You Tell me your Stories, and I will tell you mine...": Witnessing and Combatting Native Women's Extirpation in American Indian Literature

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Over the course of the last several years, American Indian, Indigenous and First Nation activists and scholars have been able to draw attention to two issues that are deeply affecting our communities in North America: 1) the issue of resource extraction, in particular in the social movement of Idle No More in 2013 and, most recently, Standing Rock in 2016 and 2) the so-called “epidemic” of sexual assault on American Indian Reservations. As Sarah Deer makes clear in her book, The Beginning and End of Rape, this is not an epidemic, an epidemic is "misleading, it infers "that the problem is biological, that the problem originated independent of a long-standing oppression, that it has infected our society, twisting human relations... Using the word epidemic deflects responsibility..."2 All too often the press has jumped on these issues in an ever salacious way, decontextualizing the violence from history, from the present political moment and without any aims to change the settler structure that supports the violence it purports to “feel bad” about or empathize with—they want a particular kind of story. The statistics, the political rhetoric, and the lack of addressing issues in Indian country or with Indian populations, is colonial statecraft. As Joanne Barker states in the beginning of the introduction to Critically Sovereign, "It is a genuine challenge not to be cynical, given the relentlessness of

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1 In this article I will be primarily emphasizing Canada and the United States. I do however, want to acknowledge the activism and efforts by Indigenous peoples across many hemispheres who are (re)imagining connections through land and water that move beyond the construct of hemispheres and continents that arose out of military might.

racially hyper-gendered and sexualized appropriations...It is also a challenge to take seriously the 
apologies that follow." 3

Thus, when Diane Sawyer reports on the poverty and violence at Pine Ridge, leaving out the 
legalities that set up poverty on reservations or when the mainstream media reports of extremely 
high rates of rape on reservations but not the long standing exploitation and lack of funding for 
criminal investigations or protection of tribal citizens, or when environmental destruction by a 
pipeline runs through unceded territory is bemoaned as only cultural and spiritual loss rather 
than an illegal infraction, it fails to accept how Canada and the US benefit from the structures of 
colonialism and at its core the assault on Native women. As the report "A Roadmap For Making 
Native America Safer" presented to the President and congress illuminates throughout its three 
year collection of data and evaluation, "The institutionalized federal under-funding and over-
control of tribal justice systems has resulted in unacceptable high rates of violent crime and 
social alienation whose tragic effects extend well beyond Indian country into every state in the 
Union." 4 Too often in addressing sexual violence against Native women or environmental 
racism, the relegation of Native space as separate, obsolete, over there, and of a different time 
drives the narrative. In other words, in this settler grammar of place, Indian country and Indian 

bodies are criminalized. 5 Indians are seen by the wider public as so far removed both temporally 
and spatially; Indian people are gawked at as rare, not encounters with the real but rather those 
always bereft of “real” Indianness, or, a ghost not quite tangible or in focus. King defines 

Dysconscious racism as “a form of racism that tacitly accepts dominant white norms and

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4 "A Roadmap For Making Native America Safer", Indian Law and Order Commision, 2013, 90.

privileges. It is not the absence of consciousness (that is, unconsciousness) but an impaired consciousness or distorted way of thinking about race as compared to, for example, critical consciousness.”

6 It is the "uncritical habit of mind" that enables mainstream America and Canada to believe and act in that belief system as though Native people are in another place that does not have a subsequent impact on the rest of society. It is a consistent placement of Native people in the imagination and in everyday actions as an irrelevance that then manifests itself in a tone of either toxic care, savior complex, or completely ignoring the structural issues that make possible the violence.

And yet I find myself too repeating the statistics, the statistics that reach out and grab one to attention: 1 and 3 Native women experience sexual violence. 86% of those rapes will involve a non-Indian and will also involve battering. This is just the contemporary and reported statistics, but there are all other kinds and forms of sexual abuse and violence that occur in its wake that has been on-going against Native peoples across centuries and in various spaces: from assault on tribal lands, to constructed reservations, boarding schools, urban centers, border towns, and college campuses. The reporting on sexual violence and inquiries by those moved by the force and commitment of water protectors and activists, also often have difficulty bringing the issue of resource extraction and loss into conversation with gendered violence practiced since the beginning of European and later American invasion. Native feminist scholars and activist have done the lions share of work acknowledging these issues and thus changing the material realities on the ground and in planning for the future. The first part of this talk will speak to key interventions of critical sovereignty in Indigenous women’s praxis. To demonstrate the long line of interventions of Indigenous women, I will turn to stories told and retold in communities,

