
On the Mysterious 1831 Cherokee Manuscript or *Jisdu* Fixes John Locke's *Two Treatises of Civil Government*

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At the time that he read John Locke's original manuscript, around the year of 1691, *Jisdu* did not know the weight those printed words would have on his relatives, the Cherokee people (*Anijalagi Aniyuwiya*). What *Jisdu* did know was that Locke was upset with the printing of his words, that the printers had made many mistakes. *Jisdu* was of the opinion that such mistakes might explain what appeared to be quite a bit of nonsense in the printed material that was before him. Since Locke appeared otherwise to be reasonable and sensible, at least for a human, *Jisdu* concluded that the errors made by the printers might explain what seemed like childish nonsense in the actual printed words he was reading. *Jisdu* had also thought of a more sinister explanation for the bizarre nature of the book before him: it might be a *didahnesesgi* (a conjuring text), as these often "bear little resemblance to ordinary discourse" (Kilpatrick 25). Or perhaps it was even a *didagalenvdhodiyi*, "the most venomous" of the conjuring texts that was meant to separate things, where the things to be separated in this instance are the people and the land (Kilpatrick 39). Either way, *Jisdu* set himself onto the life-long path of the fixing of Locke's manuscript.

The corrections that *Jisdu* made with his own hand to his personal copy of Locke's original manuscript were not set to type until 1831 when the Cherokee had a printing press and after Chief Justice John Marshall's use of Locke's original ideas in the Cherokee Trilogy of Supreme Court cases had set the stage for the Trail of Tears. It was the confluence of those events that sent *Jisdu* to my relative's cabin on a cold December night in 1830. *Jisdu* had just heard of the execution of Corn Tassel by Georgia, which Governor Gilmer had done with haste to avoid a review from the highest court in the land—Marshall had just sent Georgia a writ to appear before the court to defend their racist and imperial incursion into the Cherokee homeland. *Jisdu* believed, and there is indication that he was correct, that if his corrected edition of Locke's original manuscript would have been published as a revised edition anytime between 1689 and the present (1830), the horrific events that were taking place in the Cherokee nation at the hands

of the settlers of Georgia might have been avoided, since these events were shaped by the settler logic and perhaps even settler witchcraft that was at the core of that original manuscript.

Part of this story is about *Jisdu*, the Cherokee rabbit trickster, and part is about my relative James Dougherty, since it was Grandpa James who was given *Jisdu*'s copy of Locke's manuscript and the instructions on setting it to type in the winter of 1830. James Dougherty was born in Hightower on October, 17, 1785, a Chickamauga Cherokee village on the land of what is now Rome, Georgia. He was born eight years to the day of the famous battle of Hightower where Kingfisher was killed by the Tennesseans and the village of Hightower was moved up the river to what is now Cartersville, Georgia. As an eight-year old, James witnessed some of the conflict between Doublehead and The Ridge that spilled out from that fateful day, fateful for both men and even for the Cherokee Nation as a whole. I think those events of 1793 in his village helped set him on the path to the Foreign Mission School of Cornwall, Connecticut in 1802. The years that followed, under the benefactor Elias Cornelius, saw him study the venerable John Locke and dine with Virginia statesmen Thomas Jefferson and James Monroe—the same Jefferson who said that Locke was one of the “three greatest men that ever lived, without exception” (Jefferson).

Upon returning to his family in Cherokee Nation East, James began working with other Christian educated Cherokees to translate the New Testament into Cherokee using Sequoyah's syllabary. In 1828, He began working with Boudinot and Worchester on the Cherokee Phoenix newspaper. It was at that time that James encountered *Jisdu*, and this mysterious manuscript was finally given printed life. In the story that Grandpa James told, he spent several months, under the personalized instruction of *Jisdu*, transcribing and setting to type this manuscript from the hand-corrected version that *Jisdu* brought him. On March 18, 1831 (the day the Cherokee Nation v. Georgia Supreme Court decision was rendered), he set the manuscript to type and printed it on the Phoenix press.

It is from James Dougherty, my many times great grandfather, that this *Jisdu* formula/manuscript comes to me. After producing it on the Cherokee printing press in early 1831, he guarded it like one of the handwritten Cherokee formula books that families kept and passed down for generations, as he perhaps hoped one day to bring this manuscript to the wide circulation he believed it deserved, or maybe because both Grandpa James and *Jisdu* considered this manuscript to be one of the *idigawesdi* (magically protective and transformative texts) that

have power to change the world and are inviolable and not to be knowingly altered by the descendants to whom they are passed. Either way, it was so precious to Grandpa James that it became one of the few items that made the journey with him to Indian Territory in 1838. It was passed down in the Dougherty-Langley family until it finally came to me. I present it here for the first time because as Grandpa James said, “If this manuscript could have been included in the printing of the original Two Treatises, perhaps the horror of what is happening now with our removal might have been avoided.” What follows here is, first, my representation of the note from the hand of James Dougherty that was included with the *Jisdu* manuscript and, second, the original *Jisdu* manuscript printed in 1831 but never before published. Both are included here with very little editing on my part. *A caution to the reader: Jisdu* has been known at times to manifest the ability to see the future as well as to speak to the future. He then often speaks in a dialectical form that is foreign to his contemporaries but well known to his future interlocuters. Thus, it can prove rather difficult to situate *Jisdu’s* corrections to John Locke’s original manuscript into a particular time and space.

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January 20, 2017

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§ Concerning this Manuscript and its Origin Story §

To the Reader.

I have attached a letter to this manuscript because bearing upon its face, it would appear to be more the offspring of an excited mind than the sober dictate of political philosophy. What appear as misrepresentations and illegal constructions of the writings of one John Locke, a philosopher and physician, are rather the corrections of one *Jisdu*, a rabbit and trickster. The annihilating sarcasms of the new editor of this revised edition, one rabbit trickster, to the performance of which he appears strictly to have adhered, might give cause to apply the epithet of calumniator upon him if it were not with highest spirit of friendship, truth, and love that he set forth to make these corrections to the manuscript of the man, whom he names as friend, John Locke. The faithful followers of John Locke will surely conclude that they have never witnessed a similar spirit of high resentment in the cause of one who names himself as collaborator else, in turn, fall to the irresistible conclusion that this edition strains completely the faculties of the human mind.

Only a hasty effort to establish conclusions to these questions will originate such preposterous allegations. In the support of the true position of original corrector and editor set forth by John Locke himself, *Jisdu* is in a supreme and immutable position, which it will test all the scrutiny of Philosophy to overthrow. So far as virtue and ability are hand in hand, and accompanied by a strict regard to consistency, again in so far as virtue and ability will allow, I testify that this corrected edition of John Locke's *Two Treatises on Civil Government* is the true and faithful heir of the original manuscript set forth in the year 1689. Altho' some may proclaim an excessive use of liberty on the part of the editor, *Jisdu* has every authority and cause to claim that his version of Locke's text to be the truer manuscript of all thus produced. If the reader has preference for the old one, let him with industry gratify himself in the enjoyment of the unfit claim of faithfulness to what is true and earnest from the start. Yet if there has been no abandonment of the principle of faithfulness and a great disposition is manifested to approach

nearer to the true intention of the mind of the original author and the great Philosophy to which his intention was directed, these printed words will find root in that man and grow to hitherto unseen bounds. If there are missteps and mislocutions in this edition of Locke's manuscript, let it be unequivocally acknowledged to be an unintentional trespass and laid squarely upon the shoulders of this human being.

