3

Commerce and Culture

Although European arrival brought plagues and slaughter, the settlers brought new technology to the Americas. Tribal cultures, generally speaking, have always been open to outside influences. After all, tribes developed trade languages to enable exchange with distant and diverse tribal governments long before Europeans entered the Americas. Indians' natural, human desire for new and better things led them to greet Columbus with commercial efforts. Of course, this good will quickly morphed into hostile relations; nonetheless, Indians were willing to trade with Europeans when the opportunity presented itself. Early colonists on the Eastern Seaboard knew Indians permitted the colonies to exist solely to procure European goods.[1]

For those tribes who encountered the Spanish, trade was not an option. Spain sailed across the Atlantic for the express purpose of claiming mineral riches and converting the Indigenous populations. Spain had the capacity to achieve both by force and did; hence, Spain made little effort to trade. England had similar desires, but England also hoped to establish colonies. Owing to the colonies' weakness relative to the Indigenous populations in New England, England had to trade. Plus, the French and the Dutch had nearby colonies, which enabled the tribes to play European nations off against each other. As a result, Indians and the European colonists traded. Exchanges usually consisted of the Indians providing Europeans furs, food, and slaves in exchange for old world goods. Of the new items available to Indians, the gun and horse were the most transformative.

[1] David J. Silverman, Thundersticks: Firearms and the Violent Transformation of Native America 16 (2016).

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3.1 INDIANS AND GUNS

The French explorer Samuel de Champlain was among the first people to fire a gun in North America. France had claims to present-day Canada dating back to Jacques Cartier's 1534 voyage into the St. Lawrence River;[2] however, France had not established any significant settlements, only trading posts. Champlain had been dispatched to create a permanent colony in North America and succeeded in establishing Quebec City in 1608.[3] Like the Frenchmen before him, Champlain developed friendly, commercial relations with the Algonquin. The Algonquin tribes were archrivals of the powerful Haudenosaunee, better known as the Iroquois. While these rivals had warred for ages, conflicts had become fiercer and more frequent since European arrival.[4]

In hopes of strengthening commercial ties, Champlain and nine of his French compatriots joined their Algonquin allies in an assault on the Mohawk, a member tribe of the Haudenosaunee.[5] Eventually, Champlain and his allies encountered a Mohawk force of 200 warriors. The factions taunted one another while proceeding to build defensive fortifications. The platoons approached the battlefield in the morning. Champlain noted the Mohawk warriors were "in appearance strong, robust men" possessed of calm and courage. The troop was led by three chiefs, who were equipped with wooden shields. As forces advanced toward one another, Champlain fired his arquebus.[6]

The flash, bang, and smoke must have been horrifying for the Mohawk, who had never experienced gunfire before. More jarring than the pyrotechnics, two Mohawk chiefs were dead in an instant. The third was mortally wounded. Their shields proved useless. Furthermore, the Mohawk had likely never seen men killed so quickly. Arrows are lethal, but they do not kill instantaneously. In the midst of the Mohawks' astonishment,

[2] *Jacques Cartier Sails Upriver*, Libr. of Cong., www.loc.gov/item/today-in-history/june-09/ [https://perma.cc/D8X4-7YXV].

[3] Marcel Trudel & Mathieu d'Avignon, *Samuel de Champlain*, Canadian Encyc. (updated June 11, 2021), www.thecanadianencyclopedia.ca/en/article/samuel-de-champlain [https://perma.cc/EM56-RU96]; *The Explorers: Samuel de Champlain 1604–1616*, Canadian Museum of Hist., www.historymuseum.ca/virtual-museum-of-new-france/the-explorers/samuel-de-champlain-1604-1616/ [https://perma.cc/XS48-BASG].

[4] *How Samuel de Champlain Started a War*, New England Hist. Soc'y (updated 2022), www.newenglandhistoricalsociety.com/how-samuel-de-champlain-started-a-war/ [https://perma.cc/N8VF-QYMX].

[5] *Id.*

[6] Samuel de Champlain, 2 The Works of Samuel de Champlain 89–101 (1925), http://historymatters.gmu.edu/d/6594 [https://perma.cc/B83H-UN7Y].

