
David J. Carlson. *Imagining Sovereignty: Self-Determination in American Indian Law and Literature*. Norman, University of Oklahoma Press, 2016. 242pp.

Sovereignty is an odd, even foreign notion in a free democracy. David Carlson's *Imagining Sovereignty* concludes with a call for direct action to combat nations like the United States and Canada that continue to assert sovereignty over indigenous peoples, perhaps, Dr. Carlson suggests, along the lines of Idle No More. Perhaps the Standing Rock Sioux Tribe's stand against the Dakota Access Pipeline is an answer to his call. These are actions against a sovereign, represented by the United States Army Corps of Engineers, acts of self-determination.

The "sovereign" traditionally is a single person, say a queen or an emperor, or perhaps an all-powerful religious figure. Sovereignty is also an ancient, terrifying notion. Witness Hobbes' monstrous Leviathan. The sovereign, almost by definition, can do no wrong. The sovereign may not always be correct, but is always too powerful or too perfect to be wrong. Self-determination, in contrast, is normal. It is the American way of individualism, and has been from the moment the Declaration of Independence reached the colonial streets. Self-determination is the theoretical counterpoint to the sovereign, with the diffuse masses overriding their master and proclaiming, "Don't tread on me." The People are the Sovereign, and government is stunted by checks and balances and separation of powers.

And yet Americans embrace the notion of sovereignty in order to claim strength as a unified whole. United, Americans stand. Divided, Americans fall. Instead of the weak, flailing United States government under the Articles of Confederation, we have the towering supremacy of the federal government under the Constitution. This sovereign prevailed in a horrifically bloody civil war and in multiple world wars. This sovereign imposed human rights norms in the Deep South from on high, presides over the entire world as an economic and military Superpower, and administers the world's only multi-trillion dollar national budget. Even the most radical libertarians chant "USA! USA! USA!" when the national women's soccer team takes the pitch in the World Cup.

That modern American Indian nations claim sovereignty *and* self-determination in the same breath in this political atmosphere should be unsurprising given the benefits of asserting both. But some Americans shake their heads and wonder how such a weak and dependent group of lower class people could be so audacious as to claim sovereignty, or to effectively govern themselves or anyone else. Similarly, Indian people who are citizens or members of the tribes that assert sovereignty and claim the power of self-determination sometimes are not convinced, either. Historically, tribal leaders claiming sovereignty more often than not found themselves talking to an empty longhouse, or worse, dead. Consider Hole-In-The-Day (the younger), a Minnesota Ojibwe leader assassinated by his own people. Modern tribal leaders spending too much time testifying before the Senate Committee on Indian Affairs on tribal self-determination or giving speeches for the National Congress of American Indians in conferences at tribal resorts are routinely voted out of office.

David Carlson's work dives into this contradiction between tribal sovereignty and self-determination, highlighting how assertions of illiberal tribal sovereignty—in political, legal, and literary domains—do important work toward establishing tribal self-determination within the

polity governed by the American Leviathan. Mid-twentieth century Indian people divided their attention between saving tribal governments or asserting individual civil rights. D'Arcy McNickle's professional and literary career, as described by Dr. Carlson, is a bridge between the bad old days of Indian dependency on the federal government and the rise of tribal sovereignty talk (and, later, action) by tribal leaders.

Dr. Carlson's historical tale of how sovereignty came to be the touchstone of American Indian activism in the twentieth century leans heavily on McNickle. The federal government again and again targeted Indian tribes for termination, and drew multitudes of Indian people away from Indian country to the cities through the Indian Adoption Project and the Urban Relocation Project. McNickle's work proved that Indian people retained their tribalism in the face of these American efforts to destroy it. McNickle's work laid a framework for contemporaries like Vine Deloria, Jr. to advocate tribal nationalism in the framework of Indian individualism.