From the Printer and Translator

James Dougherty

New Echota, 1831

Two
T R E A T I S E S
o f
Government
In the Former,
The False Principles and Foundation
o f
Jani Lagwv
And His F o l l o w e r s,
A R E
Detected and Overthrown.
The Latter is an
FORMULA
FOR
The Origrinary Manifestation
o f
Government from the Land

BOOK I

AN ESSAY CONCERNING CERTAIN FALSE PRINCIPLES

CHAPTER I ON PROPERTY AND SELF-SOLITUDE

§1. The concepts of Property and Political Power as they exist in the Settler State of my future reader—that are as ubiquitous as the notion of the modern nation state itself—are so Vile and Miserable and so directly opposite to the *dejadaligenvdisgesdi* (responsibility for one another) of *anigaduwagi* (the people who come together as one) that tis hardly conceived that our author, *Jani Lagwv*, would plead for them. And truly I should have taken this Treatise as persuading all Beings that the Land, the Plants, and the Animals are all Natural Slaves, for Property and Sovereignty (as the ubiquitous notions of power in the modern state) are nothing more than concepts of Power and Domination over, firstly, *elohi* (the land) and secondly other *aniyvwi* (people) who are variously called Savage and Heathen. The Settler Colonial Logic of Domination that shapes these seemingly common sense concepts does not arise out of a State of Nature, as our author claims, because this State of Nature conceptualized by our author is nothing more than the mirror by which the Logic of Domination conceives itself against a projected and imagined Inferior Other.

§2. I cannot but confess myself mightily surprised at the Vacuous Locutions the author presents as an Exercise of Wit. Rather than a Serious Discourse meant in earnest, which the Manner of this author and the Presentation of his Manuscript would require, this Treatise is mere Noise meant to Blind the People the better to

device them. Instead of providing a Bond of Kinship for all Human Kind, as the author claims, this Treatise provides but an *ayelisgi* (imitation or disease). *Ayelisgi* is the Unmooring of Kinship from the *ayeli*, which is the center, the middle, or the nation. *Ayeli* is grounded in *elohi*. In other words, what Grounds the Kinship of Humankind to the Center as a People is the Land. The Contrary Doctrine of *ayelisgi* (of imitated kinship through abstraction and domination) removes from Humankind even the possibility of Kinship and founds the Being of Humankind in Self-Banishment or Solitude. In this Solitude, Human Reason, Human Knowledge, and Human Power are also banished with the Banishment of the Other. Where there is no Kinship, there is no Knowledge, no Understanding, no human power that is not the imitation power of domination.

CHAPTER II

ON THE KINLESS CONQUEROR AND ITS ORIGIN IN SELF-BANISHMENT

§3. The Kinless Conqueror that defines the coming to be of Civilizing Power and Property, in the mind of our author, is created in Solitude, but a Solitude that deceives itself as Dominating Power. As the Roman Empire becomes the Christian Empire, and as the Dominating Power of Imperial Conquering becomes the Dominating Power and authority of Christendom, the Kinless Conqueror finds itself in a perpetual state of questioning: If I know the supposed Heathen and Savage as she actually is, do I lose the Unquestioning Power I have over her? If I move beyond the Self-Created shell of my Dominating Power to actually touch and see the Other, do I lose my Self-Created Power of Domination? These questions resolve to one: am I truly King of all, or am I truly God on Earth? This is the First Skepticism. It is the Skepticism of Christendom’s *Adawi* (Adam) and *Kastadinv* (Constantine) but only reaches fruition in the Inquisition’s *Gwedinadv* (Ferdinand) and *Isadela* (Isabella) and the Valladolid’s *Segwvligeda* (Sépulveda). When the Inquisition asks who among the Converted are “stained by ancestral heresies” or when the Valladolid asks “do Indians truly have souls,” this is not a Skepticism about the “enemy

within,” but a Methodological Skepticism whose end is the Self-Creation of the Unquestionable Conqueror (Silverblatt 31-32).

§4. This Methodological Skepticism is not directed toward the Settling of the Question of the Savage and Heathen Other, but the Settling of the Doubt concerning whether the Conqueror is truly God on Earth. In order to banish the Doubt concerning whether the Conqueror is King, he creates a sphere in which he becomes Unquestionable and Undoubtable in order to become an *ayelisgi* (imitation) God on Earth. The Conqueror banishes the other from his Sphere of Being in order to banish the Doubt of the Conqueror as truly God on Earth, to banish the Doubt of the Conqueror as King. After banishing the Other from his Sphere of Being, he replaces the Other with the Inverted Projection of the Conqueror himself, the Savage. The Conqueror becomes what he is then, not through True Power, but through Complete Solitude. All of Being and Knowing become a mirror for the Idiosyncratic Personalities and Experiences of the Kinless Conqueror who has banished himself to his Own Solitude. The supposed Enemy Within of the Savage and Heathen Other hides the True Enemy Within of the Solipsistic Universe of his own Mind.

§5. The Savage Other is manufactured, in part, for the purpose of creating a Conqueror who can innocently save this *ayelisgi* (imitation) Other. If the Savage Other violently resists the Conqueror’s will, then the Conqueror becomes the Victim of the Savage Other. Yet Civilizing the Savage or Saving the Heathen does alter the Path of continued domination for the Kinless Conqueror. After civilizing and saving, the Kinless Conqueror must reveal the Bad Faith of his Mission to Civilize and Save the Savage Other in the First Place. The Ceaseless Striving to Save the Savage Other even after she has been Saved reveals the Conceptual and Structural Fallacy of the Mission as one of Salvation at all since the States of being Unsaved, Uncivilized, and Poor for the Savage Other are material and conceptual by-products of the States of being Saved, Civilized, and Wealthy as created by the Forced Solitude of the Kinless Conqueror. This Fallacy of the Creation of Value in absence

of actual Kinship by the Conqueror also reveals that the Freedom and Liberation the Savage Other is supposed to find after being brought out of Darkness by the Salvatory Conqueror is not a True Freedom or Liberation—as these Concepts must be borne out by Reason or Experience—but rather the Freedom to be Shaped in the Image of the Kinless Conqueror, which is of course not a Freedom at all, as our author well knows, but a perpetual State of Bondage.

§6. One world-leader of my future Readers will propose to save a Desert Tribe in a Foreign Land by forcing upon them the So-Called Freedom of Free Enterprise or what is rather the Bondage of Global Capitalism as they will come to Know it. The Real Meaning of being Savage, Uncivilized, Unfree, and so on, is then determined by the Kinless Conqueror, but not on the foundation of any Principle of Reason or Experience but simply on the foundation of the Idiosyncratic Being of the Kinless Conqueror himself. All the Savage Other must do in order to continue to be Savage is to lie outside of the Sphere of Power the Kinless Conqueror has created for his Purpose (for my Future Reader this Sphere of Power manifests itself, in part, as Global Capitalism). The so-called Reason of the Kinless Conqueror becomes the Epistemological Perspective of Future Philosophy. But is not an Epistemological Perspective of the Kinless Conqueror brought to bear on the Savage Other; the Kinless Conqueror *is* the Epistemological Perspective. There is no Reason or Epistemological Perspective to bring to bear for there is no Reason or Epistemological Perspective at all Save the Kinless Conqueror himself in his Solitude. *Segwvligeda* puts it most directly in the Valladolid when he claims that it would be Wrong to exercise Violence against the Savage Other if she were found to worship “the true God,” who of course is None Other than the God of the Kinless Conqueror himself.