stories that clearly link dispossession to the immiserating of Native women over the decades, in particular I will discuss *Bad Indians: A Tribal Memoir* by Deborah Miranda and her work to disrupt stories of pathology and pure loss while recognizing the generational effects of gendered violence. In the second part of this paper, I will turn to thinking of the witnessing that occurs and the violence that witnessing inflicts in order to extend the call for alternatives to these issues. In particular, I will examine what the work of Erdrich's *The Roundhouse* accomplishes in relation to a lesser known novel *Elsie's Business*. The discussion of witnessing complements the work of scholars I discuss in part one by thinking about these abuses with and beyond the law. A witness can be one who testifies the crime took place, and, the witness can also be a victim. In Elsie's business, Washburn's character Oscar, an older gentlemen who tells Elsie's story of survival and death as well as traditional Deer women stories, states "How about this. You tell me your stories, and I will tell you mine." How does storytelling offer an alternative to the legal witnessing? How does it reach beyond and find an alternative to our current justice system? For laws, especially so those applied in Indian Country, do not protect the threads and fabrics of the community.

**For the Record**

In her tribal memoir, Deborah Miranda labels her first section "The End of The World: Missionization 1776-1836" incorporating various genres to tell alternative narratives to colonization. The title demands that there be a recognition of California Indian life and vitality—a whole world system that wasn't living in despair, neglect nor even the too oft touted "primitive state." It was a complex world system, containing science and knowledge of ecosystems, trade markets extending over large regions, political systems based on kinship and responsibility, and

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7 Washburn, 120.
songs and cultural art that flourished throughout the regions. This California Indian history is too often erased, neglected in a larger American story of its own birth in Manifest destiny, or violently flattened as history becomes mythologized as a peaceful endeavor. Her titling of the chapter situates the story of California as one of loss that begins with colonial violence—and this takes a decidedly gendered form. It is an intervention into the use of the word epidemic used in the media. It is a tracing, a California haunting, of how this world of California Indians came to an end. Yet unlike the "poverty porn" or creation of happenstance tragedy spoken of above, she clearly is encouraging us all "to make story again in the world," (207) the title of her last chapter. She links a history of colonization and Native peoples survival to the present moment.

In simple genealogical chart form, encompassing a whole page, she lays out the development of California in all its brutality. She begins with Spain (the state) and Catholic Church (the cultural arm of colonization) marrying them together and linking the offspring of subjugation of bodies (Soldiers and Rape) to that of land theft (Franciscans and Missionization). The chart of these different generations of violent colonial policy clearly link gendered violence to that of land dispossession. It also links compulsory heterosexuality and heteropatriarchy through the forms of marriage, rape and colonial masculine power. Furthermore, the chart ends with all the "problems" that are reported in damage-centered research on Native peoples.8 In each subsequent generation of violence, expanded on throughout the tribal memoir in poetic, short story, photographic essay, lesson plan, or diagram, Miranda makes clear the power of gendered violence as she fleshes out the story of colonialism by incorporating Native experiences.

Los Pájaros, the poem following the chart, speaks to "seeing your people [the Spanish] come through the fields" and the "fleeing" and fear that ensues as "The soldiers, clever as they are at

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8 For a call to end damage centered research, see Eve Tuck, "
lassoing cows/ preyed upon the women for their unbridled lust."9 Rape was a common occurrence and in fact intentional part of colonization. Yet, Miranda handles it with humanizing care, "Indian men defended their wives—/prey for the unbridled lust—/only to be shot down with bullets" and in the next stanza, "The Indian men tried to defend their wives/ of various and beautifully blended colors".10 The poetic scene, riffing off the first hand account of the recently sainted Serra in May 1773 and May 1774, retells a story of expunged resistance and the great violence it took to conquer what is now California. Also to note in this moment, is the double entendre of the word Pájaros, which is slang for LGBTQ. In times of colonial exertion of heteropatriarchy, rape and also the killing of non-gender conforming tribal peoples was common and documented by Los Bartolomas and others. The fear of death and punishment forced a gender and sexual binary, quite literally manifested in the set up of the Monjerios which provided easy access to all women. Ben Madley, quoting the Father Luis Jayme in 1772, relates a story from a first-hand account of sexual violence, "very many of them deserve to hanged on account of the continuous outrages which they are committing in seizing and raping of the women. There is not a single mission where the gentiles have not been scandalized."11 The systemic nature of rape and lack of acknowledgement continues unabated for centuries and is part of a disciplinary process of dehumanizing Native populations.

