

The House Indian Affairs Commission—Seth Eastman’s American Indian Paintings in Context

By Felicia Wivchar

In 1867, the House Committee on Indian and Insular Affairs made an unusual move and awarded a painting commission. This first commission for a House committee was granted to Bvt. Brig. Gen. Seth Eastman, and called for nine paintings depicting American Indian subjects of the artist’s choosing.¹ The nine resulting paintings have remained with the committee responsible for issues related to American Indians—now falling under the custody of the House Committee on Natural Resources—since they entered the Capitol in the late 1860s. Despite their significance, the historical context and underlying cultural perspectives of the Eastman paintings have not been examined within the body of the Capitol’s larger collection of 19th-century works of art with American Indian subjects, thus preventing a full understanding of those works. In this regard, the Eastman paintings provide a useful object lesson on the unique role of art in the Capitol, and on 19th-century attitudes toward American Indians, as cultural perspectives on these works evolved and assumed new meanings over time.



Rice Gatherers, oil on canvas, by Seth Eastman, 1867.

This article examines Eastman’s paintings alongside such works as the 1820s Rotunda relief sculptures, William Powell’s *Discovery of the Mississippi*, and the contemporaneous mural by Emanuel Leutze, *Westward the Course of Empire Takes Its Way*. Along with a review of how the artist received this commission, discussion of the subjects he chose provides insight into the political and cultural contexts of their creation, and the often conflicting beliefs that guided those choices. The acceptance of his paintings also reveals a 19th-century strain of idealization and romanticization of American Indian life. To a modern viewer, Eastman’s sympathetic and naturalistic approach appears to contrast fundamentally with that of the other Capitol artworks that extolled white supremacy and Christianization of American Indians. However, a discussion of Eastman’s *Death Whoop* provides a clear-cut reminder of the historical context of these works, in that the painting has become a controversial focal point of the cultural dilemmas continuing

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¹ Throughout this paper, I have chosen to use the general term “American Indian,” as opposed to Native American or Indian when referring to the first inhabitants of the Americas as a group. These descriptions are generally used interchangeably, but for the sake of consistency, I will use the term defining ethnicity used by the U.S. Census in 2000.

in the present. The House committee's acceptance of Eastman's paintings highlights the complexity and ambiguity of 19th-century American Indian-white relations—the dominant, paternal, and idealized views of their shared cultural order.

The Inspiration of the Frontier

Seth Eastman was born in 1808 in Brunswick, Maine. He enrolled at West Point at age 16, where he received his first artistic training under the tutelage of Robert Weir.² Upon graduating in 1829, Eastman was assigned to frontier duty at Fort Crawford in Wisconsin, and was transferred the following year to Fort Snelling in Minnesota, where he began to pursue his art in earnest, inspired by the scenic wilderness of Minnesota.³ During this early period on the frontier, Eastman became very interested both intellectually and personally in the area's native population. He learned the language of the Spirit Lake People of the Santee Dakota tribe, and had a brief, tribally sanctioned marriage with a Dakota woman, with whom he had a daughter. Eastman also began to make sketches and watercolors depicting the daily life and customs of the Spirit Lake People, an activity that would persist in the coming years and lead to his successful bids for government commissions later in life.

Eastman's talents led to his appointment as a drawing instructor at West Point, where he taught from 1833 to 1840. During his tenure, he married Mary Henderson; published a standard text, *Treatise on Topographical Drawing* (1837); and was promoted to captain (1839). In 1841, Eastman was again stationed at Fort Snelling, where he continued to produce paintings of the Dakota people. Eastman sold some of the resulting oil paintings in commercial galleries in New York, and also sold souvenir watercolors to visitors at the fort. Mary Eastman published several books inspired by their life on the frontier. Writings such as *Dakota: Life and Legends of the Sioux* and *The American Aboriginal Portfolio*⁴ enjoyed considerable popularity, providing an eastern audience with sensational stories from the western reaches of the United States. Seth Eastman also contributed illustrations to his wife's publications on American Indians, thereby increasing the circulation of his artworks. After these small successes, the Eastmans began working in earnest to secure a government art commission. Eastman had experienced several bouts of poor health on the frontier, motivating his wife—with whom he had five children—to redouble her efforts to secure a less hazardous assignment for him as an artist in Washington, DC. While Seth certainly advocated for himself, Mary's dramatic and effusive writing style resulted in informative and descriptive letters that colorfully illustrate her tireless lobbying of Senators, Congressmen, and the War Department for a transfer to the District of Columbia and a government-funded art commission.⁵

² Robert Weir, an American artist trained in Italy, also completed a commission for the Capitol, awarded in 1837. His *Embarkation of the Pilgrims*, completed in 1844 and installed in the Capitol Rotunda, depicts English Protestants praying aboard their ship the *Speedwell* prior to their departure for the New World from Holland in 1620.

