely alien. They understand... They begin to understand the differences between different kinds of Europeans. The French are often fighting the English, or the Spanish are fighting everybody for a little while. And they can take advantage of that. They are as interested philosophically in Europeans, as Europeans are in the new places that they're going to. And often, the first relationships are relationships of trade. And that's what Europeans generally want early on, and that's what Native Nations generally want early on.

[0:22:46.8] Kathleen DuVal: So in some cases, we have decades, centuries even, of trading relationships between one or more European groups, and one or more native groups in a region. And there are wars, but the wars don't necessarily line up as Europeans on one side and Native Nations on the other. Much more common is... there will be... say, the French come to a place.

Local Native Nations will bring the French in on their side to fight against their already existing enemy nations.

[0:23:21.4] Thomas Donnelly: And one of the wonderful parts about reading your book, is that you take this broader narrative. And then you situate it within a series of really specific communities, and specific illustrative stories. And so you tell the story of, sort of, vignettes of different nations before 1750, that gives people a sense of the historical developments during this period. We can't cover every Native Nation that you cover in even this period of the book, but I don't know if there's one or two stories that you especially want to place on the table to make more concrete, some of the general narrative features that you were just exploring?

[0:24:05.8] Kathleen DuVal: Yeah. Sure. So one of the peoples I look at, are the Mohawks, in the early 1600s. And so the.... Okay, the French arrive. The first native peoples the French meet are actually enemies of the Mohawks, and the first people that the French end up developing trade relationships with. They're mostly Algonquian peoples on the coast. And these Algonquian groups say, it's wonderful to have you French, basically. We love having your goods come on into... we want permanent trading relationships with you. But if you want that, and of course the French want that, that's what they're there for. They were there to trade... You are going to have to help us fight the Mohawks, and the other Haudenosaunee. Now, the French at first, don't realize what a big ask that is. Like, the Haudenosaunee are the most powerful people in the region. They are not the people you want to come into a new place and have on the opposite side of you. But the French have to play along with their first allies and trading partners. And the Algonquian groups, they're very strong as well. And so they bring the French in on their side.

[0:25:17.3] Kathleen DuVal: Now, when the Mohawks and the other Haudenosaunee find out that their enemies have now been armed by the French, they have French soldiers with them who have guns, they're beginning to have steel armor. The guns are... The wooden armor that the Haudenosaunee have been using, is fairly useless against guns. They go to this brand new settlement of the Dutch at New Netherlands. And they begin to trade with the Dutch for the same kinds of things, and other things that they want. And they bring the Dutch in on their side in these wars. And they arm themselves against the Algonquin groups that have brought in the French. And so, I thought this would be a... This is one of the case studies, if you will, that I really wanted to explore because I think it's such an interesting and important history. One of the things I found out as I was reading the Dutch documents, is that, okay, so the Mohawks would come to, what's now, Albany, at the time, it was Fort Orange. And basically, Fort Orange, the Dutch had founded Fort Orange on the Hudson because the Mohawks wanted it to be there, basically. So the Mohawks are bringing in tons and tons of furs, and leather hides, things they have hunted themselves, but also things that they've gotten from their trading partners. Sometimes, hides and furs they've taken from other peoples that they've attacked. They bring them into Fort Orange to trade.

[0:26:43.0] Kathleen DuVal: And I knew that they were trading for guns, and musket balls, and gunpowder, but it turns out they were also trading for a large number of other things. Mohawk women and men come to Fort Orange. And I was reading the documents of New Netherlands, and came across these petitions of Dutch... These are Dutch settlers in New Netherlands... And they complained that the Mohawk come to town, and they have so much economic power because of bringing in all these furs, that then they go to the bakers and they buy the bakers. They buy all the white bread, and the cookies, and the cakes. And we, the petition says, we, your Dutch settlers... There's a petition to the Dutch West Indian Company... We, your own settlers, can only eat bran. Essentially, the Mohawks get all the white flour, all the cake and everything. The bakers just sell it to them because they have so much money. And I thought, well, this really... That really opens up this world. Like, this is... On the surface... And this is one of the things I wanted to show. This is a place that the Mohawks control. And it's a masculine place of war, and trade, and guns, and furs.

