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# Colonial Violence and the Gendering of Post-War Terrain in Southern New England: Native Women and Rights to Reservation Land in Eighteenth-Century Connecticut

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# Colonial Violence and the Gendering of Post-War Terrain in Southern New England: Native Women and Rights to Reservation Land in Eighteenth-Century Connecticut

## **Abstract**

This essay examines the significance of reservations in southern New England as indigenous places-in-the-making in the aftermath of King Philip's War. It highlights crucial moments in the early eighteenth-century history of reservation communities in Connecticut that were engaged in struggles to defend their lands against the imposition of private property and the violence of dispossession that targeted Native women, who were purveyors of communal land rights. These post-war histories reveal that reservations were not localities of "pacified Indians", but rather sites of new conflicts over the rights and futures of Native peoples within which gendered forms of dissent confronted the gendered violence of colonial law.

## **Keywords**

indigenous land rights, Native women, reservations, colonial legal violence

## UNACKNOWLEDGED HISTORIES OF “POST-WAR” STRUGGLES IN SOUTHERN NEW ENGLAND

By the first quarter of the eighteenth century in Connecticut, as Pequots in Groton and Mohegans in New London defended their reservation lands against encroachment, indigenous rights to these colonially constructed spaces came under debate. Native—Anglo disputes over reservations and their resources, and over the future of the Native communities residing on reservations in the aftermath of King Philip’s War (1675-76), became a matter of increasing political complexity for colonial authorities, whose uncertain positions on the legality of colonial appropriation of reservations made life on these lands as precarious as it was physically arduous. Though geographically “contained” within a colonial regime and often besieged by residents of adjacent colonial towns, reservations were nonetheless protected by colonial law—on paper at least. More importantly, the Native women and men who labored upon reservation lands and asserted their shared rights to them also produced and transformed these spaces, identifying them as sites of historical, economic, and cultural significance for their communities.

It is generally not acknowledged that Native peoples in post-seventeenth century southern New England were significant political actors and shapers of historical processes, and indeed the establishment of the colonial “reservation system” has been assessed as prime evidence not only of a fair and just “Indian policy” but of the official ending of autonomous indigenous political and cultural existence, and of indigenous historical agency altogether. The notion that the major “Indian wars” of the seventeenth century determined the fate of “the Indians” (i.e., inevitable “degeneration” and “disappearance”) has been an enduring and pernicious theme in local historiography and popular narratives about Indianness in New England (O’Brien 2010; Den Ouden 2005). The fascination with “Indian Wars,” and the long standing assumption that it is only in the context of military conflict that indigenous peoples have been significant to “American history,” has done its own kind of violence to indigenous peoples. As historian Colin Calloway observed, “it is difficult to escape the shadow [King-Philip’s War] casts”:

Indian people no longer seemed to play a significant role in the history of southern and central New England. As recently as 1991, the *Historical Atlas of Massachusetts* noted that after King Philip’s War disrupted and dislocated the Indian peoples of southern New England ‘they were no longer important in matters of public policy for the English’ and faded into obscurity by the end of the eighteenth century. [Calloway 1997:4]

By the beginning of the nineteenth century “the prevailing view among white Americans was that Indians [in New England] were a doomed race” (Calloway 1997:8; see also Herndon and Sekatau 1997; Doughton 1997; Calloway and Salisbury 2003; O’Brien 2010; Den Ouden 2007). The myth of racial “degeneration” and of the “disappearance” of (“real”) Indians lives on in southern New England, and found renewed relevance in the 1990s and early 2000s as a rhetorical weapon deployed to undermine the legitimacy of the Eastern Pequot, Golden Hill Paugussett and Schaghticoke tribal nations’ efforts to gain recognition from the U.S. federal government.

One of the few historians to have theorized the reservation in post-war southern New England—in this case, Massachusetts—argued that King Philip’s War “marked a turning point in the development of the reservation,” in that “once promising reservations virtually became gatherings of what Frederick Jackson Turner calls ‘the broken fragments of Indians’” (Kawashima 1969:44). Such a description reminds us that the colonially generated and racialized theme of historical inevitability (that is, that civilized Europeans were destined to conquer savage Indians) made possible particular ways of envisioning the dissolution of “the Indians” and inscribing it in the popular discourse on Indianness in ways that have been most expedient and lasting, and that have successfully deflected attention from the humanity, and the rights, of those who have endured conquest and its multiple forms of violence. The land struggles of reservation-based Native communities in eighteenth-century Connecticut tell a different story, one that is essential to dismantling this antiquated but still powerful theme in the Euroamerican historical imagination, compelling us to assess post-“Indian war” history from the perspective of indigenous people’s own historical vision. What we learn from their struggles in this period is that reservations were contested political and cultural spaces. Native resistance to dispossession in these local contexts incited complex political and legal dilemmas in the course of which Native leaders, town authorities, missionaries, colonial governors, Anglo “overseers” of reservation lands, and—as in the precedent-setting Mohegan land claim case—the English Crown were all important actors. The alliances and acrimonious relations that shaped these struggles were not necessarily predictable, and in fact within the Mohegan and Mashantucket Pequot nations at the time internal disputes over leadership impacted efforts to defend rights to reservation land and affected strategies for dealing with intensifying intrusions of colonial power in its cultural and legalistic forms. In formal petitions to the Connecticut General Assembly and, in the Mohegan case, to the English Crown, reservation community leaders charged Anglos with outright lawlessness and called upon the colony to enforce its own laws. As I have recounted in detail in my book *Beyond Conquest: Native Peoples and the Struggle for History in New England* (2005), these documents reflected the historical consciousness of the petitioners, detailed the conditions of their lives, and reflected their awareness of colonial attitudes toward “conquered