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another Frenchman loosed his arquebus, causing the Mohawk to flee the battlefield.[7] Indians may have been in awe of the arquebus' theatrics, but they immediately realized the weapon's capacity. They set about acquiring firearms.

Indians were keenly aware of how markets work. They wanted guns, so they knew they had to supply gun merchants with something the sellers desired. Tribes were happy to supply two things New Englanders desired: furs and slaves. Although eastern tribes had long agricultural histories, tribal economies shifted to meet market demands. Indian men became less involved with agriculture and more devoted to hunting and war. This likely contributed to the European belief that tribes were nonagricultural.

On the military front, tribes had long warred with other tribes. Hence, tribes fortified cities dating back to at least 1000 CE. But unlike in other parts of the world, wars between Indian tribes were not usually about territorial acquisition. Rather, intertribal wars often arose from blood feuds. Consequently, avenging a death was the campaign objective instead of subjugation of a rival people. Intertribal wars also presented opportunities for young men to gain prominence as warriors. Individuals captured during intertribal wars were often incorporated as citizens of the rival tribe. Thus, tribal wars were typically low casualty, highly ritualized affairs.[8] Tribes' desire for guns altered Indigenous battle. War's purpose became procuring captives to exchange for firearms.

Obtaining firearms gave tribes a military advantage over their unarmed rivals. Although a bowman could fire several arrows while a gunman was reloading his arquebus, even primitive firearms could slay an enemy up to approximately 100 meters out. This was farther than Indians' bows; hence, guns provided users with a range advantage.[9] Similarly, the tiny lead ball launched from an arquebus transmitted six times the kinetic energy of an arrow into its target. Arquebus, and later musket, ammunition could shatter bone and cause severe internal injuries; whereas, arrows primarily cause puncture wounds.[10] Additionally, tribal warfare

[7] *Id.*

[8] *Native American Warfare in the East: Mourning Wars*, ENCYCLOPEDIA.COM, www.encyclopedia.com/history/news-wires-white-papers-and-books/native-american-warfare-east-mourning-wars [https://perma.cc/7Z9R-5V2A].

[9] *Bows Didn't Outrange Muskets*, BOWS VS. MUSKET (May 13, 2017), https://bowvsmusket.com/2017/05/13/bows-didnt-outrange-muskets/ [https://perma.cc/A28J-CTT5].

[10] R.P. Craig, *Gunshot Wounds Then and Now: How Did John Hunter Get Away with It?*, NAT'L LIBR. OF MED., www.ncbi.nlm.nih.gov/pmc/articles/PMC2502075/pdf/annrcse01585-0017.pdf [https://perma.cc/8QKJ-7W9W].

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was often premised on ambushes. The attacking party could fire at its unsuspecting adversary then rush in to finish the conflict at close quarters. Survivors could be traded as slaves for more guns and ammunition.[11] Consequently, tribes began raiding other tribes in order to acquire the currency to procure arms for self-defense. The Haudenosaunee used their abundance of guns to drive other tribes from their region.[12]

Furs were the other item Indians used to purchase guns. While many tribes were primarily agricultural, Indians possessed hunting skills. Indians developed myriad techniques to kill their prey, including stalking, the use of decoys, and even very sophisticated traps. As a Dutch observer of the Haudenosaunee noted in 1653, "*In a word, they are clever hunters, well trained to capture all kinds of game in various ways.*"[13] Indians used guns to become even better hunters.

Guns significantly increased Indians' hunting efficiency. Since guns have a longer range than bows, Indians were able to kill from farther away, resulting in fewer opportunities for the creature to discover the hunter and abscond. Arrows are also easily interrupted by tree branches or a mild breeze. Gunshots are impacted less by these factors, leading to greater accuracy. Plus, firearms are far more powerful than bows. For example, a deer struck with an arrow will often run 100 yards or more before passing, and tracking the wounded animal can be difficult. But a clean gunshot can drop a deer instantaneously.[14] This means the hunter can spend time pursuing new quarry rather than chasing wounded animals. More time in pursuit of game results in higher pelt counts, which in turn enabled Indians to acquire additional guns and ammo.