But the women are right there too. And there are women in Fort Orange making... Dutch women, making baked goods, also alcohol, making beer that they sell. And there are Mohawk women coming into town and being part of these negotiations. And it just further shows that point, that this is not a place that Europeans come into and control. It's a place, in this case, that the Mohawks are controlling, even though it's a supposedly colonial post. But also that this Native world, and Native history, are so much more than just the few things we might think we know about, about wars and tragedy.

[0:28:43.3] Thomas Donnelly: That's great. And the Mohawks themselves are also part of this super interesting political structure, and even a broader sense of mission, sort of, a great peace that's driving their politics, and economics, and military exploits. And talk a little bit about that as well.

[0:29:05.9] Kathleen DuVal: Yeah. So the Mohawks, by this point, are one of the six nations of the Haudenosaunee, or Iroquois Confederacy. And so, each of the six nations governs itself locally, male and female leaders govern locally. And then the female clans in the various nations choose representatives who go to the Haudenosaunee Council, or Iroquois Council, to represent them. And so, it's a representative democracy. And it also has the kinds of checks and balances I was talking about earlier. So male and female power, towns versus nations, versus the Council. And the nations retain their sovereignty even within this confederacy. And so, not to go too far forward yet, but this is something that at the founding of the United States, that leaders like Benjamin Franklin know. They know this is a model of a kind of confederacy wherein the parts, which for them will be the states will retain sovereignty, even as they confederate to become more powerful. And the reason they know that is because Haudenosaunee diplomats tell them over, and over, and over. So there's so many councils where colonists are at, where the Haudenosaunee say, because, as you say, Thomas, because they're really evangelists adopt their way of politics. They say, This is the best way. The kind of democracy, the kind of representative democracy, the kind of balance that we have, the Great Peace, they call it that because it came out time immemorial, came out of a time of war, where the five nations at the time were fighting against one another. And within themselves, they came out... They created the Great Peace and created the system. But it also was a system that they felt mandated to spread, and share, and describe to people. Including, eventually, colonists, who would be forming their own confederacy.

[0:31:16.1] Thomas Donnelly: And so, to move ahead to the next part of the story, you note that power dynamics begin to shift, as we get into the 1750s and beyond. And as you've already cautioned us, this doesn't mean that suddenly, all native nations lose power immediately in 1750. But maybe talk a little bit about, big picture, what's beginning to cause this shift in dynamics of power in North America?

[0:31:46.7] Kathleen DuVal: Yeah. So it really... I mean, if it were to come down to one word, it population, or population numbers, or demography. By the second half, in the second half of the 1700s, the British colonial population is doubling every generation. And there are Spanish colonies in what comes to the United States later, there are French colonies. There were Dutch colonies that there aren't by this point. But they're small. They have very, very few colonists. They are always outnumbered by surrounding Native Nations. And that changes in the English colonies. It changes in the 18th century. Changes a little bit earlier than that in New England, and a couple other places. But it has changed all along the Atlantic seaboard, by some point in the 1700s. And that begins to be the game changer, because it keeps happening. That population doubles every generation, right after the Revolution, and in the 19th century, in at least the early decades of the 19th century. And at the same time then, you have a founding of the United States, which is... So the United States comes out of being colonies.

[0:33:12.0] Kathleen DuVal: The economies of the colonies were about producing raw materials

for the empire. And so you've got a nation of farmers. And they found the United States, in part to continue being a nation of farmers. You want to be a farmer with your own land, and that is what allows you to be a republican citizen. To be a...you don't want to be beholden to a landlord or a boss. You want to own your own land, and you want to pass that land ownership on onto your sons. And then, with a population that's doubling every generation, that means more and more land, and a population with the numbers to be able to militarily take that land. And that's what begins to shift things. It has shifted things, it has shifted power dynamics east of the Appalachian Mountains by the time of the Revolution. And in the decades right after the Revolution, it shifts power dynamics between the Appalachians and the Mississippi. And then it begins in the rest of the 19th century to do that to the rest of the continent.

[0:34:15.9] Thomas Donnelly: And during this period of shifting power dynamics, you highlight three key nations: the Shawnee, and the Cherokee, and the Kiowas. And I don't know if there's maybe one that you want to highlight for us, to give a sense of what it can teach us about this period, the Native Nation response to these challenges. And also, when we really do see it really begin to slip away.

