

## **Foreign or Domestic? Securitization and the Bureaucratic Politics of Indian Affairs**

### **Abstract**

Is securitization normatively undesirable? Many scholars who have studied this process by which issues come to be treated as pertaining to “security” have argued that it is indeed preferable to keep as many issues as possible from being securitized. Rather, most issues ought to remain politicized such that they are seen as the legitimate subject of public debate. By contrast, I argue that we ought not to ascribe any inherent moral valence to securitization or the reverse process of desecuritization. Instead, each attempt to (de)securitize an issue ought to be the subject of debate on its own terms. Any instance of this process may involve practices of domination that may or may not be justified. To support my argument for the moral ambiguity of (de)securitization, I examine the U.S. Senate’s debate over whether to transfer the Bureau of Indian Affairs from the Department of War to a new Department of the Interior in 1849. I argue that this was part of a desecuritizing process by which the United States coercively assimilated Native nations into its domestic political order. Moreover, this study suggests that securitization theory might benefit from a clearer distinction between the effects of bureaucratic practices and speech acts. I conclude that scholars should not do away with securitization as a framework but can instead inform public debate on the likely consequences of any particular (de)securitizing move and can thereby serve a chastening role in public discourse.

## I. Introduction

Is securitization normatively undesirable? Is it inherently good or bad for a policy issue to be deemed a matter of “security” and therefore deserving of special treatment? For International Relations (IR) scholars, securitization theory (ST), both in its original theoretical formulation and in many subsequent applications, has generally provided a consistent answer to this question: ST cautions against securitization because this process removes policy from the arena of public contestation, an arena that should be quite capacious in liberal democracies. For proponents of ST, it is thus preferable to prevent issues from being securitized or to “desecuritize” any securitized issues to put them once more in the domain of “politicized” issues. In this article, I argue that we ought not to ascribe any inherent moral valence to (de)securitization. That is, while we can and should debate the merits of (de)securitizing any given issue, we ought not to begin with normative assumptions about the virtue of (de)securitizing that issue.

Why should we doubt the typical normative generalizations that have been built into ST? I argue that both securitization and desecuritization can constitute forms of domination—exercises of power that may or may not be justified within the moral frameworks of the actors involved. I illustrate the moral ambiguities of (de)securitization with a study of U.S. policy on “Indian Affairs” and, in particular, debate over whether to move the Bureau of Indian Affairs from the Department of War to the Department of the Interior. ST, especially in its original formulation, assumes a preexisting polity in which contestation over what constitutes an existential threat to the polity takes place. This process becomes more complicated when the boundaries of this polity are more fluid—in particular, when one considers global historical

processes of state (trans)formation, territorial expansion, and assimilation of other peoples.<sup>1</sup> Politics have long sought to make previously “foreign” actors a part of their “domestic” sphere through conquest (Schweller 1998), heterogeneous imperial bargains (Nexon and Wright 2007), and/or “disciplining” processes that instill in conquered or immigrant populations a sense of belonging to the nation (or whatever the salient unit of collective identification may be) (Tyner 2006). This process, however, may include both securitization—in the form of classifying another group as a threat to the polity—and a later process of desecuritization insofar as governments will generally need to convince their existing populations that a conquered people can be brought into the political system without still constituting a threat.

I posit that the transfer of the Bureau of Indian Affairs to the Department of the Interior was a desecuritizing move in the U.S. government’s process of subordinating Native nations to its rule. In other words, both securitization and desecuritization can entail practices of domination that may or may not be justified, and this is especially clear in the settler colonial context. As Coulthard (2014, 6-7) writes:

A settler-colonial relationship is one characterized by a particular form of *domination*; that is, it is a relationship where power...has been structured into a relatively secure or sedimented set of hierarchical social relations that continue to facilitate the *dispossession* of Indigenous peoples of their lands and self-determining authority.<sup>2</sup>

Given that we might thus see this desecuritizing move as part of an ongoing genocide, we should be able to comfortably discard the securitization literature’s prior normative commitments.

Rather, scholars can and should continue to use securitization as an analytic construct—one that

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<sup>1</sup> See Tilly (1992 [1990]), Spruyt (1996), and Costa Lopez (2020). While this literature often refers to “state formation” as the outcome of interest, Nexon (2013) notes that Tilly regretted using this term and that he might instead refer to “state transformation” if he were to re-write his book.

<sup>2</sup> Emphasis in original.

can identify attempts to (de)securitize issues—and as a means of chastening political efforts to (de)securitize any given issue.

In the next section, I will discuss how securitization and desecuritization have been conceptualized, how scholars have addressed the normative question of (de)securitization's desirability, and how other scholars have offered critiques of ST on which I build. I will then provide a study of the U.S. decision to move the Bureau of Indian Affairs from the Department of War to the Department of the Interior. I will conclude with a discussion of the implications for future research.

