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ARTICLE

Native Acts, Immigrant Acts: Citizenship, Naturalization, and the Performance of Civic Identity during the Progressive Era

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Abstract

This article reveals the complicity of immigration restriction laws and federal Indian policy with organized Americanization in legislating an imagined, desirable "new American" at the beginning of the twentieth century, when resurgent nationalism threatened to restrict undesirable immigrants as it also sought to assimilate Indigenous people into a mass of Americanism. While the immigrant has figured in the U.S. national imaginary as someone who *desires* America, the American Indian was not *desired* to enter into political membership—although Native land was desired, and subsequently taken by settlers through strategies of dispossession written into federal Indian law. This essay argues that the *Indian*—read as an imagined category with little connection to the lives of *Native* people—occupies an anomalous position in the legal history of naturalization, finalized with the passing of the Indian Citizenship Act in 1924, at the same time that racist immigration restriction quotas also limited the entrance of new immigrants into the United States through the 1924 Johnson-Reed Immigration Act. For Native people, Americanization and the imposition of citizenship were extensions of colonialism, adding one civic status over another—domestic dependent, ward, or U.S. citizen. For new immigrants hailing from southern and eastern Europe, forced by economic and cultural constraints to relocate to the United States, in contrast to their Anglo-Saxon or Nordic settler predecessors, Americanization meant a renunciation of political allegiance to other sovereigns, the acquisition of English, and civic education for citizenship. This essay challenges the myth of America as a "nation of immigrants," and the settler colonial nation-state's ongoing infatuation with its colonial project as it continues to erase Indigenous presence and sovereignty.

Keywords: Native citizenship; the Indian Citizenship Act (1924); the Johnson-Reed Immigration Act (1924); the "nation of immigrants" myth; Indigenous sovereignty; Indigenous dispossession; naturalization law and naturalization ceremonies; patriotic pageants; Americanization

In his Pulitzer Prize–winning book *The Uprooted,* historian Oscar Handlin confessed that he wanted to write a history of immigrants in America and, in the process, discovered that "immigrants *were* American history."[1] Positioning U.S. history as immigration history, Handlin failed to acknowledge that this history is also one of colonization,

relocation, usurpation, genocide of Native people, and exploitation of African slaves. Recent historical and political accounts have continued to refer to the United States as "a nation of immigrants."[2] Perpetuating the myth of *immigrant America,* this vision of (old) American history reinforced the idea of American exceptionalism through a disavowal of the violence inflicted through physical and cultural genocide on Indigenous people.[3] Although scholarship in Immigration Studies has dominated critical debates over issues of citizenship and national belonging, scholars in Native American and Indigenous Studies have started the hard work of indigenizing other fields by bringing Indigeneity and Indigenous people to the center of conversations about the U.S. empire. The field of Immigration Studies has yet to rethink the settler colonial paradigm of the United States as a "nation of immigrants" and to revise its origin narrative with Indigenous people at the center of that story.[4] Nez Perce literary historian Beth Piatote has pointed out that Native experience resonates with immigrant experience "in relationship to larger forces of national domestication." Yet, she cautions, "as Native American experience becomes more central to American studies scholarship, this difference must maintain its visibility and significance in order for fruitful comparisons to emerge."[5] Similarly, Chickasaw literary critic Jodi Byrd acknowledges that it is "all too easy, in critiques of ongoing U.S. settler colonialism, to accuse diasporic migrants, queers, and people of color for participating in and benefiting from indigenous loss of lands, cultures, and lives, and subsequently to position Indigenous otherness as abject and all other Others as part of the problem, as if they could always consent to or refuse such positions or consequences of history."[6] Both Piatote and Byrd articulate the centrality of Native experience to American Studies and offer useful critiques to rethink the nation of immigrants matrix. But what if we were to revise Handlin's sweeping statement to read: American Indians *were* [are] American history? More than five hundred federally recognized Indigenous nations in the United States today are descendants of the fifteen million original inhabitants, and international Indigenous movements continue to advocate for territorial rights and Indigenous sovereignty and self-determination.[7] In a context where "the settler colonial present is also an Indigenous one," as historian Lorenzo Veracini has argued, and where categories such as "settler" and "migrant" share more differences than similarities, how would this paradigm shift affect our conceptualizations of American citizenship and national belonging?[8]

This essay starts by challenging the myth of America as a "nation of immigrants"—solidified rhetorically by President John F. Kennedy's posthumous book, *A Nation of Immigrants* (1964), as well as a host of educators and public figures. It reads immigration acts as exclusionary acts, which have served the United States' growing anti-immigrant policy, as well as rhetoric and anxiety about new immigrants' putative inability to assimilate.[9] To understand the stakes of civic participation through citizenship—figured as a *reward* to the naturalized immigrant subject and as a *gift* to the Native subject—it looks at how the meanings of citizenship today are disputed by political and social theorists. Citizenship law defines membership in a (national) community at the same time that it defines the boundaries of that community.[10] Besides being (made into) American citizens, Indigenous people are also citizens of their respective nations, a unique political status that distinguishes them profoundly from other marginalized (and racialized) communities or immigrant groups. The treaties signed between the federal government and Native nations are binding documents signed between political entities, and not between a political entity and a racial group.[11] Yet, as legal and political theorists have shown, other types of citizenship—such as cultural

citizenship—inform our understandings of legal citizenship. The last section turns to the public performance of citizenship by new immigrants and Native subjects to argue that *Native acts* and *immigrant acts,* as public manifestations of both consent and dissent, speak back to the rigidity of legal acts. Reading legal acts alongside public dances and ceremonies—such as the Lakota Fourth of July celebrations, the citizenship ceremonies orchestrated by the federal Competency Commissions on reservations, and the naturalization oaths taken by aspiring citizens—reveals how scenes of nationalism trouble and often challenge the national project of Americanization at this time. For instance, although graduation from Americanization programs, such as the Ford English School in Detroit, Michigan, allowed new immigrants to draw their first naturalization papers after the completion of the program, many southern and eastern European new immigrants chose not to pursue American citizenship after (and if) they graduated. Native people, on the other hand, sometimes made citizens against their will, continued to claim their sovereign right to tribal citizenship over American citizenship, or simply refused to accept yet another imposition of settler colonialism in the form of citizenship.

Drawing on the work of Lisa Lowe and Joanne Barker, this essay proposes *Native acts* and *immigrant acts* as its operating frameworks.[12] First, as legal acts, they name the context and history of the legal discourse regulating Native and new immigrant subjectivity and citizenship. Second, through performance, they produce Native and immigrant subjects, revealing both the subject's compliance to and negotiation of the legal text; such performances showcase moments of contradiction and gaps in the myth of national identity. *Native acts* and *immigrant acts* function, therefore, as both legal and cultural acts; performance allows the Native and immigrant *act*ors to control and create—through language and body—a space that simultaneously contests the strictures of legal discourse and affirms political subjectivity on their terms. This essay argues that cultural citizenship—such as embodied citizenship through public performance, or what Carroll Smith-Rosenberg calls citizenship as process—troubles and calls into question the rigidity of the legal text.[13] This essay seeks to contribute to these critical conversations in two ways: first, by pointing to the inconsistencies of naturalization practices centered on changing new immigrants and American Indians into "good Americans"; and second, by showing how *Native acts* and *immigrant acts*—as legal and cultural texts—adapt to and resist the rigidity of the legal text, revealing how the *desired* new American citizen simultaneously inhabits and contests the strictures of legal citizenship.

Native Acts, Immigrant Acts

On May 26, 1924, President Calvin Coolidge signed into law the Immigration Act, popularly known as the "Quota Act," which reduced drastically the number of *new* immigrants originating from southern and eastern Europe; their difference from the *old,* northern and western European immigrants made them less desirable to their adoptive country.[14] Among its many provisions, the act introduced a quota system based on national origins and spelled out the new contours of American citizenship. Relying on quotas based on the 1890 census, not the 1910 census—which would have allowed for a larger pool of southern and eastern European immigrants rather than one dominated by "Nordic" Anglo-Saxon immigrants—the Immigration Act of 1924 closed the door on several decades of high immigration from southern and eastern Europe. Before this drastic shift in immigration policy, immigration to the United States

was desirable and sought after; immigrants performed various forms of agricultural and industrial labor and settled/occupied conquered territories recently repossessed from Native American nations. The new immigrants at the end of the nineteenth century—the industrial empire's new laborers—were different from the original settlers and descendants of English pilgrims, Scots, Scots-Irish, and the French Huguenots (all Calvinists) who did not just settle a putatively "savage" or "virgin land"—as settler discourse went—but displaced an entire network of Native nations.[15] The settlers' belief in the sacred, God-given covenant—the origin myth at the basis of American exceptionalism—justified their claims to land through the infamous "Doctrine of Discovery."[16] As historian Roxanne Dunbar-Ortiz has put it, "European and Euro-American 'discoverers' had gained real-property rights in the lands of Indigenous peoples by merely planting a flag."[17] Planting a flag on stolen lands defined the basis of patriotism of the "nation of immigrants." To be accepted into this exclusive settler club, the *new* immigrants had to prove their loyalty to the covenant, as well as their patriotism; otherwise, they were suspect and subject to various forms of exclusion. By limiting the number of new immigrants from undesirable nations—the "backward" European countries—the Immigration Act of 1924 also legislated the racial and ethnic makeup of the country for the next decades and instituted new hierarchies of difference and (racial) desirability.[18]

On June 2, 1924, President Coolidge signed into law the Snyder Act, or the Indian Citizenship Act (ICA). At the time, there were close to 300,000 Native people in the United States, two-thirds of whom had already become citizens through various congressional acts. Before the ICA, the General Allotment Act of 1887 (also known as the Dawes Act) was the most common method of naturalizing Native allottees, provided they received an allotment or left the tribe and "adopted the habits of civilized life." Their reward was *national citizenship.*[19] The 1924 ICA held that "all noncitizen Indians born within the territorial limits of the United States be, and they are hereby, declared to be citizens of the United States: *Provided,* That the granting of such citizenship shall not in any manner impair or otherwise affect the right of any Indian to tribal or other property." Unlike previous statutes or treaties, the ICA did not mandate that Native people relinquish their allegiance to their tribe in order to become American citizens.[20] Most importantly, although the emphasis of the law was on the *event* of American citizenship, and the political moment converged toward an effervescence of American patriotism, Native people could retain their tribal citizenship status. And although race and ethnicity informed and justified immigration restriction policy historically, making some immigrant groups more desirable and others less so, the dispossession of Indigenous people of their territories and their near wiping out brings other categories of analysis to the forefront of understanding national belonging and citizenship. Concepts such as colonization, genocide, and dispossession (rather than race) are especially relevant to understanding Indigenous definitions of belonging and citizenship beyond those codified in the Indian Citizenship Act.[21]