[0:34:42.3] Kathleen DuVal: Yeah. So I look at the Shawnees in the early 19th century, and I think the most famous Shawnee... Maybe of all time, certainly of the early 19th century, is Tecumseh. And so Tecumseh preached, he and his brother Tenskwatawa, preached that all Native Americans should be one people. Not only should they ally and fight against the United States together, which he did say, but also they should just... They should try to stop being their individual nations. They should stop trying to practice their separate religious practices, and cultural practices, and everything else, and recognize that the Creator had intended them to all be one people. And he gets... The story, that I think, more Americans know, which is true, is that they attract a large number of followers. They fight on the side of the... They ally with the British during the War of 1812. They have some real successes against the United States, but ultimately lose.

[0:35:47.4] Kathleen DuVal: But there's another story that goes alongside that, and that is that the majority of Shawnees, the majority of other peoples that he preached to, all, both sides of the Mississippi river, into the Southeast, really rejected that idea. They really believed that, while they wanted to ally, most of them wanted to ally and fight against the United States, certainly wanted to keep the people of the United States from taking their land and their sovereignty. They did not agree that the solution was Tecumseh's, was that they should stop being separate nations. And so I think, while... In one way, we can look at that period of the 19th century as a no-win situation, because the United States was so powerful, all strategies seemed not to succeed in the face of the United States. I try to show that that strategy of... It's not even so much a strategy... That value of remaining Shawnee, or Chickasaw, or Potawatomi, that that is what so many people put their highest value on, and that is actually what survived. Like, that's why we have hundreds and hundreds of Native Nations still here today, rather than Native Americans, say, just being a minority group, but a unified or one minority group within the United States. It's a much more complicated story than that. And it is the story of continued sovereignty, as well as separate identities.

[0:37:22.5] Kathleen DuVal: And I think that that is something that... Decisions by Native people in this period, in this period of crisis in the 19th century and into the early 20th century, really made possible. And then, as you mentioned, one of the groups I include are the Kiowas, and they're a Plains people. And so, I really wanted to show that here is one of many peoples who lived deeply in the interior of the continent, and were not, in any way, colonized until after the Civil War. Now then, it comes very quickly. Like, it's some of the fastest spread of colonial control over a people and a place, anywhere on the continent. But to show that in the 1860s, 1870s, they still control huge amounts of land, and make most of the decisions for their own people. And then within a

generation, they are forced onto reservations, in what's now Oklahoma, is both showing the long delay, as you were talking about before, until that kind of colonization happens in some parts of the continent, and then how quickly it can happen in some places.

[0:38:37.1] Thomas Donnelly: Yeah. No, it's extraordinary how quick the collapse was for the Plains Indians. And maybe give us a sense... Like, you talk about the importance of the introduction of the horse, and the way of life that you find out west. Maybe contrast for us, what it was like in 1850, when the nations out there had a lot of power and control, versus when they eventually are displaced, what it looks like? Because in many ways, it feels so stark, especially because it is so abrupt in that Reconstruction, Gilded Age period.

[0:39:19.8] Kathleen DuVal: Yeah. Exactly. Right, right, right. So yeah, as late as 1850, the Kiowas, the Comanches, various Apache groups, they control huge parts of the plains... Well, they control the plains, but individually, they control huge parts of the plains. They're trading and raiding into Mexico. And it's a... You know, I talked about, earlier, in earlier generations, their ancestors would have been, at least part of the year, farming people, along the rivers in the region. But by this era, they are entirely mobile. They have huge horse herds. Descriptions of them just boggle the mind. Children are taught to ride from an early age, they're roped on to ponies. And they just become tremendous riders. They can ride, not only sitting up, but even on the side of a horse, descriptions say. And they have an economy that is cyclical. There are times of the year that are for bison hunting. There are times of the year where they are trading with peoples near the plains who have remained farmers. And the oral histories that describe the change when they're forced onto reservations, when their herds are killed, they just say, we just don't know how to live. Like, our whole... not only our way of life and our economy, but our understanding of ourselves, was about mobility and motion. And now, we're just sitting still, and we don't know what to do with that.

[0:41:07.7] Thomas Donnelly: And I said we couldn't do all three, but I would love to also just take a beat on the Cherokee Nation's response here, which was distinct and super interesting, trying to create a modern republic with a constitution, and a national press, and leveraging power in Congress and the courts, and in the reform community. And maybe use Cherokee Nation to say a little bit about that, and then also extend it into, maybe, the more familiar story of Indian removal, and the Trail of Tears.