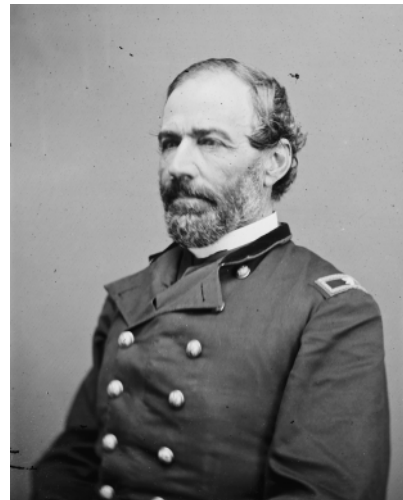
³ Sarah E. Boehme, "Seth Eastman: Illustrating the Indian Condition" (Ph.D. diss., Bryn Mawr College, 1994), 52.

⁴ Mary Henderson Eastman, *Dakota: Life and Legends of the Sioux*. (New York: J. Wiley, 1849); and *The American Aboriginal Portfolio* (Philadelphia: Lippincott, Grambo, 1853).

⁵ While Seth Eastman's materials have not survived in an archival collection, correspondence from the artist and his wife to their friend Henry H. Sibley, who served as territorial delegate for Wisconsin (1847–49) and Minnesota (1849–53) in the House of Representatives can be found in Sibley's archival collection at the Minnesota Historical Society. The Eastmans' correspondence with Henry Rowe Schoolcraft is housed at the Manuscript Division, Library of Congress.

In 1849, their collective efforts began to bear fruit. Through a series of political machinations, the War Department assigned Eastman to illustrate the six volumes written by ethnologist Henry Rowe Schoolcraft entitled *Historical and Statistical Information Respecting the History, Conditions and Prospects of the Indian Tribes of the United States*, ordered by Congress on March 3, 1847, and published in 1851.⁶ Schoolcraft was the most respected ethnologist in the United States at the time, and had previously conducted detailed studies of tribal groups in the New York area, and published a dictionary of the Algonquin language.⁷ For Eastman, this project granted him a reprieve from frontier stations and solidified the artistic reputation that would lead to the production of commissioned works in the Capitol.⁸ The subjects of these paintings were all recycled from illustrations that appeared either in the Schoolcraft volumes or in one (or more) of his wife's publications, showing the curious utility of the images as illustrations for both a scientific study and works of romantic fiction. Regardless of use, Eastman's images retained sufficient factual credibility due to his storied exposure to and personal knowledge of American Indian cultures and his straightforward representational style.

Since the 1840s, Eastman and other painters with "Indian Galleries" had lobbied Congress for commissions or purchases of their existing work. George Catlin, perhaps the most famous among 19th-century painters of American Indians, saw his efforts to sell his extensive collection of Indian portraits and frontier landscapes continually rebuffed by Congress. Both Catlin and Eastman appealed to the government from the perspective that American Indian cultures would soon be extinct due to the rapid expansion of white settlements west of the Mississippi, and that the government should take responsibility for documenting their appearance, costumes, and cultural practices before they vanished from the earth.⁹ During a June 10, 1852, Senate floor discussion over whether or not to



Seth Eastman, ca. 1860–1870.

⁶ Henry Rowe Schoolcraft, *Historical and Statistical Information Respecting the History, Condition and Prospects of the Indian Tribes of the United States*, 6 vols. (Philadelphia, Lippincott, Grambo, 1851).

⁷ Brian W. Dippie, *Catlin and His Contemporaries: The Politics of Patronage* (Lincoln: University of Nebraska Press, 1990). Chapter 4, "Indian Historian to Congress," thoroughly discusses Henry Rowe Schoolcraft's career and his persistent appeals to the federal government to sponsor his ethnographic survey of Native Americans. Dippie also documents Eastman's involvements with various government officials and the complex exchange of favors that led to his fruitful and advantageous involvement with the Schoolcraft project. Unlike Eastman, Schoolcraft did not have a source of income outside of his creative endeavors, and experienced great economic hardship while awaiting approval for the volumes—for a time even changing his name to dodge the financially ruinous reputation connected with his surname. See pages 157–208.

⁸ In 1870, Eastman was awarded a second commission by the House Committee on Military Affairs for 17 paintings of forts throughout the United States.