This renewed interest in the citizen Indian at a time when the "vanishing Indian" trope dominated both popular and scientific venues was symptomatic of (White) anxieties about national identity more so than concerns with Native people's political status. Whereas the acquisition of U.S. citizenship ended immigrant second-class citizenship status—although many immigrants *chose* not to apply for naturalization—for American Indians, the *gift* of U.S. citizenship in 1924 did not end their status as wards of the federal government. As domestic subjects by law, Native Americans were legal wards of the federal government, living within the borders of the nation-state

but lacking full rights as individuals. Both the Johnson-Reed Immigration Act and the Indian Citizenship Act passed in 1924 at the tail end of an aggressive national (and nationalist) campaign to make new immigrants and Native Americans into "good Americans" and law-abiding citizens. American citizenship was also the ultimate goal of the Progressive Era Americanization campaigns, supported by both the federal government and state and private organizations. This essay argues, therefore, that whereas the blanket naturalization offered by the ICA in 1924 may be read as a corrective to earlier *exclusionary* legal history, immigrant naturalization is part of the pseudo-*inclusionary* legal history aimed at blending the qualifying foreigner into the homogenous mass of Americanism.[22]

By the late nineteenth century in the United States, the category of *citizenship* was increasingly understood in assimilationist terms. This understanding was compounded by the influence of civic republican ideology, calling for complete absorption into a homogenous national culture, patriotism, consensus, unity, and loyalty to national symbols and icons.[23] For Native people, the forced assimilation and Americanization was an extension of the colonial practices, a replacement of one civic status with another—domestic dependent, ward, or U.S. citizen—and a reflection of the American colonial ambivalence vis-à-vis Native subjects. For new immigrants, different from their Anglo-Saxon or Nordic predecessors (the "old immigrants"), Americanization meant renouncing political allegiance to other sovereigns, acquiring the English language, and participating in civic education for naturalization. Native Americans were slowly coerced into citizenship while new immigrants were gradually barred from it through a series of immigration restriction acts and increasingly intricate naturalization procedures aimed at controlling American citizenry even further.

Like other modern nation-states, the United States has reproduced its citizenry in two ways—through birthright (the *ascriptive* model) and through naturalization (the *consensual* model). Whereas immigrants could consent to become naturalized American citizens, American Indians were excluded from birthright citizenship. Although born on U.S. territory, the *Indian* was not born a U.S. citizen, but was a "domestic subject," a ward of the federal government.[24] Before the Civil War, African Americans also inhabited a liminal position: neither foreigner not citizen.[25] After the Chinese Exclusion Act of 1882 and a series of subsequent landmark cases in the 1920s (such as the Takao Ozawa v. United States and United States v. Bhagat Singh Thind cases), for the next three decades Asian Americans could not naturalize, except in small groups.[26]

The United States' racial policy also determined the contours of U.S. citizenship—premised on whiteness or constant redefinitions of the original U.S. naturalization law's "free white persons" requirement. The Naturalization Act of 1790 made a naturalization provision for male, white citizens, an exclusionary act that marked what Michael Omi and Howard Winant call the U.S. "racial policy." According to Omi and Winant, historically, the main objective of U.S. racial policy has been repression and exclusion.[27] Nevertheless, whereas Indigenous people were offered the *gift* of U.S. citizenship and allotments of land in fee simple (through the Dawes Act of 1887) in hopes that they would become "good Americans," new immigrants had to become American cultural citizens first and then demonstrate their worthiness of American legal citizenship second. In some cases, they could decline to ever naturalize, choosing instead permanent residency. Because federal control of naturalization was minimal in the nineteenth century, politicians often sought the immigrants' franchise and facilitated their naturalization, especially during election years. For immigrants, citizenship was meaningful

insofar as it offered access to better jobs, but otherwise there was no immediate incentive to naturalize. At the same time, the worthiness of American citizenship was premised on the future citizen's whiteness. Between the 1870s and 1920s, U.S. courts also consolidated the idea of "the Caucasian," just as popular and congressional debates produced the notion of Anglo-Saxon supremacy, pitted against the "Celtic, Hebrew, Slavic, and Mediterranean degeneracy."[28] In the 1920s, as David Roediger has argued, "immigrant greasers, guineas, and hunkies"—popular slurs at the time—were "racialized as less than white in common speech" at the same time that Congress was "flooded with appeals for racially based restrictions on the immigration of southern and eastern Europeans to the United States."[29] Under these pressures, the restriction of immigration was imminent.

Unnatural Naturalizations: Immigration Restriction

Although Article I of the U.S. Constitution adopted in 1789 granted Congress the power "to establish a uniform Rule of Naturalization," no clear naturalization policy was in place in the United States before 1906.[30] The Naturalization Act of 1790 established a contractual relation between the immigrant and the state, holding that "any alien, being a free white person, who shall have resided within the limits of and under the jurisdiction of the United States for the term of two years, may be admitted to become citizen thereof."[31] This was the first federally enacted law to refer to race explicitly, making whiteness a prerequisite to citizenship (until 1952).[32] It established that naturalizable aliens must be both "white" and "free," thus making whiteness the racial prerequisite for citizenship. By restricting naturalization to "free white persons," the Naturalization Act of 1790 also established that African Americans, Asian Americans, and American Indians were not naturalizable.[33] By the time of the Civil War, several terms of future immigration restriction laws had been defined, especially the thorny issue of state vs. federal jurisdiction over immigration. In the 1790s, three pieces of anti-alien legislation set the tone for direct anti-alien sentiment and vigilance in the next century—the Naturalization Act (June 1798), the Aliens Act (June 1798), and the Alien Enemy Act (July 1798).[34] Subsequent exclusionary logic was based on race, and continued to inform nineteenth-century immigration legislation.[35]

If the naturalization of Native Americans was enforced and enacted by various congressional acts responding to specific socioeconomic and political circumstances (as Native tribes were held under the jurisdiction of the War Department, the Department of the Interior, and later the Bureau of Indian Affairs), immigrant naturalization became more centralized between 1883—when record numbers of non-Anglo-Saxon immigrants from southern and eastern Europe arrived in the United States, supplying the cheap labor no longer available after the Chinese Exclusion Act of 1882—and the first severe immigration restriction steps taken in 1913. New immigrants could live in the United States and own land without being required to naturalize, whereas Native people could receive a land allotment and gain citizenship only if they *proved* their competence and industriousness.[36] Native Americans were also made citizens against their will, at the recommendation of a Competency Commission; in some cases, although Native allottees either did not apply or did not consent to citizenship, they were *made into* citizens.[37] Just as some American Indians declined to become U.S. citizens, many new immigrants never applied for U.S. citizenship and remained "unnaturalized aliens." Census data from 1890 to 1930 reveals that unnaturalized aliens (or those who had only filed first papers)

represented about 25 percent of the people of foreign birth. To begin the naturalization process, a Native person first applied to the local superintendent, filling out a questionnaire that demonstrated his "competency"; if competent, he completed applications for fee patents. In some cases, "recalcitrant Indians" refused to sign applications, expressing direct dissent to naturalization; in others, federal commissioners forced patents in fee simple on unqualified Native people.[38]

Unlike federal Indian policy, which overlooked Native people's desire or willingness to naturalize (*consent* being a key element of naturalization), immigration policy was organized around the concept of "desirable" vs. "undesirable" aliens. A desirable alien may not be an idiot, an epileptic, or a lunatic; for a country imagining its own homogeneity of identity despite a growing racial and ethnic diversity, the new American must also be a WASP (White, Anglo-Saxon, Protestant). Under the Immigration Restriction Act of 1891, immigration was placed under federal authority and Ellis Island became the legitimate port of entry in the United States.[39] Besides racial determination of whiteness as the prerequisite for naturalization, the Immigration Restriction League (IRL) also contributed to a growing repertoire of "excludable" categories.[40] The reports of the Dillingham Commission (produced between 1907 and 1911)—which ultimately recommended that Congress enact restrictions on immigration based on what it found to be the "unassimilable character of recent immigrants"—also offered analogies between the perceived intellectual differences of new immigrants compared to the old: "[T]he new immigration as a class is far *less intelligent* than the old."[41] Through a similar racist logic, the Commissioner of Indian Affairs had commented on Native Americans' intelligence just a few decades earlier: "we have within our midst two hundred and seventy-five thousand [Native American] people, *the least intelligent* portion of our population, for whom we provide no law, either for protection or for the punishment of crime committed among themselves."[42]

When the Naturalization Act passed in 1906, it brought the concerns of Americanizers to bear on those shaping naturalization, posing more procedural obstacles to undesirable immigrants who wanted to naturalize. All immigrants interested in becoming naturalized had to file a "Declaration of Intention" two to seven years before applying for citizenship; to receive their first papers, immigrants were required to present a "certificate of arrival" issued by the Bureau of Immigration. Under the new law, naturalization was no longer performed by state and local institutions, but by the federal government. Gradually, the overarching control of the federal government made immigrant agency in the naturalization process minimal. This act, therefore, tightened federal control over naturalization.[43] Although the new naturalization law did not define the minimum standards of linguistic or constitutional knowledge, immigration restrictionists read the 1906 Naturalization Act and its provisions as a way to make formal Americanization part and parcel of preparations for U.S. citizenship. In 1906, the Department of Commerce and Labor established the U.S. Bureau of Naturalization, the first institution under the jurisdiction of federal courts regulating immigration and naturalization. After June 1906, the naturalization courts had to be federal courts, but at the time there were fewer courts doing naturalization work than were necessary. Competency in English and knowledge of the U.S. Constitution were added as legal requirements to the existing racial requirements for naturalization.[44]

Americanization became the arc framing the imagined national identities of both Native Americans and new immigrants in the first decades of the twentieth century. As the United States entered World War I in 1917, a new brand of patriotic Americanism shaped new formulations of national identity and brought the *reward*

of citizenship to the Native and immigrant soldiers who fought in World War I. Yet, just as the Indian Citizenship Act passed *after* the Immigration Act in 1924, the Native soldiers who fought in the war were naturalized months *after* their immigrant peers, as an afterthought.[45] Granting American citizenship to Native Americans was yet another colonial gesture, framed as a "gift" from the federal government to the Indian wards of the state, as an inclusion into the national body, yet signifying dispossession and further exclusion under the façade of American citizenship.[46]

Nativism was at the heart of immigration restriction sentiment and legislation, informing definitions of citizenship and national identity as normative and exclusionary. With the Immigration Act of 1924, the shift to "national origins" was rooted in issues of race and difference. As new immigrants were increasingly different from the previous generations of immigrants, concerns over the assimilability of old immigrants turned into claims about new immigrants' racial inferiority. The perceived threats to American institutions and the failure of the Americanization campaigns to "melt" the new immigrants into good Americans also motivated the move toward restriction. President Coolidge, who had just accepted the 1924 Republican Party nomination, summed up his defense of immigration restriction: "Restrictive immigration is not an offensive but a purely defensive action. […] We must remember that every object of our institutions of society and Government will fail unless America be kept American."[47] Determined to keep America American, President Coolidge signed into law both the Johnson-Reed Immigration Act of 1924 and the Indian Citizenship Act of 1924, within days of each other. These acts restricted the immigrants' access to the United States and their eventual chance to naturalize, at the same time that they extended the *gift* of citizenship to Native people.