Indians”—a kind of local knowledge that emerged from within the teeth of colonial domination but did not submit to mastication.

In 1680 Connecticut colony established the first reservation law in the region, which defined reservations as lands “allotted or set apart” for “parcels of Indians” that “shall be recorded to them” and “remain to them and their heirs for ever<sup>1</sup>” (Public Records of the Colony of Connecticut, 1850-1890 [1636-1776], Vol. 3:56-57). This governmental recognition of the indigenous practice of communal land holding is striking, but the events of the eighteenth century indicate that the depth of Native commitment to these lands and to sustaining community life upon them was to become (in terms of the logic of Indian policy) the post-war “Indian problem.” In 1712 when Mashantucket Pequots defended their 500-acre coastal reservation at Noank, within the town of Groton, against colonial encroachers whose intent was to remove Pequots entirely, Pequots described that reservation as their “Native Country” (Connecticut State Archives Collection, Indians, Early General Records of Connecticut: Papers and Correspondence of the General Assembly, the Governor and Counsel, and other Colony or State Officials, 1<sup>st</sup> Series, 1647-1789, doc. 75). Acknowledging the hardships of economic survival on the reservation—that “the Wood failed at Newayonk and the Land was worne”—Pequots wanted Groton townspeople to know “we never deserted it” (Connecticut State Archives Collection, *Indians*, Early General Records of Connecticut: Papers and Correspondence of the General Assembly, the Governor and Counsel, and other Colony or State Officials, 1<sup>st</sup> Series, 1647-1789, doc. 75; see also Den Ouden 2005: 147-148; 150-152; 161-163). The Connecticut government subsequently abolished the Noank reservation, however, based on the assumption that the Mashantucket community there was too small and simply didn’t need it (Den Ouden 2005: 58; 154-155).

For Native communities in eighteenth-century Connecticut, reservations were embattled spaces, but they were also the locus of community regeneration. Indeed the cultural and political significance of reservation lands has been emphasized by leading scholars in Native American legal studies. For example Frank Pommersheim has explained that “the reservation as place marks the endurance of Indian communities against the onslaught of a marauding European society” and as such is “a place that holds the promise of fulfillment” (1995:11). Vine Deloria, Jr. emphasized the importance of the reservation as a “recognized homeland,” the crucial location from which indigenous peoples have been able to effectively defend their distinct legal rights and their cultural identity against the intrusions of external governments (1969:193-4). However such observations are rarely applied to an analysis of Native peoples and their histories in southern New England. Below I offer an overview of struggles over reservation lands in eighteenth-century

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<sup>1</sup>In order to maintain the integrity and in-text readability of historical documents I have elected not to correct or follow typographical errors in quotations with [sic]. In cases where quotations may be unclear they are contextually explained.

Connecticut to demonstrate that, in concrete and metaphorical terms, indigenous assertions of their land rights were unsettling to colonial power and the presumptions of conquest.

### UNCOVERING THE “INVISIBLE” VIOLENCE OF LAW AND ORDER ON RESERVATION LAND

In his essay “Law, Property and the Geography of Violence: The Frontier, The Survey, and the Grid,” Nicholas Blomley notes that while political geography has “acknowledged a special linkage between violence and the state,” and “despite the routine association between law and violence within Western political theory,” a definition of law that identifies its close association with violence “still sticks in the throat” (2003:121). Blomley observes that the tendency to distance law from violence shapes how the relationship between the two is explained in the classroom, and reveals the extent to which the assumed “right” of state power, and concomitantly of state-initiated and state-sanctioned violence, diminishes possibilities for identifying and critiquing violence:

In providing the definition [of law] in political geography classes, for example, I have found a hesitation from the students and myself. We mouth the definitions [e.g., Max Weber’s definition of ‘the state and its law as that which monopolizes the violence that is transformed into legitimate force within a territory’], but hurry from their implications. This is because, of course, violence and law appear antithetical. Liberalism tends to locate violence outside law, positing state regulation as that which contains and prevents an anomic anarchy. The rule of law is deemed superior, given its ability to regulate violence in a civilized and humane way. The result . . . is a ‘frozen political imagination’ towards violence. [Blomley 2003:121]