Indians were highly adept at procuring furs, and they had been trading them with European fishermen since the 1500s. However, Russia was Europe's primary fur source. Coincidentally, the Russian fur supply became depleted around 1600 – right as Europe began to colonize New England and Canada. Indians readily acquired furs to purchase European goods. In fact, Indians began aggressively harvesting the beavers within their tribal territories, devoting less time to agriculture and more to collecting furs to trade. Thus, men spent more time hunting while women

[11] Silverman, *supra* note 1, at 28–29.
[12] *Id.* at 39.
[13] *Haudenosaunee Hunting and Fishing Techniques*, Oneida Indian Nation, www.oneidaindiannation.com/haudenosaunee-hunting-and-fishing-techniques/ [https://perma.cc/68D6-JXXY] (emphasis in original).
[14] Silverman, *supra* note 1, at 29.

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devoted more time to processing animals.[15] Indians responded directly to market forces, harvesting greater quantities of fur when fur prices rose.[16] Indians' hunting exhausted fur supplies in New England and Canada by the mid 1600s.

Beaver depletion was not a product of the tragedy of the commons or the lack of tribal property rights regimes. Rather, tribes did not value beaver as a commodity before European arrival, so tribal property systems did not evolve to address extreme demands for animal furs.[17] In response to the fur trade, some tribes strengthened their property systems to prevent overhunting.[18] On the other hand, the depleted fur supplies within the powerful Haudenosaunee's territory inspired it to invade other tribes' territory for pelts. The Haudenosaunee had wiped out the neighboring Susquehannock, Erie, and Hudson tribes by 1700. Other tribes were pushed west, resulting in additional tribal territorial conflicts.[19]

The desire for guns revolutionized tribal cultures. Barely three decades after encountering Champlain's arquebus, the Haudenosaunee had incorporated firearms into tribal ceremonies.[20] While tribes never manufactured guns, Indians clearly wielded them well – French and Dutch colonists claimed Indians were equal to or better with guns than Christians by the 1640s.[21] Indians knew precisely what they wanted in a weapon. They thought the European guns, at more than five feet in length and about fifteen pounds, were too long and heavy for combat. The Haudenosaunee even outright rejected a gift of several guns from the English governor of New York because the Haudenosaunee found the guns too cumbersome. The governor thought enough of the Haudenosaunee's military might to place an expedited order for a few hundred lighter weapons.[22] In the 1660s, the Dutch responded by making guns specifically for Indian demands, about half the weight and a foot shorter than the mainstream

[15] Gary B. Nash, Red, White & Black: The Peoples of Early North America 240 (3d ed. 1991).

[16] Ann M. Carlos & Frank D. Lewis, *The Economic History of the Fur Trade: 1670 to 1870*, EH.net, https://eh.net/encyclopedia/the-economic-history-of-the-fur-trade-1670-to-1870/ [https://perma.cc/N6KW-HLJC].

[17] *Id.*

[18] Harold Demsetz, *Toward a Theory of Property Rights*, 57 Am. Econ. Rev. 347 (1967).

[19] *Fur Trade*, Ohio Hist. Cent., https://ohiohistorycentral.org/w/Fur_Trade [https://perma.cc/9PLH-RN53]; *The Fur Trade*, Bill of Rts. Inst., https://billofrightsinstitute.org/essays/the-fur-trade [https://perma.cc/46HN-3FWD].

[20] Silverman, *supra* note 1, at 31.

[21] *Id.*

[22] *Id.* at 53.

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European gun models.[23] France designed a gun to satisfy Indian desires soon after the Dutch.[24] France even developed a policy of selling guns exclusively to baptized Indians, and Indians responded to the incentive by becoming Catholic, at least nominally.[25]

Fear of armed Indians led the colonies to pass laws forbidding the sale of guns to Indians;[26] in fact, one of Jamestown's first laws was "[t]hat no man do sell or give any Indians any piece, shot, or powder, or any other arms offensive or defensive, upon pain of being held a traitor to the colony and of being hanged as soon as the fact is proved, without all redemption."[27] However, the laws did not work. Indians merely turned to a different European colony to obtain guns, often making clear that commercial relations meant a military alliance.[28] Colonists were willing to flout the law because Indians were willing to pay high prices for guns.[29] Indians were amenable to paying because guns had become thoroughly integrated in tribal cultures – by the early 1700s, tribal elders claimed their young people would starve if they were cut off from firearms.[30] Colonial gun prohibitions were also ineffective because Indians interpreted restraints on trade as a hostile act,[31] so bans increased the odds of military conflict.