## **II. Securitization and Desecuritization**

ST takes as its focus the process by which domestic issues are “securitized” by actors (usually policy-makers or activists) who use public speech acts to designate issues as posing an existential threat to an in-group and therefore as necessitating special treatment (a treatment that may be granted if the speech acts suffice to win over the relevant audience). This literature calls attention to the fact that the perception of and reaction to threats is subjective and political. “Security is not of interest as a sign that refers to something more real; the utterance itself is the act,” Wæver says (1995, 53). But the same is true of the reverse dynamic of desecuritization—the process by which some “security” issue may come to be seen as no longer necessitating such treatment. A desecuritized issue thus enters the realm of the political once more—it is subject to legitimate political debate in a way that securitized issues are not, and this explains the normative preference for desecuritization in ST. In a liberal democracy, few things should ever be put beyond the public realm if citizens are to be able to hold politicians accountable for their actions.

This concept of securitization is widely associated with the “Copenhagen School,” a term used to refer to the academics who staffed Copenhagen’s Centre for Peace and Conflict Research in its early days after its founding in 1985. Among the scholars to have spent the most time at this institution are Barry Buzan and Ole Wæver, and they have been instrumental in formulating ST within a long-term research program on “Non-military Aspects of European Security” (Huysmans 1998, 479-480). One frequently cited text associated with this program, authored by Buzan, Wæver, and Jaap de Wilde (1998, 23), offers a usefully representative definition of securitization that is worth quoting at length:

“Security” is the move that takes politics beyond the established rules of the game and frames the issue either as a special kind of politics or as above politics. Securitization can thus be seen as a more extreme version of politicization. In theory, any public issue can be located on the spectrum ranging from nonpoliticized (meaning the state does not deal with it and is not in any other way made an issue of public debate and decision) through politicized (meaning the issue is part of public policy, requiring government decision and resource allocations or, more rarely, some other form of communal governance) to securitized (meaning the issue is presented as an existential threat, requiring emergency measures and justifying actions outside the normal bounds of political procedure).

As this definition suggests, the securitization literature builds on earlier constructivist work in IR that emphasizes “intersubjective expectations and normatively stabilized meanings” (Kratochwil and Ruggie 1986, 775) and the mutually constitutive character of agents and structures. “Social and political life comprises a set of practices in which things are constituted in the process of dealing with them” (Campbell 1998 [1992], 5). This co-constitution, as Campbell (61) argues, means that foreign policy itself ought not to be seen as a static domain describing a certain set of issues but as “a political practice that makes ‘foreign’ certain events and actors”. If, as Wendt (1992) put it, “anarchy is what states make of it,” ST posits a similar dynamic among the range of issues in a given society that are deemed non-political, political, or security issues.

Securitization is thus typically studied from constructivist perspectives, which includes the recent “practice turn” and other such “turns” in IR (Baele and Bettiza 2020) that retain the constructivist emphasis on the contingent nature of social facts and the relational nature of political action (McCourt 2016; Srivastava 2020). Buzan, Wæver, and de Wilde (1998, 25, 36), moreover, describe securitization as entailing a “securitizing move” that consists of speech acts that must be accepted by a salient audience for a “referent object” to be successfully constructed as an existential threat.<sup>3</sup>

In a related but somewhat different strand of the literature, some IR scholars have argued that the distinction between “domestic” and “foreign” realm is itself exaggerated in IR scholarship (see, e.g., Hurd 1999 and McConaughy, Musgrave, and Nexon 2018). Even if this claim is not always explicit in securitization frameworks, I believe this acceptance of ambiguity would be consonant with most approaches to securitization. Indeed, I do not intend to reify the foreign/domestic distinction here; rather, I treat this distinction here as an important framing device or rhetorical commonplace that often aligns with the security/non-security distinction in political practice.<sup>4</sup> That is, regardless of the ontological status of this distinction, it is often salient in political debates about whether and how to act in response to different issues, including the issue of whether to bring some new population into the “domestic” order.

The basic claim of the securitization framework, which involves the potential for any issue to go from a politicized to securitized state or vice versa, has often gone beyond descriptive or analytic claims. Indeed, as I argued above, much of the work associated with the Copenhagen

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<sup>3</sup> The emphasis here on public speech and attempts at persuasion is part of a broader trend in constructivism in IR that uses speech acts to delineate how agents might reshape the social structures in which they are embedded (Gould 1998, 81).

<sup>4</sup> My use of the term “rhetorical commonplace” to describe the foreign/domestic distinction draws on Jackson (2006, viii-ix) to denote a “discursive resource” available to policy actors who seek to legitimize or delegitimize some policy option.

School has demonstrated a normative preference for desecuritization (Mortensgaard 2020, 144). Buzan, Wæver, and de Wilde (1998, 4) first define desecuritization as a process by which an issue is moved “out of emergency mode and into the normal bargaining processes of the political sphere”. The word “normal” here could be used in a value-neutral way to refer to the most frequent state of affairs—a baseline of sorts—but it is more commonly given a positive connotation in the literature. Indeed, Buzan, Wæver, and de Wilde (1998, 4, 29) explicitly argue that desecuritization is “better” than securitization and the “optimal long-range option” as it is preferable to keep political issues in “the ordinary public sphere”. “We are on the record here and elsewhere,” they say, “arguing in favor of desecuritization as the long-range political goal” (1998, 210). Subsequent work in ST has considered the wisdom of securitizing issues like HIV/AIDS (Elbe 2006), climate change (Hayes and Knox-Hayes 2014), and gender-based violence (Meger 2016)—that is, an array of issues not typically considered to constitute a “traditional” threat of interstate violence—with most similarly cautioning against securitization.