[0:41:41.5] Kathleen DuVal: Yeah, yeah. So as we talked about, so Native Nations are almost universally already democracies, republics. But what the Cherokee Nation decides to do... And this is... they're not the only ones, but they're the ones who go the furthest, and are the most public about it... They have a centralization process. So there had been more of a balance between towns and regions, and a fairly loose national government, that only sporadically met. They make the National Council permanent, and they start to give to it, certain powers that maybe had been more locally-based before. And it's controversial. Not all Cherokees agree with it. But I feel like there are two impetuses behind it. And one is, that the Cherokee Nation now neighbors an aggressive, expansionist United States. And the more they can look like a nation to the United States, and to the rest of the world, the safer they think they will be. So the beginning of the Cherokee Constitution lays out boundaries. The US Constitution doesn't lay out the boundaries of the United States at the beginning. And there's a very clear reason why the Cherokees say, the first thing you need to know about the Cherokee Nation is where it starts and ends. The United States is on the other side of that, and in some cases, the Muscogee Creek Nation is on the other side. But most importantly, the United States is not Cherokee Nation. Those are separate sovereignties.

[0:43:10.1] Kathleen DuVal: But I think the other impetus, is that Cherokee leaders at the time, really do see themselves as a modernizing Republic, as a 19th century republic. They read European newspapers, they are cosmopolitan people. And they don't just not want to be the United States,

they want to be a modern Cherokee Nation. And they... one of the things that they do is they say, the individual Cherokees, groups of Cherokees, they can't sell land anymore. If any land is going to... no land should be sold to the United States. Within these boundaries, is all Cherokee country, forever. But if any land is ever to be sold, it has to be done by the National Council. It can't be done by individual groups, which is how much of it had been chipped away at. The United States, just after the Indian Removal Act is passed, controversially... I mean, it does not pass unanimously... But the Indian Removal passes Congress in 1830, and Andrew Jackson, and maybe even more importantly, the state of Georgia, are just determined to not only take Cherokee land and reduce the size of the Cherokee Nation, but get rid of it. Make there not be a Cherokee Nation within the United States anymore.

[0:44:33.5] Kathleen DuVal: And the Cherokees take them to court. As you say, they win a couple of court cases. They win a major court case in *Worcester v. Georgia*, that says absolutely... Worcester vs. Georgia says the Cherokee Nation is within the United States, which is not what the Cherokee Nation wants. But more practically, for the purposes at the moment, and for Indian law today, *Worcester v. Georgia* says, the laws of Georgia have no say in the Cherokee Nation. The Cherokee Nation may somewhat be under the sovereignty of the United States, but it is not under the sovereignty of the state of Georgia. The state of Georgia cannot put its police force in the Cherokee Nation, the way they had been doing. It ultimately doesn't help the Cherokees for the moment. The United States government forcibly removes them, forces them west on the Trail of Tears. And a huge tragedy of American history, where many, many people die along the way. The US Government does the same thing to other Native Nations, moving great numbers of them out of the Southeast. Importantly, not all of them. There are still many Native Nations that remain east of the Mississippi river. They weren't all pushed west. And also importantly, the Cherokee Nation and the other nations that are forcibly removed to Indian Territory, rebuild there, and retain some sovereignty, and then are later able to use the decision in *Worcester v. Georgia*. Not right away, because for a long time, the Court doesn't pay any attention to...the Court moves away from it, but eventually moves back to it. And we're actually much closer to a reading like Worcester vs. Georgia today, than we were for some of the time periods in between.

[0:46:16.9] Thomas Donnelly: You note, some scholars and commentators say that... As we now get into the 1880s through, say, the first couple decades of the 20th century, you have some quotes in your book, that this is the lowest ebb, in certain ways, for Native Nations. Which is kind of an extraordinary statement, given some of the history you just recounted. But what do we see in those intervening years? Maybe, especially focusing on the different ways in which people are trying to leverage power to take away Native identity?

