

---

**Yael Ben-zvi. *Native Land Talk: Indigenous and Arrivant Rights Theories*. Lebanon, NH: Dartmouth College Press, 2018. 276 pp. ISBN: 9781512601466.**

<https://www.upne.com/1512601459.html>

In *Native Land Talk: Indigenous and Arrivant Rights Theories*, Yael Ben-zvi brilliantly employs Euro-American human rights theories to examine and compare the distinctive resistances of African and Indigenous Americans to colonization. Delving into a remarkable and varied array of resources—petitions, letters, newspaper articles, and speeches, among others—to examine Euro-American rights claims, Ben-zvi inventively applies these theoretical histories to the petitions and appeals for freedom and land made by Indigenous and African American peoples in the eighteenth and nineteenth centuries (roughly 1760-1840). The author closely analyzes aspects of settler rights claims and Indigenous and African American histories of resistance (or, as she terms them, “unsettlement projects”) that have received little scholarly attention, aligning the resistance of the latter communities with settler dehumanization and violence. Ben-zvi focuses on rights claims based on birthplace, stating that both colonization and what she casts as the separate resistances of African (“arrivant”) and Indigenous Americans were based in nativities: “*Native Land Talk* explores the historical legacies of struggles over the political significance of belonging, attachment to land, indigeneity, and diaspora” (5).

Ben-zvi’s text clearly presents the British history of positive birthright rooted in feudalism, and its asserted extension across the Atlantic to constitute “subinfeudation...the dominant logic by which settlers” established rights over Indigenous peoples (24). *Native Land* rigorously analyzes the British judicial precedents, colonial codes, and settler assertions—what Ben-zvi describes as “a unified discourse of rights theories”—used to construct a Eurocentric, imperial ideology of oppression, violence, and dehumanization; Ben-zvi does the groundbreaking work of examining how settlers employed this discourse. Her meticulous analysis of European rights as interpreted and extended by settlers is matched by her reflection on related texts and events worthy of close historical analysis. Ben-zvi offers a close reading of Olaudah Equiano’s *Interesting Narrative*, for example, as well as the writings of sixteenth- and seventeenth-century Mohegan leaders (her engagement with the history of Brothertown on Oneida land is particularly valuable) and other Indigenous and African American petitioners and negotiators. The strange dichotomy between settler indifference to ancestral African American graves and their fascination with Indigenous American ones (a fascination that ultimately required the passage of NAGPRA [the Native American Graves Protection and Repatriation Act]) is carefully detailed. Perhaps most captivating and original is her discussion of “divergent geopolitical perspectives, spatial practices, and perceptions of Native status in the 1785 negotiations over Cherokee lands in Hopewell” (124). In explicating the history of exploitation and land theft through European mapmaking and contrasting it with Cherokee perceptions of space, the author engages Indigenous perspectives, brilliantly employing cartography and transnational methodology. Ben-zvi’s meticulous research also presents a nuanced critique not only of Jeffersonian philosophy and Jackson’s willful flouting of the United States Supreme Court but also of recent Supreme Court decisions (Ginsburg’s majority opinion in *City of Sherrill v. Oneida Indian Nation*, 2005) reaffirming the theft of Indigenous land.

*Native Land Talk* also admirably attempts to construct a more sophisticated paradigm for discussing human rights, one that breaks through “the mutually exclusive Native/settler and black/white binaries” (67). Ben-zvi rightly asserts that “it would be wrong to assess...[resistance] from perspectives that privilege the settler regime’s orders of history, place, causality, and belonging” (210). Indeed, this is the major purpose of the text: to give voice to enslaved African Americans, freedmen, and Indigenous Americans subjected to and resisting colonial violence. Her frequent citing of their words enriches the text, as when, for example, she invokes a letter from 1793 by a confederacy of Indigenous nations critiquing U.S. expansionism: “Divide, therefore, this large sum of money, which you have offered to us, among these people. ... We are persuaded they would most readily accept it, in lieu of the lands you sold them” (149). Her citation of well-researched, early African American petitions is equally incisive and moving, as when she cites Peter Holbrook’s petition of 1773 thanking God for “lately put[ting] it into the Hearts of Multitudes on both sides of the Water, to bear our Burthens” (94). Ben-zvi’s summation of the European response to these heartfelt pleas is artful: “Indian removal confined Indians to the past through the trope of inevitable disappearance, while African colonization removed African Americans to an abstract, timeless Africa that seemed antithetical to Eurocentric progress” (6).

At moments, however, *Native Land Talk* slips into the construct it challenges, forcing Indigenous and African American voices into Eurocentric constructs. Although Ben-zvi critiques other scholarship for “requiring analyses based on Eurocentric politics and law as though this is the definitive, exclusive perspective from which rights can be studied” (4), *Native Land Talk* employs Euro-American notions of human rights to interpret African American and Indigenous worldviews. While she uses the words of Indigenous peoples found as “fragments in settler publications,” there is little invocation of Indigenous oral history or contemporary tribal perspectives or beliefs. Similarly, she discusses African American petitions in terms of their adoption of Euro-American ideology, rather than attending to the scholarship on unique diasporic cultures and philosophies. As a consequence of Ben-zvi’s employment of European rights discourse, she explicates John Locke and an interpretation of the Biblical Book of Lamentations, for example, rather than Mohegan indigenous cultural perspectives in interpreting Mohegan texts. The issue of Eurocentric language is also at play: in stating that “settlers produced Indigenous dispossession in order to repudiate Indigenous unsettlement initiatives” (126), she might more simply state that the actions and words of settlers justified their violence in the face of resistance.

In arguing that the presence of ancestral graves served Indigenous Americans as “trope,” “political logic,” and “spatially embodied history” that “shifted the logic” of “*partus sequitur ventrum*,” Ben-zvi also runs the risk of imposing Eurocentric logic upon non-European individual human subjects. Ancestral graves were not merely “central discursive elements” (191), but a part of sacred landscapes inseparable from Indigenous culture, language, and belief. Muscogee and Cherokee peoples did not precisely “use the dead to affirm the ongoing histories of their homelands, and...invalidate settler geopolitics” (208); rather, they honored their ancestors as part of a vast spiritual, cultural, and linguistic system, referring to graves not as a “tactic,” but as a wholistic means of referring to this system. To her credit, the author acknowledges that ancestral graves “facilitated complex, dynamic links between the people’s past, present, and future on its homeland” (197). In juxtaposing the rights claims of African and

Indigenous Americans, too, Ben-zvi also minimizes moments of collaboration and common purpose (the African American alliance with the Seminole, to name just one).

Yet Ben-zvi's emphasis upon the importance of the individual—particularly those marginalized by European rights theories and a unified discourse absent of “cultural, geopolitical, or historical particularities” (31)—remains clear. As she states, “human agency interacts with its enabling environmental conditions, thereby becoming meaningful in local, specific ways that resist Eurocentric definitions of human rights” (30). Ben-zvi's invaluable analysis of early African American petitions and Indigenous American letters and commentary, citing the individual voices of disenfranchised and marginalized peoples, brings home the argument she paraphrases of the Odawa leader, Egushawa: “land could not be abstracted from its relations to the communities that inhabited it, giving it specific socio-historic-political meanings” (142). In her close attention to individual voices preserved in little-discussed historical documents—her careful analysis and naming of individuals who attempted to negotiate with or resist domination and violence—Ben-zvi makes a valuable contribution to scholarship on African and Indigenous American agency within the history of colonialism and to scholarship bringing forward specific African and Indigenous American voices that resisted Euro-American violence.

*Janet Berry Hess, Sonoma State University*