CHAPTER III

THE KINLESS CONQUEROR BECOMES THE KINLESS KNOWER OR THE
SECOND SKEPTICISM

§7. When *Degatisdi* (Descartes) gives Birth to the Kinless Knower (I think; therefore, I am) over Five Decades before the Words of Our Author, this birth is a Second Birth of the Kinless Conqueror. The Doubt that seemingly arises out of the Ether in the Mind of *Degatisdi* while watching the Candle Wax melt in his Study is not a True Doubt as he himself admits. His Methodological Doubt and Methodological Skepticism arise from the same Fear of the Conqueror being found Questionable. But rather than facing the Other only to find himself wanting, The Conqueror faces Knowing the Other, the World itself here, by attempting to defeat the Doubt that his Knowledge is King of All, that his Knowledge is Unquestionable, that he is God on Earth. This is the Second Skepticism. The Kinless Knower rises above the Skepticism of his Unquestionable Knowledge, following the Manner of the Kinless Conqueror, by Banishing the Other, the Body, the World. The Kinless Knower knows his own mind in its Solitude and the Other, the Body, the World is imagined as mere Form or Shape that can only be Measured by Geometry. Just as the Kinless Conqueror creates the Illusion of Power over the Other by banishing her from his Sphere of Kinship and into the Imagined Realm of Savagery, so the Kinless Knower creates the Illusion of Knowledge of the Other, the World, by banishing her from his Sphere of Kinship and into the Imagined Realm of mere Body, mere Form, mere Shape, mere Emotion, mere Desire (these are also variously called Savage and Heathen, but also Female and Natural). The World of Knowledge, Reason, Power, Agency exists alone in the Mind and Personalities of the Kinless Knower in his Solitude. These Exist in him by Definition and not by Reason lest the very Question should be Begged: By Whose Lights do You Confirm in Yourself Alone all that is Good, True, and Powerful. This Question cannot be Asked of the Kinless Knower because he is both the Light that Shines and the Seer of that Light.

§8. The Mind of the Kinless Knower over against the Imagined Mere Form and Body of the Other as World is a mirror for the Idiosyncratic Personalities and Experiences of the Kinless Knower who has banished himself to his Own Solitude. A ten year-old *Degatisdi* entered the Jesuit school of La Flèche in 1606. In this school, he received a “modern” education that focused on the “rationalization” of practices of the Catholic Church. In this training, “each Jesuit constituted a singular, independent, and modern subjectivity, performing daily an individual ‘examination of conscience,’ without communal choral hymns or prayers as was the case with medieval Benedictine monks” (Dussel 6) *Degatisdi* was required to “withdraw into silence three times a day, to reflect on his own subjectivity and ‘examine’ with extreme self-consciousness and clarity the intention and content of every action, the actions carried out hour-by-hour, judging these actions according to the criterion [of service to God]” (ibid). These Examinations were kept in a Notebook that Documented the Errors made by the Hour from Morning to Night. The Philosophical Codifying and Justifying and attempted Universalizing of these Practices by *Degatisdi* does not Change but only attempts to Hide their Origin in the very particular Idiosyncratic Practices of those very particular Jesuits at that very particular Moment in Time and Space.

§9. The Duality of Mind and Body by which the Kinless Knower attempts to Conqueror his Doubt is also Grounded in very Particular and Idiosyncratic Practices of Christendom. The Duality of the Soul and Body is a Foundational Tenet of Christendom, even if from One Solitary spot on the Tree of Christendom. The Soul is Saved but the Body is Resurrected as the Culmination of Salvation. The Soul of Christendom becomes the Mind of *Degatisdi* and the Solitary Source of Being, Knowing and Salvation, but only in Relation to an Imagined Inferior Other of the Body and World. During the Peak of the Inquisition, the Body becomes “the basic object of repression,” whereas the Soul becomes “almost separated from the intersubjective relations at the interior of the Christian world” (Quijano 555). *Degatisdi*, for the first time, systematized and “secularizes” the isolated experiences

within this particular branch of Christendom at this particular moment in its History. The Radical Segregation and Self-Banishment of Mind/Soul from the Broader World of Other as Body creates the context for the “scientific” Theorizations on Race and Gender. Nature, Animals, Plants, Indians, Sexuality, and so on are all Body and thus Inferior to the Solitary Conqueror/Knower who is by definition all that is Rational, Civilizing, Knowing, Active, Powerful, and True. Through the “objectification of the body as nature,” The Other as defined by Race and Gender and associated with Body, and merely because of their manifestations of Difference with the Idiosyncratic Features of the Kinless Conqueror/Knower, is “condemned as inferior for not being rational subjects” (ibid). As they manifest any Difference in Nature with the Idiosyncratic Personalities and Experiences of the Kinless Conqueror/Knower, they become trapped in the Being of Body and the State of Nature. The Savage Other, as such becomes “dominable and exploitable” and “considered as an object of knowledge” (ibid).

§10. An author perhaps known to my future reader, will put the Relational Structure of Manifesting Universality over what is an Idiosyncratic Culture Practice of Christendom like this: “Secularization was able to detach God from Nature (which was unthinkable among Indigenous and Sub Saharan Africans, for example; and unknown among Jews and Muslims). The next step was to detach, consequently, Nature from Man (e.g., Frances Bacon’ *Novum Organum*, 1620). “Nature” became the sphere of living organisms to be conquered and vanquished by Man” (Mignolo 87). Secularity then hides the Idiosyncratic Nature of Salvation in the Supposed Civilizing Mission of the Kinless Knower to the Savage Other as Nature and Indigenous. *Amayeli* (between the waters), called *Amayagni* (America) by Lagwv, becomes the Land of Nature or the Exemplar of the State of Nature for the World, and so it is in the Salvation or Settling of *Amayeli* that the Mirror of the Kinless Conqueror comes to be, and it is through this Mirror that the Kinless Conqueror comes to See himself as he Imagines that he Actually is. *Hegali* (Hegel) has put it recently as this: “The human being acquires confidence in himself. Man

discovers America, its treasures and its people, he discovers nature, he discovers himself” (Dussel 13).

CHAPTER IV

THE KINLESS CONQUEROR DOMINATES THE LAND BY CREATING THE SAVAGE AND THE STATE OF NATURE

§11. Our Author also describes *Amayeli* (between the waters) or *Amayagni* (America) as the context out of which Civilization comes to be. “In the Beginning all the World was America,” *Jani Lagwv* (John Locke) beseeches his listener (II.49). *Amayeli* becomes the exemplar of the State of Nature. “America is still a Pattern of the first Ages in Asia and Europe,” he pontificates, and so the *Anijalagi* (Cherokee) as well as the *Aniyonega* (Europeans) who come in contact with them “are perfectly in a State of Nature” (II.14). I do not think our Author so little skill’d in reasoning that he would fall into the Trap of the Kinless Conqueror, so I first supposed it but by Oversight that he comes to this thought or it is again by way of the Banishment to Solitude that his Mind is driven to this Place. The Reflections, for their part, as they occur in this Text are not Reflections of Reason. Yet they do create an *ayelisgi* (imitation) of power that imagines a Justification on the basis of Natural Law for the Appropriating without consent of the land of the *Anijalagi* by the *Aniyonega* as well as the Justification for the Denial of the Sovereign Authority of the *Jalagi Ayeli* (The Cherokee Nation) itself.

§12. In Nature, according to our Author, “All men are naturally in a state of Perfect Freedom to order their Actions, and dispose of their Possessions and Persons as they think fit, within the bounds of the Law of Nature, without asking Leave or depending upon the Will of any other Man” (II.4). Thus, when the *Jalagi Ayeli* (the Cherokee Nation) simply defends its lands and people from the *ayelisgi* of domination by the *Yoneg*, as they are defined as in a perfect State of Nature, the *Jalagi* are Offenders of natural law and as such are “wild Savage Beasts” who “may be destroyed as a Lyon or a Tyger” (II.16). The *Jalagi* are Offenders of Natural Law

in defending their People and Land because as existing on a land that is Yet in a State of Nature, the *Jalagi* have no People or Land as they have no possibility of Gover'nment or Property. The force of these words are Great for our Author, since, during the Time of the Setting of these Words to type, he served as secretary to the Lords Proprietors of Carolina, secretary to the Council of Trade and Plantations, and as a member of the Board of Trade. He was one of a handful of men who helped to shape the old colonial system of *Amayeli* during the Restoration, and on that basis felt the weight of the *ayelisgi* of Settler Domination. His part, in trying to lift this pretense, was a manufactured absence of a government and property system on the part of the *aniyvwi* of *Amayeli* (people of America). My future readers may know a S(cholar of *Jani Lagwv*, who says of our Author's pretense: "Locke's concepts [of government and property]... are inadequate..." because "Locke constructed them in contrast to Amerindian forms of nationhood and property in such a way that they obscure and downgrade the distinctive features of Amerindian polity and property" (Tully 167). *This Scholar* will be one among us, at least, who thinks that *Lagwv* did, in fact, formulate his Concepts of Government and Property through Self-Banishment from the *yvwi* of *Amayeli* (the people of this land). If this *Scholar* is correct, We must conclude, no matter the Great Praise and Wonder with which my Future reader will view our author, that he is, in fact, a Kinless Conqueror and a Mental Wanderer on *Amayeli* (this land).