Reflecting the chart, the next piece is also a poem that tells the story of colonial desire and violence from the religious point of view. In "Fisher of Men," She cleverly repeats the lines "Before long, they will be caught/in the apostolic and evangelical net," as we see the ruminations based on the now sainted Junipero Serra reverbrate throughout the poem. The tone is one of

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10 Miranda, 3.
desire as over and over, in religious fervor of sin, the nakedness of California Indians is repeated, "They are naked as Adam/in the garden before sin." Yet, as the pope declared in the early years of colonization of the Americas, the Indigenous of the Americas had no souls and all were sinners, thus no one was worthy of saving and all are "ripe/for the reapers." Here, in the marrying of these two back to back poems, she exposes the link between the soldiers rape and the desire at play by the priests, concepts which made the pope declare that these non-Christians were without souls and, thus, rights to the land which they had occupied since time immemorial.

These are early manifestations of hierarchies which would support the enactment in law of terra nullius (translated as no man's land) and doctrine of discovery whereby title could only be passed on between Christian nations. In the 1830's, this maneuvering would set up federally recognized American Indian nations as domestic dependent nations in the Marshall trilogy and drive the push west forward and with it a now legal consumption of Native land. A gendered process of acquiring and making land and law domesticated took hold and with it a compulsory heterosexuality and racially gendered legal morass. As Beth Hege Piatote comments on early nineteenth century literature, "The national domestication projects of settlement and expansion corresponded with the proliferation of domesticity as an ideology..." Piatote carefully unpacks the family and home in tribal communities as a site of resistance to citizenship and land acquisition. Miranda in her tribal memoir, also works to piece together a shattered family and tribe through pieces in the archive, choosing to not only tell the story of domestication but also that of extirpation. Extirpation, while not fully achieved, greatly shattered California tribal...

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12 Ibid, 4-5.
communities who faced a state propelled genocide which invested many resources in the extermination of California Indians.14

Let us return to the statistics and concept of epidemic or the ways in which media is creating a crisis, as though sexual violence against Native women is a momentary rise in assaults. Miranda opens up her letter to her ancestor, Vicenta, by speaking of her rape by the hands of priests as well as her own as a child. "'I could try to be funny,' Miranda writes, 'That's how I've learned to deal with it.. I mean it happens all the time right?' The feminist letter genre, coupled with jokes seemingly in bad test, demand a response to the statistics on the page, even if the "statistics on that are predictable. Thirty-four percent of us raped; one in three! And ninety percent of the rapists are non-Indian."15 Humor collapses the moments between what is seen as a sad past of rape during the conquistadors, temporally distanced from present day settler national identities; seemingly we now live in a more progressive time with knowledge about the evils of sexual violence and a legal order that protects bodily sovereignty of all-- post-slavery and post-civil rights and post-sexual revolution. Miranda's following words unravel this presupposition of a time where the legal and nation-state instituted safety to American Indians: "Well, I shouldn't complain. Those are stats from my day and age. For you, it's probably more like 100 percent." Unlike a linear narrative of history, Miranda is able to trace these early histories into her present day status as an Indian, and how the legal system and an ethos of violence against Native women evolved from these early moments of contact.

Miranda in her tribal memoir, moves quite easily between her the Ohlone-Costanoan Esselen Nation and the racial category of Indian as do many who grew up Indian. Indian is a "transit"

15 Miranda, 23.
states Jodi Byrd, it is not only those who stand in the way of empire building and thus must be eliminated, they are also the way through which empire moves or a "living dead of empire." How does this resonate with the attention and with the energy garnered around Murdered and Missing Indigenous Women movement or with the, finally, attention on rape statistics in Indian country? Why is it, that no matter how much activists and scholars pull in place-based political analysis of these assaults, backed by historic and statistical facts, that the front-line of communities are still flattened and specificity erased under the pathologically rendering of Indians as pathological subjects? To continue with Byrd, “Any assemblage that arises from such horizons [that of savage alterities] becomes a colonialist one, and it is the work of indigenous critical theory both to rearticulate indigenous phenomenology and to provide (alter)native interpretative strategies through which to apprehend the colonialist nostalgias that continue to shape affective liberal democracy’s investment in state sovereignty as a source of violence, remedy, memory, and grievability” (21).