Out By Law: The American Indian, Foreigner At Home

One of the many goals of Progressive Era reformers was to make Native people feel more "at home" in America—a paradoxical goal that came at the cost of eroding Native sovereignty and dispossessing Native nations.[48] While this typical progressive gesture signals *inclusion,* it also gestures toward Native *exclusion* from the American polity and, more tellingly, American land. Throughout the nineteenth century, many Native nations had been removed from their ancestral homes and land bases, so the Progressive Era idea of "home" was an abstract construct at best, often contradicting material realities. For White America, Indian removal was not just a forced relocation from one geographic space to another, but also a removal from white America's mind. White America has historically perceived Native people as "essentially foreign." During the colonial period, the Indian nations' title of self-government was recognized under the law of nations and treaties signed between Great Britain and the colonies. Native nations established a relation of *imperium in imperio,* or a sovereign within a sovereign nation. The Doctrine of Discovery perpetuated "a second-class national status for tribal nations and relegat[ed] individual Indians to second-class citizenship," stripping "tribes and individuals of their complete property rights." The relations of the United States with Native nations were subsequently carried out through the treaty process. Many of these treaties transferred land titles from Native nations to the United States, and the federal government recognized tribal ownership of Indian land in the trade and intercourse acts. The use of legal documents, inherited from European colonial governments, provided the legal façade to deny rights to Native people.[49]

The U.S. Constitution is an early illustration of Indigenous exclusion. *The Federalist* and the 1787 Constitutional Convention made it clear that Indian tribes and their members were considered nonparticipating inhabitants of the United States.[50] The only constitutional provision mentioning Indian tribes was the Commerce Clause, which treated tribes as entities distinct from the states.[51] Besides the Commerce Clause, the Treaty Clause was also considered a basis for federal authority over tribes, granting exclusive authority to the federal government to enter into treaties with Indigenous nations.[52] Furthermore, "Indians not taxed" were excluded by Article I and the Fourteenth Amendment from representation and taxation, had no participatory rights (as they did not "consent to be governed"), but were considered nonetheless "free persons"—to be distinguished from slaves, who were subject to the internal laws of the United States without their consent or participation.[53] Although politically and legally "foreign" to the United States, tribes became a matter of domestic concern when Congress discontinued the practice of treaty-making in 1871 and prohibited the recognition of Indigenous tribes as sovereign political entities. Indigenous people inhabited an in-between political status characterized by domestic dependence on the United States in a foreign sense.[54] Therefore, while the designation of Native nations as "foreign nations" acknowledged their political sovereignty, Native sovereignty remained, at best, nominal.

Two landmark U.S. Supreme Court cases following the 1830 Indian Removal Act—Cherokee Nation v. Georgia (1831) and Worcester v. Georgia (1832)—provide evidence of the Supreme Court's reinterpretation of the status of Indian nations as foreign states, and for understanding *wardship,* the opposite status of full citizenship, and one that Native Americans have been forced into for many years. The Indian Removal Act authorized the president to exchange land west of the Mississippi River for land tribes held in any state or territory.[55] Following The Removal Act, in 1831, after Georgia extended its state laws over Cherokee lands, the Cherokee Nation sued the state of Georgia in the Supreme Court, using its prerogative as a "foreign state" to challenge the enforcement of Georgia's jurisdiction within the Cherokee Nation. Chief Justice John Marshall, who delivered the opinion of the court in Cherokee Nation v. Georgia, declined the Cherokee Nation's wish to sue, as a "foreign nation," under the court's doctrine of original jurisdiction. Asking—"Is the Cherokee nation a foreign nation in the sense in which that term is used in the constitution?"—Marshall declared that it was not a foreign nation, but a domestic dependent nation, and therefore could not challenge state laws. The Cherokees, and by extension, all Native nations, were thus granted a new designation—*domestic dependent nations.* Marshall analogized their relation to the United States as "like that of a ward to his guardian" and emphasized the idea of dependence: "They look to our government for protection; rely upon its kindness and its power; appeal to it for relief to their wants; and address the president as their great father." Marshall erased, with a stroke of his pen, the idea of Native sovereignty by claiming that both foreign nations and the United States considered Native tribes to be "so completely under the sovereignty and dominion of the United States." The Marshall court imposed of the term "domestic dependent nations" to erase—rhetorically and legally—the sovereign status of Native nations.[56]

The provisions for the naturalization of immigrants in the United States were established as early as 1790 (by the Naturalization Act); however, the only Native people considered citizens by birth under the Constitution before the Allotment Act of 1887 were "those not born into membership in a tribe or whose tribe no longer existed as a distinct entity." In the infamous case Dred Scott v. Sanford (1857), the Supreme Court declared

that both free blacks and slaves were not citizens of the United States, a decision overruled in 1868.[57] This court case brought debates over citizenship to the forefront of national debates over slavery. In its discussion of citizenship, the court said that Native Americans were not originally citizens in the constitutional sense, but that unlike African Americans, Congress had the power to naturalize them because they were aliens for that purpose.[58] In 1883, another case brought before the Supreme Court reinforced the idea that federal courts had no jurisdiction on reservation land. Crow Dog (Brulé Sioux) was sentenced to death by a Dakota district court for the murder of Spotted Tail (of the same band and tribe). From prison, Crow Dog brought his case to the Supreme Court and asked to be released, claiming that federal courts had no jurisdiction over crimes committed on reservations by one Indian against another, declaring that "the conviction and sentence are void, and that his imprisonment is illegal."[59] Crow Dog was subsequently freed, and the landmark case Ex parte Crow Dog (1883) reinforced the idea that federal courts did not have jurisdiction on reservation land and tribal citizens.

In another landmark case, Elk v. Wilkins (1884), the Supreme Court declared that section 1 of the Fourteenth Amendment did not include an Indian born under tribal authority.[60] After he was denied the right to vote in Omaha, Nebraska, John Elk of the Winnebago/Ho-Chunk tribe, "a civilized Indian," brought his case to the Supreme Court and asked for recognition of his American citizenship. Elk, born in Oklahoma, had moved to Omaha, purchased a home, became a member of the state militia, and paid taxes. His deliberate removal from his tribe and his willingness to cast his vote in state elections were encouraged by Nebraska laws.[61] The court declined his application for citizenship, holding that, because Indians owed allegiance to their tribe, they did not acquire citizenship at birth.[62] As a counterpoint to Elk v. Wilkins, which decided that an Indian born in the United States was not a citizen according to the Fourteenth Amendment, in United States v. Wong Kim Ark (1898) the Supreme Court decided that a Chinese man born in the United States (whose parents were born in China) was a U.S. citizen according to the Fourteenth Amendment.[63] This case offers a particular exception to naturalization practices after 1882, in the context of the contentious debates over fitness for citizenship, race, and increased federal control. Although the Chinese Exclusion Act of 1882 made it explicit that the Chinese were ineligible for naturalization, the search for citizenship in a Chinese American context at the end of the nineteenth century continued. Unlike John Elk, Wong Kim Ark sought (and ultimately obtained) American citizenship so he could maintain a transnational relationship with his family in China, at a time when exclusionary laws against Asian Americans threatened to isolate him even further. Wong Kim Ark was eventually naturalized in 1898, and his citizenship made it possible for his sons to become American citizens. After an undistinguished career as a cook, Wong retired to China in the 1930s and never returned to the United States. After Elk v. Wilkins, the United States *gave* citizenship to Native allottees and *took* their land, children, and sense of sovereignty. At the same time, after Wong Kim Ark, the United States *extended exclusion* beyond the Chinese immigrants to include other less desirable immigrants from southern and eastern Europe, based on race and national origin. In the aftermath of these legal decisions, both Native Americans and new immigrants continued to contest the limitations of these acts in their respective communities, fighting to reshape the meaning of citizenship for each group. The racially exclusionary immigration acts controlled both the country's perpetuation of a putatively racial superiority and its naturalization practices.

The Elk v. Wilkins decision, however, precipitated the inclusion of a citizenship clause in the Dawes Act of 1887. By this time, the overarching goal of Indian policy reform was the complete assimilation and Americanization of Native people.[64] The promise of citizenship permeated the rhetoric of the "total assimilation" policy used by reformers and legislators in the late nineteenth century. The reformers were united by three key concerns—breaking up tribal relations, the reservation land base, and individualizing Native people; transforming them into U.S. citizens; and providing a universal government school. The Dawes Act (the General Allotment Act) of 1887 called for allotting all Indian reservations (except the so-called Five Civilized Tribes) in severalty to individual Indians, thus breaking up tribal land and relations. It included a citizenship proviso for Native allottees: the land would be "held in trust" for twenty-five years by the federal government.[65] Tribal lands were to be broken up and assimilation was to be performed gradually; if, like John Elk, they left their reservation homes and "adopted the habits of civilized life," allotted Indians would become citizens of the United States and of the state in which they resided right away, and would receive title to their allotments in twenty-five years.[66] The "promise of citizenship" offered by the Dawes Act was, however, only temporary. The 1906 Burke Act amended the 1887 Dawes Act and deferred citizenship for twenty-five more years, a time during which the federal government held the land in trust.[67] The Burke Act had harmful consequences for tribes, as the government removed them from its care before Native people could support themselves and take care of their land allotments. As a result, many Indigenous people lost their lands and livelihoods.[68] Besides the naturalization provisions of the Dawes Act, Native people could become citizens in several ways: through treaty provisions and special statutes; through receipt of patents in fee simple (starting in 1906); by "adopting the habits of civilized life"; through marriage (starting in 1888, Native women who married U.S. citizens became American citizens); through parentage (minor children whose Native parents became citizens also became American citizens); by birth (a Native child born in the United States of citizen Native parents or legitimate children of a Native woman and a white father was an American citizen); and by special acts of Congress.[69] In 1901, citizenship was granted to all members of the Five Civilized Nations in Indian Territory (the Cherokee, Chickasaw, Choctaw, Creek, and Seminole).[70] Congress made World War I Native veterans into American citizens in November 1918.[71]

With little debate and discussion in Congress, as well as dismal public attention, President Coolidge signed the Indian Citizenship Act into law on June 2, 1924. It extended citizenship to all Native people, allowing for the retention of tribal citizenship and rights, including property rights. Unlike previous drafts, the final draft of the ICA provided that tribal rights would not be affected. This law no longer made citizenship dependent on place of residence or land tenure.[72] U.S. citizenship offered the façade of a uniform membership and a civic identity that contradicted many tribal values and political allegiances. Nevertheless, the ICA did not put an end to wardship; at best, it extended federal dependence under the umbrella term of universal citizenship. The power to vote in state and federal elections remained, for a long time, the only direct benefit of citizenship. Many states denied Native people the right to vote until the 1950s.[73] Until 1924, Native people who had not become citizens (through allotment, marriage, military service, or special treaties or statutes) had a rather unusual status under federal law: they were noncitizens, yet they could not naturalize under the naturalization processes offered to foreigners.[74] Whereas citizenship was at the heart of policies of both Native assimilation and immigrant Americanization, granting citizenship

to Native people was, ultimately, disastrous, with few benefits for them. As legal historian Bethany Berger has pointed out, "In the name of citizenship, Indians had lost their land, their children, and their legal independence and got almost nothing in return."[75] Despite the colonial imposition of the "American citizen" status, many Indigenous people continued to maintain tribal citizenship and a sense of community, often at odds with the white, capitalist citizenship envisioned for them through federal acts.