§13. The result of the Self-Banishment of our Author from *Amayeli*, in order to hide from the True Other (the *anijalagi* as well as all the other *aniyvwiya* of *Amayeli*) while maintaining an *ayelisgi* (Imitation) Other of the Savage, is a manufactured State of Nature for *Amayagni*. In this manufactured State of Nature, *anijalagi* (The Cherokee) have no government or law and no private property, as is required in Nature. The *yvwi* of *Amayeli* (the people of this land) have no Law but the Law of Nature and no Authority but the singularity of each Individual Will. The Law of Nature is all that "restrain men from invading other's Rights," and "the Execution of the Law of Nature is... put into every Man's hands, whereby everyone

has a right to punish” offenders of Natural Law (II.7). In Nature, says our author, it is the individual who perceives what is right according to Natural Law, and it is the individual who is Judge over controversies betwixt himself and others, and executes Punishments proportionate to the Transgression of these Natural Laws. Human Beings in Nature, says our author, are free to order their Lives in Accordance with Natural Law and are equal in the “Power and Jurisdiction” to govern the Transgressions of this Law. All Human Beings are then Laws unto themselves in Nature until such time that they freely release their “Natural Power” with the expressed intention of declaring “a common establish’d Law and Judicature to appeal to, with Authority to decide Controversies between them, and punish Offenders” (VII.88).

§14. Likewise, there is no Property in the State of Nature because in Nature “God hath given the World to Men in Common” to “make use of the best advantage of Life and convenience.” “The Earth and all that is therein is given to Men for the Support and Comfort of their being” (II.26). “All the Fruits and Beasts belong to Mankind in Common,” which is an Idea that I, *Jusdi*, find so Childish that it comes only with a Giggle that I can even Quote such nonsense on the part of our Author since it portends that these “Common Men” own us Rabbits as well as the Grass we eat. Rubbish! A particular person can only come to Own a particular Rabbit (Balderdash!) from out of the Commons by Appropriation. “The Fruit or Venison which nourish’s the Wild Indian, who knows no enclosure, and is still a tenant in common” comes to belong to the so-called Savage when she “hath mixed [her] labour with it, and joined to It something that is [her] own, which is the “work of [her] hands” (II.27). Once the Savage removes the Fruit and Venison from what is Common to all, then that and only that which she Removes becomes her own. When she is “Nourished by the Acorns” she gathers from “Under the Oak,” she is making those and only those particular Acorns that she gathers and eats her own property. But though her labour remove these Acorns from the Commons, she can only take for her own as many Acorns as that will not turn to Rot. The Savage in the State of

Nature can never possess the Oak 'fore she can never appropriate the Wood nor the Deer that Feed upon it, except in what she killeth and only that, from the Commons as long as she is in the Savage State of Nature whereupon there is no Power or Law to Bind all. Until the Savage gives up the "Natural Power" to establish Laws that govern enclosed Space removed from the Commons, she has no Property but what she Now possess with her Hands. Until such time that Natural Power is given up and a common establish'd Law is made over *Amayeli* (this land), in *Amayagni* "there could be no doubt of Right, no room for quarrel," and "no reason of quarrelling about Title, nor any doubt about the largeness of the Possession it gave" (II.51).

CHAPTER V

THE KINLESS CONQUEROR BANISHES HIMSELF FROM THE LAND IN ORDER TO MANUFACTURE THE DOCTRINE OF DISCOVERY

§15. This manufactured Savage, who has no government, law, or land and who only comes into being through the Self-Banishment of the Kinless Conqueror, brings with it an *ayelisgi* of Justification for her Domination and for the Free Appropriation of her land and what is of her Land: The Acorn, the Deer, and the Gold. As *Lagwv* puts it, predicting the Future General Long Hair's expedition into the Black Hills with the U.S. Army Corp of Engineers in 1874 to Freely appropriate the Gold of the Lakota *aniyvwi*, "the Ore that I have digg'd in any place, where I have a right in Common with others becomes mine" (II.28). But our Author is in conflict with One of the Oldest and Most Fundamental Principles of *Yoneg* (Western) Law as spoken in the Ritual incantations of Latin Thusly: *Quod omnes tangit ab omnibus tractari et aprobari debet* (What Toucheth all Must be Approved by all). This *Yoneg* Principle of Law does not provide Room for Appropriation without Consent. Consent is, in the Oldest of Legal Principles, the Principle of Law itself. As far as establish'd property Law at the time of *Lagwv*'s writing and back into Time Immemorial for the *Yoneg* People, settlement and Defense of that

Settlement were understood by all to constitute occupation, and it was Occupation, in this sense, along with Long Use that were the oldest and most settled principles of legal land title.

§16. One of the examples of Self-Banishment that our author then tries to turn into a Principle (which is of course, as a Principle based in Solitude and not in Reason is not a Principle at all) is that what shews where once a Law is establish'd in Europe there could be no Appropriation without Consent is that in these Lands there is “Controversie about... Title’ and the “Incroachment on the Right of Others” and individuals are “Quarrelsom and Contentious”, driven by “Covetousness” as it regards possible Land claims (II.36, II.51, II.34). But in *Amayagni*, by contrast (as it is he supposed in a State of Nature), our author claims of any *Yoneg*, “let him plant in some in-land place” where there are not current plants in the ground, that such would not give “the rest of Mankind” any “reason to complain, or think themselves injured by this Man’s Incroachment” (II.36). This result of this pretense by our author is the *ayelisgi* conclusion that where no foot of an actual *yvwi* (person) now standing is *terra nullius* or vacant land. This *ayelisgi* conclusion creates justification for the further *ayelisgi* conclusion that for any *Yoneg* who comes upon the shores of *Amayeli* that by the mere placing of his foot upon soil where there currently is no foot is establish'd a Natural property right to that soil. Under the accepted principles of occupation and long use (that are ironically denied to the *yvwi* of *Amayeli*) is establish'd *Yoneg* legal title to this soil under accepted *Yoneg* principles of land title. By the early 1600s (and many years before our author puts these words to type) this so-call Doctrine of Discovery gave an *ayelisgi* justification of the assertion of Sovereignty and Property rights by any *Yoneg* if the discovery, occupation, and defense of any part of *Amayeli* was not already discovered by another Monarch of Christendom or warranted by a charter or grant from a King of Christendom, such as the John Cabot charter from King Henry VII for Plymouth and Massachusetts Bay colonies, which included the right “to subdue, occupy and

possess” the *yvwi* of *Amayeli*, “getting unto us the rule, title, and jurisdiction” of their land (Hakylut 21-22).

