"Decolonizing Political Theory in the United States:

The Case of William Apess (1798-1839)"

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Upon the banks of the Ohio, a party of two hundred white warriors, in 1757 or about that time, came across a settlement of Christian Indians and falsely accused them of being warriors, to which they denied, but all to no purpose; they were determined to massacre them all. They, the Indians, then asked liberty to prepare for the fatal hour. The white savages gave them one hour, as the historian said. They then prayed together; and in tears and cries, upon their knees, begged pardon of each other, of all they had done, after which they informed the white savages that they were now ready. One white man then begun with a mallet, and knocked them down and continued his work until he had killed fifteen, with his own hand; then, saying it ached, he gave his commission to another.

- William Apess, Eulogy on King Philip

American Indian thought is relatively understudied by political theorists, even those who invested in the history of United States political thought. The name William Apess may for that reason have little resonance. Yet Apess – Pequot orator, author, lobbyist, Methodist minister – should be far more familiar, especially for those interested in debates about the character of "the people" in American history (and more broadly). In the 1830's, Apess was one of the first American Indian authors to publish his own works, and he was also a central political figure in one of the few successful attempts at resistance by an American Indian community. Against Jacksonian America's currents of Indian Removal, Apess was one of the most energetic voices seeking to articulate a radically changed vision of American political order, in which both American Indians and enslaved African Americans would be recognized as human beings. Yet Apess was no simple advocate for full inclusion in the American demos, and his rhetorical efforts are of central relevance to those concerned with the boundaries of "the people" and how they might be maintained or subverted. Apess's primary concern, I will argue in this paper, was to claim a *moral* citizenship, without claiming political citizenship in the American polity as it was then constituted. He nonetheless held open the prospect of more direct membership in a radically changed American demos, should it ever come into existence.

This paper will focus in part on Apess's rhetorical strategies, but more broadly on the vision of the American people outlined in his work. Because he is relatively unfamiliar, and because his position is a nuanced one, the paper will seek to place Apess within the context of larger challenges to dominant conceptions of the people by other American Indians and by African American authors of the same period. Apess's vision of America is not, all things considered, a radically new one. At points, it draws on familiar language of republicanism and natural rights, and at other points on claims about the distinctive theological role of Americans in history. At the same time, it seeks to turn these familiar argumentative tools in new directions, toward a vision of a more complex and variegated citizenship. Indeed, I will argue that we should read Apess if we are concerned with doing fairness both to the past and to the present: his work confronts us with a very different historical portrait of American Indian responses to American expansion than we commonly receive, and also illustrates the fine balance of inclusion and exclusion still pursued by many American Indian authors. Apess sought a kind of measured separatism, in which American Indian political units would continue to exist without being treated as fully – or at least morally – alien. His attempts were unfortunately unsuccessful, yet

one needs to understand them, if one seeks to understand the history of American political thought and the complicated and ambiguous location of American Indian actors within it.

The paper proceeds in three sections, working toward Apess from broader and more familiar questions to narrower and more historically specific ones. First, it briefly outlines the conceptual questions surrounding the definition of "the people" where the aspiration toward democratic self-government is concerned, and considers one of its better known historical contestations in the work of Frederick Douglass. Though deservedly famous, Douglass's vision of the people has a problematic telos within it that makes it difficult for us, in the present day, to think seriously about other ways of conceptualizing the long-term nature of the people. Second, the paper will examine two contemporaries of Apess in David Walker and Elias Boudinot, to show the kinds of options that could have been available to him so that his own more ambiguous attempt at navigation can be recognized. Finally, and most extensively, it turns directly to Apess, particularly to his final work, the *Eulogy on King Philip*.

II. The Telos of Inclusion

If democracy is rule by the people, what precisely should this aspiration be understood to mean? Any definition requires that we answer at least two questions: (1) who are "the people" referred to, and (2) what does their "rule" consist in? Question (1) can itself be split into multiple subquestions, including (a) what the geographical bounds of the people might be, and (b) what kinds of personal traits or capacities individuals must have to be capable of political membership. As will become clear, American Indians posed complicated challenges on both fronts: they were in many cases neither clearly "inside" or "outside" of the United States territorially, nor were they clearly citizens or non-citizens by their traits and capacities. The problems to be found in subcategory (b), involving the relevant traits of citizens, are more familiar to those working within American political thought and political theory more broadly, given the struggles of women, African Americans, and others to secure full membership within the demos despite long traditions of denying their capacities for membership. Yet one has to be extremely careful with this familiarity, and with turning our attention away from questions in subcategory (a). Acting as if questions of individual traits and capacities for membership should dominate our attention presumes that "the people" has a certain territorial scope when this should not in fact be beyond challenge. In many cases, American Indian nations did not wish to become American citizens – yet they often found themselves unable to assert any other status if they were to be taken seriously by those holding legal and political power. Thus, I will argue that the study of Apess's work and that of other American Indian authors can help to counter in the present day what might be called the "telos of increasing inclusion".

Frederick Douglass is deeply familiar to those of us concerned with the character of the people in the history of American political thought, and I want to take the familiarity as a starting point for thinking about the telos of inclusion contained within his work. Douglass's historical context needs no explanation, and the unfathomable brutalities of slavery need no rehearsing. Douglass's rhetorical response to his circumstances was to argue that the ideals and self-conceptions of most white Americans were utterly fraudulent, and that invocations of a common political project were false precisely where they seemed conceptually required: in the justification of the laws themselves. The importance of Douglass's scathing rhetoric is easily recognized by political theorists today:

What to the American slave is your Fourth of July? I answer: a day that reveals to him, more than all other days in the year, the gross injustice and cruelty to which

he is the constant victim. To him, your celebration is a sham; your boasted liberty, an unholy license; your national greatness, swelling vanity; your sounds of rejoicing are empty and heartless; your denunciation of tyrants, brass-fronted impudence; your shouts of liberty and equality, hollow mockery; your prayers and hymns, your sermons and thanksgivings, with all your religious parade and solemnity, are, to Him, mere bombast, fraud, deception, impiety, and hypocrisy – a thin veil to cover up crimes which would disgrace a nation of savages. There is not a nation on the earth guilty of practices more shocking and bloody, than are the people of the United States, at this very hour (Douglass 2003, 276).