While quite influential, especially in Europe, ST has received much critique over the years. Indeed, the main argument I am making here is similar to Floyd’s (2011, 428) contention that ST’s positive view of desecuritization “does not stem from actual empirical observation of how politics operates but rather from Ole Wæver’s view of how politics, including security policy, *should* be done”. In a long-running line of argument, Floyd has maintained that the moral valence of any given (de)securitization process is “issue-dependent,” by which she means that “every incidence of securitisation is unique” (2007, 337). I agree on this point and seek to illustrate why observers should debate the merits of (de)securitization on a case-by-case basis. Where I depart from Floyd is in eschewing an effort to craft definitive standards by which we may judge acts of (de)securitization, an effort in which she draws on just war theory (Floyd

2019). Rather, I argue that where scholarly work on securitization can most helpfully inform debates over instances of (de)securitization is in assessing the likely effects of (de)securitization and in chastening all sides in such debates. That is, amid public contestation that seeks to erect one policy response as *the* right choice, scholars can serve to caution against the most optimistic projections or universal pretensions of advocates by laying out “the limitations inherent in *all* conceptual thought” insofar as any given policy proposal emerges from “historically contingent convergences of interest, identity, and understanding” (Levine 2012, 33).<sup>5</sup> Given that both securitization and desecuritization may entail practices of domination, it is worth bringing a critical lens to bear on moves in either direction.

Second, a somewhat different critique of ST comes from McDonald (2008, 564), who argues that the standard framework in ST provides an overly narrow view of how actors (and which actors) might try to securitize an issue. More specifically, McDonald (2008, 571-575) argues that ST ought to more fully grapple with the contextual and especially identity-based factors that might make some (de)securitizing appeals more successful than others while also bringing non-elites into the framework as more than just an “audience”. To the extent that McDonald (2008, 565) is concerned with the problem of “reifying both dominant voices and traditional security discourses,” his critique of ST is somewhat similar to those of Sheikh (2014, 257), for whom ST’s treatment of religion “is very much a product of the way European religious thought has developed rather than a product of a universally applicable criterion for all religious traditions,” and Howell and Richter-Montpetit (2020), for whom the “Eurocentrism” of ST appears to be ineradicable.<sup>6</sup> I believe McDonald to be more optimistic about the continued

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<sup>5</sup> Emphasis in original.

<sup>6</sup> Howell and Richter-Montpetit (2020, 6) define “Eurocentrism as involving the ideas that: (1) ‘Europe’ or ‘the West’ is ontologically distinctive; (2) European development was endogenous; and (3) European cultural and political achievements were subsequently diffused across the world.” I am not convinced that

utility of ST, however, and I will align more closely with his critique in arguing that scholars ought not to assign any inherent normative valence to (de)securitization and in emphasizing the role that bureaucratic politics can play in (de)securitization.

Finally, a third relevant line of critique posits that those seeking to build on the securitization literature have sometimes used desecuritization in “unsystematic or even contradictory” ways by using it to describe, among other things, instances in which one security issue is superseded by another or in which a securitized issue returns to the realm of “normal” politics (Hansen 2012, 527). In the interest of consistency, I focus on this latter meaning—desecuritization as the process by which a securitized issue becomes seen as a “normal” issue over which domestic political contestation can legitimately take place.

I will focus here on the process by which U.S. relations with Native nations—or “Indian Affairs” as it has come to be called in federal policy—to show how a polity can desecuritize an issue in such a way that is conducive to the subordination of others. In doing so, I am building on

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securitization theory—or at least not all the manifestations thereof—can be said to exhibit Eurocentrism as defined in this way; to draw on at least one of the key contributors to ST, the narrative of European development in Buzan and Lawson (2015) would cut against these notions. Rather some work on securitization appears to me to exhibit a normative preference for a Euro-American model of liberal democracy. Wæver and Buzan (2020, 389) acknowledge that their early work was motivated by concern with “an explosion of new forms of securitization in Europe,” but to the extent that there is a preference for “normal” politics as equated with liberal democratic politics in Western Europe and/or North America embedded in prior ST, I argue that we can retain the general framework for studying this phenomenon while discarding this preference. Wæver and Buzan (2020, 391) criticize Howell and Richter-Montpetit for making too much of their purported preference for “normal” politics; what counts as normal, they say, will vary across contexts. “Thus, quite explicitly, ‘normal politics’ is not a politics with some specific attributes (‘liberal’, ‘civilized’, ‘reasoned’); it is whatever passed as normal until an exception was installed through securitization.” This seems to be at odds, however, with one of their conclusions in Buzan, Wæver, and de Wilde (1998, 208): “As is well-known, excessive securitization produces the international equivalents of autism and paranoia. Closed states, such as the erstwhile Soviet Union, Iran, and North Korea, that are trying to promote distinctive development projects securitize everything from nuclear missiles and opposing armies to miniskirts and pop music. Such wide-ranging securitization stifles civil society, creates an intrusive and coercive state, cripples (eventually) the economy, and maximizes the intensity of the security dilemma with neighbors that do not share the ideological project. Avoiding excessive and irrational securitization is thus a legitimate social, political, and economic objective of considerable importance.”