§17. Chief Justice *Jani Malsgwali* (John Marshall) of the *Yoneg* Supreme Court in *Amayagni* is currently ruling on issues of this so-called Doctrine in the *Jaligi* case against the State of Georgia, but he is no stranger to ruling with the Self-Banishment of Reason that our Author transforms from the mere Solitude of the Kinless Conqueror to an *ayelisgi* of Justification for the Domination over *ayeli dunadotlvsu* (Nations) of *Amayeli* (this land) and Appropriation of their lands without Consent. In the recent (1823) *Yoneg* court case regarding Appropriation without consent of the lands of *ayeli dunadotlvsu* of *Amayeli*, *Malsgwali* judges that the *yvwi* of *Amayeli* are incapable of owning their lands and territories because they are what he calls “savage tribes.” The *Yoneg* upon discovery of these “savage tribes” obtain “the exclusive right to appropriate [their] lands” (Johnson v. M'Intosh 585). The whole *Yoneg* country, he proclaims as justification for this pretense, “has been granted by the crown while in the occupancy of the Indians” (Johnson v. M'Intosh 579-80). Of Course this claim is Manifestly and Patently false just as is *Lagw's* claim that the *yvwi* of *Amayeli* did not object to the *Yoneg* Ineroachment upon their Land and Sovereignty as so-called Nature would have required them. But *Malsquali* is not finished with his Self-Banishment of Reason in this case. As his Final *ayelisgi* Justification he proclaims the “character and religion” of the *yvwi* of *Amayeli* “afford an apology for considering them as a people over whom the superior genius of Europe might claim an ascendancy” (Johnson v. M'Intosh 590). The *yvwi* “inhabiting this country,” he continues, “were fierce savages, whose occupation was war, whose subsistence was drawn chiefly from the forest. To leave them in possession of their country, was to leave the country a wilderness; to govern them as a distinct people, was impossible, because they were as brave and as high spirited as they were fierce, and were ready to repel by arms every attempt on their independence” (Ibid). The *Yonegs*, he concludes, “were under the necessity either of abandoning the country, and relinquishing their pompous claims to it, or of

enforcing those claims by the sword, and by the adoption of principles adapted to the condition of a people with whom it was impossible to mix” (Ibid). As with his predecessor, *Lagwv*, *Malsgwali* creates an *ayelisgi* Savage Other over which he can have Dominion but only through the Self-Banishment of Reason that is the defining feature of the Kinless Conqueror.

CHAPTER VI

THE SELF-BANISHMENT OF PRINCIPLE IN THE CONCEPTS OF CIVIL GOVERNMENT AND PROPERTY

§18. And Yet the *Jalagi* in part and the *yvwi* of *Amayeli* in whole did not consent to these pretenses on their sovereignty and property. The *yvwi* of *Amayeli* do feel injured by “this Man’s Incroachment” onto their Land and Territories as the daily Proclamations in the *Jalagi Jsulehisanvhi* (Cherokee Phoenix) will attest. The *yvwi* of *Amayeli* did more than feel injured by the *Yoneg* Incroachment, our author knows. In stark contrast to the claimed lack of “No Controversie about... Title” and the “Incroachment on the Right of Others” in a State of Nature, the *yvwi* of *Amayeli* (including the *Jalagi* in the Cherokee Nation v. Georgia case that is before *Malsgwali* and the highest *Yoneg* court in these lands) have presented legal challenges to every kind of Incroachment on their Rights and Land as has been available to them. This contrast alone should render our author’s Claims regarding a State of Nature for *Amayeli* as Reasonless and without Principle since in a State of Nature it is necessary that there be no such Controversie. The *Yoneg*, for their part, shewed the pretense of their reason when they went to War with the Pequot in 1636 over Innumerable land disputes with these *yvwi* of *Amayeli*. The Mohegan, for their part, Appealed to the Privy Council in London in 1670 against the colony of Connecticut for their appropriating of Mohegan Land without consent. The Mohegan continued their legal battles with Connecticut for nearly 100 years. The actions of both *Yoneg*, *Jalagi*, *Mohegan*, and many others alike shew the Self-

Banishment of Reason that appears as an Principle of Truth in Arguments of our author on these Accounts.

§19. *Lagwv*, himself, shows with Great Regularity, most often from his own words, the Self-Banishment of his Reason. The fact that our author thinks one can only have Settled Legal Property when one is “Quarrelsome and Contentious”, driven by “Covetousness” alone threatens to shew the Self-Banishment of the so-called Principles he espouses. *Lagwv* also thinks that the *Jalagi Ayeli* as well as other *ayeli dunadotlvsu* of *Amayeli* (Nations of this Land) do not rise to the level of Nations with accompanying Sovereignty because the Authority by which the Leaders of these *ayeli dunadotlvsu* (Nations) operated was not Absolute. He claims that although these “nations” were “ruled by elected Kings,” these so-called Kings have “very little Dominion, and have but a very moderate Sovereignty” (I. 131). The *ayeli dunadotlvsu* of *Amayeli* lacked both the very particular Moral qualities of the *Yoneg*, such as being Covetous, as well as the particular *Yoneg* institutions, such as absolute or majority rule rather than consensus. Rather than allowing for a Kinship to a True Other, *Lagwv* banishes the possibility of Kinship by claiming that these differences in Values and Institutions are not Real Differences. The *ayeli dunadotlvsu* of *Amayeli* (Nations of this Land) have no need for these Values and Institutions because, our author claims, they have “few Trespasses, and few Offenders, and “little matter for Covetousness and Ambition,” and so no “need of laws” (II.107). The Reason the so-called Savages have few Trespasses and few Offenders is that, according to our author, they have little property because their desires were confined “within the narrow bounds of each mans small propertie” (Ibid). Their “want of money” gave them “no Temptation to enlarge their Possessions of Land, or contest for wider extent of Ground” (II.108). The idea is simply put thus: Greed leads to money, and money leads to more Greed and only on the basis of this unlimited desire to ever enlarge “their Possessions of Land” do Individuals put themselves into the Proper situation for creating a Civil Society. Rather than being a Function of the most Idiosyncratic personalities of the *Yoneg*,

Lagwv defines these idiosyncratic personalities as Universal and even Necessary for the very possibility of Civil Society, Real Government, and True Sovereignty. This is the work of the Kinless Conqueror in all of its true Splendor: the Creation of an Entire Universe of Truth out of the single act of Self-Banishment.

§20. This Self-Banishment work of the Kinless Conqueror as an *ayelisgi* Justification of the Operations of Manifest Destiny on *Amayeli* was not new to the work of our author. *Lagwv* merely adds philosophical clarity to this line of Self-banished Reason in its Operation on the land of *Amayagni*. *Jani Witlodi* (John Winthrop), the Puritan lawyer from England who helped establish the second major Incroachment onto these Lands and Territories (Massachusetts Bay Colony founded in 1628), argued that the *yvwi* of *Amayeli* could only possess what they were currently cultivating (even leaving their fields seasonally for the Clam beds was enough to lose Possession under his version of the Kinless Conqueror’s State of Nature). He rejected the claim that *ayeli dunadotlvsu* of *Amayeli* (Nations of this land) held ownership of their lands and territories so that it would be illegal to “enter upon the land which hath beene soe longe possessed by others.” His *ayelisgi* Justification for this Rejection is the claim that *Amayeli* is in a State of Nature, under which “that which lies common, and that has neuer been replenished or subdued is free to any that possesse and improue it” (Winthrop 140-41). In contrast, the ownership of a territory only comes into being when the enclosure and subduing of land by those who have unlimited desire to enlarge their possession make what lies in common scarce. Yet the idiosyncratic personality of the Kinless Conqueror of Greed is not the only Yoneg idiosyncrasy required to own land. Property rights, in *Witoldi*’s humble estimation, require the very particular sedentary agriculture and improvement practices that are, of course, unique to the *Yoneg*. The “Natiues,” *Witlodi* proclaims, “inclose noe Land, neither have any settled habitation, nor any tame cattle to improue the Land by, and soe have no other but a Naturall Right” (Ibid). The Childish perspective that produces the thought in *Witlodi* that Cows are required in order for *yvwi* to rise to the status of owners of their land and territories

is the final proof that only by complete Self-Banishment into Absolute Solitude does the Kinless Conqueror create a Justification of his right to domination over the *yvwi* of *Amayeli* and even *elohi* (the land itself).