The very idea of the "American" slave suggests the paradox involved – slaves were identified as members of a nation that nonetheless rejected them as members of the people. Yet Douglass's rhetorical position is more complex than it may at first seem where he himself is concerned. He speaks as if he were not in fact entitled to the legal rights that he then held, rejecting "your" holiday, yet simultaneously speaking to "fellow citizens", as one entitled to comment by virtue of membership (Frank 2010, 214-219). He thus speaks as someone who is both a member of the people and someone denied membership, simultaneously an authorizer of law and a subject of force exercised without right. The point of this uncomfortable switching and twisting is an obvious one: to make absolutely clear to his audience the sheer absurdity of its conception of who could and could not serve as members of the self-governing demos.

In other speeches, Douglass explicitly drew on the language of "the people" in seeking to counteract slavery and other forms of oppression and exclusion. His strategy attempted a territorial circumvention of questions about competence for political membership: an attempt to claim constitutional status based on location within the territories and legal purview of the United States rather than on anything else. The notion of the people, on Douglass's account, is intrinsically related to the system of laws under which a set of persons must live; since they are the sole legitimate foundation of authority, this authority must take all of them fully into account. The Preamble to the Constitution outlined this logically intrinsic relationship:

We, the people—not we, the white people—not we, the citizens, or the legal voters—not we, the privileged class, and excluding all other classes but we, the people; not we, the horses and cattle, but we the people—the men and women, the human inhabitants of the United States, do ordain and establish this Constitution (in Frank 2010, 222).

Douglass notes to a rupture between the idea of "the people" as the fountain of all authority and the particular constitutional mechanisms intended to reflect its will. "We the people" is not the same as "we the citizens" or "we the legal voters" – it is logically something broader, something imperfectly reflected in specific legal articulations. Douglass suggests that a specific set of legal and political changes were already entailed by the very idea of law flowing from "the people", even though very few others of his day conceptualized "the people" as having the kind of content he wished to give it. It is a tribute to the success of Douglass and many, many others that we now take this broader conception of the people for granted.

The conceptual complications for this argument should be obvious for those who do not wish to be members of the people in any straightforward way, however. The people, Douglass says, are "the human inhabitants of the United States". What precisely does this mean? "The United States" is not a natural geographical space, but a legal order claiming authority over specific territories in ways that could be otherwise constructed. This claim to geographical authority is itself something in need of justification. Douglass's argument, and many similar

arguments for democratic inclusion, work to circumvent limitation on membership in the people on the basis of individual traits or capacities, but at a somewhat unfortunate cost: those who would prefer not to be members of the people are virtually members by definition already (cf. Näsström 2007). It was obviously this movement toward forcible inclusion that many American Indian political actors sought to combat. Insofar as we pay close attention to the means by which excluded groups claim to be members of the people, we also need a corresponding account of how the boundaries of membership might be maintained by those who did not wish to join. In some cases, people where kept out who wished to belong; in others, they were forced to join when they did not wish to do so. In the case of Apess, as we will see, the two kinds of membership are related in complicated ways: he believed that American Indians were being forced to join while still being denied citizenship. His rhetorical response was to demand both rights within the demos and the capacity to remain outside of it for those who so chose. This was perhaps best seen as a tentative willingness to be a member of a people that might come into being in at some point in the future, one that allowed those who wished to join it to be full members while allowing others to remain at least legally outside of its boundaries.

III. David Walker and the Cherokee Resistance

William Apess (1798-1839) was a member of an earlier political generation than Douglass, and therefore among the first generation of non-white political actors to be given opportunities to address substantial crowds through print and speech (Kemper 2006). He was thus something of a pioneer in even more socially uncertain circumstances, and is best understood within this broader context. Because this context is less familiar where non-white political actors are concerned, it seems essential to briefly touch upon the positions of some other slightly more familiar writers, so that Apess's own attempts at innovation can be more clearly recognized.

The primary oppositional politics of Apess's day in New England revolved around Abolition, and Apess was deeply entrenched within these intellectual currents (Lopenzina 2010). In 1829, William Lloyd Garrison argued against the continuance of slavery in much the same terms that Douglass would later use:

Every Fourth of July, our Declaration of Independence is produced, with a sublime indignation, to set forth the tyranny of the mother country, and to challenge the admiration of the world. But what a pitiful detail of grievances does this document present, in comparison with the wrongs which our slaves endure! ...Before God, I must say, that such a glaring contradiction as exists between our creed and practice the annals of six thousand years cannot parallel. In view of it, I am ashamed of my country. I am sick of our unmeaning declamation in praise of liberty and equality; of our hypocritical cant about the unalienable rights of man (Garrison 1829, XX).

While there was much in Garrison's framing that Apess would echo, Garrison's speech as a whole shared the telos of inclusion and territoriality that Douglass later drew upon. For Garrison as for Douglass, residence within the territorial boundaries of the United States entailed that slaves must be considered part of "the people", and treated accordingly: "[A] very large proportion of our colored population were born on our soil, and are therefore entitled to all the privileges of American citizens. This is their country by birth, not by adoption. Their children possess the same inherent and unalienable rights as ours, and it is a crime of the blackest dye to load them with fetters" (Garrison 1829).

Perhaps unsurprisingly, one begins to see a more complex vision of membership in "the people" in the far more militant work of African American writer David Walker. In the same year as Garrison's speech, Walker's *Appeal* poured forth rage at the hypocrisies of 4th of July celebrations:

See your Declaration Americans!!! Do you understand your own language? Hear your language, proclaimed to the world, July 4th, 1776 – "We hold these truths to be self evident – that ALL MEN ARE CREATED EQUAL!! That they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness!!" Compare your own language above, extracted from your Declaration of Independence, with your cruelties and murders inflicted by your cruel and unmerciful fathers and yourselves on our fathers and on us – men who have never given your fathers or you the least provocation!!!!!! (Walker 2009, 55).

