

Abstract

Small Victories: Indigenous Proprietors Across Empires in North America, 1763-1891

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Across North America, small Indigenous nations seized the unique legal conditions created by imperial transitions to defend territory as state-sanctioned property. The 1763 Treaty of Paris, the 1803 Louisiana Purchase, and the 1848 Treaty of Guadalupe Hidalgo transferred sovereignty from French, Spanish, and Mexican regimes that incorporated forms of indigenous landholding to British and U.S. regimes that sought to exclude them. Yet these treaties also required new administrations to uphold pre-existing property in newly acquired territories. Through three case studies—Abenakis and Sokokis in British Quebec after 1763, Tunicas and Chitimachas in American Louisiana after 1803, and Tongva and Tataviam peoples in U.S. California after 1848—this dissertation demonstrates how small Native polities used settler property processes not only to protect portions of their territories, but to insist on their on-going existence as political communities. Chapter One explores the contested and flexible bureaucratic processes of land tenure transition after imperial cessions. Chapters Two, Three and Four present case studies detailing the efforts of Native peoples in Quebec, Louisiana, and California to exploit these transitional legal structures. Chapter Five explores how Indigenous proprietors inscribed their territories onto official state maps in surprisingly complex and ambivalent ways.

This dissertation makes three major interventions. First, by focusing on small polities, rather than the large Native nations that dominate eighteenth and nineteenth-century historiography, it offers an alternative to familiar narratives of military conquest, land cession treaties, and reservation confinement. Small polities often faced erasure and benign neglect instead of targeted colonialism. They transformed settler legal processes into the diplomatic channels they lacked to defend land and articulate political authority. Second, it reconceptualizes the development of territorial state sovereignty in North America as a process of accommodation and negotiation, in which multiple imperial legal regimes continued to play unpredictable roles long after geographic borderlands disappeared. Third and finally, it casts property ownership itself as a malleable and diffuse set of practices across the eighteenth and nineteenth centuries. Rather than a self-evident and stable legal entity, property was a highly local and deeply social set of negotiations. During imperial transitions, it was contested, exploited, and ultimately transformed by Indigenous peoples.