§21. The words of *Witlodi*, *Lagwv*, and *Malsgwali* that claim ownership over *Amayeli* (this land) through the Creation of the Kinless Conqueror in his Solitude are meant to be the Actions of an *didahnesesgi* (putter-in and drawer-out of them), which is the worst and most powerful of evil conjurers. The repetition of these seemingly nonsense words are the practices of an *uya igawasti* (a Speaker of destructive utterances that are meant to destroy the life-force of those conjurered over). The strangeness of *Lagwv*'s text is perhaps not that strange at all, as *didahnesesgi* and *uya igawasti* formulas bear as little resemblance to ordinary discourse "as Chaucer's Old English does to the writings of James Joyce" (Kilpatrick and Kilpatrick 49). *Lagwv*'s particular conjuring formula seems most like a *didagalenvdhodiyi*, "the most venomous" of conjuring text, which is meant to separate things, in this case the people and the land (K 39). *Lagwv*'s conjuring text uses these strange and seemingly nonsensical utterances to put an *ulsgedv* (intruder or illness) into people and the land. This *ulsgedv* creates the symptoms of a real sickness yet this sickness is but an *ayeligagi* (an *ayelisgi* illness), which are not real ailments but imitation illness that are meant to bring one conjured over to a low place or a place by which they can be dominated. In order to repel the work of these evil conquerors, collectively known as *Anilisgvi* (those who are thinking) one must put forth sacred protective formulas known as *didagwahlvsdodi* (to turn one aside) (A. Kilpatrick 7). Defensive in the nature, these highly potent protective formulas serve to shield *yvwi* from "the evil spirits of the north, south, and west, . . . and, from witches, and wizards, who go about on dark nights, in the shape of bears, hogs, and wolves to spoil people" (Adair 185).

BOOK II
ON THE ORIGIN OF *JALAGI* GOVERNMENT OUT
OF THE LAND OR THE FORMULA FOR
PROTECTION FROM THE INCANTATIONS OF THE
KINLESS CONQUEROR

CHAPTER I
ON THE SUPPOSED STATE OF NATURE AND SUPPOSEDLY RISING ABOVE
IT OR THE FORMULA FOR TELLING THE WAY IT IS

Gha! (Listen!)

Unehlanvhi galvladi

(Provider above)

Nigvnadv higolodisgi

(The One Who Sees Everywhere)

.....

Doyugwudv dijanoja jadi

(You tell the Truth)

.....

Degvyadhvdhaniga

(I have just come to question you)

.....

Usinuliyu sgwadvghlaniga

(Very quickly, you have just come to let me know)

§22. Let me begin to fix the words of this text that I have long suffered but have come to have some pity upon that may even raise to a slight affection. I, Jisdu, will fix these Words with some Stories of my own, some Stories that reveal a bit about *anijalagi aniyvwi ale jalagi ayeli* (the Cherokee people and the Cherokee Nation). The lack of the Idiosyncratic personalities of the Kinless Conqueror (which include a Quarrelsome and Greedy disposition, the desire to enclose and subdue the land (even requiring the placing of *waga* (Cows) upon it), and even, I gather, a distaste for Clams) do not remove the *Jalagi* from having a meaningful civil society and a meaningful relationship to their land and territories. As we have seen from *Segwvligeda* to *Degatisdi* to *Jani Lagwv*, the ground upon which the notions of Civil Government and Private Property are based are settled in the Kinless Conqueror and his Self-Banishment from Reason and into Solitude. The Kinless Conqueror shapes the Ontological foundation of the concepts of Being, Land, Meaning and so on. The Kinless Conqueror shapes the fundamental conception of human being as a Subjectivity that Conquers its Other. The Kinless Conqueror shapes the contours of all *Yoneg* thought from *Jani Lagwv* to the present of my Reader: the mind is set over and against the Other of Body, Humans are set over and against the Other of Nature, the Civilized are set over and against the Other of the Savage, Reason is set over and against Emotion, Man is set over and against Woman, and so on. Human beings are taken out of the land and abstracted into concepts of planetary evolution, history, anthropology, and so on. This Kinless Conqueror becomes a Dominating force that by being Removed from the Land is able to Operate from Above on the Other, including the Land itself. The Land becomes Conceptualized as an Abstract Object of Domination. *Jani Lagwvi* defines Property as existing only over Land that one has Enclosed, made Private and exercised Dominion and control over. My Future reader can follow the line of the Kinless Conqueror through all the *Yoneg* concepts of Power as an abstracted or Kinless power (removed from the land) that comes down from Above. Take the Classic *Yoneg* concept of Political power: sovereignty. In Latin, “*sover*” is over or coming from above, while “*reign*” is to have

dominating power over. Sovereignty is then Coming from Above to exercise Dominating power over. The very Nature of Power of Sovereignty is being removed from the Land in order to operate Abstractly on it or over it through Self-Banishment and Solitude.

CHAPTER II

ON NATURE AND PROPERTY FROM THE PERSPECTIVE OF SELU, THE
CORN MOTHER OR A FORMULA FOR REMOVING A FOREIGN OBJECT
INTRODUCED BY A KINLESS CONJUROR

Gha!

(Listen!)

Jisgili gvhnagei svenoyu

(Black Owl of Night)

Janaqwi uhyoha

(Your heart it hunts)

Unvdodi dihahnesesgi hia

(Conjurors do this)

Halvgidiga ehlawe

(You have just come to unquietly untie)

Nuvtanvda dudandhelidolvi

(The Thinker before he goes away)

§23. *Jani Lagwv*, all his protestations to the contrary, hasn't the faintest notion of Nature, even in the Darkest recesses of his already Clouded and

Shadowed mind. He proclaims that as the “workmanship of one Omnipotent and Infinitely wise Maker” and “servants of one sovereign Master,” “all men are naturally in... a state of perfect freedom to order their actions, and dispose of their possessions and persons” (II. 4). This Freedom for all Human beings comes from their “sharing all in one community of Nature,” which is a Result of Human beings not being “made for one another’s uses” in contrast to what our author calls “inferior ranks of creatures” such as yours truly, Jisdu who are Supposedly made specifically for these Human Beings and for whatever purposes they see fit (II.6). But Nature doeth not Place the Human in such High regard. Human beings do not have Dominion over *elohi* (the earth) and the animal spirits/powers who live in *Galvladi* (above everything) at *galagwogi* (the seventh height). There is no State of Nature where Human beings are free to treat *elohi* and the Animals as inferior property and so only order their Actions in relation to what *Lagwv* calls Natural Reason, which only takes Regard for the Mutual Wellbeing of humans in their shared space of Nature. The Animals of *elohi* have great Powers, and these Powers exist Above Everything in the sacred stone vault. Humans come into the Space of *elohi* with unresolvable Tension and Conflict. The humans must Track and Slay the animals of *elohi* in order to survive. This disruption to the Lifeways and the Life-force of the animals brings the Anger and Antagonism on the part of the animals and the animal spirits/Power down upon the human Beings as they try to live upon *elohi*. The Animal spirit/power brings sickness upon the Human beings for the eating of their Flesh and the wearing of their Skin as clothing. The Bear, the Deer, the Fishes, the Snakes, the Birds, the Insects, and many smaller animals each bring Different Punishments upon the humans for their Offense. But when the Plants of *elohi* hear about the suffering the animal spirit/powers have placed upon the Humans, they feel great Compassion for them as they understand that the Human beings are also trying to simply Sustain their lives. They agree to “help man when he calls upon [them] in his need” (Mooney 1891 319-321). The Plants become mediators for this unresolvable tension between human beings and animals.