Though Walker's rejection of the America he knew was far more profound than that of Garrison, he nonetheless rejected movements toward African colonization. In part this was because such plans promised to make slavery more easily maintained, by exporting all free blacks and the challenges to slavery they posed from the United States. Yet Walker also made it clear that the *territories*, at least, of the United States belonged to African Americans as well: "America is more our country, than it is the whites – we have enriched it with our blood and tears. The greatest riches in all America have arisen from our blood and tears: – and will they drive us from our property and homes, which we have earned with our blood?" (Walker 2009, 46). While Walker's work showed profound distrust about the capacity of white Americans to make the appropriate social changes, the ultimate vision of "the people" within his work seems consistent with a telos of integration within a single nation, *should* the relevant kinds of changes actually take place: "Throw away your fears and prejudices then, and enlighten us and treat us like men, and we will like you more than we do now hate you, and tell us now no more about colonization, for America is as much our country, as it is yours: – Treat us like men, and there is no danger but we will all live in peace and happiness together" (Walker 2009, 50).

If the primary currents of intellectual protest within New England were Abolitionist, the Jacksonian move toward Indian Removal brought out a different set of challenges to the concept of "the people" from Indian tribes within the claimed boundaries of Southern states. By far the most sophisticated attempt to avoid Removal across the Mississippi was that of the Cherokee Nation, which formed political structures for itself with the precise intention of creating institutions that would allow it to claim status as a "civilized" and modern nation akin to the United States (see e.g. Konkle 2004, 45). In 1817 the Cherokees declared themselves a republic, and in 1827 drafted a written constitution based on that of the United States. In 1828, with the assistance of white missionaries, they began publishing a newspaper in both Cherokee and English to demonstrate civilizational capacity and to circulate information to non-Indians about Cherokee positions. Even before Removal became official governmental policy, Cherokee spokesmen were giving speeches in major Northeastern cities with the goal of preventing such an outcome. One of the central figures in these efforts was Elias Boudinot, editor of the *Cherokee Phoenix* newspaper, who would share a stage with Apess in at least one oratorical tour.

In 1826, Boudinot addressed audiences in Philadelphia and elsewhere, articulating the self-image of the Cherokees as the most "civilized" of the Indian tribes. Unable to claim rights as citizens of the American "people" without self-contradiction, Boudinot instead claimed for the Cherokees the traits and capacities that were expected of individual citizens who *would be*

worthy of political membership in other circumstances. His speeches and writings took it for granted that claims about historical Indian savagery were correct, but denied that the Cherokees continued to be "wild Indians" in this way:

Some there are, perhaps even in this enlightened assembly, who at the bare sight of an Indian, or at the mention of the name, would throw back their imaginations to ancient times, to the ravages of savage warfare, to the yells pronounced over the mangled bodies of women and children, thus creating an opinion, inapplicable and highly injurious to those for whose temporal interest and eternal welfare, I come to plead. What is an Indian? Is he not formed of the same materials with yourself? For "of one blood God created all the nations that dwell on the face of the earth." Though it be true that he is ignorant, that he is a heathen, that he is a savage; yet he is no more than all others have been under similar circumstances. Eighteen centuries ago what were the inhabitants of Great Britain? (in Perdue 1996, 69).

To claim separateness, Boudinot perversely had to claim virtual *sameness* – to claim the traits and capacities otherwise said to be necessary for citizenship in the American demos. The Cherokees were becoming like other Americans, and they were therefore entitled to equal treatment under the laws of nations, as well as assistance to continue their upward climb (at least in part so that they could serve as an exemplar to other Indian tribes). No longer were they savages shouting "over the mangled bodies of women and children," though it was taken for granted that they once were. Boudinot argued that Cherokee families no longer live by war or hunting, and lists in detail Cherokee capacities of material production and enlightened lawmaking – they were no longer savages, but civilized. This strategy was to continue until the Cherokees were eventually forced to Remove against the will of the vast majority, and in many ways it was maintained even once Removal was completed.

Boudinot as representative of the Cherokee Nation thus did not claim membership in "the people" as a political body, but he did claim a kind of moral citizenship for Indians – they were the kinds of people whose political choices mattered, even if they were not literal citizens. Indeed, Boudinot explicitly suggested that Cherokees were worthy of membership in a looser kind of American demos: "The [Cherokee] Government, though defective in many respects, is well suited to the condition of the inhabitants. As they rise in information and refinement, changes in it must follow, until they arrive at that state of advancement, when I trust they will be admitted into all the privileges of the American family" (in Purdue 1996, 74-75). "American family" was not precisely a self-governing collective, but something more loosely connected: "[The Cherokee Nation] will become not a great, but a faithful ally of the United States. In times of peace she will plead the common liberties of America. In times of war her intrepid sons will sacrifice their lives in your defense. And because she will be useful to you in coming time, she asks you to assist her in her present struggles. She asks not for greatness; she seeks not wealth, she pleads only for assistance to become respectable as a nation..." (in Purdue 1996, 77-78). Thus, in Cherokee public relations, the "civilized" quality of those who counted as citizens, whether moral or political, was taken for granted - the standards set by whites were unquestionably those that must be met, whether one wanted to be fully within the nation or exist alongside it as its ally. Unpleasantly, many Cherokee leaders drew explicit contrasts between themselves and African Americans – if they were able to hold African slaves, as the whites were, it seemed perversely to follow that both must be on equal footing (see e.g. Konkle 2004, 58).