⁹ William H. Goetzmann and William N. Goetzmann, *The West of the Imagination* (New York: W.W. Norton and Company, 1986). See pages 15–43. This publication also discusses the work of other painters pursuing Native American subjects, including John Stanley Mix and Eastman, among others. Also see Reginald Horsman, *Race and Manifest Destiny* (Cambridge, MA: Harvard University Press, 1981), 98–115, for a summary of the development of white settlers' increasing antipathy towards Indians from the colonial period until the later 19th century.

purchase Catlin's collection of Indian paintings, Solon Borland of Arkansas spoke at length about the greater virtues of the work of "a captain in the Army, a very distinguished artist" who would be capable not only of a better, more extensive gallery of Indian paintings than George Catlin, but would also be quite a bargain. According to Borland, Eastman only required that "the Government . . . continue to him an amount of pay equal to that which he receives as a captain, and he will, if necessary, resign his commission and proceed to prepare paintings."¹⁰

Borland's argument lays out the reasoning behind Eastman's eventual receipt of the commission. A competent artist, Eastman had spent many years in close contact with American Indians, and therefore had a greater depth of knowledge than other painters of Indian life whose experience was limited to brief encounters on special missions into the frontier. Most importantly, he already earned a government salary as a military officer, and therefore required no additional appropriation for his artistic services. In addition, he was a good political choice, as there had been some chafing over the extent to which the Architect of the Capitol employed foreign artists in the embellishment of the 1857 Capitol extension project.¹¹ Greater concerns—including the Civil War and the unfinished Capitol building—forced postponement of the debate on an artistic record of American Indians in the Capitol. The granting of the commission was not seriously considered again until 1867, when Robert Cumming Schenck of Ohio, chairman of the House Committee on Military Affairs, offered Eastman for consideration, who was by then retired from the military on disability.¹² Schenck's motion passed the House but languished in the Senate. Edward C. Clark, Architect of the Capitol, then acted on Eastman's behalf, and the artist was assigned to the commission by presidential order.¹³

The Eastman Paintings and Other Capitol Artworks

The Indian Affairs paintings were completed between 1867 and 1869; some clearly done in advance of the actual commission. Like many of the illustrations for the Schoolcraft and Mary Eastman publications, the commissioned works were all based upon Eastman's studies of American Indians in Minnesota in the 1840s. Eastman's iteration of Dakota and Chippewa life primarily involves peaceful domestic tasks and calm, solemn ceremony. In reality, the period during which the paintings were created was marked by upheaval and violence. Throughout the 1850s and 1860s, tensions steadily increased between white settlers and Indians throughout the northern Midwest. The Santee Dakota in particular—the tribe Eastman spent a great deal of time with at Fort Snelling—lost increasing acreage in treaties signed with the federal government between 1851 and 1858. This pattern of bleak disappointment for the Dakotas culminated in the so-called War of the Outbreak in 1861, in which five white settlers were killed. Over 300 Indians were tried for murder and sentenced

¹⁰ Congressional Globe, 32nd Cong., 1st sess., 1852: 1548.

¹¹ See Barbara Wolanin, *Constantino Brumidi, Artist of the Capitol* (Washington, D.C.: U.S. Government Printing Office, 1998), 89–97. Chapter 7 documents the negative press and internal conflicts over the selection of Brumidi and other foreign-born artists for commissions in the Capitol through the 1860s.

¹² Cong. Globe, 40th Cong., 1st sess., 1862: 361–362.

¹³ Cong. Globe, 40th Cong., 2nd sess., 1868: 1567.

to death. President Lincoln pardoned all but 39 of the accused.¹⁴ Eastman gave anachronistically placid titles to the paintings, which both identify the subject matter, and also hint at Eastman's temperament as an artist: *Indian Mode of Travelling*, *Rice Gatherers*, *Indian Woman Dressing a Deer Skin*, *Feeding the Dead*, *Buffalo Chase*, *Spearing Fish in Winter*, *Dog Dance of the Dakotas*, *Indian Council*, and *Death Whoop*. With the notable exception of the bursting, violent energy of *Death Whoop*, which will be discussed in detail below, the images are calm, and the movement ponderous. The paintings show a side of American Indian life not often illustrated in the work of eastern artists, including those represented in the Capitol. These characteristics added to the lack of "attitudinizing" in Eastman's art, as perceived in the contemporary press. An unidentified writer for the *Missouri Republican* commented in 1848 on a "home scene" of Eastman's, that it is "unlike the vast mass of Indian pictures it has been our bad luck to see—for it is true. There is no attitudinizing—no position of figures in such a group that you can swear the artist's hands, and not their own free will, put them there."¹⁵ Such a statement provides the modern viewer with a valuable insight. By stating that contemporaries could perhaps not sense the artist's hand in the creation of a work of art, we learn something of the 19th-century conception of objectivity, which resembles in this author's estimation what today may be termed artistically as Realism. This statement also reveals the importance of context. Viewed beside the grand history paintings of the Capitol, Eastman's work, despite the separation in historical reality between the peaceful, idealized domestic subjects in his paintings and the battling, reservation-bound Dakota, looks arguably journalistic in comparison.