§24. But the Plants must also Sacrifice their Flesh and Bones in giving this Help to the Human Beings, for all *aniyvwi* (persons) have Flesh and Bones. There are, in fact, four Spirits in *aniyvwi*, even the Plants. There is one Spirit in the Head or Throat that is a Spirit of Thought and Speech. This Spirit materializes as saliva. There is another Spirit in the liver, another Spirit in the Flesh that is materialized as Blood, and finally a Spirit in the bones that can materialize as semen. The most important Plant for *anijalagi* is *Selu*, and she is Flesh and Bones. *Selu* is the word for the corn, the corn Plant but also the Corn Mother. Her two sons are *Aniyvdagwalosgi* (The Thunder People). One of these Sons was born from *Selu* and *Kana'ti* but the Other is Wild Boy who was spawned from the Blood or the Flesh Spirits of the Animals that the Family killed and cleaned in the River, for it was from that very spot in the River that Wild Boy came to be. The two Boys set free all the animals from the trap of *Kana'ti*, their father, and so it came to be that they Approached their Mother, *Selu*, with their Hunger. She told her Boys that even though there was no Meat that if they waited she would Return with something for them. *Selu* took a *taluja* (basket) and went to the storehouse. The Storehouse was high off the ground and required *Selu* to climb a ladder to reach. *Selu* climbed into the storehouse with an empty *taluja* and returned with a *taluja* full of *selu* (corn) and *tuya* (beans). The Two Boys wondered where all this *selu* and *tuya* came from so the next day when *Selu* went to the Storehouse, they followed her and watch through a hole in the log and clay wall. What they saw astounded and frightened them. *Selu* stood in the middle of the room with her empty *taluja*. As she leaned over the empty basket, she rubbed her stomach. The *taluja* began to fill with *selu*. She then rubbed her armpits, and the *taluja* began to fill with *tuya*. The Boys were terrified. They decided that their Mother was a powerful *didahnesesgi* who was trying to Poison them with this *ayelisgi* food, and so they must kill her for their own Safety. *Selu* could hear their thoughts though and told them they were planning to kill her. She told them “when you have killed me, clear a large piece of ground in front of the house and drag my body seven times around the circle. Then drag me

seven times over the ground inside the circle, and stay up all night and watch, and in the morning you will have plenty of corn” (Mooney 245). The Boys killed their Mother with their clubs and placed her Decapitated head on the roof of the House with her Face looking toward the West. The Boys began to clear the Ground in front of the House, but did not follow their Mother’s instructions, and cleared only seven tiny Spots rather than the whole ground. They dragged their Mother’s Body around the Circle and, just as she had predicted, wherever her Blood (the manifestation of her Flesh Spirit) spilled onto the Ground, *selu* began to spring up. The Boys sat and watched the *selu* through the Night, and by morning, it was fully grown and ready to harvest.

§25. The Hunter must try to Balance the contradiction of trying to respectfully Kill and Eat the Animals that are needed to Sustain life but in such a way that does not increase the Ire of the animals and animal spirit/powers so as not to have the sustained Life and Life-force later taken away by some Sickness brought on by animal revenge. The *Jalagi* must balance this contradiction with their Corn Mother as well. Just like with Animals they Hunt and Eat, *yvwi* must try to respectfully Kill and Eat *Selu*, the Corn Mother. *Selu* is their Mother, though, and so her role in the current and future material and spiritual life-force of *anijalagi* is most fundamental. The Nature of Kinship with *Selu* is paramount to the life sustaining or life force milieu of *elohi* (the preconceptual intertwining of being and the land), because if the *yvwi* do not eat *Selu* they physically die, or conceptually die in the sense of being out of balance with the preconceptual intertwining of people and land as *elohi*. The manner in which *anivyvwi* (people) continue to kill *Selu* and drag her body across the earth so that when her blood pours onto the ground determines whether there is more corn and *anivyvwi* continue to live. As *anivyvwi* continue to kill *Selu*, they take the ears of corn, they grind kernels and plant some kernels back in the ground so that *Selu* will come back each time that they kill her and eat her. The process of killing and eating *Selu* while returning some of her bones (the kernels) to the ground is hardly a simple material

process. Firstly, the separation of *aniyvwi* from *elohi* in the construction of a concept of material processes that are separate from social and spiritual relationships is a creation of the Kinless Conqueror. Secondly, in the context of *elohi*, *aniyvwi* take the flesh and blood spirit of *Selu* and mix it with their Saliva spirit in the eating and digesting of the Flesh and Blood and Flesh and Blood spirit of their Mother. They also Grind the Kernels (the bone spirit) and place some of the Bones back in the ground, which returns part of her Regenerative or fertility Spirit to *elohi* so that *Selu* will regenerate. All the different Spirits of the *aniyvwi* and their interactions with the Spirits of *Selu* are part of the Normative structure of this foundational Kinship for *elohi* (people and the land). Not paying proper attention to any part of this normative kinship dynamic can create illness for the *Jalagi* and disrupt the deepest life-force context for humans, plants, and animals on the land: *elohi*.

§26. A *Jalagi* was overheard some years back as he chastised his Fellow *anijalagi* for their mistreatment of their mother *Selu*, which he pointed to as the cause of their current Suffering and Misery: the disruption to their Lifeways and the Incroachment of *aniyonega* on to their lands and territories. It was 1811, some Twenty years ago, at Springplace, the Monrovia mission of John and Anna Gambold, establish'd in the *Jalagi Ayeli* in 1801. This *Jalagi* rebuked his *aniyvwi* (people) for planting the *Yoneg* corn on *elohi* and for grinding *Selu's* bones in the *Yoneg* grinding mills. He proclaimed to them that “the mother of the nation has left you because all of her bones are being broken through the milling.” Get rid of the White man's corn, he says, and "Plant the Indian corn and pound it according to your ancestor's ways. She will return if you return to your former way of life.” He continues his rebuke, “[w]e are made from red earth but they are made from white sand. You may be good neighbors with them but you must get your beloved towns back from them. Your mother is displeased” (McClinton 64). These words by this *Jalagi* are not Primarily a contrast between *aniyoneg* and *anijalag* as different races or *Jalagi* ways set over and against *Yoneg* ways. What this *Jalagi* is expressing is the “intimate knowing relationship” (as future *Oceti Sakowin*

Philosopher Vine Deloria Jr. will put it) of *elohi* as the preconceptual intertwining of *Jalagi aniyvwi ale Jaligi elohi* (Cherokee people and Cherokee land) in contrast to the Kinless abstract understanding of people and land, of corn, agriculture, best practices, most productive use of the land and resources, and so on (Deloria 2).

§27. The land is also *Selu*—Not the earth in the abstract planetary sense but earth as *elohi* in the specific *Jalagi aniyvwi* relationship to *Jalagi elohi*, which includes land, history, and kinship. *Jalagi elohi* is often Conceptualized in relationship to *Selu* or her Sister plants. Cherokee place names and Cherokee towns are often named through correlates of *Selu*. *Ajigvhnagesdhvyi* (Black Cedar Place), *gidhayohi* (Cherry Tree Place), Mulberry Tree Place, and Honey-Locust Place are some common Cherokee place names. *Selu* is then both extended into the land and an extension of the land. The Mulberry Grove is an extension of *Selu* but *Selu* is also an extension of *elohi* as the intertwining of being and the land. This gives cause to our *Jalagi* lecturer to say that *anijalagi* need to get their Beloved towns back. The returning of these Beloved towns is not another topic for our *Jalagi* lecturer since the Beloved towns are *Selu* and *Selu* is the Beloved towns. The Beloved towns are an extension of *Selu* and the *aniyvwi* relationship to *Selu* and the land as *elohi*, which is to say like *Selu* these Beloved towns are like an umbilical cord that maintains the life-force connection of *elohi* in the context of the intertwining of being and the land for *anijalagi* (the Cherokee people). The Property of Beloved towns for the *Jalagi ayeli* (the Cherokee Nation) only exists because *anijalagi* belong to *elohi*. The *Jalagi*, *Selu*, and the Land are all intertwined in the context of *elohi*. Property is then both originally and continually a matter of Kinship and when Property becomes a matter of Domination, as in the words of our author, then Kinship is destroy'd and then so goes the capacity of Land to maintain the life-force connection that exists in the Kinship intertwining of being and the land that is *Selu* and *elohi*.