Although the Indian Citizenship Act was the official naturalization law for Indigenous people in the United States, not all Native people consented to it. Whereas politicians, legislators, and Progressive Era reform organizations such as the Friends of the Indian conceived of legal citizenship as the Native people's only way to enter modernity, the response to this "gift" of citizenship was not unanimous acceptance, and Native communities had their reservations about it (pun intended). Despite the limited venues to express dissent to the American political system (through speeches before the American public, congressional hearings, media, or the courts), many Native people living on reservations challenged the meaning of American citizenship. These challenges included letters, delegations, petitions, religious movements, and traditional dance and musical performances. Writing to Dr. Carlos Montezuma, the Yavapai Native intellectual and medical doctor, in June 1918 from the Warren Springs Reservation in Oregon, Jake Culps asserted his position as a citizen of his tribe, who was uninterested in American citizenship, which would have potentially drafted him to fight in World War I: "I never asked no time for citizenship. There for [*sic*] I do not know myself as a citizen."[76] Benjamin Caswell, president of the Chippewa Indians, Inc., saw the granting of U.S. citizenship to Native people as an imposition on tribal property rights, which could lead to a disintegration of Indigenous communities as political entities. In one of his memoirs, Carlisle Indian Industrial School graduate and Sioux writer, actor, and activist Luther Standing Bear called the imposition of American citizenship "the greatest hoax perpetuated on Indians."[77] One of the loudest voices of dissent to the ICA was Jane Zane Gordon, a member of the Wyandotte nation, who took to the *Los Angeles Examiner* to express her views, arguing that the ICA violated the basic political principle of consent.[78]

For students of Native and Indigenous history, a better-known example of Indigenous rejection of U.S. citizenship is that of the Haudenosaunee, or Six Nations Iroquois Confederacy, whose Grand Council sent letters to the U.S. President and Congress declining U.S. citizenship, rejecting dual citizenship, and emphasizing that the ICA was passed without their consent.[79] Tuscarora Chief Clinton Rickard described the Iroquois resistance to the ICA, which he called a "violation" of Native sovereignty: "The Indian Citizenship Act did pass in 1924 despite our strong opposition. […] This was a violation of our sovereignty. *Our citizenship was in our own nations.* We had a great attachment to our style of government. We wished to remain treaty Indians and preserve our ancient rights."[80] Rickard expressed what other Native people were voicing at the time: that the imposition of U.S. citizenship was a threat to tribal status and to Indigenous sovereignty. The Six (Iroquois) Nations, which included Chief Rickard's nation, the Tuscarora, protested the federal pressure to make Native people into U.S. citizens.[81] Not only did the Iroquois leaders protest the ICA's passage, but they also sent letters to Congress and President Coolidge asking him to *decline* American citizenship, arguing that the ICA was passed without their knowledge and consent.[82]

One of the overlooked effects of the 1924 Johnson-Reed Immigration Act is that it also regulated the travel of American Indians across the U.S.-Canadian border for

religious ceremonies. Because the Six Nations of the Iroquois Confederacy lived on both sides of the border, the Immigration Act of 1924 threatened the cultural and political relations among the Iroquois as they could not cross the border freely to attend ceremonies. Chief Rickard lobbied Congress to amend the Johnson-Reed Act and, in 1928, President Coolidge signed into law a bill amending the 1924 Immigration Act, "guaranteeing that its border regulations did not apply to Indigenous people."[83] This amendment acknowledged the sovereignty of Indigenous people to travel freely across the border and helped maintain cultural and political connections between Indigenous communities.

The ICA was the culmination of decades of work by progressive organizations, government officials, and federal employees. The overarching question still remains: what did U.S. citizenship ultimately mean for Native people? Granted, the law acknowledged the Native triple citizenship still recognized today—federal, state, and tribal; yet, an undeniable tenet of naturalization law is the *consent* of the governed. Unlike previous naturalization statutes, the ICA did not require the consent of Native people, nor did it have any other precondition. However, most Indigenous people did not consent to American citizenship, and many expressed dissent to the imposition of American citizenship.[84] Although there was significant Native support for citizenship and tribal claims, as scholars have recently shown, the push toward Americanization and its surrounding discourses simplified the complex status of Native citizenship.[85] The cultural and political work of Americanizers, at the same time that it continued to romanticize Indigenous people, also seized the opportunity to include Native Americans in the national project as American citizens, so that this *inclusion* could also fuel their argument for immigrant *exclusion*.

Rites and Rights: Citizenship and Performance

Besides direct dissent to the *gift* of American citizenship before the ICA's passage in 1924, Native communities used the privileges offered by American citizenship to assert their Indigeneity. In the early 1920s, the Lakotas established what historian John Troutman calls "a citizenship of dance"—an occasion allowing the Lakotas to assert their right to dance as a right of their newly-granted U.S. citizenship.[86] Despite the federal government's attempts to suppress or erase Indigenous dance—a great threat to Americanization and assimilation, and a "savage" practice in the eyes of the reformers—dance remained a powerful act of community expression. After the 1870s, the Office of Indian Affairs considered Indian ceremonial dances pagan, uncivilized rituals and attempted to eradicate them, targeting especially "the old Indian dances," which purportedly slowed Native communities' Americanization. Despite these federal attempts to control Native American expressive culture and to impose a uniform (American) political identity, Native Americans continued to remain citizens of their tribes or nations and to perform their traditional dances on their land allotments.[87] Not only did tribes take control of their dances by the 1910s, but they also did so despite continued federal regulation.[88] Forbidden to dance traditional dances, Native people used American holidays to justify the practice of tribal ceremonies, swaying Indian agents, often under the aegis of the American flag. In the process, "citizen Indians" found that they could remain Indian only by becoming American. Preserving a sense of Indigeneity often came at the cost of public declarations of American patriotism, even though such declarations were often pro forma.

Music and dance allowed Native people to use their new American citizenship for their cultural agendas, especially when these celebrations coincided with Fourth of July celebrations. A missionary at the Cheyenne River Reservation reported to the Office of Indian Affairs in 1922: "The 4th of July celebration in Indian country and the 4th of July celebration by the whites are two different things. […] The Indians celebrate the 4th of July with a regular Powwow with all its frills and fixings that go with it."[89] Although Progressive Era reformers and federal agents worked together to prevent the spectacle of what reformers called "prurient ritual," government officials ultimately failed to end Native dancing during the reservation era. Although Indian agents threatened the many disobedient Native communities, the opportunity to dance prevailed over the agents' threats. Historian Clyde Ellis recounts the story of an elderly Kiowa man who resisted an agent who had denigrated the community's dance in the 1910s as "a heathen ritual," and threatened to continue withholding government rations if the Kiowas continued to dance their traditional dances. The Kiowa man responded defiantly: "We don't want your rations. We want this dance."[90] Dancing on the Fourth of July, therefore, proved to be a safer form of expressing Native culture because it assumed a celebration of things "American." Native dances on such occasions became celebrations of entire communities, at the same time that they appeased federal anxieties about the dangers of such "prurient" rites. As Rayna Green and John Troutman have shown, "Having learned in the schools that publicly displaying Indianness while promoting citizenship was acceptable to the ever-anxious white man, reservation Indians began to schedule feast days and ceremonials during 'American' and 'patriotic' holidays and celebrations." Draping themselves in the American flag, both figuratively and sometimes literally, Native communities used patriotic holidays like the Fourth of July, Memorial Day, and Arbor Day to convince federal agents that they had a reason to dance.[91] If, in the early 1880s, Native dances constituted the greatest threat to assimilation and Americanization, by the 1910s tribes regained control of traditional dances, sometimes modifying the role and use of dancing, despite the Office of Indian Affairs' continued attempts to suppress their performances.[92]

While *Native* ceremonies were suppressed, patriotic *Indian* ceremonies organized and funded by white *Indian* enthusiasts flourished throughout the American West in the 1910s. Two relevant cases in point are the Rodman Wanamaker Expedition of Citizenship in 1913 and the citizenship ceremonies organized by the federal Competency Commissions in 1916. The Wanamaker 1913 Expedition of Citizenship to the North American Indian exemplifies an elaborate didactic exercise on American patriotism, a long parade organized by self-proclaimed Indian enthusiast Joseph Kossuth Dixon and sponsored by wealthy Philadelphia capitalist Rodman Wanamaker. One of the central intertitle pages in the documentary resulting from this expedition carried Rodman Wanamaker's message of patriotism to the American Indian: "Rodman Wanamaker said, A New Ideal is Imposed: All the tribes must feel the same thrill of patriotism—the stars and the stripes must be lifted by Indian hands upon every reservation, thus linking all the tribes to the Memorial." The "Memorial" refers to a planned monument to the vanishing Indian, a failed project that captured both Wanamaker's and Dixon's interest. [93] The third expedition to the American West for Dixon, it carried President Woodrow Wilson's message of patriotism, recorded on gramophone, to seventy-three reservations. The expedition also included parading the American flag on Native lands—sometimes accompanied by the sound of Native drums—and having Native people sign a made-up "Declaration of Allegiance of the North American Indian to the United States." In the footage of

this parade, preserved on film, the first intertitle declares, "Carrying the flag—a message of hope to a vanishing race." Each ceremony followed a similar pattern, with local variations: first, Dixon explained the symbolism of the flag; then followed the dedications to the flag; third came the raising of the flag; and lastly, a Native man signed or x-marked the "Declaration of Allegiance" to the U.S. government. The audiences of the Wanamaker Expedition of Citizenship varied in size and sometimes included Native women and children, in both citizens' clothes and Native regalia. A Native interpreter was typically present to translate the message of patriotism to the Native people in the audience. The Wanamaker Expedition reached an estimated nine hundred tribal leaders.[94]

The preserved film footage of the Wanamaker Expedition of Citizenship to the American Indian expands the range of Native resistance to instances of coercive Americanization. In the segment filmed at Fort Belknap, Montana, a Native man in traditional regalia spits near the American flag, and the viewer never sees him sign the Declaration of Allegiance. This is a fleeting moment, barely noticeable in the footage, before the film cuts hastily to the next scene. Yet it speaks volumes about the footage we can no longer access and other forms of direct dissent not preserved on camera or in the national newspapers. Although major national newspapers reported on the success of the Wanamaker Expedition, there was also opposition to this fake ceremony (more of a publicity stunt for Dixon); occasionally, tribal members refused to sign any papers. The strongest resistance to this type of ceremony was recoded among the Pueblos, Hopis, and Navajos who, according to historian Russel Barsh, "did not want to acknowledge the flag until their land rights were secured." Pablo Abeita, governor of the Isleta Pueblos in New Mexico, refused to sign the allegiance because his people had been mistreated, and he saw the occasion as another trick played on his people by the federal government. Native intellectuals of the era also called the expedition "a theatrical affair"; according to Arthur C. Parker, one of the leaders of the Society of American Indians, "the very name [of the expedition] smacks of Jingoism and impresses one with the expressions of a circus manager."[95] The whole expedition was marked by sensationalism, and was invested less in Indigenous people's lives and political rights—what the granting of citizenship would really mean for the tribes—and more on Dixon's fleeting fame as an Americanizer, as well as President Wilson's message to his Indian "brothers." Dixon seized the opportunity to advance his own fame rather than Indigenous rights.