This scenario may sound familiar to many who teach undergraduate courses on Native American history. “Indian law” and “Indian policy” are still popularly viewed among non-Natives as separate from violence and even as the central means by which violent conflict during the colonial period was alleviated. Students may have difficulty accepting or engaging in a critique of the prevailing narrative of colonial history and “Indian-white relations” which holds that law was a “gift” brought to the Americas by European colonizers. That indigenous peoples of the Americas did and do indeed have their own legal traditions is likely, still, to be a foreign notion to a non-Native audience, along with analyses of history that detail the ways colonially imposed law and policy were interwoven with and served to justify and obscure

violent conquest and genocide—what Vine Deloria, Jr. referred to as “conquest masquerading as law” (Deloria 2006; see also Deloria 1969; Porter 2007; Williams 1990). Asking students to examine the historical and contemporary contexts in which law produces, enables, or masks violence may be viewed as a “political” exercise rather than an academic one. Popular ideas about the colonial past continue to be influenced by the power-evasive academic terminology that signals “objectivity” (e.g., “encounter” and “settlement”), and thus for students to grapple with the “invisible” violence of law in the history of the dispossession of indigenous peoples they must also investigate the ways that everyday language and familiar categorizations serve to obfuscate violence. This can bring the legacies of colonial violence uncomfortably close to the already problematic endeavor of “studying Indians” (Den Ouden 2007). Reading Bromley, I recalled a comment by a student some years ago who drew a comparison between the reservation system in the U.S. and the system of apartheid in South Africa. This student was genuinely concerned to understand how those in power could view such systems as legitimate. Yet he was struck by what he viewed as the obvious violence in post-apartheid South Africa and commented that despite the evils of such a system “at least there was order.”

The belief in Western law as the necessary foundation of social “order” deflects attention from histories of colonial or state-sanctioned violence in ordinary ways. So too can particular locations of legalized violence be effaced by the all too familiar language of historical inevitability. In 2005 Connecticut’s former Governor Jodi Rell testified before the Senate Committee on Indian Affairs, expressing the state government’s position on pending federal acknowledgment cases involving two state-recognized tribal nations who possess reservations that were established in the colonial period: “Connecticut is a small State,” Rell said, as “old as our Nation itself and densely populated. We have few expanses of open or undeveloped land. Historical reservation lands no longer exist. They are now cities and towns filled with family homes, churches and schools” (Hearing Before the Committee on Indian Affairs, U.S. Senate, “Oversight Hearing on Federal Recognition of Indian Tribes,” May 11, 2005:13). Part of an ongoing effort by the state to thwart the federal recognition efforts of the Eastern Pequot and Schaghticoke Tribal Nations, Rell’s commentary is a stunning cover-up. Neither the Eastern Pequot reservation nor the Schaghticoke reservation comprises, in the Euroamerican sense, a “city or town” replete with “churches and schools”; but both are places of unresolved conflicts and questions of historical injustice “as old as our Nation itself,” as Governor Rell herself phrased it. This casual claim of mastery over present-day reservation lands is entangled in a genealogy of colonial power and sustains its discourse of legality, which in this case is as audacious as it is frail.

In this sense it urges us to consider the contradictions and limitations of conquest claims more broadly. One of the points that I want to argue here is that the histories of reservation lands in Connecticut embody the uncertainties of

conquest, and suggest that domains of colonial violence and motivators of resistance to it are not always predictable.

Mohegans made this known to the Connecticut government quite dramatically in September 1736 when they held a public ceremony on their reservation, joined by Native allies from nearby reservation communities. The ceremony occurred at the height of their legal dispute with colony, and colonial officials who observed the event recorded that Mohegans and their allies stated that they rejected the colony's coopted sachem, Ben Uncas II, and had named a new leader. In so doing they displayed the enduring power of their own kin-based traditions of community-endorsed leadership (see Den Ouden 2005: 21-24; 120-126; 132-136; 168-169; 178). These were not the actions of "pacified Indians." In numerous petitions submitted to the Connecticut General Assembly, Mohegans, Pequots, Niantics and Paugussetts complained about threats to community survival and the conditions that impoverished daily life, including continual destruction of their crops by colonial livestock and appropriation of their resources by Anglos who cut trees and stole timber from reservation lands. Their complaints also indicate that they were under a kind of ominous surveillance by Anglo neighbors who—as Eastern Pequot leader Mary Momoho reported in her petition to the Connecticut government in 1713—"tell us that when one or more of us be dead the [l]ands will fall to them" (Connecticut State Archives Collection, Indians, Early General Records of Connecticut: Papers and Correspondence of the General Assembly, the Governor and Counsel, and other Colony or State Officials, 1<sup>st</sup> Series, Vol. I, 1647-1789, doc. 73). These are the words of a survivor, articulated against the ideological legacy of "defeat" that accompanied the onslaught of epidemic disease, systematic dispossession, and destruction of local economies that served to decimate indigenous populations during the seventeenth century. By 1650, the indigenous population of southern New England was "reduced to one-tenth of its former strength" of over 90,000 persons, prior to the epidemics that occurred in 1616 and 1633 (Bragdon 1996:28, 25-6). In contrast, the total Anglo population in New England exceeded 90,000 by 1700 (Grumet 1995:64). In 1725, Connecticut's Governor Joseph Talcott reported to the Society for Propagating the Gospel in America that the population of the "considerable tribes" in the colony—those residing on reservation lands in what is now New London Country—was 1,053 persons; among those he classed as "small [parcels] scattered through out" the colony were only 337 persons, or so he claimed (Talcott Papers, Vol. II:399-402). In 1730, Talcott put the Anglo population in Connecticut at 38,000 (Public Records of the Colony of Connecticut, 1850-1890 [1636-1776], Vol. 7: 584).