How then, is the sexual violence of empire still moving through the transit of Indian? What are some of the ways to strategize a solution to the issue of sexual violence against Native women without, yet again, blaming the racialized victim, pathologizing and uprooting her from history, her land, her now pathologized community in the name of rescuing? Thus far, their has been a tendency to racialize the matter in reporting the statistics, to find solutions that continue to diminish sovereignty through legal means which caused much of the issues to begin with. Byrd laments that the “racialization in the United States now often evokes colonization as a metonym,” and "this conflation masks the territoriality of conquest by assigning colonization to the racialized body.”

16 Moving from Byrd’s work with Indian as a transit through which empire moves, Audra Simpson’s speaks to the flesh of transit and it formation in the politics of willful

16 Ibid, xxiii–xxiv.
ignorance of the violence against Native communities. In speaking of the relationship between the state and heteropatriarchy, she makes the following claim: “As well, it [the state] seeks to destroy what is not. The state does so with a death drive to eliminate, contain, hide and in other ways “disappear” what fundamentally challenges its legitimacy: Indigenous political orders. And here is the rub, Indigenous political orders are quite simply, first, are prior to the project of founding, of settling, and as such continue to point, in their persistence and vigor, to the failure of the settler project to eliminate them, and yet are subjects of dispossession, of removal, but their polities serve as alternative forms of legitimacy and sovereignties to that of the settler state.” Native women in addressing the issue of sexual violence consistently use their place-based geographies to persevere against extirpation. It is my intention in the next section of this paper, to examine the way that literature presents alternatives for dealing with colonial structures that render Native women vulnerable, invisible, and incoherent in discourses of justice.

**Witnessing**

Many of the Native women who have come to me in my various roles as relative, friend, teacher, and mentor have spoken of the violence they have endured and the violence they have bared witness to in their various roles. A person who experiences the violent crime can also be a witness to the occurrence, providing evidence and material to form a case. Native women have been witnessing for hundreds of years, providing evidence long before the court systems set up what Amnesty International frames as a "maze of injustice," from a report of the same name that called attention to legal loopholes. Witnessing stories are written in archives, written in oral traditions as communities used stories to adjust to the brutality of colonization, written in contemporary fiction and poetry, written in social media and blogs, and beautifully addressed in
the richness of art practices in all mediums. Yet, even with the thousands of stories and pattern of sexual violence laid bared, justice has not come.

In my teaching of Sharing Our Stories of Survival, a key community based resource for dealing with sexual assault and its aftermath, I often ask my students why they believe that Charlene LaPlante, in her piece "Sexual Violence: social and legal issues for Native American women," begins with the stories of her family and weaves in the discussion of community, family, culture as it intersects with settler structures of state-imposed violence throughout her writing. Rather than the state being an overarching, distant structure, LaPlante pulls it in close, drawing on the ways it creates a formidable intimacy from her childhood onward. Even with this maneuver, however, the students in responses often relegate responsibility of rape and lack of justice to "Indian" culture. In part, this returns back to an ethos of sexual violence created through intersectional representation; they have had years of a faulty socialization that pathologizes Indians. Regardless of the many times, it is repeated that rapes of Native women are 86% committed by non-natives, which makes the racialized violence markedly different from other groups who experience similar crimes, or remind them there is no such thing as "the" Indian culture, this pathologizing of the Indian becomes the settler blanket of comfort. I in no way wish to ignore or turn away from the Indian male rapist that LaPlante so bravely addresses either in this moment. Rather, it is the complexity of addressing the conditions set forth by an ethos of sexual violence, by a continual witnessing and by the lack of expectations around bodily sovereignty that the witnessing pivots.