similar work at the intersection of International Relations and Indigenous Politics. Indeed, Pearcey (2016) argues that European colonization in the Americas and elsewhere relied on a process of this sort to incorporate the Indigenous “Other” into the domestic sphere, though he is concerned with different theoretical debates. Similarly, Beier (2005, 80) notes that, “Perhaps better than any other measure, the perfection of an advanced colonial system of domination is signaled by its capacity to (re)make its Others in ways consistent with its own logics rather than theirs.” In other words, colonialism can entail a coercive process of desecuritization, which suggests that we should perhaps think of desecuritization not as an ideal but as a political phenomenon to which varying, contested moral valences might be ascribed.

I argue that a study of the way “Indian Affairs” shifted from being treated as a foreign policy issue to a domestic issue in the United States can help demonstrate the moral ambiguity of (de)securitization and the role of bureaucratic actions in (de)securitizing any given issue. The key events in this domain of federal policy are sufficiently recent that we have good written records that can speak to this transformation of Indian Affairs, and the varying ways and extent to which U.S. policy-makers aimed for the elimination and/or assimilation of Native peoples over time make this a key case on which future research might seek to build.

### **III. Desecuritizing Indian Affairs**

For early U.S. political elites, Indian Affairs was considered to be a foreign policy issue of paramount importance. Yet, by the mid-nineteenth century, the Bureau of Indian Affairs would be moved to the Department of the Interior, and these relationships would increasingly be treated as part of American domestic politics. This shift, I argue, can best be described as part of a process of desecuritization that the U.S. government undertook as part of its broader efforts to

dispossess Native nations and to delegitimize Native claims to sovereignty. I stipulate that this was only a part of the process of desecuritization because I would argue that this was neither the first nor the last desecuritizing move in that process, and this relationship is still contested.

In this section, I will use primary and secondary sources to delineate the process by which political elites came to construct Indian Affairs as a domestic issue. I will pay particular attention to the 1849 debate over whether to shift the Bureau of Indian Affairs from the Department of War to the Department of the Interior. First, however, I will address the question of whether policy-makers ever truly considered Indian Affairs to be a foreign policy or security issue.

Even if there were violent disputes between the United States and Native nations, one might still question whether this is properly considered an issue of U.S. foreign policy—or whether anyone at the time thought of it as foreign policy. Indeed, to the extent that political scientists have studied U.S. relations with Native nations, relatively little of it has approached the topic from the standpoint of International Relations.<sup>7</sup> From the early colonial period until well into the nineteenth century, however, private citizens and the American government alike often treated Native nations as distinct (if not always wholly sovereign) peoples (Schultz 1972; Saler 2015). The federal government formed treaties with Native nations until 1871 and made frequent use of military force in interactions with them both before and after its own independence (Szarejko 2020; Barder 2021, 71-94). The debate over the Indian Removal Act of 1830 in the Senate was framed in part by the question of whether Native Americans were sovereign entities or not, and the Supreme Court was often unhelpfully ambiguous on the question. Finally, until

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<sup>7</sup> For some important exceptions that relate Indigenous experiences to contemporary international politics and related theoretical debates, see, e.g., Crawford (1994), Beier (2005), Marion Suiseeya (2014), Cha (2015), and Lightfoot (2016).

1924, Native individuals as a class were not eligible for U.S. citizenship, and the federal government still characterizes relations with federally recognized tribes as government-to-government relationships (Deloria, Jr. and Wilkins 1999). Such relations, I argue, do indeed appear to have been considered “foreign” relations by many political elites for a sizable portion of U.S. history, especially in the first several decades thereof.

To further underscore this last point, militarized disputes between the U.S. and Native nations constituted a significant, costly experience for early U.S. policy-makers. These so-called “Indian Wars” in which an independent United States engaged varied in the extent of federal involvement, casualties, and expenditures. Still, “wars against Native Americans were the most common kind of conflict involving the United States. These were costly affairs...and were a primary American security concern” (Grynaviski 2018, 48). Roughly 50 conflicts between 1783 and 1890 were considered serious enough for the U.S. government to call them “wars,” and these conflicts—not to mention civil administration of Indian Affairs and veterans’ benefits—were costly. As reported in the 1890 U.S. Census, military spending between March 1789 and June 1890 totaled \$4,725,521,495; the Census Bureau attributed about 17% (or \$807,073,658) to the Indian Wars (United States Census Bureau 1890, 644).

It is in this context—a general recognition of Native nations as being a threat to U.S. security alongside some uncertainty as to how exactly to characterize the relationship—that Congress delegated relations with Native nations to the Department of War in 1789, and this became a more formal arrangement when the Bureau of Indian Affairs (BIA) was created and placed in the same department in 1824. If Congress had wanted to create something like a “home” or “interior” department in 1789, it certainly had other institutions of the time that it

could have used as a model (Learned 1911). Ultimately, however, the BIA would not be transferred to a newly created Department of the Interior until 1849.