3.2 THE BIRTH OF INDIAN HORSE CULTURES

Horses were the other truly transformative technology among the tribes. Horses were in North America long before European arrival. In addition to fossils, there are cave paintings and Indigenous-made horse figurines that predate Columbus by centuries,[32] but American horses

[23] *Id.* at 28.
[24] *Id.* at 46.
[25] *Id.* at 36.
[26] Adam Crepelle, *Shooting Down Oliphant: Self-Defense as an Answer to Crime in Indian Country*, 22 Lewis & Clark L. Rev. 1284, 1310 (2018).
[27] *Id.* at 1310–11.
[28] Silverman, *supra* note 1, at 51, 40–41.
[29] *Id.* at 32–33.
[30] Silverman, *supra* note 1, at 9; Donald E. Worcester & Thomas F. Schliz, *The Spread of Firearms Among the Indians on the Anglo-French Frontiers*, 8 Am. Indian Q. 103, 112–13 (1984).
[31] Silverman, *supra* note 1, at 32–34.
[32] Yvette Running Horse Collin, The Relationship Between the Indigenous Peoples of the Americas and the Horse: Deconstructing a Eurocentric Myth, at 48–47, 135–41, 144 (May 2017) (Ph.D. dissertation, U. of Alaska Fairbanks), www.proquest.com/openview/1b40a9128eaba2e22ab3fed4cf6551a8/1?pq-origsite=gscholar&cbl=18750 [https://perma.cc/ZD4S-5M8H].

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went extinct approximately 12,000 years ago,[33] possibly due to overhunting by humans.[34] Accordingly, no Indian had set eyes on a horse in ages. This made horses particularly daunting from a military perspective – approximately 1,000 pounds in weight and swift with a warrior atop. Hence, the Spanish weaponized horses during their expeditions in the Americas. Horses escaped during Hernando de Soto's famed expedition from Florida to the Mississippi River in the 1540s. Indians would have encountered these newly wild horses, but without knowledge of the equestrian arts, horses were little more than large deer.

Indians first sustained close contact with horses in the Pueblos. The Indians who lived under the encomienda system were forced into servitude by the Spaniards. Though horses can increase worker productivity, if Indians learned to ride horses, this would increase the tribes' ability to resist the Spanish. Thus, *encomenderos* prohibited Indians living under the encomienda from riding horses and barred the sale of horses to the free Indians. In 1621, the governor of colonial New Mexico permitted Indians to ride horses while in the scope of Spanish employment due to labor demands.[35] The governor did not lift the prohibition on selling horses to Indians, but Spaniards ignored the ban because Indians had items the Spaniards desired, mainly furs.[36] By the mid 1600s, Navajo and Apache were performing mounted raids on Spain's New Mexican settlements.[37] The Pueblo Revolt, however, was the key event in providing Indians access to horses.

Even after falling under Spanish dominion, the people of the Pueblos continued to resist. Several small-scale uprisings occurred over the years, and Spain crushed the rebellions with its trademark cruelty.[38] However, the Puebloans were becoming less tolerant of Spain because Spain was becoming increasingly unable to defend the Puebloans from Navajo and Apache raids. The breaking point occurred when Spain executed several

[33] Jay F. Kirkpatrick & Patricia M. Fazio, *The Surprising History of America's Wild Horses*, LiveScience (July 24, 2008), www.livescience.com/9589-surprising-history-america-wild-horses.html [https://perma.cc/5999-A8CX].

[34] Bjorn Carey, *Humans Might Have Wiped Out Wild Horses*, LiveScience (May 1, 2006), www.livescience.com/717-humans-wiped-wild-horses.html [https://perma.cc/M9HL-SWYP].

[35] *The American Indian Horse*, Native Am. Netroots (May 31, 2010), http://nativeamericannetroots.net/diary/528 [https://perma.cc/8RW5-ZCQM].

[36] *Id.*

[37] *Id.*

[38] *The Pueblo Revolt of 1680*, N.M. Nomad, https://newmexiconomad.com/the-pueblo-revolt-of-1680/ [https://perma.cc/8USX-KNTA].