In 1913, Joseph Dixon's passionate work brought Native Americans and new immigrants to the American public's attention. Dixon had worked tirelessly on the plan for an Indian monument in New York Harbor, a sixty-foot-tall bronze statue of a Native man, extending his hand to welcome the immigrants. President Wilson expressed excitement at memorializing Native people in such a monumental way in New York Harbor, where, at the time, new immigrants hailed in larger numbers than ever before. This type of memorialization, as literary historian Lucy Maddox has pointed out, had "a funereal significance: it bid farewell to Native people and buried contemporary Indigenous issues under a blanket of sentimental discourse and tons of metal and stone." Despite Dixon's grand plan to memorialize what he considered to be a "vanishing race"—and although the memorial was designed and the official groundbreaking took place in February 1913—the memorial never was never built.[96] Despite his failure to build a memorial to the North American Indian, Dixon took the same flag used at the groundbreaking of the memorial on his next (third and final) expedition, bringing the stars and stripes to Native reservations in the West.[97]

The American fascination with outdoor, highly publicized ceremonies continued throughout the 1910s. The citizenship ceremonies orchestrated by the Competency Commissions offer another bizarre case of imposed patriotic performance, where the solemnity of the patriotic moment meets the elaborate imposed ritual. After the 1906 Burke Act allowed the Secretary of the Interior to grant "certificates of citizenship" to individual allottees found "competent," in April 1915 Secretary of the Interior Franklin Lane established the first Competency Commission on reservations to determine if American Indians were "competent" to receive American citizenship. The idea of evaluating Native people in their surroundings by a federal commission was problematic, but not unique to the Progressive Era. The goal of the Competency Commissions was to determine if Native people were industrious, thrifty, and worthy of American citizenship. Many were declared "competent" for citizenship based on commissioners' subjective assessments of their self-sufficiency and knowledge of English. If they were found competent, Native men received patents in fee simple for their land.

In 1916, the Competency Commissions spiced things up by adding an outdoor, public ceremony to dramatize the changes in the life of the potential Indian citizen.[98] The outdoor ceremonies were performed with some alterations on several reservations in 1916. Under Secretary Lane, the so-called citizenship ceremony became an outdoor spectacle.[99] As imagined by Lane and his entourage, during the ritual, the Native person would emerge from a teepee, shoot an arrow (to signify the end of his way of life), place his hands on a plough, and receive a purse (to save his income). The ceremony was imagined to be almost identical for women, but instead of a purse, women would receive workbags. The Native person would declare allegiance to the flag, deferring the duration of his new status to the president's decision, thus acquiescing the complete dependence on "the Great Father": "Forasmuch as the President has said that I am worthy to be a citizen of the United States, I now promise this flag that I will give my hands, my head, and my heart to the doing of all that will make me a true American citizen."[100] At the end, Secretary Lane would pin a badge decorated with the American eagle and the national colors on the citizen's clothes, thus concluding the citizenship ceremony on a high patriotic note. A close look at this artificial pledge to citizenship reveals the insidious ways patriotic cooptation worked to reveal the absurdity of this citizenship ritual—different from the immigrant naturalization ceremonies, as discussed below—a farcical attempt catering to the Office of Indian Affairs' need for public patriotic spectacles. The officials' imagined performance of this ceremony contrasted sharply with the reluctance to or disinterest in American citizenship that they encountered on reservations. In some instances, the Native patentees had already arranged to sell their land, in which case the goal of the ceremony was moot. This citizenship ceremony was also referred to as a flag ceremony, which points yet again to the need for public spectacle more so than the solemnity of Native induction to American citizenship.

One particular flag ceremony gathered a large crowd of more than 2,000 people on the Yankton Reservation in South Dakota in May 1916. Besides governmental officials, several reporters and motion picture crews were also present, along with local officials and white neighbors. So pleased was Secretary Lane with the public naturalization of more than 150 "competent Indians" at Yankton that he suggested that a similar public ceremony be used in granting citizenship to new immigrants. "'Surely,' he remarked, it tends to instill patriotism and presents the duties of citizenship in a manner that leaves a lasting impression.'"[101] This episode received considerable popular attention, especially as Secretary Lane made an appearance and distributed the certificates of competency to the citizens-to-be in person rather than by mail. Although Native women were

also part of this ceremony, one reporter was especially taken with the end of the ceremony, when Native men "gathered about a big American flag, each laying his hands on it and pledging allegiance to the country that had given him citizenship."[102]

In 1916, the short-lived pro-Americanization magazine, *The Immigrants in America Review,* featured the editorial, "Citizenship for Indians," which chronicled the same citizenship ceremony on the Yankton reservation in South Dakota. While admiring the ceremony—where Indian men "shot their last arrow" and grabbed a plow to signify their transition to an agrarian economy—the editor of *The Immigrants in America Review* found the ceremony "impressive and thrilling," calling for a similar "ritual" to recognize publicly the transformation of the immigrant into a new American citizen: "why would not a corresponding ritual adapted to the immigrant's situation and to his needs be a good thing to mark the entry of immigrants into the body of American citizens?"[103] At the time, most immigrants were sworn in by judges in small ceremonies, which lacked the pomp of the Indian outdoor ceremonies, publicized by both local and national newspapers.[104] Other Americanizers shared in this view; Secretary Franklin Lane, who had presided over the flag ceremonies on the Yankton Reservation, agreed to lead one of the first public naturalization ceremonies of immigrants. On July 4, 1919, in Washington, DC, Lane gave the oath of citizenship to fifty-one women and fifty-one men—representing the U.S. states and territories at the time. This was one of the first group citizenship oaths of large proportions on the Fourth of July in the early twentieth century.[105] After the public naturalization ceremonies of foreign soldiers in 1918, naturalization ceremonies such as the July 4, 1919 ceremony received increasing national attention.

A public pageant also marked the symbolic transformation of immigrant laborers into new Americans at the Ford Motor Company's Americanization program in the early twentieth century. The most intriguing—and spectacular—aspect of the Ford Americanization program was the mass graduation ceremony, popularly known as "The Melting Pot" ceremony, which was a public display of immigrant bodies meant to affirm their conversion to Americanism. In 1914, when the Americanization program started at Ford, most of the workers were new immigrants.[106] One of the first lessons immigrants learned at the Ford English School was how to say "I am a good American."[107] By 1914, Ford employed 12,880 workers; 9,109 of these were foreign-born, mainly from these five immigrant groups—Poles, Russians, Romanians, Italians, and Austro-Hungarians.[108] So popular was the Ford English "teaching plan" among new immigrants that it generated a national following.[109] Although no footage of these elaborate ceremonies is available, articles in both the Ford-owned newspapers and other local and national newspapers fill in some of the gaps about these ceremonies. In particular, the pageants on the Fourth of July—also known as Americanization Day—brought large crowds to witness the staged rapid transformation of the immigrant worker into a good American as he emerged from a large melting pot wearing a suit and waving a little American flag. After men of dozens of nationalities descended into a large pot (representing the Ford English School), six teachers stirred them with ladles to turn them into Americans.[110] As the new graduates emerged from the melting pot, they received their diplomas and then took their places in the audience.[111] The diplomas guaranteed that they could read, write, and speak good English, which allowed the new immigrants to draw their first naturalization papers without other examinations. Over time, "The Melting Pot Exercises" became larger, more dramatic, more elaborate, and more intolerant performances. The Ford English classes, organized under the auspices of the Ford Sociological Department, were

subsequently widely criticized for their "grotesquely exaggerated patriotism"[112] Ford's Americanization program soon became a model in other states. The "Melting Pot" ceremonies at Ford Motors in 1916 showed the nation how the disciplined immigrant laborer could become a good American citizen. Ford's Americanization program orchestrated the large graduation "melting pot" spectacle, showcasing the adult students' complete transformation from immigrants into Americans.

The public display of immigrant bodies parading on stage under the gaze of the Ford Sociological Department staff points to the incongruities between citizenship as an act of consent and the dramatic, elaborate, intransigent, and coercive ceremonies of patriotic citizenship. Native and new immigrant subjects who were subjected to these pageants of Americanization—public displays of noncitizen bodies with potential for citizenship—had very little say in how these public performances were orchestrated. Yet their presence both documents the coercive process of "civilization" both groups were subjected to and offers occasional glimpses of dissent. These ceremonies also masked, on the one hand, the theft of Native land—through the glorification of the "vanishing Indian"—and on the other, the growing need for compliant industrial laborers who would keep the industrial assembly lines moving at Ford and other corporations. Although competition put a dent in Ford's profits in the 1920s (at the same time that immigration restriction was legislated), Native Americans would become *de jure* citizens. Besides employing new immigrants, Ford Motor Company also employed Native men who had attended Indian boarding schools, and whom the corporation perceived to embody the lessons of Americanization they learned in these government institutions. Of Ford's more than 25,000 employees in 1916, twenty-five were Native men. They were former students at Carlisle Indian Industrial School in Carlisle, Pennsylvania, representing fourteen tribes and thirteen states, three of them holding diplomas from Carlisle: "These Indian students are splendid types of the Ford workman, and have proved themselves worthy representatives of their alma mater and the principles which the United States government has inculcated through its courses."[113] To Ford and its Americanization program, the Native students represented *American* models to be emulated by the new immigrant laborers. To the Native workers, Ford represented a labor opportunity and a way to make a living.

Conclusion

This essay has traced the insidious ways in which immigration restriction laws and federal Indian policy paved the way for organized Americanization in legislating the desirable "new American" at the beginning of the twentieth century. Americanization was a central concern of the Progressive Era—both an ethos and a policy imposed on both new immigrants and Native Americans, yet affecting each group differently. At a time when resurgent nationalism threatened to restrict the number of undesirable immigrants, it also sought to homogenize Indigenous people into a mass of Americanism, attempting to erase Native sovereignty and to *naturalize* a group displaced by colonization. The passing of the Indian Citizenship Act *after* the Immigration Act of 1924 indicates that the model of Americanization in an Indigenous context—also numerically smaller—followed the model of immigrant Americanization, a movement that sought to homogenize a large and different mass of what Jodi Byrd calls "arrivants" (to distinguish from previous arrivals, the settler colonists). For Native people, Americanization and the imposition of citizenship were extensions of colonialism, adding one civic status over another—domestic dependent,

ward, or U.S. citizen. For new immigrants, different from their Anglo-Saxon or Nordic predecessors, Americanization signified a renunciation of political allegiance to other sovereigns, the acquisition of English, and civic education for citizenship. Americanization and its imposed rituals of public patriotic displays and performances worked both differently and similarly for these communities, both burdened by American citizenship and (potentially) empowered by it, however fleetingly. America was never a nation of immigrants; it was and has continued to be an occupied country, whose imposed political regime justified the continued extraction of resources and perpetuated the myth of a welcoming nation of immigrants.[114]

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Notes

1 Oscar Handlin, *The Uprooted* (Philadelphia: University of Pennsylvania Press, 1952), 3. Although this is an older study, I invoke it here for the forcefulness of its erasure of Indigenous history, given its longevity and influence in the field of immigration history and other fields, such as U.S. multiethnic literatures.