In Walker and Boudinot, we have a pair of positions against which Apess's thought about the character of "the people" can be located. Walker argued essentially that white Americans were not the kinds of people who had the proper traits and character, in the present day, to be members of the American demos - only black Americans had really earned their right to participate in self-government in this way, though his thought nonetheless contained presumptions about the eventual inclusion of everyone within the American territorial space. For Boudinot, the standards set by white Americans were the appropriate standards for those who were worthy of citizenship, but meeting these standards should not been seen as requiring membership within the American demos directly – it instead implied only a moral equality, and the right to coexist alongside of American political institutions. As we will see, Apess's arguments partake of elements from both Abolitionist and anti-Removal efforts, but turn both in new directions. For Apess, the evils of slavery and the forcible exile and paternalistic control of American Indians shared a common root. Escaping both required the recognition of a deeper pattern of presumption about the holy mission of the United States, and a reconfigured kind of citizenship that took with far more seriousness the flaws of American self-conceptions than Boudinot's efforts presumed. Taken as a whole, Apess's efforts will be seen to share at least as much with those of David Walker as they do with the efforts of the Cherokees.

IV. William Apess – A Life

William Apess was born 1798 to a Pequot father and a mother of mixed race. While Apess claimed that his mother was descended from King Philip (Metacom), about whom he would later speak and write, she also seems to have had African American ancestry, and Apess's biographer has suggested that she might in fact have been a slave for at least part of her life (O'Connell 1992, xi fn). While the Pequots were formally "extinct" as a tribe in Apess's Connecticut, there were nonetheless small Native communities living partially separate from surrounding white communities. Apess spent the first five years of his life primarily with alcoholic and violent grandparents in such a community, after which he was indentured to a series of white families. While some were more caring than others, all made it clear that he had a lesser status in the household as an Indian, while simultaneously seeking to ensure that he received Christian religious training. After serving in the War of 1812 at the age of fifteen, Apess became an active Methodist and spent a number of years as an itinerant if unlicensed minister across much of New England and southern Canada.

In 1829, Apess published his first book, an autobiography within the familiar genre of Christian conversion narratives, entitled A Son of the Forest. Although it is unclear precisely how Apess was able to bring this work to publication, it seems clear that its focus on Christian conversion played a central role. In 1831 he was able to publish a short sermon, and in 1833 a work called Experiences of Five Christian Indians; or, an Indian's Looking Glass for the White Man appeared. In that same year, Apess in his capacity as traveling minister became the central organizing figure in what would be referred to as the Mashpee Revolt. In the so-called Revolt, Apess led the Mashpee Indian community in Massachusetts to a confrontation with white overseers of the Mashpee's heavily administrated "plantation", culminating in a relatively successful appeal to the Massachusetts legislature for greater rights of self-rule. This effort, carried out through newspapers and on-the-ground activism before reaching the legislature, was chronicled in Apess's complex text Indian Nullification of the Unconstitutional Laws of Massachusetts, published in 1835 with the apparent help of newspaper editor and legal counsel Benjamin Hallett. In 1836, after moving on from the Mashpee community, Apess presented an

oration in Boston's Odeon theater which was published the following year as *Eulogy on King Philip*, apparently at Apess's own expense. In 1839, Apess died of an apparent aneurysm while struggling to pay debts incurred during its publication. I will address these works in turn, though with limited attention to his initial autobiographical writing.

V. Indian's Looking-Glass and Indian Nullification

In earlier writings, Apess deployed apparent agreement with his white audiences that his own (Indian) people were degraded and ignorant, in precisely the ways that Boudinot sought to counter where the Cherokees were concerned. In An Indian's Looking-Glass for the White Man, Apess describes the Indian communities of the Northeast in terms that may at first seem at first surprising: "Let me for a few moments turn your attention to the reservations in the different states of New England, and, with but a few exceptions, we shall find them as follows: the most mean, abject, miserable race of beings in the world - a complete place of prodigality and prostitution" (Apess 1992, 95). In his autobiography A Son of the Forest, Apess had detailed the drunkenness of his grandparents and the ignorance and lack of self-control found in Indian communities more broadly – the very kinds of personal traits that whites pointed to as evidence for Indian incapacity for citizenship. Yet in both An Indian's Looking Glass and his autobiography, Apess - unlike Boudinot - refuses to attribute this degradation to natural or cultural failings of Indian populations themselves. The problem is not an historical legacy of ignorance and savagery, but something far more prosaic and immediate: the brutal treatment to which Indians had been subjected by white populations. "Could there be a more efficient way to distress and murder them than the way [the whites] have taken? And there is no people in the world but who may be destroyed in the same way" (Apess 1992, 96).

In these early works, Apess's willingness to become fully included among "the (American) people" is clear, yet also undercut by doubts about both the possibility of this being achieved and about the moral attractiveness of the nation's fundamental character. Thus, Apess asks why Indians are not in fact already treated as citizens. "I know that many will say they are willing, perhaps the majority of the people, that we should enjoy our rights and privileges as they do. If so, I would ask, Why are we not protected in our persons and property throughout the Union?" (Apess 1992, 96). In many ways, his basic framing of the problems Indians faced was consistent with Abolitionist narratives, in its focus first of all on racism: "I would ask you if you would like to be disenfranchised from all your rights, merely because your skin is white, and for no other crime" (Apess 1992, 96). Apess expresses severe doubts about the attractiveness of the American demos as its white members conceived it. Like Garrison, Walker, and Boudinot, Apess argued that races were equally created by God, and that Americans who refused to believe this covered themselves in shame. Apess's anger at this racism was open like that of Walker, rather than restrained or absent as in Boudinot:

Assemble all nations together in your imagination, and then let the whites be seated among them, and then let us look for the whites, and I doubt not it would be hard finding them; for to the rest of the nations, they are still but a handful. Now suppose the skins were put together, and each skin had its national crimes written upon it – which skin do you think would have the greatest? I will ask one question more. Can you charge the Indians of robbing a nation almost of their whole continent, and murdering their women and children, and then depriving the remainder of their lawful rights, that nature and God require them to have? And to cap the climax, rob another nation to till their grounds and welter out their days

under the lash with hunger and fatigue under the scorching rays of a burning sun? (Apess 1992, 97).