The rest of this section will proceed in three segments. First, I will discuss the history of Indian Affairs in the United States before the BIA was formally established. Second, I will discuss the history of the BIA as an agency of the War Department. Third and most substantially, I will discuss the decision to move the BIA to the Department of the Interior. Throughout, I will focus on the ways that policy-makers sought to keep Native nations “foreign” or to make them “domestic”.<sup>8</sup>

In managing relations with Native nations, an independent United States built on pre-existing political practices. The Articles of Confederation did not establish a formal agency for this task, but it did maintain the pre-independence structure that centralized Indian Affairs in the Department of War. There were, however, important regional divisions in the practice of Indian Affairs—the three pre-independence regions (“Northern,” “Southern,” and “Middle”) shrunk to two (“Northern” and “Southern”) by 1786—and even after the ratification of the Constitution placed the Department of War in the executive branch, Congress retained significant influence in the making of American Indian policy, including (in the case of the Senate) the power to approve treaties with tribes. From the beginning, the responsibilities of Indian agents (as officials in this field were often called) were framed in terms similar to any normal diplomat. They were to try to maintain amicable relations with tribal governments, ensure at least tribal neutrality in the Revolutionary War, and, after the war, ease the way for U.S. settlement and expansion through the negotiation of treaties and land purchases.

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<sup>8</sup> This narrative draws primarily on Prucha (1994), Rockwell (2010), Fixico (2012), White (2012), and United States Department of the Interior (n.d.), but I also make note of these or other relevant sources where the history is less well-known.

In these early days, there was little official pressure on Indian agents to push for the assimilation of Native nations; that is, there was not yet consensus on whether Native peoples would or should be absorbed into the Union as equal citizens therein. Rather, throughout this period of 1783 to 1824, there were at least two important continuities in U.S. policy on Indian Affairs. First, the acquisition of Native land was the central goal of settlers and political elites alike, but the political process was often *ad hoc* as policy-makers necessarily adapted to the desires and capacities of heterogeneous Native nations.<sup>9</sup> In the South, for example, illegal state claims of Native territory would complicate federal plans for negotiation, and tribes of the Northwest Territory varied in the concessions they were willing to make to a U.S. government that claimed to have conquered their land through the Revolutionary War. Second, federal policy in this period aimed at the “civilization” of Indigenous peoples even as long-term assimilation remained an open question.<sup>10</sup> Policy-makers at this time tended to support purportedly civilizing measures being included in legislation and treaties—the supply of farming equipment, for example, or a ban on the sale of alcohol to Native peoples—but this was seen as the appropriate thing to do even if Native nations would remain separate polities (Lee 2019). Alternatively, if this civilizing program failed, many self-servingly assumed that Native nations would simply fade away (Dippie 1982).

After decades of relatively unsuccessful attempts to regulate the interactions of U.S. persons with Native nations, Congress authorized the creation of the Bureau of Indian Affairs in

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<sup>9</sup> Indeed, one might argue that control of territory is the fundamental continuity in settler colonial projects. As Wolfe (2006, 388) puts it, “[T]he primary motive [of settler colonialism] is not race (or religion, ethnicity, grade of civilization, etc.) but access to territory.”

<sup>10</sup> As Jordheim and Wigen (2018, 429) note, this civilizing process was bound up with a homogenizing logic of progress: “From the late 18th century onwards, progress, in singular, meant progress of mankind, of civilisation, or simply of history – thus synchronising and indeed integrating different types of progress into a singular historical movement.”

the Department of War in 1824. John C. Calhoun, then the Secretary of War, was the impetus for this change, but Congress's refusal to give Calhoun the authority to add employees to the new BIA meant that the reorganization ultimately amounted to little *de facto* change. Rather, the key development was Calhoun's designation of Thomas L. McKenney as Superintendent of Political Affairs. It was not until 1832 that Congress would establish within the BIA the position of Commissioner of Indian Affairs, but in McKenney's six-year tenure as *de facto* head of the BIA, he would play a key role in generating support for President Andrew Jackson's Indian Removal Act, which Congress ultimately passed in 1830 (Rockwell 2010, 160-162). McKenney and Jackson alike made their argument on humanitarian grounds—Native nations would not survive sustained contact with settlers who were already spreading far beyond the original thirteen colonies—and McKenney ensured that the BIA civilizing programs continued alongside these efforts. But there remained an ambiguity in U.S. relations with Native nations even amid this genocidal effort to “remove” Native nations. In relaying the Indian Removal Act to Native nations, BIA officials—sometimes relaying the words of Jackson himself—typically gave these nations an ultimatum. They could either leave their homelands, resettle on some designated territory west of the Mississippi, and remain a tribal government, or they could instead remain in their homelands while forfeiting any claim to tribal sovereignty and being incorporated into the American domestic sphere. To the extent that one can refer to such demands as offering a “choice,” this left Native peoples with the choice of remaining foreign or becoming domestic.