2 A recent book by Susan F. Martin, *A Nation of Immigrants* (New York: Cambridge University Press, 2010), also perpetuates the myth of America as "a nation of immigrants." President Barak Obama also used this phrase in a naturalization ceremony in 2012: "For just as we remain a nation of laws, we have to remain a nation of immigrants." "Remarks by the President at Naturalization Ceremony, The White House Office of the Press Secretary, July 4, 2012" (https://obamawhitehouse.archives.gov/the-press-office/2012/07/04/remarks-president-naturalization-ceremony, accessed Mar. 28, 2020).

3 See also Ali Behdad, *A Forgetful Nation: On Immigration and Cultural Identity in the United States* (Durham, NC: Duke University Press, 2005).

4 In Jewish American Studies, that work is well under way. See David S. Koffman, *The Jews' Indian: Colonialism, Pluralism, and Belonging in America* (New Brunswick, NJ: Rutgers University Press, 2019).

5 Beth H. Piatote, *Domestic Subjects: Gender, Citizenship, and Law in American Literature* (New Haven: Yale University Press, 2013). 176.

6 Jodi A. Byrd, *The Transit of Empire: Indigenous Critiques of Colonialism* (Minneapolis: University of Minnesota Press, 2011), xxxviii.

7 Roxanne Dunbar-Ortiz, *An Indigenous Peoples' History of the United States* (Boston: Beacon Press, 2014), 10.

8 Lorenzo Veracini, *The Settler Colonial Present* (London: Palgrave Macmillan, 2015), 9, 32. Although it is beyond the purview of this article to intervene in contemporary debates over the framework offered by settler colonial studies, I find Veracini's distinction between "settlers" and "migrants" useful to my intervention. See also a recent study rethinking settler colonial studies: Corey Snelgrove, Rita Kaur Dhamoon, and Jeff Corntassel, "Unsettling Settler Colonialism: The Discourse and Politics of Settlers, and Solidarity with Indigenous Nations," in *Decolonization: Indigeneity, Education & Society* 3, no. 2 (2014): 1–32.

9 John F. Kennedy, *A Nation of Immigrants* (New York: Harper & Row, 1964); Susan F. Martin, *A Nation of Immigrants;* Immigration Act of 1924 (or the Johnson-Reed Act), H.R. 7995, 68th Congress, Sess. I, Ch. 190 (May 26, 1924), Sec. 11 (a), 159. In *Impossible Subjects,* Mae Ngai calls the 1924 Immigration Act "the first comprehensive restriction law." Mae Ngai, *Impossible Subjects: Illegal Aliens and the Making of Modern America* (Princeton: Princeton University Press, 2004), 3. See also David R. Roediger, *Working Toward Whiteness: How America's Immigrants Became White—The Strange Journey from Ellis Island to the Suburbs* (New York: Basic Books, 2005), 147.

10 Peter J. Spiro, *Beyond Citizenship: American Identity After Globalization* (Oxford, UK: Oxford University Press, 2008), 1–8.

11 Jill Doerfler also reveals the United States' attempts to conflate "biological" constructions of race with the political status of Native nations in dealings with Indigenous people. Jill Doerfler, *Those Who Belong: Identity, Family, Blood, and Citizenship among the White Earth Anishinaabeg* (East Lansing: Michigan State University Press, 2014), xxxiii–xxxiv.

12 Joanne Barker, *Native Acts: Law, Recognition, and Cultural Authenticity* (Durham, NC: Duke University Press, 2011); Lisa Lowe, *Immigrant Acts: On Asian American Cultural Politics* (Durham, NC: Duke University Press, 1996).

13 Carroll Smith-Rosenberg, "Inventing the Modern Citizen in the Age of Atlantic Revolutions," Gender and Sexuality Seminar, Dr. William M. Scholl Center for American History and Culture Programs, Newberry Institute for Research and Education, Chicago, IL, Apr. 5, 2014.

14 See Robert F. Zeidel, *Immigrants, Progressives, and Exclusion Politics: The Dillingham Commission, 1900–1927* (DeKalb: Northern Illinois University Press, 2004).

15 Francis Jennings, *The Invasion of America: Indians, Colonialism, and the Cant of Conquest.* (Chapel Hill: University of North Carolina Press, 2010), 15.

16 The European notion of a "doctrine of discovery" gave the discovering European nation legal title to "discovered" lands in what would become the United States. Wilkins and Lomawaima call this doctrine "preemptive" in that it gave "exclusive, preemptive rights" to European nations. David E. Wilkins and K. Tsianina Lomawaima, *Uneven Ground: American Indian Sovereignty and Federal Law* (Norman: University of Oklahoma Press, 2001), 19–97.

17 Dunbar-Ortiz, *An Indigenous Peoples' History of the United States,* 200.

18 Mexico and other countries in the Western Hemisphere did not fall under the purview of this act; for naturalization purposes, Mexicans were considered white under the law. At the same time, the law excluded all immigrants from the nations of East and South Asia, who were also ineligible for citizenship. Ngai, *Impossible Subjects,* 37–54.

19 Felix S. Cohen, *Cohen's Handbook of Federal Indian Law* (Charlottesville, VA: Michie Co., 1982), 151–53. "National citizenship" is a term used by R. Alton Lee in "Indian Citizenship and the Fourteenth Amendment," *South Dakota History* 4 (Spring 1974): 198–21, 207.

20 "Indian Citizenship," *Office of Indian Affairs Bulletin* 20 (1926, reprint), Edward E. Ayer Collection, Newberry Library, Chicago, IL; Indian Citizenship Act, H.R. 6355, 68th Congress, Sess. I, Ch. 233 (June 2, 1924). See also Cristina Stanciu, "Indian Citizenship Act (1924)," in Carlos E. Cortés, ed., *Multicultural America: A Multimedia Encyclopedia* (Thousand Oaks, CA: Sage Publications, 2013), 1,170–71.

21 "Indian Citizenship," *Office of Indian Affairs Bulletin* 20 (1926, reprint), Ayer Collection, Newberry Library, Chicago, IL; Indian Citizenship Act (also called the Snyder Act), H.R. 6355. See also Stanciu, "The Indian Citizenship Act," 1,170–71.

22 I use the term "qualifying foreigner" to point to the inherent restrictions in U.S. naturalization laws, beginning with the Naturalization Act of 1790 (which included the "whiteness" proviso); Naturalization Act of 1790, 1st Congress, Sess. II, Ch. 3 (Mar. 26, 1790).

23 Tova Cooper, *The Autobiography of Citizenship: Assimilation and Resistance in U.S. Education* (New Brunswick, NJ: Rutgers University Press, 2015), 13–14.

24 For a recent analysis of Native people as "domestic subjects," a category envisioned in opposition to U.S. citizenship, see also Piatote, *Domestic Subjects.*

25 See also Lee, "Indian Citizenship and the Fourteenth Amendment."

26 Japanese American veterans of World War I were retroactively granted U.S. citizenship in the 1930s as a corrective to the provisions of the military naturalization law passed in 1918. Takao Ozawa v. United States, 260 U.S. 178 (1922); United States v. Bhagat Singh Thind, 261 U.S. 204 (1923). See also Dorothee Schneider, *Crossing Borders: Migration and Citizenship in the Twentieth-Century United States* (Cambridge, MA: Harvard University Press, 2011), 225.

27 Michael Omi and Howard Winant, *Racial Formation in the United States*, 2nd ed. (New York: Routledge, 2015), 75.

28 Matthew Frye Jacobson, *Whiteness of a Different Color: European Immigrants and the Alchemy of Race* (Cambridge, MA: Harvard University Press, 1998), 225.

29 Roediger, *Working Toward Whiteness,* 59.

30 The Page Act of 1875 was the first federal legislation that enumerated specific types of people who were excluded from entering the United States (immigrants under contract for "lewd or immoral purposes" or

"prostitution"; or persons guilty of felony); Page Act, 43rd Congress, Sess. II., Ch. 141 (Mar. 3, 1875). The Naturalization Act of 1870 naturalized persons of African nativity or descent; Naturalization Act of 1870, 41st Congress, Sess. II, Ch. 254 (July 14, 1870). Citizens of Hawaii became U.S. citizens in 1900; Hawaiian Organic Act, 56th Congress, Sess. I, Ch. 339 (April 30, 1900). In 1882, Congress passed a law excluding convicts, lunatics, idiots, and paupers, making disability (physical and mental) a category or exclusion on par with crime and poverty; Immigration Act of 1882, 47th Congress, Sess. I, Ch. 376 (Aug. 3, 1882). In 1885, the Alien Contract Labor Law passed as a response to lobbyists of organized labor, prohibiting employers from recruiting labor in Europe and from paying laborers' passage across the Atlantic; Alien Contract Labor Law, 48th Congress, Sess. II, Ch. 164 (Feb. 26, 1885). See also Robert A. Divine, *American Immigration Policy, 1924–1952* (New Haven: Yale University Press, 1957), 2.

31 In addition, the children of naturalized persons, under the age of twenty-one and residing in the United States at the time of naturalization, "shall also be considered citizens of the United States"; Naturalization Act of 1790.

32 The Immigration and Nationality Act (also known as the McCarran-Walter Act) passed in 1952, doing away with the racial requirement for naturalization; Immigration and Nationality Act of 1952, H.R. 5678, 82nd Congress, Sess. II, Ch. 477 (June 27, 1952). See also Ian Haney López, *White By Law: The Legal Construction of Race* (New York: New York University Press, 1996), 227n2.

33 The first U.S. census in 1790 recorded over three million U.S. residents, 64 percent of British origin, 7 percent German, 18 percent enslaved black, and 2 percent free black.

34 Naturalization Act, 5th Congress, Sess. II, Ch. 54 (June 18, 1798); Aliens Act, 5th Congress, Sess. II, Ch. 58 (June 25, 1798); Alien Enemy Act, 5th Congress, Sess. II, Ch. 66 (July 6, 1798). See also E. P. Hutchinson, *Legislative History of American Immigration Policy, 1798–1965* (Philadelphia: University of Pennsylvania Press, 1981), 45–46.