With Congress finally getting something right in Indian law and policy by enacting the first of several self-determination acts in the 1970s, there finally arose a focus on Indian tribes instead of individual Indian activism. In some ways, the cultural Indians gave way to the political Indians, and the Bureau of Indian Affairs hired all the anthropologists to advise the federal government how to make policy. Indians started going to college in greater numbers, and many returned home to contribute to a tribal nationhood. In larger numbers every generation, Indian people have returned to the tribal government and to their home territories, hedging their bets in favor of sovereignty. In short, Indian people have embraced self-determination through the sovereign rather than self-determination through individualism—no different than the Founders of the American Republic.

There are significant advantages to embracing a tribal sovereignty. Dr. Carlson's historical road trip through the rise of tribal governments tells part of the story. Powerful people listened when a tribal leader audaciously declared tribal sovereignty. Invocation of sovereignty is invocation of power. Tribal sovereigns defend their people, providing for child welfare, health care, law enforcement. Tribal sovereigns fight legal and political wars in federal courthouses and in the Senate Committee on Indian Affairs. Tribal sovereigns employ thousands of non-Indians to clean rooms at tribal resorts and test water samples for tribal conservation departments. All of this, of course, is accomplished through self-determination. With some tribal nations, the individualistic character of self-determination has eroded.

Sovereignty arose in other areas, too, in invocations of cultural sovereignty, literary sovereignty, linguistic sovereignty. Dr. Carlson narrates the stories of the literary nationalists Craig Womack and Jace Weaver and the cultural nationalist Elizabeth Cook-Lynn. Now when Indians read materials on Indian literature or Indian culture, they expect the authors to be Indians. More and more, Indian people learn about their cultures not from academic research of non-Indians, but from Indian writers and scholars—and their elders and cultural teachers. This, too, is self-determination, protected and cultivated in the shadow of tribal sovereignty's powerful penumbra.

Still, there can be significant downsides to embracing self-determination through sovereignty. Tribal leaders will sometimes say that tribal sovereignty means the tribal power to make tribal mistakes, and to learn from those mistakes and correct them with tribal solutions. But

sovereignty too often means the learning comes slow, if at all. A couple dozen tribes are mired in disenrollment debacles and holdover councils that create intractable political disputes. Tribal sovereignty strips away potential federal remedies, leaving human rights abuses unresolved. Sovereignty hasn't solved poverty or hopelessness on many reservations, either. The Obamas visit with Pine Ridge schoolchildren who told them they each knew several schoolmates who had committed suicide somehow underscores the need for tribal sovereignty, and the limitations of tribal sovereignty.

Is literary nationalism susceptible to parallel abuses and failures? Probably not. Governance and scholarship have different aims and apply different tools. Dr. Carlson's survey of this literature helpfully shows that Indian literary scholars are engaged in the process of introducing indigenous philosophies and histories into the scholarship. But there's a risk, however small, that cultural sovereignty could be used in efforts to bar access and engagement to tribal cultures.

The centerpiece of Dr. Carlson's work is the controversial White Earth Nation's constitutional reform. This is an ongoing project that seeks to undo a tribal organic document adopted decades ago by a tribal government under the deep influence, if not control, of the federal government. Tribal citizenship criteria based purely on ancestry—blood quantum—is perhaps the most critical question in this controversy. The proposed constitution (one voted on and approved in a tribal election but somehow still not tribal law) would look beyond mere blood quantum and employ indigenous community standards to determine citizenship. Dr. Carlson sees this work as a tool to move toward tribal sovereignty *and* self-determination, the ultimate goal being decolonization. It's an admirable objective. And Dr. Carlson's analytical methodology depends on *tribal* solutions, not federal or non-Indian solutions. More times than one might expect, the mere process of self-determination is enough to enhance tribal sovereignty.

Dr. Carlson's work gives us much to think about in relation to the algebra of tribal sovereignty and self-determination. There is comfort, usually, in tribal sovereignty through actions rooted in self-determination. The diffusion of tribal sovereignty authority is real. Externally, one might see a tribal sovereign, a relatively powerful unified whole. Internally, one sees constant acts of tribal self-determination in the form of modern tribal democracy. The anti-pipeline movement might be evidence of tribal self-determination flowing into the greater American world, perhaps infusing American citizens with the forward-thinking "Don't Tread on Me" tradition of self-determination and sovereignty.

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