In LaPlante's important piece we find the story of one women's experience with violence that moves through various life cycles. In fact throughout this very important anthology, many of the pieces weave between the personal, legal, and hopes and aspirations of the Native women are
putting forth; they tell of these horrific violences, not to tell their specific stories as confession, but rather to keep future generations safe. They tell of the landscape, of the specificity of their belief systems, of the particularity of institutions that enable the violence against them to continue. LaPlante's encounters with settler institutions—from the school to police—and those before her become the site of violence. As Laura Kwak states, "it is through the bureaucratic governance over life that violence reinvigorates liberal democracy, remakes nations, reinscribes binaries, and renarrates mythical stories about a clash of civilizations."17 It is not inherent in Native communities. To bear witness to the story is an important part of what Native women attempt in telling their stories. Laplante expounds upon this: "Using my own experience as a victim of sexual violence in childhood and young adulthood is an attempt to follow the trauma through its lifecycle and to describe the unseen trash that we carry into different phases of our lifecycles, sometimes right to our very death bed." It is the witnessing, the acknowledgment of Native women's carrying a brunt of colonization that is key to larger discussion of addressing sexual violence. The overemphasis on crisis and epidemic, ignore the witnessing in the scholarly articles, the as told to stories, the archive that provides documented evidence to the fact of this violence, and the stories shared. Witnessing is strength, and we should not strip bare the living experiences of American Indian and Indigenous women as victims. In fact, it is in the passing of stories that Native women have survived and fought further immiserating.

I say this with a caveat. I in no way wish to conflate witness with survivor in this moment and undermine the pain of violence in the material. Rather, I am concerned with the way witnessing intergenerational forms of violence has created an ethos of sexual violence that deeply questions my own relations to violence. The awe striking statistics are one thing, but if we consider

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witnessing and as an on-going form of violence and one that Native women experience at alarming rates and at alarmingly young ages, we than delve into the ways that sexual violence against native women and communities in the form of witnessing can also be used to discipline and subject women to continued violence. As Sarah Deer comments in her piece Decolonizing Rape law: "It becomes important, then, for tribal governments to construct rape not only as an attack on an individual woman – but also an attack on the entire community."

Here I turn briefly to address the Pulitzer Prize winning novel, *The Roundhouse* by Louise Erdrich, and how it provided a platform to discuss the various laws at play in Indian Country. It is a fictional book that brought much attention to the crimes being committed in Indian country. The book animated write ups in *The New Yorker, Huffington Post, NPR, The New York Times* and all manner of mainstream media. The book itself rests on a form of witnessing, a witnessing of the aftermath of a brutal rape and its effect on a family and a community. It is told in a coming of age narrative of a boy in the midst of early puberty and contains a mystery of sorts. *The Roundhouse* begins with the following scene driven by emotion, letting us know that the story is about the controversy of lack of justice in Indian Country:

I put my hands on his hands and looked into his eyes. His leveling brown eyes. I wanted to know that whoever had attacked my mother would be found, punished, killed. My father saw this. His fingers dug into my shoulders.

In the same breadth, this normal reaction to the hurt inflicted on a loved one is complicated with the father’s knowledge of Federal Indian Law:

He tapped his watch, bit down on his lip. Now if the police would come. They need to get a statement. They should have been here.

We turned to go back to the room.

Which Police? I asked.
Exactly, he said.

When the Tribal, state and federal police arrive at the hospital to take a statement—an actual component of what happens in rape and violence against Indian women—there is confusion about who has the jurisdiction. The questions that reside are where did the rape take place and was the perpetrator Indian or non-Indian? Another question that resides and comes into play with Geraldine's rape—is the extent of brutal violence. (see 41, 160-161). Geraldine's rapist intent to kill her to hide the secret of a different murder would make this a federal case. However, she cannot speak or rather refuses to identify her rapist, knowing as she work in the tribal court system, that justice will not be served.

This sits Joe life in motion as he turns to figuring out what happened to his mother. Eventually we find out that the event happened on a border of tribal land and that the perpetrator was not a member of the tribe. Again, the pathologizing of Indians manifested in law and order makes for a vulnerable population. So while the court “‘recognize[s] that some Indian tribal court systems have become increasingly sophisticated and resemble in many respects their state counterparts…They have little relevance to the principles which lead up to conclude that Indian tribes do not have inherent jurisdiction to try and punish non-Indians.” 18 The U.S. Supreme Court has overwhelmingly ruled against full exercise of tribal sovereignty in the last few decades as a means to address the disparities of administering justice to crimes for Non-member, Non-Native actors. 19 Justice William Rehnquist’s concluding remark in his written opinion in the 1978 heavily-cited case Oliphant v. Suquamish Indian Tribe should force readers to question the very principals of which the decision was based on:

Finally, we are not unaware of the prevalence of non-Indian crime on today’s reservations which the tribes forcefully argue requires the ability to try non-Indians… They have little relevance to the principles which lead us to conclude that Indian tribes do not have inherent jurisdiction to try and punish non-Indians.20

In this moment, Chief Justice Rehnquist operates from the premise of primitive governments who cannot handle the prosecution of those deemed full citizens—the non-native—for fear they will not be judged justly by their Indian peers.