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Pueblo holy men. Po'Pay, an Ohkay Owingeh holy man and war captain, began to plot a revolt.

Over five years, Po'Pay secretly traveled to forty-five Pueblos, including their traditional enemies, the Navajo and Apache, to strategize. In 1680, Po'Pay dispatched messengers with knotted cords that served as revolutionary calendars. The messengers instructed Pueblo leaders to untie a knot each morning, and the final knot marked the beginning of the revolt. Pueblo informants tipped off Spain, and two messengers were intercepted days before the planned uprising. Under torture, they divulged the scheme. Pueblo leaders quickly adapted and launched their unified attack earlier than originally intended. The coordinated attack blocked roads and Santa Fe's water supply. Roughly 1,000 Spanish New Mexicans sought refuge in the governor's palace in Santa Fe. Pueblo warriors encircled the palace. Eventually, the Spaniards broke free then raced south to the Mexican border. The Pueblo force followed but without hostile intent. Had the Pueblo warriors desired, they could have easily destroyed the thinly stretched, disorganized Spaniards during retreat.

The Spanish abandoned most of their horses as they fled the Pueblos. The Pueblo, a sedentary and agricultural people, used horses to make their daily lives easier, but the horse's primary value for the Pueblo was as a trade item. Puebloans sold horses to other tribes and taught them equestrian arts.[39] The horse rapidly spread among tribes, reaching the Pacific Northwest by the year 1700.[40]

Tribal economies centered around the buffalo were forever changed by horses. On the Great Plains, it was very impractical for a human, armed with only a bow or spear, to pursue a buffalo herd on foot. Hence, buffalo hunting was a highly coordinated communal event. One collective bison hunting method was the buffalo jump. A swift, young man would camouflage himself as a wounded bison calf to attract the herd. Other men from the tribe would dress as wolves and drive the buffalo toward the calf. The calf-dressed lad would then jump off a cliff and hopefully find a way to catch himself. The herd would follow, crashing

[39] R.E. Moore, *Horses and Plains Indians*, Tex. Indians, www.texasindians.com/horse.htm [https://perma.cc/M67X-DLL4]; Dave Roos, *How Horses Transformed Life for Plains Indians*, Hist. (Nov. 6, 2020), www.history.com/news/horses-plains-indians-native-americans [https://perma.cc/X9M3-H34D].

[40] *Horse Trading Among Nations*, Nat'l Museum of the Am. Indian, https://americanindian.si.edu/static/exhibitions/horsenation/trading.html [https://perma.cc/N544-2297].

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to its collective death. An alternative group hunting technique was the impound method. Much like the buffalo jump, tribes would drive a herd into a wooden corral, with posts about fifteen feet tall, then slam it shut. Indians would rain arrows into the herd from atop the wall. These tactics could yield in excess of 20,000 pounds of meat.[41] Organizing the hunts, building corrals, and processing tons of meat before it went rancid required sophisticated governance structures.

Hunting was much different on horseback. A solo Indian could ride into a herd and slay a buffalo by himself.[42] Although Indians occasionally performed solo bison hunts, tribes continued to perform communal buffalo hunts after acquiring horses. During communal hunts, individuals marked their arrows. Unique arrow markings enabled an Indian to denote property rights in the downed beast. This system allowed hunters to claim the glory for taking a particular animal. Hunters also obtained prime rights over the disposition of their kill.[43]

While horses had the potential to make buffalo hunting more efficient, horses had to be trained. Therefore, individual Indians specialized in horse training and related crafts.[44] As hunting became easier, Indians had more time to devote to arts and religion. Horses also enabled Indians to haul larger teepees and additional personal items. Indeed, teepees were approximately eight feet tall with a ten-foot diameter prior to the horse. After acquiring horses, teepee diameter more than doubled and were up to thirty feet tall.[45]