[0:46:50.9] Kathleen DuVal: Yeah, that's right. Yeah. I was really shocked, and progressively became less shocked over time, when I talked to tribal scholars, to all kinds of people, and said... Talking about Indian Removal, and then they would say, Okay, but remember, the worst time is the 1880s through 1920 or so. And that's because Native Nations rebuilt after Indian Removal. They had, in some ways, by being moved to a place where there weren't many, at the time at least, white Americans, they had a little bit of space and time to rebuild. And it was not easy. And the land was, in many, places terrible. And there were fights remaining from where they'd been before under pressure, that had to be resolved. But they did it on their own. Each sovereignty could rebuild on its own, rebuild its own political, educational institutions. But what happens in the late 19th century is some US, some federal policies, now instituted by a much stronger federal government than there had been in the first half of the 19th century. First of all, the policy of allotment, which meant that reservations... Just to back up from that a moment, Reservations, sound like a bad thing, and they are. People are forced onto them and aren't allowed to have their larger territory anymore. But on the flip side, a Reservation gives a place, gives a people their own territory. It's a land base, it's a culture base, whatever its many, many downsides as well.

[0:48:31.4] Kathleen DuVal: The policy of allotment is really well-meaning US reformers. They look at reservations, and they say, These are places of poverty and misery, they should be gotten rid of. And what we'll do is allot land. We'll break up all the land of a reservation. We'll give it to individual, put it in the name of individual tribal members. There might be some extra land and then we can sell that off to pay some of the costs of building a school and such. And they will eventually become US Citizens. They will no longer be tribal members, they will no longer have tribes, they will no longer be Native American. And that'll be the best thing for them. Best thing for them is to move away from that past. And then, when that generally doesn't work, even for those purposes, there's the movement of residential schools or boarding schools, of taking children from their families, from their homes, from their reservations, and sending them to off-reservation schools, where they are not supposed to speak their native languages. And ideally, this sort of ideal will become not-Native people, will become fully US Citizens, not part of their tribes anymore, not tribal peoples.

[0:49:43.1] Kathleen DuVal: None of this works. We still have, as we mentioned, over 600 federally and state recognized tribes today. But it's devastating time for Native history. At the same time, publicly, Native tribal governments are outlawed, public practice of most ceremonies, most Native religion, is outlawed. Lots of things have to go underground. Lots of things are lost along the way. And so it really is, yeah, I think it's the hardest time for Native Nations to survive. And for individual, and many families, it's what they see as what was the hardest time in their history.

[0:50:25.5] Thomas Donnelly: You talk about some important policy shifts though, beginning in the 1920s, with the Indian Citizenship Act of 1924, where again, there's some debates over whether US citizenship is the goal. But that's certainly one thing we go, in part, after heroic service by members of the Native community in World War I, among other things. And then we also... You talk about the Indian New Deal, and some of the policy shifts that happen there. Maybe talk us, as we leave the darkness, and at least get some positive policy shifts to there, and place some of those on the table as well.

[0:51:06.9] Kathleen DuVal: Yeah. Good idea. When I teach my big class on Native North America, I always tell the students, as we're getting into, about, 1830, I'm like, Okay, it's going to be really bad for a few weeks. But I promise, I promise it's going to get better. So, yeah. So one of the extraordinary things that comes out of the boarding schools, is a generation of Native activists who... their peoples didn't speak one another's languages. They would never have met each other. But they meet in the boarding schools, they all speak... They learn to speak English, so they have common language now, which they didn't have before. And they start to think and debate among themselves about, Okay, what is the future? And these are people who see the power of the United States. They've lived off the reservations, they go many places, they meet other tribes, they go to the cities of the United States. And gradually, I think, most of them, and eventually people back home... Sometimes it takes us a couple generations... Start to think, the best thing for Native Americans is absolutely not the US solution of not being Native anymore. It is being both, US citizens, and protecting our nations= with sovereignty under the United States.

[0:52:21.7] Kathleen DuVal: And in fact, by being US Citizens, by having the vote, by having some political power within the United States, that is actually the best way to preserve what we can of our... Separate, because they're not the same peoples... Our individual Native Nations, cultures, and sovereignty. And so yeah, gradually they start to influence U.S. Policy. And it goes back and forth. It's not all up and up. But the Indian Citizenship Act passes, giving U.S. Citizenship to all Native Americans in 1924. Now, 1924 is not a great year for voting rights. So there are many Native people who are not able to vote because of local circumstances, but it's on the books, at least. And then the Indian New Deal, really, it's when the US explicitly reverses the policy that had been in

place for many decades at this point, several decades at this point, trying to destroy Native Nations. Flips it to the... One of the goals of the US government will be to restore and protect Native Nations and Native sovereignty. Start to find some ways to help them regain land, regain certain powers. So just think of that as like taking the foot of the US government off the neck of Native Nations. It's not a grand... It's not a wonderful thing, but it is hugely important. And then, yes, as we move through the 20th century, there start to be back and forths, but some pretty major moves in increasing recognition of Native sovereignty.