### ***A Desecuritizing Move***

U.S. policy-makers would ultimately reject even this highly circumscribed agency that Native nations could exercise, and I argue that a key step in this rejection—or in the

domestication of Indian Affairs—was the transfer of the BIA from the Department of War to the Department of the Interior in 1849. There were abortive talks of establishing some such department in the decades prior to 1849, but this expansion of the federal government had previously struggled to attain sufficient political support. This support, however, would ultimately arise after the significant territorial expansion of the 1840s and the Mexican-American War (Fixico 2012, 23-26; White 2012, 24-25). The proposal to create a new Department of the Interior came from the administration of President James K. Polk, representatives of which argued that this would allow for more coherent federal management of an increasingly large swath of public lands. The proposal—for what Congressmen often called a “Home Department”—met with little resistance in the House of Representatives, and it passed there on February 16, 1849 (Blair and Rives 1849, 544). More substantial debate, however, would occur in the Senate.

Initial discussion of this proposal in the Senate first centered on questions about the proper scope and arrangement of government. The first substantive comment on the matter, in which Senator Jefferson Davis of Mississippi noted that most of the functions in the new Home Department would be transferred from the Department of the Treasury, justified his support for the bill with reference to checks and balances: “The officer who is charged with finding the ways and means to carry on the Government properly, never should have been charged with the disbursement of those ways and means” (Blair and Rives 1849, 670). By contrast, Senator William Allen of Ohio shortly thereafter expressed his opposition to the bill on the grounds that it would inappropriately rush an expansion of government: “I am utterly opposed to taking upon

ourselves the responsibility of this augmentation of patronage and consequent expense to the people” (Ibid.)<sup>11</sup>

This early debate about the size and scope of government, while remaining an important part of this exchange throughout—no doubt informed by Democratic majorities in both chambers that were reluctant to create more positions for the incoming Whig administration of Zachary Taylor—quickly turned to the proper place of Indian Affairs.<sup>12</sup> Senators understood the implication entailed in creating the Department of the Interior and placing the Bureau of Indian Affairs in it, so much of the Senate’s debate on this proposal turned on whether “Indian Affairs” was properly considered part of foreign or domestic policy. The first to raise this issue, Senator Allen, registered his opposition: “What the bill proposes to do for the Secretary of War, in relieving him from the Indian Affairs, is not only unnecessary, as I believe, but I fear is as likely to be pernicious” (Blair and Rives 1849, 671). Likewise, Senator James Murray Mason, a Democrat of Virginia, argued that there was little reason to bother moving the “Indian Bureau” (Ibid.):

These Indian Tribes are decreasing in number every day; and they are driven further to the west, till I apprehend they will be driven to the very verge of the Pacific. How do our relations with them stand in comparison with those great departments of the Government which were carved out of the original power of managing our foreign relations? They are purely subordinate.

While these initial explanations for senatorial opposition indicate an awareness of one of the questions at hand—whether Indian Affairs should be considered an issue of foreign or

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<sup>11</sup> Both Davis and Allen were Democrats.

<sup>12</sup> Senator Henry S. Foote of Mississippi, a Democrat, made explicit the conspicuous timing, but he and some other Democrats nonetheless supported its passage: “I shall not decline voting for it because a Whig Administration is about to come into power. The general and permanent welfare of the Republic will always be with me a leading a paramount consideration; and even were I to view this measure only with reference to party considerations...I can perceive no impropriety in adopting it at once” (Blair and Rives 1849, 674).

domestic policy—they are not explicit in providing a rationale along these lines. Rather, that would have to wait until after a failed call to table the motion when John C. Calhoun, another Democrat and by that point serving in his second stint as a senator from South Carolina, expressed his opposition precisely because he considered Indian Affairs to be a security issue (Blair and Rives 1849, 43).<sup>13</sup> It was, he argued, a matter self-evidently for the War Department:

Who does not see that the Indian affairs are immediately connected with the War Department? Who does not see that the preservation of peace and harmony on our frontier, both between ourselves and the Indians, and between the Indian tribes themselves, depends upon the action of the War Department. In my judgment, the Indian affairs are so intimately connected with the War Department that they cannot be separated without producing mischievous consequences.

After a brief break in the debate to consider other pending matters, Democratic Senator Robert M.T. Hunter of Virginia echoed Calhoun’s sentiments. For Hunter, Indian Affairs “very properly belongs [to the War Department], inasmuch as they involve matters of war and peace with the Indian tribes,” and as Allen had noted earlier in the debate (before it explicitly turned to Indian Affairs), “The Government has got along in peace and war with our present departments. They have got along most triumphantly” (Blair and Rives 1849, 674, 670). A more recently serving senator might have invoked the idiom, “If it ain’t broke, don’t fix it.”

In arguing for BIA’s placement in Interior, on the other hand, Senator Henry S. Foote of Mississippi made the opposite argument (Blair and Rives 1849, 674, emphasis in original).

The honorable Senator from South Carolina has discovered great incongruity in this bill: he contends that there is neither similarity nor affinity between our Indian policy—our policy in connection with the public lands, and the Patent Office arrangements. Why, sir, is not the honorable Senator in error? Do not all these several matters relate to the *domestic* policy of the Republic, as distinguished from its *exterior* concerns? What two things can be mentioned more closely connected than our Indian policy and the policy of the public lands?”

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<sup>13</sup> Note that page 43 here represents a section break of sorts and appears between pages 673 and 674. My narrative still relays this in chronological order—Calhoun’s argument appears shortly after Mason’s.