[41] Eleanor Verbicky-Todd, *Communal Buffalo Hunting Among the Plains Indians: An Ethnographic and Historic Review* (Archaeological Surv. of Alberta, Hist. Rsch. Div. of Alberta Culture, Occasional Paper No. 24, 1984), https://open.alberta.ca/dataset/644fa1ae-96c2-45ca-915c-be193c92df78/resource/756e2132-11a5-46fe-ab2a-be82ea09d7b9/download/occasional24-communalbuffalohunting-1984.pdf [https://perma.cc/UK9D-FPM5]; Shepard Krech III, *Buffalo Tales: The Near-Extermination of the American Bison*, Nat'l Human. Ctr., http://nationalhumanitiescenter.org/tserve/nattrans/ntecoindian/essays/buffalob.htm [https://perma.cc/9SPM-44YC]; Sandra Mardenfeld, *How Did Native Americans of the Plains Hunt Buffalo?*, Grunge (Feb. 4, 2021), www.grunge.com/327187/how-did-native-americans-of-the-plains-hunt-buffalo/ [https://perma.cc/PR8H-AAPK]; *Bison Bellows: Indigenous Hunting Practices*, U.S. Nat'l Park Serv. (updated Nov. 6, 2017), www.nps.gov/articles/bison-bellows-3-31-16.htm [https://perma.cc/4G5Y-JKWV].

[42] *Hunting*, Nat'l Museum of the Am. Indian, https://americanindian.si.edu/static/exhibitions/horsenation/hunting.html [https://perma.cc/3A29-9VX3].

[43] Adam Crepelle & Walter E. Block, *Property Rights and Freedom: The Keys to Improving Life in Indian Country*, 23 Wash. & Lee J. Civ. Rts. & Soc. Just. 315, 339 (2017).

[44] Robert J. Miller, Reservation "Capitalism": Economic Development in Indian Country 16–21 (2012).

[45] *The American Indian Horse*, *supra* note 35.

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As the horse spread, tribal cultures evolved. Many tribes on the Great Plains were nomadic and followed the buffalo. A tribe could cover about fifty miles in pursuit of a buffalo on foot, but approximately ten times this distance when mounted.[46] This expanded range meant encroachments upon the territory of other tribes; hence, intertribal warfare increased. In addition to war becoming more frequent, horse stealing became a primary military objective. In fact, stealing horses from a rival tribe developed into a rite of passage for men in some tribes,[47] and a family's status could be measured in the number of horses it owned.[48] Some individual Indians owned more than 1,000 horses.[49] Tribes, in particular the Comanche, became exceptional horse breeders. Horses also acquired a spiritual significance among tribes.[50] The word for horse in some Indigenous languages translates to "sacred dog."[51]

3.3 A NEW WAY OF LIFE

The horse and gun converged on the Great Plains creating the iconic Indian warrior, but Indians adopted numerous other European goods and practices. Although Indians bought beads and alcohol, they primarily purchased items that made their lives easier.[52] Metal tools and utensils were desired because they enabled Indians to perform their daily labors more efficiently. Indians bought cloth, clothing, and blankets for comfort as well as fashion. In fact, a Jesuit missionary, writing during the 1720s in New Orleans, described the chief of the Tunica as having "long since stopped wearing Indian clothes, and takes great pride in always appearing well-dressed." The missionary also noted the Tunica chief was "very expert at business."[53] The Tunica chief's expert business

[46] *Id.*

[47] Roos, *supra* note 39.

[48] *Wealth and Status*, Nat'l Museum of the Am. Indian, https://americanindian.si.edu/static/exhibitions/horsenation/wealth.html [https://perma.cc/XUP2-9FNR].

[49] Miller, Reservation "Capitalism," *supra* note 44, at 15–16.

[50] *American Indian Horse History*, Am. Indian Horse Registry, www.indianhorse.com/about/american-indian-horse-history/ [https://perma.cc/B663-CAJP].

[51] Richard Meyers & Ernest Weston Jr., *What Rez Dogs Mean to the Lakota*, Sapiens (Dec. 2, 2020), www.sapiens.org/culture/rez-dogs/ [https://perma.cc/QH56-Z8A6].

[52] Indians, Animals, and the Fur Trade: A Critique of Keepers of the Game 24–25 (Shepard Krech III ed., 2008); Carlos & Lewis, *supra* note 16.

[53] Shane Lief, *Singing, Shaking, and Parading at the Birth of New Orleans*, Jazz Archivist, 2015, at 15, 18, www.researchgate.net/publication/287204530_Singing_Shaking_and_Parading_at_the_Birth_of_New_Orleans [https://perma.cc/S8SR-JXXM].