Colonial records indicate that Native women comprised the majority of adults within reservation populations in the period, colonial wars having taken a heavier toll on men, along with the need to find wage labor beyond the bounds of reservation lands (see Den Ouden 2005: 28-9, 128-29, 131-3, 178; see also O'Brien 1997;



Richmond and Den Ouden 2003). Mary Momoho's 1713 petition, cited above, indicates that Anglos deemed this social fact to be evidence that reservation communities were doomed: "we suppose there will be some pleas made that wee are almost all dead," she said, "but yet wee have Thirty three men yet alive" (Connecticut State Archives Collection, Indians, Early General Records of Connecticut: Papers and Correspondence of the General Assembly, the Governor and Counsel, and other Colony or State Officials, 1<sup>st</sup> Series, Vol. 1, 1647-1789, doc. 73). It seems clear that Mary Momoho understood the importance of emphasizing the adult male presence on the reservation, and as Anglo encroachers persisted so too did Mary Momoho continue to contest government officials' deceptive evaluations of Eastern Pequots' land rights and depictions of her community that justified dispossession. By 1723 when Mary Momoho petitioned again, along with eight other Eastern Pequot signatories, she objected to a report by officials stating that "a Small Quantity of Land would Suffice" for Eastern Pequots "to plant upon," since the reservation population was then said to be comprised of only "three men and four Squaws, & of Male Children twenty four." The 1723 petition rejects the gendered calculus of colonial surveillance with a different accounting of the resident community, one including "above one hundred and thirty" both "Male and Female." The petitioners also reminded the General Assembly of the 1683 legal agreement establishing the reservation, which promised that the land would be preserved for "wee & our Children for ever" (Connecticut State Archives Collection, Indians, Early General Records of Connecticut: Papers and Correspondence of the General Assembly, the Governor and Counsel, and other Colony or State Officials, 2<sup>nd</sup> Series, Vol. 2, 1666-1820, doc. 2:22).

However by the first quarter of the eighteenth century governmental assessments of reservation communities produced an effective strategy of erasure that would come to be seen by Euroamericans as routine, if not quaint. *Counting Indians* was not a casual practice of colonial observation or an inevitable governmental response to Native complaints against dispossession: it was a tactic of control directed at what had become disruptive space, and against people who were, so to speak, "unruly". It was a practice that imposed gendered notions of social hierarchy and cultural illegitimacy, and in this instance marked the colonial corruption of the term "squaw." Mary Momoho's complaints, however, insist that the Eastern Pequot community could not be distilled to a list of "men" and "squaws," or to a head count that would justify the reduction of acreage and constriction of reservation boundaries. "Wee & our Children for ever" is a claim to a collective history, and to a future, embedded in a particular place. It responds to the bureaucratic violence of counting Indians out of existence. Mary Momoho's petitions defended the Eastern Pequot reservation as a place with a legal history, where the collective rights of her community were inscribed. Thus did reservations, and the communities who articulated their immediate, tangible cultural significance, obstruct the expansion of private property on a purportedly conquered landscape. Perhaps nothing makes that clearer than the

remarkable moment of cultural and political resistance at Mohegan in September 1736, on the one hand, and on the other, the recycling and redistribution of a colonial narrative of total and final conquest, first propounded after the 1637 massacre of Pequots in the much-lauded “Pequot War” and reborn in the next century at the hands of the Connecticut officials in their effort to quell Mohegan and Pequot resisters who—from the position of a “new” target of colonial law—defied the legitimacy of the colonial claim of absolute conquest (Den Ouden 2005:143-148; 169-180).