CHAPTER III
ON THE NATURE OF POLITICAL POWER AND SOVEREIGNTY FROM THE
PERSPECTIVE OF YVWI GANVHIDA, THE RIVER OR A FORMULA FOR
GOING TO WATER

Ka!

(Ka!)

Sge!

(Listen!)

.....

Yvwi ganvhidu jsahlidhohisdi

(Long Person, you are in repose)

Gohusdi halisdisgi nigesvna

(Nothing can overpower you)

.....

Ha! gvwadonvdisesdi

(Ha! He will be able to do it)

§28. The stories of *Selu* and *elohi* teach us that Human beings cannot meaningfully remove Themselves from the conflictual Intertwining of humans with Plants and Animals. One way that this conflictual Intertwining manifests itself is in the particular conflictual Intertwining of Life and Death (of needing to take Life in order to sustain Life or in general that for some things to Live other things must Die). But much more than this, the Stories tell *aniyvwi* that they cannot Meaningfully remove themselves from the Deeper intertwining of Being and the Land that is the foundation of what is the Material Intertwining of Life and Death

as well as the Material Intertwining of humans with plants and animals. The Material sense of the intertwining of Life and Death and humans with plants and animals are particular Manifestations of *elohi*, which is the deeper Preconceptual intertwining of Being and Land. Human beings are, as Manifestations of *elohi*, in inextricable Kinship with the land. Only through Self-Banishment or a Solitude of Pretense can a Human float free from the land as our author attempts through the imagination of the Kinless Conqueror. Knowledge is always a form of Kinship. Knowledge is an Intimate knowing relationship. Knowledge requires Kinship and Kinship not as an afterthought, but as Fundamental and intimate aspect of all Human being and knowing. In order to Reach out and Touch the other, in order to come to know Her, in contrast to the Self-Banishment of the Kinless Conqueror, the possible Knower must understand how she is already intertwining in intimate Kinship relations with the Other (either as People or Land) she is trying to Know. In order to know the Other, the possible Knower must first understand how she is related, and it is this Kinship that is always the foundation and continual intimate manifestation of Knowledge in the context of *elohi* as an intimate knowing relationship.

§29. Nature is not a background out of which Civil Society and Governments arise as a *Julehisanvhi* (Phoenix) out of the ashes of Conquered Nature that the Human takes dominion over. Nature is not a Place of perfect Freedom nor a place of never-ending violence and Chaos. Nature is *elohi* and so the meaning of the concepts of Government and Property are both originary and continual manifestation out of the land as *elohi*. The land as *elohi* is the space where the *Jalagi* people and the *Jalagi* land are intertwined. This space is not merely Historical or Mythical, however, as it is both the original and continual source of life in all the material, spiritual, and social contexts. *Anijalagi*, in contrast to *Laguv's* founding of Government and Property in the attempted domination of the Other and the Land through the Act of Self-Banishment by the Kinless Conqueror, ground and continue their notions of Government, Law, and Property in the intimate

knowing relationship with the Land as *elohi*. The concept of Political Power as Sovereignty in the Latin sense of Removing oneself from the Land in order to come down from above and have dominion over the Other (both people and land) will not do. The *ayelisgi* Power of the Kinless Conqueror operates, from the start, through the Conceptual Separating of humans from land. This Conceptual Separation opens a Space for the Conception of an Abstract Human Subjectivity that comes to be through the conquering of the Savage Other. The Idiosyncratic personalities and experiences of the *Yoneg cum Kinless Conqueror* are then built into the very notions of the now Universalized Human Being in such a way as to allow the *Yoneg cum Kinless Conqueror* to interject his very particular identity and experiences from his being in the land of Europe into the space between the *Jalagi* people and the *Jalagi* land that has been vacated by Conceptualization of humans as separate from the land. The key to removing the sickness or *ulsgedv* (intruder) from *elohi*, which arises from an *ayelisgi* (imitation disease), is in addressing directly the Kinless Conqueror or the idea that humans are separable from the land. The first step in removing this *ulsgedv* from *elohi* is to reground the concepts of being, meaning, and even the land itself to *elohi* as the source of all Power and Life. Political Power as an original and continual manifestation out of the land will carry a force of power that does not serve to remove people from land, either as conceptual or physical acts. The Political Power that arises from a reconceptualization of power out of *elohi* will not have the force of domination but will carry with it an understanding of how a people can maintain a positive or non-dominating relation with their land or territory as a people and a positive or non-dominating relationship to other land and other people. Political Power in the context of *elohi* will be conceptualized as an original and continual manifestation out of the land in a material, spiritual, social, and philosophical sense.

§30. One place to begin an *elohi* concept of Political Power is with the *yvwi ganvhida* (Long Person), which is the river. A river is a *yvwi ganvhida* (long person) moving through the land. The *yvwi ganvhida* exercises Power on the Land but does

not carry that Power as an ungrounded, delocalized force of Domination over the land but as a Power that literally comes from and moves through the land. The *yvwi ganvhida* is not a Kinless Conqueror in the operations of his Power in relation to the Land around him. The *yvwi ganvhida* carves his way through the Mountains, creating ridges and Valleys, but without ever separating Himself or imagining his Being as rising above or floating Free from the land. It is not strange then that *ama*, the word for Water, can also be *ama* as a Valley. From Kinship with *yvwi ganvhida* in the context of *elohi*, as an intimate knowing relationship, Humans can learn to exercise Power or sovereignty through the land. Just as *yvwi ganvhida*, in every step of its Movement or exercising of Power, remains in contact with the land—literally touching deeply and intimately the land as it goes—human Beings must stay in intimate contact with the Land as they exercise or Articulate human Power. I, *Jisdu*, think that it is an understanding of this power that has the *yvwi* of *Amayeli* (people of this land) walking everywhere. This is a sacred way of moving on the land for *yvwi* of *Amayeli*, for exercising power, for connecting to power, for channeling power into a ceremony. The processions of *yvwi* of *Amayeli* walking with their feet literally on the ground (sometimes barefoot on the ground, moving through the Four directions, or from one place to another place) is not an accident or just some abstract ritual movement. This movement comes from a deep understanding of the nature of being and land where any understanding of Nature, Land, and Being are Originary and Continual manifestations of *elohi*. My Future reader will know that even after the invention of cars the *yvwi* of *Amayeli* will get out of their cars and walk over ceremonial ground. That movement of placing your feet on the ground with every step is making yourself like that river or even like Selu herself, Root'd in the ground, but not Root'd in the way *Lagwv* conceptualizes Political Power coming out of an original state of Nature that no longer exists and necessarily no longer exists in order for that Power to first come to be. The Manner of Being Root'd in the Ground that *yvwi ganvhida* teaches through his intimate knowing relationship with Humans is not a delocalized abstraction but a material

and spiritual grounding in the land that is both ancient and new and covering every moment between. The Manner of Being Root'd in the Ground that *ywi ganvhida* teaches is a Manner of Being that comes out of the ground but is still always there in the ground as well. The people plant their feet as firmly in the ground as *Selu* is firmly planted in the *ayeli* (center) of *elohi*. That's how *anijalagi* have power; that's how the river has power, that's how *Selu* has power. What the *aniyvwi* of *Amayeli* learn from the river is that they must stay in place even as they move across the land. And that is one of the foundational teachings from *elohi* about what Nature is, about who Human Beings are, about what land is, about what Political Power is: All True Power, Knowledge, and Being only exist out of and in inseparable Kinship with the Land.

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Ywi ganvhidv
(Long Person)

Hidawehiyu
(Great Wizard!)

Agwadanadhogi dodasgwalehisodaneli
(You are now going to elevate my soul)

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