Erdrich takes up these unjust legal matters and quickly problematizes them in relation to justice and liberal democracy. For Indians, the law is much like the weather. Erdrich through her protagonist is clear about the precarious and unsettled ground of legal democracy in settler courts, “My father could out-weather anybody. Like people anywhere, there were times when it was the only topic where people here felt comfortably expressive, and my father could go on earnestly, seemingly forever.” Her pointed critique of the law as a comfort is clear. It cajoles and makes one feel protected and thus we acquiesce to the sovereign state. Yet, for Indians, forced to submit through colonization this has never been an easy placation. The law has always been violent and not a grantor of protection to territorial nor bodily sovereignty. Erdrich continues to expatiate on the weather and it's unpredictability, "When the current weather was exhausted, there was all the weather that had occurred in recorded history, weather lived through or witnessed by a relative, or even heard about on the news. Catastrophic weather of all types. And when that was done, there was all the weather that might possibly occur in the future. I'd even heard him speculate about weather in the afterlife.” This tongue and check metaphor to the acute awareness American Indians, (and here I am intentionally using the racial category as it matters

20 Oliphant v. Suquamish Indian Tribe (1978)
in law), have of the everyday impact of law in their lives. Again, it is an intimacy with institutions and awareness, that makes witnessing a form of violence and a form of strength.

In the end, however, Joe’s best friend kills Lark, the rapist who was also trying to gain land claims. We see a grappling with an unjust system. The priest asks forgiveness, Jpe seeks to end his life, and his dad resigns himself resolutely to the law which he has devoted his life to, a law he recognizes as deeply flawed: "Any Judge knows there are many kinds of justice—for instance, ideal justice as opposed to the best-we-can-do-justice, which is what we end up with in making so many of our decisions. It was no lynching. There was no question of his guilt. He may have even wanted to get caught and punished. We can’t know his mind. Lark’s killing is a wrong thing which serves an ideal justice. It settles legal enigma. It threads the unfair maze of land title law by which Lark could not be prosecuted. His death was the exit.”

So what is Erdrich suggesting in the wake of this settler predicament? What are the on-going implications of ignoring sexual violence against Native women? How do we account for justice? How might we question the use of law as the primary recourse in the context of settler colonialism? knowing the limits of law are crucial. Geraldine, in her refusal to name, to speak, to settle through American courts is key to this discussion.

Previous to the publication of the The Roundhouse, Elsie’s Business by Franci Washburn (Lakota) also addressed the high rates of sexual violence in Indian Country. This novel set in 1969-1970 during what has come to be known as "the reign of terror" in Dakota Indian Country, was two years before Oliphant decision. The novel begins with Elsie's rape by three young White men. Elsie, after a clear disregard her personhood which results in her being runover as the boys seek to leave the crime scene, Elsie is left to die on the side of the road. The violence
these boys commit is everyday practice in this border town. The opening scene is intense and in it we hear our first inaudible words from Elsie, who symbolizes and reflects the deer women stories throughout the novel. After that witnessing of the events, Elsie story takes a communal turn, "If you want to know more about Elsie's story than just the official reports you have to ask one of the grandfather's because they know all the old stories as well as the new ones, the latest gossip, and sometimes it's all the same stories happening over and over." The deer women signifies sexual transgression and its consequences. For men who violate women and thus create an imbalance in community, they are doomed to perish. The consequence of rape and transgression is harsh as we see throughout the novel. Just as in Miranda, this particular story involves a turn toward the traditional Deer women stories, a critique of justice, and a wrestling with what to do about sexual violence.