35 The Chinese Exclusion Act (1882) mandated that "no state or court of the United States shall admit Chinese to citizenship." The Chinese Exclusion Act was not repealed until 1943. Chinese Exclusion Act, 47th Congress, Sess. I, Ch. 126, Sec. 14 (May 6, 1882).

36 The Burke Act of 1906 (also known as the Forced Fee Patenting Act) amended the provisions of the Dawes Act (the General Allotment Act of 1887), stipulating that Native people who had received allotments under the Dawes Act would not become citizens until they became competent to manage their affairs; Forced Fee Patenting Act, H.R. 11946, 59th Congress, Sess. I, Ch. 2348 (May 8, 1906). The scholarship and historiography on the Allotment era is vast. See esp. Janet A. McDonnell, *The Dispossession of the American Indian, 1887–1934* (Bloomington: Indiana University Press, 1991); Frederick E. Hoxie, *A Final Promise: The Campaign to Assimilate the Indians, 1880–1920* (Lincoln: University of Nebraska Press, 1994); C. Joseph Genetin-Pilawa, *Crooked Paths to Allotment: The Fight over Federal Indian Policy after the Civil War* (Chapel Hill: University of North Carolina Press, 2012).

37 John J. Newman, *American Naturalization Processes and Procedures, 1790–1985* (Indianapolis: Indiana Historical Society, 1985), 1; McDonnell, *The Dispossession of the American Indian,* 89–102.

38 The "patent" refers to the title deed given by the federal government to a person to transfer land. "In fee" refers to the ownership of land "in fee simple." The term "patent-in-fee" refers to the title document the federal government issues to terminate the trust previously created by a trust patent issued to an allottee. See the Indian Land Tenure Foundation's Land Tenure Glossary (www.iltf.org/glossary, accessed Mar. 29, 2020).

39 Immigration Restriction Act of 1891, 51st Congress, Sess. II, Ch. 551 (Mar. 3, 1891); John Higham, *Strangers in the Land: Patterns of American Nativism, 1860–1925* (New York: Atheneum, 1972), 68–105. Ellis Island opened its doors officially on Jan. 1, 1892.

40 The Immigration Restriction League (IRL) gathered a distinguished membership, including Massachusetts Senator Henry Cabot Lodge and eugenicist Madison Grant, author of *The Passing of the Great Race*—a plea for "Nordic superiority" and an infamous example of "scientific racism." Madison Grant, *The Passing of the Great Race, Or, The Racial Basis of European History* (New York: Charles Scribner's Sons, 1918).

41 U.S Immigration Commission, Vol. 1, 1910. Quoted in Desmond King, *Making Americans: Immigration, Race, and the Origins of the Diverse Democracy* (Cambridge, MA: Harvard University Press, 2000), 314n47 [emphasis added]; Zeidel, *Immigrants, Progressives, and Exclusion Politics,* 86–100.

42 The report is from 1876, reprinted on the title page in Henry S. Pancoast, *The Indian Before the Law* (Philadelphia: Indian Rights Association, 1884) [emphasis added].

43 Schneider, *Crossing Borders,* 153, 205–06, quote on 207. Schneider provides ample evidence about the ways in which "the law of 1906 had greatly raised the threshold for the immigrants who might consider naturalization" (209–41).
44 Naturalization Act of 1906, H.R. 15442, 59th Congress, Sess. I, Ch. 3592 (June 29, 1906); Newman, *American Naturalization Processes and Procedures,* 5–6; Schneider, *Crossing Borders,* 195.
45 Special provisions for aliens of foreign birth to acquire U.S. citizenship were made through the Act of July 19, 1919 (H. J. Res. 120, 66th Congress, Sess. I, Ch. 25); Native men who enlisted to fight in the war (and were not U.S. citizens) were naturalized four months later, through the Act of Nov. 6, 1919 (H.R. 5007, 66th Congress, Sess. I, Ch. 95). See Cohen, *Cohen's Handbook of Federal Indian Law,* 154.
46 My reading of the "gift" of citizenship to Native American people in the early twentieth century has been informed by political theorist Kevin Bruyneel's astute interpretations in *The Third Space of Sovereignty: The Postcolonial Politics of U.S.-Indigenous Relations* (Minneapolis: University of Minnesota Press, 2007), esp. 97–121.
47 Quoted in Amy J. Wan, *Producing Good Citizens: Literacy Training in Anxious Times* (Pittsburgh: University of Pittsburgh Press, 2014), 74.
48 Francis Paul Prucha, ed., *Americanizing the American Indian: Writings by the "Friends of the Indian,"1880–1900* (Cambridge, MA: Harvard University Press, 1973), 3.
49 Wilkins and Lomawaima, *Uneven Ground,* 20, 41, 51; 19–63.
50 According to Kenneth Johnson, they lived "outside the framework of the Constitution." See Kenneth Johnson, "Sovereignty, Citizenship, and the Indian." *Arizona Law Review* 15 (1973): 973–1,003, esp. 984–85.
51 Congress was authorized to "regulate Commerce with foreign Nations, and among the several States, and with the Indian tribes." Quoted in Cohen, *Cohen's Handbook of Federal Indian Law,* 207.
52 Wilkins and Lomawaima, *Uneven Ground,* 103. Felix Cohen also calls attention to the Treaty Clause as a source of federal authority over Indian affairs; Cohen, *Cohen's Handbook of Federal Indian Law,* 207–08.
53 U.S. Const. amend. XIV, art. I, sec. 2; Johnson, "Sovereignty, Citizenship, and the Indian," 985–86; Vine Deloria, Jr. and David E. Wilkins. *Tribes, Treaties, and Constitutional Tribulations* (Austin: University of Texas Press, 1999), 25–26.
54 Deloria and Wilkins, *Tribes, Treaties, and Constitutional Tribulations,* 28; Cohen, *Cohen's Handbook of Federal Indian Law,* 208; Bruyneel, *The Third Space of Sovereignty,* 92.
55 Indian Removal Act, 21st Congress, Sess. I, Ch. 148 (May 28, 1830); Cherokee Nation v. Georgia, 30 U.S. 1 (1831); Worcester v. Georgia, 31 U.S. 515 (1832). See also Francis Paul Prucha, ed., *Documents of United States Indian Policy* (Lincoln: University of Nebraska Press), 1990, 52–53.
56 Cherokee Nation v. Georgia. See also Prucha, *Documents of United States Indian Policy,* 58–60, quote on 59. See also K. Tsianina Lomawaima, "The Mutuality of Citizenship and Sovereignty: The Society of American Indians and the Battle to Inherit America," *American Indian Quarterly* 37 (Summer 2013): 331–51; Patrick Wolfe, "Against Intentional Fallacy: Logocentrism and Continuity in the Rhetoric of Indian Dispossession," *American Indian Culture and Research Journal* 36, no. 1 (2012): 3–45, quote on 7.
57 Dred Scott v. Sandford, 60 U.S. 393 (1857).
58 Cohen, *Cohen's Handbook of Federal Indian Law,* 641–42.
59 Ex parte Crow Dog, 109 U.S. 556 (1883). See also Prucha, *Documents of United States Indian Policy,* 162–63, quote on 163. To prevent a case like this from reoccurring, Congress passed the Major Crimes Act (1885), which held that seven crimes committed by Indians on reservations would fall under the jurisdiction of U.S. courts. This legislation was a major attack on tribal sovereignty. Major Crimes Act, 18 U.S.C. § 1 153 (1885). See Prucha, *Documents of United States Indian Policy,* 167–68.
60 Elk vs. Wilkins, 112 U.S. 94 (1884). See also Prucha, *Documents of United States Indian Policy,* 166–67.
61 State voting privileges were granted to men who intended to become citizens. See Deloria and Wilkins, *Tribes, Treaties, and Constitutional Tribulations,* 145–46; Hoxie, *A Final Promise,* 75; Cohen, *Cohen's Handbook of Federal Indian Law,* 86, 283–84, 642–43.
62 Cohen, *Cohen's Handbook of Federal Indian Law,* 283. Elk would have needed a specific act of the United States to become a U.S. citizen. Deloria and Wilkins, *Tribes, Treaties, and Constitutional Tribulations,* 146.
63 United States v. Wong Kim Ark, 169 U.S. 649 (1898).
64 Prucha, *Americanizing the American Indian,* 6.
65 Hoxie, *A Final Promise,* 73–74; General Allotment Act of 1887 (Dawes Act), 49th Congress, Sess. II, Ch. 119 (Feb. 8, 1887), sec. 6, 390.

66 The Curtis Act of 1898 accomplished through legislation what the Dawes commission could not through negotiation—it destroyed tribal governments in Indian territory by abolishing the tribal courts. Curtis Act, 55th Congress, Sess. III, Ch. 517 (June 28, 1898); Prucha, *Documents of United States Indian Policy,* 197–98.

67 *Twenty-Fourth Annual Report of the Executive Committee of the Indian Rights Association, for the Year Ending December 13, 1906* (Philadelphia: Office of the Indian Rights Association, 1907), 45–48. See also Tom Holm, *The Great Confusion in Indian Affairs: Native Americans & Whites in the Progressive Era* (Austin: University of Texas Press, 2005), 164–66. By 1906, 166,000 Indians had already become citizens —65,000 through the allotment process, and the rest as members of the Five Nations. See also Brian W. Dippie, *The Vanishing American: White Attitudes & U.S. Indian Policy* (Lawrence: University Press of Kansas, 1982), 193.

68 Surveys taken in 1908 showed that more than 60 percent of the Indians who received fee patents quickly lost their land. McDonnell, *The Dispossession of the American Indian,* 89, 93.

69 Citizenship was also granted through certain treaty provisions, in which the federal government and certain tribes agreed that "Indians desiring to become citizens might become such by complying with certain prescribed formalities somewhat similar to those required of aliens." The Office of Indian Affairs cites Articles 13, 17, and 2 of the treaty of Feb. 23, 1867, with various bands or tribes of Indians (15 Stat. L., 513). See *Office of Indian Affairs Bulletin* 20 (1922), 1, Ayer Collection, Newberry Library, Chicago, IL.

70 Dippie, *The Vanishing American*, 193; Cohen, *Cohen's Handbook of Federal Indian Law,* 153–56.

71 Cohen shows how Congress' authority to naturalize Indians has been constantly sustained by the courts. Cohen, *Cohen's Handbook of Federal Indian Law,* 643, 643n33–39. Indian veterans who fought in World War I were granted U.S. citizenship by the Act of Nov. 6, 1919 (H.R. 5007). Historian Tom Holms argues that by 1918, more than 10,000 Native Americans had enrolled in the U.S. Army, 85 percent as volunteers. Holm, *The Great Confusion in Indian Affairs,* 178.

72 As legal historians have shown, the Indian Citizenship Act also passed in order to prevent the Interior Department from extending its authority over Indian affairs even further. Robert B. Porter, "The Demise of the *Ongwehoweh* and the Rise of Native Americans: Redressing the Genocidal Act of Forcing American Citizenship upon Indigenous Peoples," *Harvard BlackLetter Law Journal* 15 (Sep. 1, 1999): 124. According to Porter, *Ongwehoweh* is a Seneca word that means "real people" (n3107).