Nor was Foote, another Democrat, the only one to make this argument. After several failed attempts to amend the bill, for example, Whig Senator Daniel Webster of Massachusetts asked (Blair and Rives 1849, 677), “Do not the duties of the Indian bureau as much affect our internal affairs now as they will when this bill is passed?” Davis (Blair and Rives 1849, 677), speaking immediately after Webster, pressed opponents on this same point:

Under what other head than domestic relations will he [Mason] place the district courts, the transmission of the mails, the collection of revenue, the intercourse with Indian tribes, the disposal of the public lands, the protection of frontier inhabitants, and the many other duties of the General Government to the people of the United States?

Indeed, Davis continued to elaborate on his argument that U.S. relations with Native nations had once been a matter of foreign policy but were no longer appropriately labeled as such because (Blair and Rives 1849, 678):

When our intercourse with the Indian tribes was held under the protection of troops, and wars and rumors of wars came annually with the coming of grass, it was proper to place Indian relations under the War Department. Happily for them, honorably for us, the case has greatly changed, and is, I hope, before a distant day, to assume a character consonant with the relations of guardian and ward, which have been claimed by us as those existing between our Government and the Indian tribes. After having been partially civilized and prepared for agricultural life, tribes have been removed to the western frontier. It is now equally a duty to them and ourselves that we should, as far as we can, prevent them from lapsing again into barbarism. . . . War being the exception, peace the ordinary condition, the policy should be for the latter, not the former condition.

While several other senators spoke after Davis, much of the remainder of the debate focused on procedural issues. Proposed amendments to the bill that would have produced significant delays in the final bill’s passage ultimately failed, and the legislation passed in a 31-25 vote (Blair and Rives 1849, 680). One of Polk’s last acts in office was to sign the bill into law, and while the BIA itself would remain much the same albeit with an expanded staff (Stuart 1985), this was a significant moment in the gradual movement toward treating Indian Affairs as a domestic issue.

In moving the BIA from the Department of War to the Department of the Interior, U.S. policy-makers firmly established their expectations as to the future character of U.S. relations with Native nations. Even as the Constitution would *de jure* require the federal government to respect previously established treaties and its government-to-government relationship with tribes, moving the BIA into Interior would legally entrench and make habitual the practice of thinking about relations with Native nations as a domestic issue rather than a foreign policy issue. Whether or not individual Congressmen earnestly sought to change or maintain the status of Indian Affairs as it was then practiced—that is, whether this bureaucratic maneuver was ultimately about partisan politics, sectional differences, or sincere disagreements on Indian Affairs—this vote ultimately had the practical effect of serving as a desecuritizing move.

There were still militarized disputes between the United States and Native nations as it continued to consolidate its hold on what is now the contiguous United States (Szarejko 2020), but a critical mass of policy-makers had apparently come to see Native nations as no longer representing a substantial threat to the realization of expansion across the continent. As Rockwell (2010, 247) puts it, many by that point assumed that “the time when Indians posed a threat to the viability of the republic had passed”. There was still occasional debate in Congress—some of it stoked by military officers eager to bring the BIA back into their remit—as to whether Indian Affairs should be returned to the Department of War (Ostler 1996). Nonetheless, the BIA would stay in Interior, and the United States would spend much of the following century making additional desecuritizing moves to bring these once-foreign Native nations more fully into the domestic order.<sup>14</sup>

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<sup>14</sup> Indeed, even some states started to treat relations with Native nations as a law enforcement issue rather than as a national security issue to be handled with state militias or federal assistance. See, e.g., Graybill (2007, 12-16) on the creation of the Texas Rangers.

While the push to civilize Native nations continued—arguably, continues—to shape post-1849 federal Indian Affairs policies, policy-makers came to focus more intently on assimilation, which they often justified with reference to the domestic nature of Indian Affairs. President Ulysses S. Grant’s “Peace Policy,” for example, relied largely on Christian missionaries to try to make Native peoples more “civilized” to prepare them for assimilation into the American body politic (Hopkins 2020, 119). Grant justified this policy, moreover, with reference to the purported inability of Native nations to remain free-standing, sovereign nations. As he noted in discussing Indian Affairs in his first annual message to Congress, “I have attempted a new policy toward these wards of the nation (they can not be regarded in any other light than as wards), with fair results so far as tried, and which I hope will be attended ultimately with great success” (1869).

Likewise, President Grover Cleveland described in his first inaugural address the sentiment that, “The Indians within our boundaries shall be fairly and honestly treated as wards of the Government and their education and civilization promoted with a view to their ultimate citizenship” (1885). Cleveland would later sign the Dawes Act, which sought to break apart reservations and trust lands and which was justified as an effort to make individual tribe members more “civilized,” individualistic capitalists befitting their status as part of an American domestic sphere.<sup>15</sup> In short, the BIA’s placement in the Department of the Interior helped to grant legitimacy to subsequent speech acts and political maneuvers that rhetorically and bureaucratically reinforced the place of “Indian Affairs” in the domestic sphere.

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<sup>15</sup> As Cleveland’s Commissioner of Indian Affairs, J.D.C. Atkins, described it, the goal of the policy was to turn “idleness, improvidence, ignorance and superstition...into industry, thrift, intelligence and Christianity” (Glass 2011).