And the unresolved question of legal rights to reservation lands exasperated reservation communities’ Anglo neighbors as well. By mid-century town officials in Groton demanded that the General Assembly resolve the “long controversy” over the nature of Mashantucket Pequots’ rights to their reservation, which was within the bounds of that town, and demanded an explanation as to whether the town had “a right in said lands or whether said Indians have any more than a right to the use and improvement [farming]” of the reservation “and not the absolute fee thereof”—that is, the full legal title to the reservation land (Connecticut State Archives Collection, Indians, Early General Records of Connecticut: Papers and Correspondence of the General Assembly, the Governor and Counsel, and other Colony or State Officials, 2<sup>nd</sup> Series, Vol. 2, 1666-1820, doc.109). At the same time, Mashantucket Pequots continued their complaints against colonial pillaging on their reservation, and in 1735 implored the General Assembly to take action against Anglos who “cut our Stoaks [cornstalks]” before the corn was harvested: “wee Shold be Glad if thare Cold be a Stop Put to it the Stoake being our own Labbour wee Shold be Glad to have them for our own use” (Connecticut State Archives Collection, Indians, Early General Records of Connecticut: Papers and Correspondence of the General Assembly, the Governor and Counsel, and other Colony or State Officials, 1<sup>st</sup> Series, Vol. 1, 1647-1789, doc. 227). The importance of agricultural labor on reservation lands, and assaults against that labor, were recounted by Native petitioners on a number of occasions in the eighteenth century. The ironies here are obvious enough: colonial propaganda had represented the region’s landscape as a “wilderness” that was “unimproved” by Indians, and thus vacating the Indians was necessary and justifiable. Yet here were the purportedly conquered Indians laboring within colonially designated spaces and thus adhering to a central demand of “civilization” (“improving” the land), while also blocking colonial desire for untrammled expansion.

Colonial land hunger impacted reservation communities not only through the destruction of crops and other depredations on their lands and resources but in the internal conflicts that arose as a result of pressures to relinquish reservation lands to Anglos. One colonial official explained in 1722 that Mashantucket Pequots “have been much disturbed again by some of ye people of said Groton by their driving said Indians from their improvement and taking away their fields and fruit trees which for

a long time they have planted and improved on said Mashuntuxet lands.” But that was not all: “now some of the people of Groton have seemingly stopt the mouths” of some Mashantuckets “by such means as they have seen cause to use and brought them to sign something, but some of them say to me they did not know to what” (Connecticut State Archives Collection, Indians, Early General Records of Connecticut: Papers and Correspondence of the General Assembly, the Governor and Counsel, and other Colony or State Officials, 1<sup>st</sup> Series, Vol. 1, 1647-1789, doc. 101; Den Ouden 2005:27-28). The official, James Avery, was the government appointed overseer of the Mashantucket Pequot reservation at the time, and his poignant recounting of how these circumstances affected Mashantuckets reveals that non-military tactics of dispossession attacked the very core of community life—kin ties and the cultural connection to ancestral lands (Den Ouden 2005:143-180). As Avery put it, Anglos’ efforts to dispossess Mashantuckets “has made a great division amongst the said Indians that they are become as it were two parties,” and

these things have much disturbed some of those Indians that they should be forced from off the land which they and their Predecessors have so long a time possess’d that they have been some times apt to say it would be better for them to march off from out of the hearing of those things. [Connecticut State Archives Collection, Indians, Early General Records of Connecticut: Papers and Correspondence of the General Assembly, the Governor and Counsel, and other Colony or State Officials, 1<sup>st</sup> Series, Vol. 1, 1647-1789, doc. 101]

Such accounts of struggles over rights to reservation land tell us much about the everyday forms of violence endured by Native communities in the post-war period. They indicate as well that some colonial officials recognized the injustices of dispossession when colonial manipulations of legality became all too obvious.

One instance of legal violence in this period stands out, having set a lasting and devastating precedent. As Connecticut officials recounted in a report addressing Mohegans’ complaints against Anglos who had pressured them to sell plots of their reservation, “the Indians declared, that the Land was not theirs to dispose of, but it was to descend to their Children” (Connecticut State Archives Collection, Indians, Early General Records of Connecticut: Papers and Correspondence of the General Assembly, the Governor and Counsel, and other Colony or State Officials, 1<sup>st</sup> Series, Vol. 1, 1647-1789, doc. 91). But in 1721, despite Mohegans’ ongoing protests, a committee appointed to investigate the actions of encroachers recommended that the Mohegan reservation be reduced to one-fourth its size—from approximately 20 thousand to less than five thousand acres (Governor and Company of Connecticut, and Mohegan Indians: Certified Copy of Book of Proceedings before

Commissioners of Review, 1743, 1769:189-191; DeForest 1852:315; Mohegan Federal Acknowledgment Petition 1984:79; Den Ouden 2005:91-141). The General Assembly approved the committee's recommendation, ordering that the remaining fragment of Mohegans' reservation "shall for ever belong to the Mohegan Indians. . . so long as there shall be any of the Mohegan Indians found, or known alive"; and *when the government should determine that the "stock of said Indians are extinct,"* the existing reservation "shall for ever belong to the town of New London" (Governor and Company of Connecticut, and Mohegan Indians: Certified Copy of Book of Proceedings before Commissioners of Review, 1743, 1769:194; emphasis added). This legislation launched the post-war historical theme of inevitable "Indian extinction" which has long worked to mask the material and symbolic forms of violence endured by Native peoples in southern New England.