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skills help explain why more trade beads were found near the Tunica's central Louisiana reservation than all of the southeastern United States combined.[54]

Europeans acquired far more than furs and slaves from Indians. Foremost among these items were foods. Corn, potatoes, tomatoes, and numerous other victuals are indigenous to the Americas but became staples of countless cultures across the globe. For example, it is impossible to imagine Irish cuisine without potatoes or Italian food without tomatoes; however, these cultures possessed these comestibles for less than five centuries.[55] Two decades into the twenty-first century, 60 percent of the foods consumed globally find their origin the Americas.[56] Corn, the Indian staple crop, is in virtually everything contemporary Americans eat – including chicken, hamburgers, fries, and fish.[57] Corn is also used to make cardboard, plastics, batteries, fireworks, and more.[58]

Aside from products, Indian technologies had tremendous influence on Europe. Colonial Europeans and later Americans adopted Indian housing designs, from log cabins[59] to pueblos. Early European and American settlers of the Great Plains adopted Indigenous earth lodges in order to withstand the frigid climate.[60] Indigenous watercrafts, such as the canoe, kayak, and the dory, were rapidly replicated by Europeans.[61] Europeans quickly learned and used Indigenous fabric dyeing techniques.[62] Europeans also learned about tar and asphalt from Indians – Indians

[54] Michael F.P. Doming, *The Tale of the Tunica Treasure*, Harv. Crimson (Oct. 13, 1983), www.thecrimson.com/article/1983/10/13/the-tale-of-the-tunica-treasure/ [https://perma.cc/5LR7-KMVT]; Ryan LeBlanc, *The Lost Treasure of the Tunica Tribe*, Acadiana Hist. (updated Sept. 4, 2018), https://acadianahistorical.org/items/show/35 [https://perma.cc/6GBV-7X7V].

[55] Jack Weatherford, Indian Givers: How Native Americans Transformed the World 84 (2010).

[56] Adam Crepelle, *Decolonizing Reservation Economies: Returning to Private Enterprise and Trade*, 12 J. Bus. Entrepreneurship & L. 413, 417 (2019).

[57] Michael Pollan, *What's Eating America*, Smithsonian Mag. (July 2006), www.smithsonianmag.com/history/whats-eating-america-121229356/ [https://perma.cc/ZXR4-2ELC].

[58] *Corn: It's Everything*, Iowa Corn, www.iowacorn.org/education/corn-its-everything [https://perma.cc/ER8C-JSHH].

[59] Weatherford, *supra* note 55, at 291–92; Bilal G. Morris, *Indigenous Peoples' Day: Things You Wouldn't Have Without Native Americans*, Newsone (Oct. 10, 2022), https://newsone.com/4230030/native-americans-contributions-america/ [https://perma.cc/3CBD-DG7F].

[60] Weatherford, *supra* note 55, at 291.

[61] *Id.* at 304–06.

[62] *Id.* at 59–60.

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from contemporary California to Pennsylvania used both as a sealant and for waterproofing. Early oil wells were based on the techniques Indians used to collect tar and asphalt.[63] Indian knowledge of medicine was in many cases superior to that of Europeans of the day. For example, Europeans had several plants capable of curing scurvy but were oblivious to their medicinal potential until Indians demonstrated their pharmaceutical power to Jacques Cartier in 1535.[64] Indigenous knowledge of plant healing properties is at the core of contemporary western medicine.[65]

Indigenous influences extended to European political philosophy. Spain's encomienda system, which sought to destroy all vestiges of Indian identity, left little room for cross-cultural exchange. However, France and Great Britain traded with and largely depended on tribal allies. This meant tribes continued to exist independently of French and British rule.[66] As a result, French and British colonists were able to witness Indigenous governments in operation.