[0:54:00.9] Thomas Donnelly: Excellent. And maybe say a little bit more, as we get to 1950s and beyond, one development you note is some of the younger generations are actively just moving into cities. Sort of a change in the sense of place and communities there. And then more broadly, maybe where we can end is on, in light of all of this history, how contemporary members of different Native Nations, are not only keeping their culture alive, but keeping people connected to it. And in a sense, seeing a revitalization, in recent years. Maybe say a little bit about urban shift, and more broadly, how people are leading a resurgence of, celebration of, Native American culture.

[0:54:45.9] Kathleen DuVal: Yeah. That's exactly right. So yeah, in World War I, World War II, many different ways in which young Native people left the reservations and then came back with new ideas, their new job opportunities, and also a federal government, maybe not always kind, encouragement to move off of reservations into cities. And then you get more and more Native people who live off reservation, and have jobs, and get educations in other places. And so now today, most Native Americans don't live on their homelands, don't live on their reservations. But many, many of them retain ties to those places, go back in the summer, really know relatives who still live there, vote in their tribal elections, go for homecoming or powwows, or such. And so I think there's this... a couple... so many things going on. So one is with the revitalization of economies locally. There are abilities for tribal governments to bring in revenue and sponsor this revitalization that's going on right now, in language, and culture, and ceremony, and art. And so, a lot of that is going on within the tribes. And then, just all around today, you can see... You go to a major... Most major contemporary art museums in the country, have now had an exhibit of contemporary Native art. There's nothing like... It's just so important that Native art, Native culture, is not something of the past. There are, today, Native artists who can be at the Met, and other places. And I think that that can be self perpetuating, and it helps to both... You know, most importantly, for tribal citizens themselves, but then also for the rest of us to just understand the diversity, the complexity, and the survival of Native Nations.

[0:56:48.4] Thomas Donnelly: And maybe I'll end here, in that, we're all, especially at the National Constitution Center, and more broadly as a nation and among scholars, we're getting ready to commemorate America's 250th birthday. And in light of this broad, sweeping history you tell here of Native Nations, how should we, as we're thinking of America 250, think about the broader story and relationship between the United States and Native Nations, and ensure that as we're thinking about America's founding story, and as that story continues, how we make sure we're also, telling the stories of Native Nations? How should we think about making sure we're doing a good job of that, in this important time of national reflection?

[0:57:42.1] Kathleen DuVal: Yeah. I think that's so important. And I think just at the center of that should be that the relationships between the United States and Native Nations have always been diplomatic relations. So during the time of the American Revolution, the United States allied with the Oneidas and the Catawbas, and those were diplomatic, military alliances. And today, the United States has Native Nations within it. And those are still, in some ways, diplomatic relations. And that, I think... One of the things we need to do is, every time we talk about Native people in the past, we need to remember that they are in the present as well, and their nations are in the present as well. But even for these purposes, particularly, that those institution-to-institution relationships are still at

the core of how we should talk about and understand Native people.

[0:58:32.3] Thomas Donnelly: Excellent. Well, Kathleen DuVal, for your extraordinary book, for this illuminating conversation, which I'm sure our audience absolutely loved, thank you so much.

[0:58:40.8] Kathleen DuVal: Well, thank you for all the terrific questions. What fun.

[0:58:48.2] Lexi Simms: This episode was produced by Bill Pollack. It was recorded by Scott Bomboy, Greg Sheckler, and mixed by Bill Pollack. Research was provided by Griffin Richie, Anna Salvatore, Trey Sullivan, and Tristan Worsham. Check out our full lineup of exciting programs, and register to join us virtually at constitutioncenter.org. As always, we'll publish those programs on the podcast, so stay tuned here as well. Or watch the videos. They're available in our media library at constitutioncenter.org/media-library. Follow Live at the National Constitution Center on Apple, Spotify, or your favorite podcast app. On behalf of the National Constitution Center, I'm Lexi Simms.