### RESERVATIONS AS GENDERED ZONES OF CONFLICT

The eighteenth century yielded new colonial tactics of surveillance and control that assessed reservation communities as politically and culturally illegitimate and heading ineluctably toward "extinction." At the same time, however, reservations became locations requiring governmental "management" precisely because Native communities' defense of their land rights, their repeated complaints to government officials about the marauding colonial livestock and Anglo pillagers that laid their labor to waste, presented problems for the "civilizing" and Christianizing mission as it dealt with the persistent indigenous presence on landscape. And reservation lands were disruptive spaces not only because Native peoples held fast to the principal of collective land rights but because of the prominence of Native women in reservation communities. It should be emphasized here that the policing of reservation populations and the emergence of the gendered practice of *counting Indians* is linked to a broader history of colonial violence inflicted upon indigenous women throughout the Americas. European colonizers leveled specialized assaults upon the bodies of indigenous women, likening them to the indigenous lands they sought to conquer, taking them as spoils of conquest, and mythologizing them as "helpers" of European male conqueror-heroes (see Green 1975; McClintock 1995; Stolcke 1991; O'Brien 1997; Guerrero 1997). In seventeenth-century New England, English colonizers envisioned a "squaw drudge" for whom colonization and European cultural "domestication" were tantamount to "liberation" (see Smits 1982 and Green 1975). The histories of Native women living on reservation land in New England beyond the period of military conquest defy these scenarios in significant ways, but their struggles to defend land and community have also been trivialized by them.

Connecticut's 1680 reservation law did not assign proprietorship of reservation land to Native men or individual sachems, and as Native women's prominence on those lands came into greater visibility during the course of eighteenth-century disputes so too did the processes of community regeneration that were occurring on reservations. Thus the 1680 law, in implicitly acknowledging collective land rights,

posed a threat to Indian policy in the early eighteenth century. As Mary Momoho's petitions indicated, women were sustainers of community life and perpetuators of community connections to reserved lands. Colonial legislation passed in 1717, "Measures for Bringing the Indians in the Colony to the Knowledge of the Gospel," registered the first official attempt to impose private property on reservation communities and to disenfranchise Native women (Connecticut State Archives Collection, Indians, Early General Records of Connecticut: Papers and Correspondence of the General Assembly, the Governor and Counsel, and other Colony or State Officials, 1<sup>st</sup> Series, Vol. 1, 1647-1789, doc. 87). In this case the Mohegan reservation community was the primary target, since their reservation was much greater in size than any other in the colony at the time. Moreover, Mohegans ongoing legal suit against the colony had resulted in a decision against the colony by a commission that had been appointed by the Crown to investigate the case (see Den Ouden 2005:94-111). In 1705 that commission ordered Connecticut to return to Mohegans those parcels of their reservation land deemed to have been illegally appropriated. Connecticut refused to acknowledge this decision, and in their response to it dismissed Mohegans as "inconsiderable Indians" who had "very few men" (Governor and Company of Connecticut, and Mohegan Indians: Certified Copy of Book of Proceedings before Commissioners of Review, 1743, 1769:190). Nonetheless Mohegan resistance to dispossession pressed on, and the 1717 legislation reflects the urgency to quash that resistance not simply by Christianizing but by establishing a system of male inheritance that would facilitate the diminution of reservation land and the obliteration of the reservation community itself. Thus the law intended to divide the Mohegan reservation into "suitable portions" for individual families, so that those portions "should descend from ye Father to his Children" (Connecticut State Archives Collection, Indians, Early General Records of Connecticut: Papers and Correspondence of the General Assembly, the Governor and Counsel, and other Colony or State Officials, 1<sup>st</sup> Series, Vol. 1, 1647-1789, doc. 87). The lands that remained were to be conveyed to the town of New London.

Here then was the first instance in the history of Euroamerican Indian law in which *allotment* was imposed on a reservation-based Native community, and what is now termed "detrribalization" was launched as an official policy requiring the deterritorializing of Native women. More significant yet is the fact that Mohegans rejected it, telling officials charged with implementing the act that they wanted Anglo encroachers ejected from the reservation and the government's attention paid to the "damage sustained them in their fields" by trespassers (Public Records of the Colony of Connecticut, 1850-1890 [1636-1776], Vol.7:77). Such a response affirmed that reservation land was, still, politically volatile space, the location of an unconquered population despite the fact that it was comprised of "very few men"—or perhaps precisely because of the presence of more than a few women. These were matrilineal societies, and Mohegan women's own historical and cultural ties to reservation land, as well as their authority within their own communities, fuelled resistance to

dispossession. But by 1721 the colonial imperatives of patriarchy and private property were bolstered by “extinction”—a new legal concept guiding the course of post-war Indian policy and denying its violence.