73 McDonnell, *The Dispossession of the American Indian,* 102; quoted in Cohen, *Cohen's Handbook of Federal Indian Law*, 155. See also Deloria and Wilkins, *Tribes, Treaties, and Constitutional Tribulations,* 148, 186–87n33.

74 In *Cohen's Handbook of Federal Indian Law* (154), regarding "noncitizen Indians," Cohen documents that the 1924 Indian Citizenship Act referred only to "Indians born within the territorial limits of the United States"; it did not refer to Native people living in the United States who were born in Canada or Mexico or other foreign countries. Under the Nationality Act of 1940, citizenship was bestowed on all persons born in the United States, including members of "an Indian, Eskimo, Aleutian, or other aboriginal tribe," in the first congressional attempt to include most racial minorities in the category of "citizen." Nationality Act of 1940, H.R. 9980, 76th Congress, Sess. III, Ch. 876 (Oct. 14, 1940), chapter II, sec. 201(b). Indians born outside the United States also became eligible for naturalization in 1940. See Nationality Act of 1940, chapter III.

75 Bethany Berger's study of these two federal landmark cases is the first of its kind to examine the stakes of citizenship and naturalization in both Native American and immigrant contexts. The article persuasively shows the unconstitutionality of the efforts to limit birthright citizenship. Bethany Berger, "Birthright Citizenship on Trial: Elk v. Wilkins and United States v. Wong Kim Ark," *Cardozo Law Review* 37 (Apr. 2016): 1,185–1,258, 1,248.

76 Jake Culps to Carlos Montezuma, "This Indian Filed a Unique Claim for Exemption from the Draft," *Wassaja: Freedom's Signal for the Indians* 3 (June 1918): 3.

77 Luther Standing Bear, *Land of the Spotted Eagle* (Lincoln: University of Nebraska Press, 1933; 1978 reprint), 229.

78 Bruyneel documents that Jane Zane Gordon "set out a legal, historical, and political argument against citizenship based on the premise that 'the diplomatic status of the Indian is established' as a citizen of his or her Indigenous nation." Bruyneel, *The Third Space of Sovereignty,* 109–10.

79 Laurence Hauptman, quoted in Joy Porter, *To Be Indian: The Life of Iroquois-Seneca Arthur Caswell Parker* (Norman: University of Oklahoma Press, 2001), 127.

80 Clinton Rickard, *Fighting Tuscarora: The Autobiography of Chief Clinton Rickard,* ed. Barbara Graymont (Syracuse, NY: Syracuse University Press, 1973), 53 [emphasis added].
81 Ibid., 52.
82 Laurence M. Hauptman, "American Indian Influences on the America of the Founding Fathers," in Oren R. Lyons and John Mohawk, eds., *Exiled in the Land of the Free: Democracy, Indian Nations, and the U.S. Constitution* (Santa Fe, NM: Clear Light Publishers, 1992); quoted in Bruyneel, *The Third Space of Sovereignty,* 112.
83 Bruyneel provides one of the most insightful interpretations to date of the intersections of the 1924 Indian Citizenship Act with the Immigration Act of 1924, drawing from Rickard's *Fighting Tuscarora,* showing how the Immigration Act of 1924 affected Native people across the U.S-Canadian border. Bruyneel, *The Third Space of Sovereignty,* 115, 119.
84 Porter, *To Be Indian,* 124.
85 Cristina Stanciu, "Americanization on Native Terms: The Society of American Indians, Citizenship Debates, and Tropes of 'Racial Difference,'" *Native American and Indian Studies* 6, no. 1 (2019): 11–48.
86 John Troutman, *Indian Blues: American Indians and the Politics of Music, 1879–1934* (Norman: University of Oklahoma Press, 2009), 20–21.
87 On the political and cultural work of Native American dances, see Clyde Ellis, *A Dancing People: Powwow Culture on the Southern Plains* (Lawrence: University Press of Kansas, 2003); Ellis et al., *Powwow;* and Adriana Greci-Green, "Performances and Celebrations: Displaying Lakota Identity, 1880–1915" (PhD diss., Rutgers University, 2001).
88 Clyde Ellis, "The Sound of the Drum Will Revive Them," in Clyde Ellis, Luke Eric Lassiter, and Gary H. Dunham, eds., *Powwow* (Lincoln: University of Nebraska Press, 2005), 3–25. According to anthropologist Carolyn K. Rachlin, "even at the worst period of federal suppression, no ceremony was interrupted for more than two years," allowing for "Indians [to] remain Indians" (quoted in Ellis 18–19).
89 Troutman, *Indian Blues,* 5; "Investigation into the Practices of the Sioux Indians on the Dakota Reservations with Particular Reference to the Indian Dance," transcript of proceedings, conducted by Charles H. Burke, commissioner, Bureau of Indian Affairs, Pierre, SD, Oct. 24, 1922, file 10429-1922-063, classified central files of the Bureau of Indian Affairs, National Archives, Washington, DC, 11; quoted in Troutman, 52.
90 Ellis, *A Dancing People,* 15, 13. See also Ellis, "We Don't Want Your Rations, We Want this Dance," *Western Historical Quarterly* 30 (Summer 1992): 133–54, esp. 153–54.
91 Rayna Green and John Troutman, "By the Waters of the Minnehaha: Music and Dance, Pageants and Princesses," in Margaret L. Archuleta, Brenda J. Child, and K. Tsianina Lomawaima, eds., *Away from Home: American Indian Boarding School Experiences, 1879–2000.* (Phoenix, AZ: The Heard Museum, 2000), 60–83, esp. 75. Clyde Ellis uses the adjective "prurient" on several occasions to depict missionary and federal disgust with putatively "savage" rituals. Ellis, *A Dancing People,* 15.
92 Ellis, "The Sound of the Drum Will Revive Them," 11–18. On how tribes modified their dances to adjust to agents, see Ellis, "We Don't Want Your Rations," 144.
93 *The Romance of a Vanishing Race: The Rodman Wanamaker Expedition of Citizenship to the North American Indian,* directed by Chip Richie (Dallas, TX: Rich-Heape Films, 2009), 26 minutes (see min. 10:30). On the genealogy and work toward the failed memorial to the North American Indian, see Maddox, *Citizen Indians: Native American Intellectuals, Race, and Reform* (Ithaca: Cornell University Press, 2005), 34–49.
94 The seventy-three reservations were mapped by the Mathers Museum of World Cultures at Indiana University in Bloomington, IN; the map (available online at https://mathersmuseum.indiana.edu/doc/1913_map.pdf, accessed Mar. 29, 2020) is part of the museum's Rodman Wanamaker Documents and Photographs Collection, which includes the documents and photographs from Joseph Kossuth Dixon's *The Purpose and Achievements of the Rodman Wanamaker Expedition of Citizenship to the North American Indian* (Washington, DC, 1913).
95 Russel Lawrence Barsh, "An American Heart of Darkness: The 1913 Expedition for American Indian Citizenship," *Great Plains Quarterly* 13 (Spring 1993). Arthur C. Parker's reference to the theatricality of the affair appears on p. 108; the reference to the southwest tribes' resistance is on p. 106.
96 Maddox, *Citizen Indians,* 38–*39,* 46–47. Dippie, *The Vanishing American,* 214.
97 On Dixon's expeditions, see Barsh, "An American Heart of Darkness."
98 As a result, 75 percent of the Indians with fee patents on the Yankton Reservation sold their land; on the Winnebago reservation, 93 percent of Indians lost their land. McDonnell, *The Dispossession of the American Indian,* 92.

99 See Alexandra Witkin, "To Silence a Drum: The Imposition of United States Citizenship on Native Peoples," *Historical Reflections/Réflexions Historiques* 21 (Spring 1995): 353–83.
100 McDonnell, *The Dispossession of the American Indian,* 93–95.
101 Ibid., 95.
102 Milton Thorne witnessed the "induction to citizenship" ceremony at the Fort Hall Reservation in Idaho in Oct. 1916, when eleven women and fifteen men were sworn in as American citizens. Milton M. Thorne, "Citizenizing the Indians," *The Southern Workman* 46 (June 1917): 350. According to Frederick Hoxie, in the following year, the press covered similar ceremonies at the following Native American agencies: Crow, Shoshone, Coeur d'Alene, Fort Berthold, and Devil's Lake. Hoxie, *A Final Promise,* 180. *The Southern Workman* covered the ceremony in its June 1917 issue.
103 "Citizenship for Indians," *The Immigrants in America Review* 2 (July 1916): 4.
104 "Naturalization in the United States, 1910–Present," Migration Policy Institute, Washington, DC (www.migrationpolicy.org/programs/data-hub/charts/number-immigrants-who-became-us-citizens, accessed Mar. 29, 2020).
105 James R. Heintze, *The Fourth of July Encyclopedia* (Jefferson, NC: McFarland & Co., 2007), 201.
106 Stephen Meyer, "Adapting the Immigrant to the Line: Americanization in the Ford Factory, 1914–1921," *Journal of Social History* 14 (Fall 1980): 67–82, 69.
107 Higham, *Strangers in the Land*, 247–48.
108 Meyer, "Adapting the Immigrant to the Line," 69.
109 "Detroit, MI: The system in vogue at the school of the Ford Motor Company in teaching English to aliens in its employ has been so successful that a national organization is being formed to extend the methods throughout the country. The plan includes a uniform series of lessons, a monthly paper, and state associations." Excerpt titled "To Spread Ford Teaching Plan" in *The Christian Science Monitor,* Dec. 23, 1915, 7.
110 Clinton C. DeWitt, "Industrial Teachers," in U.S. Bureau of Education, *Proceedings, Americanization Conference, 1919,* Government Printing Office, Washington, DC, 119.
111 "512 Ford School Pupils Graduate," *Detroit Free Press,* Feb. 28, 1916, 6. See also Werner Sollors, *Beyond Ethnicity: Consent and Descent in American Culture* (New York: Oxford University Press, 1986), 91.
112 Other schools for immigrants employed the Roberts method of English teaching, which asked the students to act out the meaning of the words they used. Gregory Mason, "'Americans First': How the People of Detroit Are Making Americans of Their Foreigners in their City," *Outlook,* Sept. 17, 1916, 193.
113 "Original Americans," reprint from *Ford Times, Red Lake Nation News,* Apr. 1916, 3.
114 Byrd, *The Transit of Empire,* xxxiv; The Marshall Court's wording of Johnson v. M'Intosh (1823) supports the idea of the inevitability of settler acquisition and later governance of an otherwise "inhabited country"—albeit inhabited by "fierce savages": "However extravagant the pretension of converting the discovery of inhabited country into conquest may appear, if the principle has been asserted in the first instance, and afterwards sustained; if a country has acquired and held under it; if the property of the great mass of the community originates in it, it becomes the law of the land, and cannot be questioned." Johnson v. M'Intosh, 21 U.S. 543 (1823).

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