There is little desire to be part of the grander "civilization" of whites here. Moreover, it is telling that Apess makes reference to "nations" which are being oppressed. In this language, Apess seems to be calling attention to the ways in which citizens of the United States have conceived themselves as members of a single nation even in contradistinction to the others in their midst. The displacement of Indians and the brutality of slavery are put mostly on the same footing – dual sides of a "people" structured fundamentally by crime. While Apess wishes to have his rights, and seems willing to serve as the citizen of an American polity, the "nation" of which whites are members seems worthy only of rejection and condemnation so long as it remains unashamed of its viciousness.

In 1833, the year this work was published, Apess began his involvement with the Mashpee Indian community, which led soon after to a rather different and more strategically oriented text. Apess arrived at the Mashpee community in Massachusetts after a series of ministerial travels, and at first began preaching to them on the value of temperance and self-control after being told by their white minister and political overseer, Phineas Fish, of their prodigality and refusal to work. Soon after, Apess began listening to their grievances and decided that Fish was exercising authority beyond the terms of his mandate for the "plantation", and that these terms were in any case far too restrictive to allow the Mashpees to prosper. Among other powers, Fish and the other overseers of the plantation had the legal right to lease properties to non-Indians, and to bind out Indians as indentured servants when they judged them to be idle. If Indians returned to the plantation from elsewhere, the overseers were permitted to confiscate their wealth (purportedly for their own good), and the schools promised to the community had never been staffed. Moreover, Fish personally claimed ownership over large sections of the plantation and was selling wood logs and other resources for his personal gain.

Apess, along with an already-present unlicensed Mashpee preacher and others, began organizing a campaign to remove these limitations and to escape economic and other forms of exploitation. Soon after his arrival, the Mashpees drafted a set of resolutions to govern their own political actions, which was to be publicized in neighboring newspapers. Though a collective project, it seems clear that Apess had a foundational role in their formulation. These principles demonstrate a willingness to form a part of "the people" properly construed, but also an unwillingness to tolerate further abuse:

Resolved, That we, as a tribe, will rule ourselves, and have the Constitution; for all men are born free and equal, says the Constitution of the country.

Resolved, That we will not permit any white man to come upon our plantation, to cut or carry off wood or hay, or any other article, without our permission, after the 1st of July next.

Resolved, That we will put said resolutions in force after that date, (July next,) with the penalty of binding and throwing them from the plantation, if they will not stay away without (Apess 2004, 8).

These resolutions thus insist on the receipt of Constitutional protections, even while insisting on rights to self-government that were not then permitted to Indians in Massachusetts law. The Mashpees were thus asking for membership on constitutional terms, rather than second-rate status. This formulation is made especially transparent in the full title of the published work in which Apess later published the documents surrounding this controversy: *Indian Nullification of the Unconstitutional Laws of Massachusetts Relative to the Mashpee Tribe*. What we see is not a

rejection of membership in the people, but simply a rejection of the laws as they were currently interpreted.

This work also had a subtitle: *The Pretended Riot Explained*. Soon after these resolutions were passed, Apess and a small group of Mashpees had an entirely nonviolent encounter with a group of whites cutting wood under contract from the overseer of the plantation. The whites attempted to load their wagon with cut wood, and the Indians immediately unloaded it. No physical threats seem to have been involved. Soon the whites left to get help from authorities, and Apess was promptly arrested on charges of sedition. As tensions continued to rise, an agent from the Massachusetts governor's office was sent out to investigate. Although Apess was convicted, he spent only a short time in jail, and then along with Mashpee leaders began a public relations campaign in local and regional newspapers which generated heated rhetoric both for and against the Mashpees. *Indian Nullification*, published after the events concluded, is largely a historical document of these public debates; the book collects Mashpee resolutions, newspaper articles, government pronouncements, and background accounts as evidence for the legitimacy of the Mashpees' position, yet it also includes editorials and other materials from those who opposed the Mashpees' efforts.

Many whites responded harshly to the Mashpees' declarations, seeing them as full repudiations of the authority of Massachusetts. Often they blamed Apess specifically for the conflict: "[Apess] goes among the inhabitants of Marshpee, and by all the arts of a talented, educated, wily, unprincipled Indian, professing with all, to be an apostle of Christianity; he stirs them up to sedition, riot, *treason*! Instigates them to declare their independence of the laws of Massachusetts, and to *arm themselves* to defend it" (Apess 2004, 47). Although the rhetoric here is overblown, it is perhaps unsurprising that readers took the Mashpees to be entirely rejecting the authority of Massachusetts and the United States: the Mashpees self-consciously linked their struggle to that of the Cherokees in letters to newspapers and other forums:

As our brethren, the white men of Massachusetts, have recently manifested much sympathy for the red men of the Cherokee nation, who have suffered much from their white brethren; as it is contended in this State, that our red brethren, the Cherokees, should be an independent people, having the privileges of the white men; we, the red men of the Marshpee tribe, consider it a favorable time to speak. We are not free. We wish to be so, as much as the red men of Georgia. How will the white man of Massachusetts ask favor for the red men of the South, while the poor Marshpee red men, his near neighbors, sigh in bondage? Will not your white brothers of Georgia tell you to look at home, and clear your own borders of oppression, before you trouble them? (Apess 2004, 30).

It seems clear that neither Apess nor the Mashpees envisioned anything nearly so separate as the Cherokees sought to pursue, however. Their claims, outlined above, are much more limited – they are claims for the amount of self-rule necessary to protect their Constitutional rights, and not to escape entirely from the laws either of Massachusetts or the United States. The amount of self-rule necessary to secure these rights depended of course on what other political institutions were willing to do, but there are no suggestions that the Mashpees – a relatively small group with about 400 members – were contemplating separate nationhood.