Official reports, the fodder of law, do not suffice. Like the title implies, the small town sets about telling the young women's business and in a sense it is implied that Elsie's business in fact, should be all our business. So while the story is told to her estranged father after her death and through various people whom Elsie encounters in her travels, it is a story where all partake and thus all become responsible to answering for the conditions that set up the sexual violence endured. In her work in Vancouver, Jaskiron Dhillion contextualizes her work in an historic milieu thus exposing the move to individualize violence and resistance to it, “Colonial violence, then, is always deliberately attached to an agenda of individual subjectification that functions to sublimate collective resistance and reinforce self-rule in the name of settler sovereignty” (83).

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always deliberately attached to an agenda of individual subjectification that functions to sublimate collective resistance and reinforce self-rule in the name of settler sovereignty” (83). Elsie's business uses storytelling in this small town setting to produce a collective path forward and to expose the power relations involved. The bits and pieces of Elsie's story and murder filter through the lens of people's position vis-a-vis power in the text.

After the rape and her subsequent mother's death while she is healing, Elsie is whisked away to a neighboring town to hide the rape at the lands of prominent white prodigy in the town. Even though the boys meet their death in a car accident quickly after the rape, the local Sherriff still burns her clothes as evidence in order to keep his job. It is election year after all. In the hospital scene, we too see the doctor's assume it is from another Indian, "I want to know just as soon as you can tell me somehow, someway, just who the hell did this to you....I also want to know when you goddamned Indians are going to quit trying to kill each other". In this series of conversations, the doctors, nurses, sheriff are not neglectful nor without feeling, rather they are all tied up in a system that diminishes Indians humanities. At one point, before burning her clothes as not to "sully" the rich patron's name during reelection year, a nurse asks, "What about justice?" It is left there to settle in the conversation, to trail off. When she asks "what about Elsie," the response does not change. Her removal from Standing Rock area, and here we can further think about long lines of Indigenous dispossession and removal from their home territories, is used to protect the status quo of the Bordertown. Indian deaths, rapes, and removal were the everyday in this era—unfortunately the statistics have not much improved in border towns.

23 Washburn, 87.
When attempting to build a new life in another border town on the line between a different but related Lakota reservation, a series of unfortunate events happens and Elsie is raped and murdered three years later. During this time, she befriends church goer and resolute catholic Nancy Marks who makes it her mission to save" Elsie. Unfortunately throughout, Elsie and Nancy have many misunderstandings and in the end Nancy admits she knew more about herself through knowing Elsie, than she did about Elsie at all as a human. The Indian community also avoids her, thus she misses that particular safety net as well, "It wasn't that they were unkind to Elsie, but that they were a little afraid of her, being as she was, the embodiment of past transgressions, living proof of what happens when people upset the social order of things."\(^{24}\)

Washburn pointedly looks at kinship and its obligations throughout the novel, seeking kinship ties as a way to set right the balance of sexual violence. Kinship and governance are entangled for Native people, in relationality terms the sexual violence against Elsie moves beyond the individual and effects the entire Indian community. The Deer women appears here as a community out of balance.

However, the border town and its daily operations are deeply invested in the individual. The Individual however is defined by racial divisions, divisions that do not apply the law equally. Washburn pointedly makes this clear in the small infraction of drunk and disorderly in the novel. Though the mayor is publicly drunk he is brought home by the police, whereas the jailing of Indians is common practice: “The usual high number of Indians were arrested for drunk and disorderly, public intoxication or just GPV-general public violated…no one else talked about Indian arrests. It was too commonplace."\(^{25}\) The pathologizing of Indians as alcoholics, lost and

\[^{24}\] Washburn 68.
\[^{25}\] Ibid, 67.
bereft of morals results in high rates of incarceration that continue today. The arrest and unfair jailing practice, rates of poverty and lack of infrastructure at this time was well known.

What has received and continues to receive a lack of attention of how this ethos results in assaults against Native women. The same language used to justify the small infraction is also framed at the point of violent rape. Elsie is referred to as a "goddamned slippery whore," "bitch," "squaw," "dirty old skin," and a "cow" throughout her beating and rape. This reflects the statistic that "when asked whether the aggressors physically hit them during the assault, over 90 percent of Native women victims report their perpetrator(s) used a weapon, compared to 9 % of white women."26 This witnessing of the event moves beyond the statistics, divulging the dehumanization that lays at the foundation of settlement in the seemingly safest of towns. The doctor in response to Elsie condition and the death of the three boys proclaims "Whoever said nothing happens in small towns, ain't never been here." Washburn paints a clear picture of settler towns and a maintenance of racial hierarchies in rural America that are from idyllic.