### AGAINST THE VIOLENCE OF LAW: THE GENDERING OF DISSENT AT MOHEGAN

In 1736, a report by a colonial investigator implied that the bleak destiny legislated against Mohegans was unfolding. While one of their leaders, Mahomet II, had traveled to England to deliver a second complaint against the colony to the English Crown, an official sent to the reservation by the Connecticut governor in February to determine the extent of Mohegan allegiance to Mahomet II reported that Mohegans were “only a few” in number—no more than 28 families according to this official. His count did not include the “Several Widdows that keepe house, which they [Mohegans] Reckoned as families.” Mohegans were “miserable pore [poor],” he concluded, adding that “if our Sovereign Lord the King knew their Circomstances well he would hardly put himself out of his waie” for them (Talcott Papers, Vol. 1: 350-51). Yet he did admit that he found “no Evidences of th[e]ir Discarding of Mahamit” (Talcott Papers, Vol. 1:350). Another Mohegan leader—Ben Uncas II—had aligned with the colony however, and in May of that year Connecticut’s Governor, Joseph Talcott, had in hand a letter of Mohegan “submission” to the colony signed by Ben Uncas II. In August, Mahomet II died of small pox while still in England, and an ally of the colony in London wrote to Talcott that he hoped “an end is put to the Affair” (Talcott Papers, Vol. I: 374). But it hadn’t ended. On September 10, 1736, two Anglos “who were on the Indian land at Mohegan present with a very great number of Moheagan Indians” recounted Mohegans’ response to the “endeavours...made by some English persons to prove that Ben Uncas [II] was their rightful Sachem”:

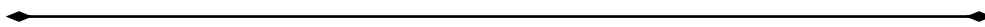
.... the matter was put to vote among said Indians by said Indians, and the vote was universal in the favour of Mahomet . . . and [the Mohegans] farther signified the one principal cause of their meeting or dance was to establish Anne the daughter of [deceased Sachem] Caesar. . . to be their ruler until Mahomet returned. . . for they entirely denied Ben Uncas [II] to be their Sachem. [Connecticut State Archives Collection, Indians, Early General Records of Connecticut: Papers and Correspondence of the General Assembly, the Governor and Counsel, and other Colony or State Officials, 1<sup>st</sup> Series, Vol. 1, doc. 173]

Governor Talcott denounced Mohegans’ actions that day as an attempt to “set up a queen or imposter” (Governor and Company of Connecticut, and Mohegan Indians: Certified Copy of Book of Proceedings before Commissioners of Review,

1743, 1769:237). It was reported the following year that a colonially arranged marriage between Anne and the son of Ben Uncas II had been “Proposed and thought Convenient,” and so Ben Uncas, Jr. was fetched from Massachusetts and “Marryed unto Sachem Cesar[’s] daughter” (Connecticut State Archives Collection, Indians, Early General Records of Connecticut: Papers and Correspondence of the General Assembly, the Governor and Counsel, and other Colony or State Officials, 1<sup>st</sup> Series, Vol. 1, doc 236). Neither this report, nor Talcott’s response to the events of September 10, 1736, identified Anne by name. Perhaps such erasures may be interpreted as inevitable or as historically insignificant. While quickly undermined and obscured, the ceremonial appointment of Anne as a new Mohegan leader marked, and gendered, the unanticipated location of indigenous opposition to colonial power in post-war southern New England.

### CONCLUSION

The forms of non-military violence that impacted Native peoples in eighteenth century southern New England have been overlooked, but a careful analysis of the struggles over reservation lands in that era reveal the ways in which law legitimized and perpetuated processes of conquest after the “Indian wars” of the seventeenth century. Native peoples in eighteenth century Connecticut faced dire conditions on reservation lands, but they also defended those reservations as homelands essential to the perpetuation of community life. The historical significance of Native struggles to preserve their collective land rights has been occluded by popular myths about the colonial past, as has the gendered history of colonial violence and Native resistance in the region. Nevertheless the colonial records reveal that reservation-based Native communities defied colonial expectations of “conquered” Indians and offer much needed insight into the ways post-war indigenous histories were produced on the contested terrain of reservation land.