Many newspapers were willing to support the Mashpee's efforts, even if they were sometimes willing to adopt the language of sedition as well. Garrison's *Liberator*, for example, was often supportive: "We are proud to see this spontaneous, earnest, upward movement of our red brethren. It is not to be stigmatized as turbulent, but applauded as meritorious. It is sedition,

it is true; but only the sedition of freedom against oppression; of justice against fraud; of humanity against cruelty" (Apess 43). Others were equally supportive, many responding strongly to the comparisons with the Cherokees in arguing the need for just treatment, while generally recognizing the limited nature of the Mashpee claims:

Why should not the remaining Indians in this Commonwealth be placed upon the same footing as to rights of property, as to civil privileges and duties, as other men? Why should they not *vote*, maintain schools, (they have volunteered to do this in some instances,) and use as they please that which is their own? If the contiguous towns object to having them added to their corporations, let them be incorporated by themselves; let them choose their officers, establish a police; maintain fences and take up stray cattle (Apess 2004, 38).

Establishing police, maintaining fences, taking up stray cattle – these were not the claims of full political nationhood of the kind the Cherokees sought. These public debates had strong effects, and in the end something very close to the above received approval through the Massachusetts legislature – most of the powers of the overseers were lifted, and the Mashpees were allowed to incorporate as their own township with rights of self-government similar to those of other Massachusetts townships, while reclaiming the rights to control the land of the plantation and to receive education and other benefits. There were few successful Indian resistance movements in this period. That of the Mashpees was perhaps the most successful, despite – or more likely because – of the limited nature of its aims.

Not long after this legislative act was passed, Apess left the Mashpee plantation, apparently because he was asked to do so. Although it is difficult to tell the degree to which Apess exercised determinative influence on the public declarations of the Mashpees – most were written by him, but their content may have been dictated by other community members – it seems that Apess was asked to leave largely because the Mashpees were satisfied with the political changes, while Apess wished to press for more. It seems clear that the nature of the Mashpee struggle itself shaped Apess's rhetoric in this period. The change in tone and in the conception of "the people" between the partially collective *Indian Nullification* and the more confrontational Indian's Looking-Glass is significant. There are throughout Indian Nullification some echoes of the Cherokee strategy – the Mashpees framed themselves as capable of meeting the sociological criteria of citizenship if they are simply allowed liberty from mistreatment, and there is little suggestion that white Americans were generally in need of general reform, rather than reform in regard to the treatment of Indians. Moreover, the treatment of slaves is rarely mentioned. Coupled with the invocation of Constitutional protections, the suggestion is thus that Indians are members of "the people" temporarily prevented from their natural place. continual references to the Cherokees do suggest that some Americans are in profound need of moral reform, but these set of persons were a ready (and deserving) target in an environment shaped by Abolitionism – the Cherokees were being threatened by slave-holding Southerners who Garrison and others already regarded as unworthy of inclusion within the American demos. In *Indian Nullification*, then, we see an Apess who is more restrained in his language, and, like Boudinot and the Cherokees, more directly concerned with achieving a specifiable political gain.

After leaving Mashpee, this was no longer the same kind of concern. Apess was no longer the spokesman for an ongoing political struggle with determinate boundaries, in which small missteps could have large consequences. He was no longer, in other words, compelled to imagine "the people" in particular ways if he was to gain a specific political objective from a specific institution at a particular time. He was instead free to call for a more profoundly revised

understanding of the American people, much in the way that Douglass would later be able to call for profound change in his 4th of July speech, or that Walker could pour forth justified rage in his *Appeal*. The effort to bring forth a deeply reformed version of "the people" was thus the task of his final oratorical and published work, the *Eulogy on King Philip*.

VI. Eulogy on King Philip

Apess delivered the *Eulogy* twice to audiences at Boston's Odeon Theater a few weeks apart in 1836, the 160th anniversary of King Philip's death at the end of the war that bears his name (1675-1676). King Philip, or Metacom, had recently returned an object of white interest, a figure to be rehabilitated as a noble savage who had to die for the future American nation to be born (Bayers 2006, 135; cf. Tiro 1996, 669-672). Apess sought to radically refigure Philip, not as a martyr to an American nation to be formed after his death, but as a patriot defending a more inchoate Native nation that remained still endangered in the present day (Lopenzina 2010). Though Apess's language formally calls for the equality of Indians with other citizens of the United States, it is a radically refigured American nation in which such equality must take place. It is a nation which must not only cease to behave with wrongly, but which must reconfigure its very understanding of itself. A single law for all can only come into being once Americans realize that they are not the sole nation on "American" soil – rather, they must recognize the preexistence of Indian peoples in a far more foundational way. In the *Eulogy*, Indians are thus portrayed as members of what might be called "not-the-people", though potential members of another people that may, in the future, somehow come into existence.

Apess begins the *Eulogy* on a striking note, asserting for King Philip both a classical identity and one akin to that of the America's founding general, though he protests rhetorically that this is not his central purpose: "I do not arise to spread before you the fame of a noted warrior, whose natural abilities shone like those of the great and mighty Philip of Greece, or of Alexander the Great, or like those of Washington – whose virtues and patriotism are engraven on the hearts of my audience" (Apess 1992, 105; see also Bayers 2006). Later in the essay, Apess would refer to Philip as "the greatest man that ever lived upon American shores" (Apess 1992, 118), and call his military exploits greater than those of Washington (Apess 1992, 125). Apess asks how such a person as Philip could be spoken of otherwise: "What, then? Shall we cease to mention the mighty of the earth, the noble works of God?" (Apess 1992,105). Philip is thus immediately counterpoised to other great political founders and leaders, and held up as one of God's greatest creations – not as a savage who had to be exterminated, or a preappointed relic destined to be defeated, but as a sublimely admirable protector of his people whose defeat constitutes a kind of violation of the natural order. Washington as founder of the American people is immediately moved into second place – not a person who brought into being a singular nation with a holy mission, but one political leader among others, lesser than the Indians' greatest defender.

Apess's rhetoric suggests both a loss of liberty and a monstrous overturning of God's intended order, horrifyingly justified by pretensions of a religious mission and superior civilizing capacities:

How inhuman it was in those wretches, to come into a country where nature shown in beauty, spreading her wings over the vast continent, sheltering beneath her shades those natural sons of an Almighty Being, that shone in grandeur and luster like the stars of the first magnitude in the heavenly world; whose virtues far surpassed their more enlightened foes, notwithstanding their pretended zeal for

religion and virtue. How they could go to work to enslave a free people and call it religion is beyond the power of my imagination and outstrips the revelation of God's word (Apess 1992, 107).