The final murderer is never revealed, but within the novel develops an acute awareness of the divergence zones and the lack of intercommunity reconciliation following these unfortunate events. The power relations that have been set in place fail to address the same issue that leaves Nancy wondering “why young Indian women seemed the center of so much tragedy.”27 This is reminiscent of the other logics of elimination, that of the dead. If we set this in terms of what Sherene Razack terms as Native people’s continual positionality as always dying or dead and the rates of death in custody or on the streets, we can think through these critical lines in Elsie’ Business.

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26 Deer, 4.
27 Washburn 86.
In the last pages of Elsie Business, we realize that we will never know who murdered Elsie. We will not the reason—whether it was to silence her, whether it was a refusal of sexual advances, or even whether it was being in the wrong body at the wrong place. The reader is left unsatisfied. Like so many rapes and murders in Indian Country and beyond, Native women do not receive the recourse of justice and there are no answers for their communities. While some, such as Mason would like to cover up these individualized indecencies, as he "never taught my boys to be killers or rapists, either... Christ you try raising two boys," the stories are witnessed and shared. They refuse the narrative of erasing the collective violence. From the early story of and by Mason's own words his feelings of dehumanizing and wishing Native people gone are clear, "Yeah, I admit , I never had any use for an Indian, and I still don't..." This moment in the text is indicative of the conversation around sexual violence in the US. Mason tells Elsie's father, "I want that dead girl and you to hell and gone out of our lives.... Can I tell my wife its over? It ain't never going to come up again?" Elsie's story didn't die, nor will it. Neither will the story of sexual violence as long as it continues. It is a violence that will not be suppressed in a logics of elimination of Native people in a settler context. Elsie's father tells the white settler, "I can't promise what else or who else might bring this up again. You never know what bones someone might dig up."28 And this is the power of story. While records may be lost, evidence incinerated, and power used to bury the violence it takes to maintain a colonial order, the story will be there to voice and refuse. So while we know that, like Mason who will "do everything in my power to keep those bones buried," there are alternative stories.

Conclusions

28 Washburn, 209.
In discussing the three novels, Bad Indians, The Roundhouse, and Elsie's Business, I point to three very different place-based communities dealing with the very real assault on Native women. While Erdrich's novel revolves around a clearly delineated federally recognized tribe, Miranda must and does address the specificity violence takes for California Indians who faced Spanish and US colonization quite a bit later and did not have their treaties ratified by congress. Thus many California Indian tribes were not able to keep their territorial sovereignty and go unrecognized by the law. However, the rates of sexual violence still exist. The ethos of colonial violence does not disappear at the border lines. This too is evidenced in the border town rape of Elsie. As she travels to and for from work, across reservation and county boundaries, these imaginary and mapped lines determine her recourse to justice or lack thereof. What she does not escape, is who she is as a mixed Indigenous and Black women in South Dakota.

Whether it is the reservation, the urban or the rural, we need to address the ethos of sexual violence against Native women by critically listening to the stories that stand for witnessing and provide a path forward. A form of Native feminist witnessing is proactive and attests to settler state power as an intimate form of violence. In their report, the Tribal Law and Order commission emphasis the need to uphold tribal sovereignty and seek "atenratives," "From the tribal viewpoint , this finding is niether surprising or new. Tribes are long-time advocates for alternative approaches." As pipelines and fracking are established, so too are man camps and places of already deep heteropatriarchal power. So while I speak to fiction in the above, the fiction itself is written from the experience of those who know and understand all too well how violence and terror of assault impact the intimacies of daily life.

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29 TLOC, 131.
In closing, I think through the words of Deborah Miranda who asks the pivotal question: "But where to start? What's the best Way to kill a lie? Like Bad spirits they are notoriously immune to arrows—in fact, they are often known to rise after being killed, even after being buried. We must know where to aim, pick our targets, remain clear-sighted." In this paper, I hope to have made clear that it is not enough to tell statistics, to present the facts, to apologize for a past. We must listen to the witnessing of violence and once we hear the stories do more than pity or pathologize. Rather, we must take aim at that which is buried and no matter how difficult, Native and Non-Native alike must engage with how the world is constructed through the brutal and immiserating power of gendered violence directed at Native women.