In 1924, another significant desecuritizing move came when the Indian Citizenship Act granted U.S. citizenship to “all non citizen Indians born within the territorial limits of the United States,” a move that had its supporters and detractors among tribes. As Deloria (2015, 5) describes, while the U.S. government did not conduct serious consultation with tribes on this or earlier reforms, there was much intra-tribal debate: “Was citizenship a force of political empowerment or a tool of disempowerment?” That there was disagreement within tribes underscores the moral ambiguity of (de)securitization—practices of domination enacted through military force, bureaucratic politics, and other instruments of the state have characterized both the securitized politics of early U.S. Indian policy and the desecuritized politics that has evolved over time.

Moreover, this desecuritization is an ongoing process. If, as Simpson (2014, 10) argues, “sovereignty may exist within sovereignty,” albeit “in terrific tension,” the federal government must continually seek to reproduce the status of Indian Affairs as a domestic issue. Indeed, from the state’s perspective, this is all the more necessary in the face of Native activism and legal decisions that question or undermine the legitimacy of the subordination of tribes to the federal government. It should thus not be surprising that some challenge laws that treat members of federally recognized tribes as members of distinct political communities with related rights (as opposed to members of a racial or ethnic group) (Rector 2018). Similarly, the Supreme Court was subject to political attacks after the recent *McGirt v. Oklahoma* decision that upheld Creek Nation claims to a large portion of Oklahoma that Congress had previously reserved to them.<sup>16</sup> The business of the state is often the maintenance of the status quo, and in seeking to disrupt this status quo, Native activists and their allies may face near-term backlash and an uncertain long-

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<sup>16</sup> As Healy (2020) notes, Senator Ted Cruz responded to the decision on Twitter by claiming that, “Neil Gorsuch & the four liberal Justices just gave away half of Oklahoma, literally. Manhattan is next.”

term future. Indeed, the recent confirmation of Representative Deb Haaland to be Secretary of the Interior underscores the difficult decisions tribes and individual tribe members face (Chavez 2021). Do you accept the legitimacy of the U.S. government and seek to maximize tribal power therein, or do you aim for a more transformative program focused on the restoration of land and sovereignty? Do you use the former to work toward the latter? What other possibilities might exist?

#### **IV. Conclusion**

I began this paper by asking whether securitization is normatively undesirable as many who have written on securitization would have it. On the contrary, I have argued that we ought not to attach any inherent moral valence to (de)securitization. I have focused primarily on desecuritization, which I have argued will often be necessary for polities that seek to incorporate a “foreign” population into their “domestic” order. As is clear from the long, coercive process by which the U.S. government turned Native nations into its “wards,” both securitizing and desecuritizing moves can involve practices of domination of dubious virtue. Moreover, these moves may take the seemingly banal form of bureaucratic restructuring. That desecuritization in this case went hand-in-hand with genocide should give us pause when considering securitization theory’s typical preference for desecuritization.

This does not mean that we need to rid the field of (de)securitization studies. Rather, we ought to retain the concept of (de)securitization as a useful analytic construct that describes a political phenomenon. This phenomenon, however, can have varying effects that we need not imbue with any inherent moral valence *ex ante*. So long as political communities exist, we can expect there to be debate over what constitutes a threat to the security of those communities, and

academics can help to chasten public discourse that is not sensitive to the coercion that any given process of (de)securitization might entail.<sup>17</sup>

Finally, there is more work to be done on the complicated relationship between (de)securitization and settler colonialism. While I have used settler colonial processes in the United States to argue that (de)securitization can involve practices of domination for which there may or may not be good cause, this is certainly not the only context in which a government has used coercion to make a once-foreign population part of its domestic sphere. Such processes have also occurred in the Russian expansion into Central Asia—a long series of events shaped by “prejudices, paranoia and anxieties about prestige” among Tsarist Russia’s elites (Morrison 2021, 50). Likewise, imperial and modern Chinese governments have treated “the Uyghurs and other local Turkic people as fundamentally different from and inferior to the dominant Han population and, thus, incapable of either becoming equals to the Han or of even knowing how best to care for themselves” (Roberts 2020, 24).. On the other hand, Indigenous peoples have also made (de)securitizing moves of their own, which suggests a decolonizing possibility in these processes as well (Greaves 2016). A comparative consideration of (de)securitization in settler colonial projects and Indigenous resistance movements could help us to better understand how related practices of domination differ and whether (de)securitizing moves can alternatively be used to liberatory effect.

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<sup>17</sup> Van Rythoven (2021, 266), for example, explores contemporary politics in Canada in which racialized justifications for securitizing Indigenous protest movements have become less publicly tenable. Nonetheless, he argues, state coercion remains central to that settler colonial relationship even as politicians “distance” themselves from overtly racialized constructions thereof: “strategies of distancing create opportunities for actors to feign the appearance of racial sensitivity while at the same time enabling, or at least tolerating, racialized constructions of threats through less visible avenues.” In writing about the politics of Indigenous “recognition” in Canada, Coulthard (2014) is similarly interested in the ways this allows politicians to make coercion less visible.

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