During the American colonial era, Europe was ruled by monarchs whose subjects believed they were placed on the throne by divine will. Contrarily, Indian tribes operated myriad governance structures; nonetheless, most were decentralized and noncoercive. Leadership in Indigenous communities was usually based upon earned respect, persuasive ability, and example.[67] French explorer Pierre Le Moyne d'Iberville interacted with Canada's Indigenous People during the late 1600s. When he traveled to the mouth of the Mississippi in 1699, he encountered the Houma and described the tribe's political structure by stating, "The chiefs are no more masters of their people than are the chiefs of the other nations in the direction of Canada."[68] Accordingly, individual Indians usually exercised a high degree of personal autonomy while European lives were largely at the disposal of the Crown.[69]

Many colonists found tribal life attractive; indeed, many Europeans joined tribes. Tribes were generally willing to grant citizenship to outsiders. For example, by the 1700s, the Haudenosaunee were incorporating

[63] *Id.* at 64.
[64] *Id.* at 233.
[65] *Id.* at 236.
[66] *Id.* at 157.
[67] *Id.* at 156.
[68] John R. Swanton, Indian Tribes of the Lower Mississippi Valley and Adjacent Coast of the Gulf of Mexico 287 (abr. ed. 2013).
[69] Weatherford, *supra* note 55, at 157–58.

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entire tribes into their ranks.[70] Race often played no role in citizenship as whites and blacks were incorporated into tribes.[71] Since tribes had food surpluses while the colonies often struggled to survive, migrating to a nearby well-fed, laissez-faire government was a great temptation for many colonists. Therefore, many colonies enacted laws prohibiting their citizens from immigrating to tribes.[72]

Perhaps the greatest divide between Indians and Europeans was the treatment of women. Women had few rights in Europe, and upon marriage, they became property of their husband.[73] Their life opportunities were largely limited to housekeeping and childrearing. Contrarily, most tribes were matrilineal, so children inherited their mother's clan rather than their father's.[74] Tribal governments typically had gender-based divisions of labor, but women's work was valued. Land within tribes was often owned exclusively by women, and men moved into the wife's family upon marriage.[75] Women also held respected leadership roles within tribes, including selecting which men would become chiefs and determining when men could go to war.[76] Moreover, Indian women had far more autonomy over their bodies than their Euro-American counterparts. During retaliatory raids, tribes would often take white women as captives. The white women captives were abused sometimes; nonetheless, white female captives often refused to leave their adopted Indian families.[77]

Descriptions of the new world's political systems led to a revolution in European political thought. Tribes proved monarchs were not a necessary component of society. Poets, playwrights, and philosophers began mulling the concept of liberty. The ideal of the "noble savage"

[70] *Indian Adoption*, Quebec Hist., http://faculty.marianopolis.edu/c.belanger/quebechistory/encyclopedia/adoption.htm [https://perma.cc/8BC3-26DC].

[71] Weatherford, *supra* note 55, at 177–78.

[72] Bethany Berger, *Red: Racism and the American Indian*, 56 UCLA L. Rev. 591, 609 (2009).

[73] *Coverture: The Word You Probably Don't Know but Should*, Nat'l Women's Hist. Museum (Sept. 4, 2012), www.womenshistory.org/articles/coverture-word-you-probably-dont-know-should [https://perma.cc/CBR9-WETA]; *The Struggle for Married Women's Rights, Circa 1880s*, Gilder Lehrman Inst. of Am. Hist., https://ap.gilderlehrman.org/resources/struggle-for-married-women%C3%A2%E2%82%AC%E2%84%A2s-rights-circa-1880s [https://perma.cc/W8VU-PVLX].

[74] Bethany Berger, *Indian Policy and the Imagined Indian Woman*, 14 Kan. J. L. & Pub. Pol'y 103, 105 (2004).

[75] Alex Hamer, *The Power of Haudenosaunee Women*, Indian Country Today (updated Sept. 13, 2018), https://indiancountrytoday.com/archive/power-haudenosaunee-women [https://perma.cc/QTW4-MWDH].

[76] *Id.*

[77] Berger, *Imagined Indian Woman*, *supra* note 74, at 111.

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was born and molded to serve the authors' preferences. The political ideas inspired by contact with Indians shook European thought.[78] European Enlightenment was a direct consequence of cultural exchange with Indians.[79] Enlightenment thought would fan the flames of colonial liberty.

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Despite European colonial efforts, tribes continued to exist as distinct governments. Tribes and European governments formed alliances for their mutual commercial and military advantage. The exchange of goods and ideas changed the way Indigenous and European governments operated. Desire to control the trade with tribes caused a world war. Tribes played a major role in starting the war as well as determining its victor.

[78] Weatherford, *supra* note 55, at 169.
[79] *Id.* at 167.

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