### WORKS CITED

- Blomley, Nicholas  
2003 Law, Property, and the Geography of Violence: The Frontier, the Survey, and the Grid. *Annals of the Association of American Geographers* 93(1):121-141.
- Bragdon, Kathleen J.  
1996 *Native People of Southern New England, 1500-1650*. Norman: University of Oklahoma Press.
- Calloway, Colin  
1997 Introduction: Surviving the Dark Ages. *In After King Philip’s War:*

- Presence and Persistence in Indian New England. Colin Calloway, ed.  
Hanover, NH: University Press of New England.
- Calloway, Colin and Neal Salisbury  
2003 Introduction; Decolonizing new England Indian History. *In* Reinterpreting  
New England Indians and the Colonial Experience. Boston: The Colonial  
Society of Massachusetts.
- Connecticut State Archives Collection  
1647-1789 Indians, Early General Records of Connecticut: Papers and  
Correspondence of the General Assembly, the Governor and Counsel, and  
other Colony or State Officials, 1<sup>st</sup> Series. Connecticut State Archives,  
Hartford.
- Connecticut State Archives Collection  
1666-1820 Indians, Early General Records of Connecticut: Papers and  
Correspondence of the General Assembly, the Governor and Counsel, and  
other Colony or State Officials, 2<sup>nd</sup> Series. Connecticut State Archives,  
Hartford.
- DeForest, John W.  
1852 History of the Indians of Connecticut. Hartford: Wm. Jas. Hamersley.
- Deloria, Vine, Jr.  
1988 The Disastrous Policy of Termination. *In* Custer Died For Your Sins: An  
Indian Manifesto. Norman: University of Oklahoma Press.
- Deloria, Vine, Jr.  
2006 Conquest Masquerading as Law. *In* Unlearning the Language of Conquest:  
Scholars Expose Anti-Indianism in America. Wahinkpe Topa (Four Arrows),  
ed. Austin: University of Texas Press.
- Deloria, Vine, Jr.  
1969 The Red and the Black. *In* Custer Died for Your Sins: An Indian Manifesto.  
Norman: University of Oklahoma Press.
- Den Ouden, Amy E.  
2005 Beyond Conquest: Native Peoples and the Struggle for History in New  
England. Lincoln: University of Nebraska Press.
- Den Ouden, Amy E.  
2007 Locating the Cannibals: Conquest, North American Ethnohistory, and the  
Threat of "Objectivity." *History and Anthropology*, 18 (2):101-133.
- Doughton, Thomas.  
1997 Unseen Neighbors: Native Americans of Central Massachusetts, A People  
Who Had 'Vanished.' *In* After King Philip's War: Presence and Persistence  
in Indian New England. Colin Calloway, ed. Hanover, NH: University Press  
of New England.
- Governor and Company of Connecticut, and Mohegan Indians: Certified Copy of  
Book of Proceedings before Commissioners of Review, 1743, 1769. London: W.  
and J. Richardson.



- Grumet, Robert S.  
1995 *Historic Contact: Indian People and Colonists in Today's Northeastern United States in the Sixteenth through Eighteenth Centuries*. Norman: University of Oklahoma Press.
- Kawashima, Yasu.  
1969 Legal Origins of the Indian Reservation in Colonial Massachusetts. *The American Journal of Legal History* 13:42-56.
- O'Brien, Jean M.  
1997 *Dispossession by Degrees: Indian Land and Identity in Native New England*. Lincoln: University of Nebraska Press.
- Hearing Before the Committee on Indian Affairs, United States Senate, 109<sup>th</sup> Congress, 1<sup>st</sup> Session, May 11, 2005. Oversight Hearing on Federal Recognition of Indian Tribes. Statement by Governor Jodi Rell, Connecticut (p. 13). Washington, D.C.
- Mohegan Tribe  
1984 *Petition for Federal Recognition*, Vol. 1.
- Pommersheim, Frank.  
1995 *The Reservation as Place*. In *Braid of Feathers: American Indian Law and Contemporary Tribal Life*. Berkeley: University of California Press.
- Porter, Robert Odawi  
2007 American Indians the New Termination Era. *Cornell Journal of Law and Public Policy* 16:474-475.
- Public Records of the Colony of Connecticut, 1850-1890 (1636-1776)*. 15 Vols. J.H. Trumbull, ed. Vols. 1-3; C. H Hoadley, ed. Vols. 4-15. Hartford: Press of Case, Lockwood, and Brainard.
- Richmond, Trudie, and Amy E. Den Ouden  
2003 *Recovering Gendered Political Histories: Local Struggles and Native Women's Resistance in Colonial Southern New England*. In *Reinterpreting New England Indians and the Colonial Experience*. Boston: The Colonial Society of Massachusetts.
- The Talcott Papers: Correspondence and Documents during Joseph Talcott's Governorship, 1724-1741*. Vol. 1 (1724-1736); Vol. 2 (1737-1741). Connecticut Historical Society, Hartford, CT.
- Yazzie, Robert, and James Zion  
1997 Indigenous Law in North America in the Wake of Conquest. *Boston College International and Comparative Law Review* 20(1):58.