For Apess, the profoundly mistaken character of the contemporary American nation thus had roots in the characters of the Pilgrims when they first arrived on American shores, in fraudulent claims that God had always intended for the Pilgrims to build a new Jerusalem in the new world. Apess is pursuing multiple goals in this framing. Perhaps most importantly, he is contesting a religious and Abolitionist narrative that saw early Christian values as having been betrayed over time, especially by the arrival of hypocritical whites to the Southern (and now slave-holding) states. He wanted to suggest instead that the very beginnings of white occupation of the new world started in blood and deception.

Apess's efforts thus sought to claim a historical destiny for Indians, justified by God's will, and sought to portray Philip as the greatest exemplar of its defense despite his defeat through treachery. The victories of the Pilgrims and those of their later descendants are thus framed not as signs of God's favor, but as evidence of a continuing rejection of God's will. Thus Apess seeks to position whites as the uncontrolled savages, weighed down by continuing legacies of ignorance given to them by their purportedly "Christian" forefathers. Apess makes clear that these initial mistaken beginnings have not been overturned. In a direct reference to Jackson's policy of Indian Removal and to the resistance of the Cherokees, Apess puts these imagined words into the mouths of America's president:

You see, my red children, that our fathers carried on this scheme of getting your lands for our use, and we have now become rich and powerful; and we have a right to do just as we please; we claim to be your fathers. And we think we shall do you a great favor, my dear sons and daughters, to drive you out, to get you away from the reach of our civilized people, who are cheating you, for we have no law to reach them, we cannot protect you even though you be our children. So it is no use, you must go, even if the lions devour you, for the promised the land you have to somebody else long ago... But this has been the way our fathers first brought us up, and it is hard to depart from it... (Apess 1992, 135).

From the very beginning, Apess asserts, whites – the self-imagined American "people" – have showed a continual treachery and greed: "this has been the way our fathers first brought us up, and it is hard to depart from it." For a Boston audience, many of whom would have rejected both Jackson and slavery, this is a frontal attack: the problem asserted is not only recent, but in the very roots of their self-conceptions as inheritors of the Pilgrims. Jackson's project of Removal is not his alone, but theirs as well.

In his most striking linkage, Apess seeks to bring together his fundamental challenge to the expansionist nature of the American nation from its very beginnings with the ongoing atrocity of slavery. As Garrison and Walker deployed the 4th of July, so does Apess, yet with deeper historical roots in mind. The 4th of July is ultimately too recent for Apess, though its essential resonances remain as well. In Apess's (mistaken) chronology, the Pilgrims landed at Plymouth Rock on December 22nd, 1622, and this should be a new day of shame:

Let the children of the Pilgrims blush, while the son of the forest drops a tear and groans over the fate of his murdered and departed fathers. He would say to the sons of the Pilgrims (as Job said about his birthday), let the day be dark, the 22nd of December 1622; let it be forgotten in your celebration, in your speeches, and by the burying of the rock that your fathers first put their foot upon. For be it

remembered, although the Gospel is said to be glad tidings to all people, yet we poor Indians have never found those who brought it as messengers of mercy, but contrariwise. We say, therefore, let every man of color wrap himself in mourning, for the 22nd of December and the 4th of July are days of mourning and not of joy (Apess 1992, 114).

The struggles of the slaves for Abolition and of the Indians to avoid displacement and degradation are thus rhetorically brought together: both are symbols of an unbroken chain of violence and treachery, stretching back to the very beginnings of America as a nation. Where "the people" are concerned, Apess seems to suggest something like the following: so long as whites refuse to change their self-understanding, they are not worthy beings with whom to share a citizenship. So long as they remain savages, they can never hope to be anything else.

Nonetheless, Apess does express a willingness to overcome this history if whites are willing to behave appropriately. "What, then, shall we do? Shall we cease crying and say it is all wrong, or shall we bury the hatchet and those unjust laws and Plymouth Rock together and become friends? And will the sons of the Pilgrims aid in putting out the fire and destroying the canker that will ruin all that their fathers left behind them to destroy?" (Apess 1992, 134; see also Lopenzina 2010, 692-694). Like Walker, Apess voices a willingness to share membership in a people with whites who no longer behave with brutality. Yet Apess's vision for the future is more ambiguous than that of Walker or Douglass, apparently more open-ended. Near the end of the Eulogy, Apess offers a vision for the future that at first sounds like that of the Abolitionists: "I say, then, that a different course must be pursued, and different laws must be enacted, and all men must operate under one general law" (Apess 1992, 138). Yet Apess seems to mean "one general law" here only in the moral sense rather than in the political sense. His listing of ongoing wrongs is especially telling: "Look at the disgraceful laws, disenfranchising us as citizens. Look at the treaties made by Congress, all broken. Look at the deep-rooted plans laid, when a territory becomes a state, that after so many years the laws shall be extended over the Indians that live within their boundaries. Yea, every charter that has been given was given with the view of driving the Indians out of the states, or dooming them to become chained under desperate laws..." (Apess 1992, 134). What Apess envisions here is a more open-ended political project than that commonly envisioned by "democracy" as the institutionally enforced will of the people. Indians, it seems, should be allowed to maintain their political organizations despite the organization of new territories.

It is thus a vision of multiple peoples, including the Cherokees and others, living together with one another in a project of equality without enforced sameness or institutional uniformity (cf. Connolly 1995, 176-178). It is a vision in which Indians – and perhaps others – have the opportunity to remain "not-the-people" when they so choose, and in which all have the right to be treated as moral citizens regardless of their political affiliation. If it is a vision that "the people" is something that may thus emerge in the future, it is nonetheless essential to its coherence that established teleological beliefs about its character be expunged. A single people could only exist if at all, for Apess, when the existing character of the American nation was radically restructured, and when rights and principles of choice were extended to everyone – including rights, for those such as the Cherokees, to remain outside the laws of a single polity.

VII. Reading Apess Today

Why read William Apess today? One reason is simply historical – if we are concerned with understanding the processes by which the American demos as we know it came to be, and

with the alternative paths that it might have taken, we must pay careful attention to those who challenged it in various forms. As one of the first generation of American Indians able to publish words he himself had written, Apess deserves to be taken with the same respect as David Walker and, later, Frederick Douglass. It is sometimes suggested that Apess's literacy and Methodism make him somehow inauthentic as an American Indian voice, but this is to replicate the caricatures which both Apess and Boudinot, in their different ways, sought to combat: that "real" Indians are necessarily illiterate and wild, somehow standing outside of historical change. Many other accounts of American Indian speeches, biographies, and histories that we have from this period and decades after were "transcribed" by whites, intended to reflect their own hopes, fears, and doubts about who Indians might be. Apess thus shows an American Indian life more authentically caught up with colonialism and resistance to it – much more, perhaps, like the Indians of our own day. If we recognize that "Indian" is in many ways a category created through resistance to the impositions of "whiteness" and "American", we may be able to see the present more clearly. We may also be able to see the continuing resistance of many American Indians to political assimilation in a new light – not as a blind assertion of "not-the-people" for narcissistic or identarian reasons, but an assertion of "not-the-people" – at least as things are. Not the people as they are, but perhaps the people as they may become in the future, when the criteria of membership become reasonably more tolerant and capacious (see e.g. Borrows 2002; Borrows 2010). Perhaps.

Apess can thus help us to think more carefully about the costs of presuming that the boundaries of the people are set by one particular territorial demarcation or another, and about the dangers of a presumption of continually increasing inclusion. It is not always a good thing to be included within the bounds of a particular territorial polity, even if one is also allowed to be an active member of the people at the same time. The people as a whole may be flawed and corrupt, even if it does not enslave some of its members, and often it will demand that boundaries be drawn to bring in those who have useful resources or who otherwise stand in the way of its larger plans. While we tend to hope that a telos of increasing inclusion involves real rather than merely illusory rights to participate, Apess warns us that this does not occur automatically. Perhaps more distinctly, he suggests that a willingness not to force political inclusion on others is one of the hallmarks of a people worthy of self-government: only a people willing to allow other peoples to live nearby in proximity without seeking to engulf or destroy them can really be worthy of joining. For Apess, then, it is only tolerable to be a member of a people when it does *not* simply presume that all persons within whatever territories it imagines as its own must be either members of the people or morally lesser. Like Boudinot, he claims a moral citizenship for those who do not seek to join; unlike Boudinot, he does not believe that Indians can be required to prove their moral worth before such rights are respected. If anyone must prove their worth, it is the whites.

I have focused on conceptions of "the people" in this paper, and on the slippery and sometimes dangerous ways in which these conceptions can change and flex. Yet I also have a second motive in this essay. Whatever one thinks of the above arguments, there is a related set of reasons to read Apess as well. Selections of American Indian thought from, for example, anthologies of political thought often have a familiar character, grounded in an unstated narrative about the virtual inevitability of American history. Even when they call attention to injustices, those injustices are often large, faceless, and seemingly tied with unavoidable processes of civilizational expansion. Consider the following from the often-quoted Chief Joseph, who

reasonably enough objects to the processes by which Indians became internal exiles in their own land:

The earth is the mother of all people, and all people should have equal rights upon it. You may as well expect the rivers to run backward as that any man who was born a free man should be contented when penned up and denied liberty to go where he pleases. If you tie a horse to a stake, do you expect that he will grow fat? If you pen an Indian up on a small spot of earth, and compel him to say there, he will not be contented, nor will he grow and prosper. I have asked some of the great white chiefs where they get their authority to say to the Indian that he shall stay in one place, while he sees the white men going where they please. They cannot tell me... Whenever the white man treats an Indian as they treat each other, there shall be no more wars...Then the Great Sky Chief who rules above will smile upon this land, and send rain to wash out the bloody spots made by brothers' hands across the face of the earth. For this time the Indian race are waiting and praying (in Sundquist 1995).

There is much that is important in Joseph's speech, both for understanding the reasons for Indian resistance and for thinking about what a more just relationship might have looked like. But for most of us who are non-Indian, it is now impossible to hear what is really being said in a meaningful way. We can likely picture Joseph in our mind as he speaks; even if we have no idea what he himself looked like, we have familiar pictures of Indians from film and literature, speaking as expected of the Earth and the Great Sky Spirit. But it is strikingly hard to actually hear meaning (or unexpected meaning) in these words.

Contrast this instead with the words of William Apess with which this paper began, delivered on the stage of the Odeon Theater:

Upon the banks of the Ohio, a party of two hundred white warriors....came across a settlement of Christian Indians and falsely accused them of being warriors, to which they denied, but all to no purpose; they were determined to massacre them all. They, the Indians, then asked liberty to prepare for the fatal hour. The white savages gave them one hour, as the historian said. They then prayed together; and in tears and cries, upon their knees, begged pardon of each other, of all they had done, after which they informed the white savages that they were now ready. One white man then begun with a mallet, and knocked them down and continued his work until he had killed fifteen, with his own hand; then, saying it ached, he gave his commission to another (Apess 1992, 137).

The images here are, one hopes, more immediate and pressing. It is difficult to be sure how one might share a people with Chief Joseph, given his different idioms and images of his speech. It is difficult to share a people with the mallet-wielding men above for rather different reasons. Surely the appeal of what Joseph has in mind can become apparent only after taking seriously the implied but unstated ubiquity of mallet-wielders in our own history and national self-conceptions. One of these mallets was surely forced inclusion, and an unstated presumption that all "civilized" persons wanted only to be Americans (and that all who did not want this were automatically uncivilized). If we adopt an unstated telos of increasing inclusion, we are not ourselves holding the mallets; we may nonetheless be contributing to the work of those who are, even if this is precisely the opposite of our intention.

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