Even a cursory look around the Capitol reveals an abundance of images depicting or alluding to American Indians. From the *Statue of Freedom*, with her eagle feather headdress, perched at the top of the Capitol dome, to personifications of North America on frescoed walls, to not one but two depictions of Pocahontas in the Rotunda, American Indians figure prominently in the decoration of the Capitol. How they are specifically depicted, though, is telling of the context in which the works were created. During the main phases of Capitol construction, in the early and mid 19th century, the United States was a young nation, with no artistic identity of its own, but keen to separate culturally from Europe. The building itself, with its modified Classical forms, is a testament to the experimentation towards creating a new design style that was, in its essence, American. While American Indians and their cultures were not embraced by the United States government, they were appropriated as a symbolic representation of the New World. Vignettes with personifications of



Conflict of Daniel Boone and the Indians, 1773, relief sculpture by Enrico Causici.

¹⁴ See Boehme, "Seth Eastman: Illustrating the Indian Condition," for an extended analysis of Eastman's subject matter in the context of contemporaneous U.S. government relations with Native Americans. National events that greatly affected the Dakota during the period between Eastman's original watercolors and the Indian Affairs commission include the dismantlement of the Indian Intercourse Act, the Homestead Act (1862), and Grant's Peace Commission. In 1868, Grant declared that the goal of the Peace commissions was to protect western-bound white emigrants at all costs, even if the extermination of every American Indian tribe was necessary to secure such a result. Also see Russell F. Weigley, *The American Way of War* (Bloomington, IN: Indiana University Press, 1973), 153–163, for details about U.S. military aggression against Indians through the end of the 19th century.

¹⁵ Quoted in John F. McDermott, "The Art of Seth Eastman," in *Smithsonian Report for 1960* (Washington, D.C., Smithsonian Institution, 1961), 584.

North America as an American Indian woman, or a New World symbolic figure as a Classical-American Indian hybrid character, abound in frescos throughout the Capitol. There is no lack of irony in the fact that images depicting an exotic, romantic vision of the American Indian appear on the walls of the Capitol while the legislative bodies working within the building seemed to work steadily to sweep the same population off the land that they were chosen to symbolically represent.

Other works in the Capitol from the early 19th century, such as the relief sculptures on the walls of the Rotunda, step away from symbolic representation and reflect more specifically the attitudes of the period, focusing on the relationship between white settlers and American Indians, rather than the American Indians themselves. Created between 1825 and 1827, the subjects depict colonial scenes, with an emphasis on either violence or submission. For example, *Landing of the Pilgrims, 1620*, by Italian sculptor Enrico Causici, includes an overly large but submissively posed American Indian in a slumped seated position, offering an ear of corn to a Pilgrim disembarking from a boat. The Pilgrim man's confident, upright posture as he steps foot onto North American soil asserts a view of European settlers as the dominant presence, and that of the submissive, welcoming American Indians as destined to shrink away. The opposite perspective—of the violent, brutish native—is exuberantly illustrated in the tight composition of *Conflict of Daniel Boone and the Indians, 1773*, also by Causici, 1826–27, over the south door in the Capitol Rotunda. Here, a large, grimacing American Indian brandishes an axe in combat with the hero of the narrative, Daniel Boone. Both have one foot on a fallen American Indian, indicating that the fury of Boone's adversary is fueled by revenge. Boone gazes calmly at the Indian combatant, and holds aloft a proportionally outsized rifle in one hand, and a knife in the other. Superiorly armed and collected in the face of danger, the white man appears to have the upper hand in this conflict.¹⁶ Taking place 150 years after the event illustrated in the *Landing of the Pilgrims*, we see the alteration of the relationship between Europeans and American Indians. The creation of the Rotunda reliefs coincided with the conflict between the state of Georgia and the Cherokee, when the momentum for President Andrew Jackson's Indian Removal policy was building. Older ideas of agriculturally based communities coexisting with white populations, a concept given form in the *Landing of the Pilgrims*, were shattered by racism and greed for land. As dominant opinion shifted to the removal of American Indian communities, artistic representations shifted to the physical threat represented by the violent savage, as opposed to a symbolic representation of the New World or an earlier Republican ideal of peaceful coexistence.¹⁷

In the next generation of Capitol art, allusions to the inexorable progress of Manifest Destiny become the main ideological objective, and history paintings in the Capitol Rotunda are prominent examples. Following William Truettner's analysis of 19th-century history paint-

¹⁶ For in-depth analysis of 19th-century images of minorities in the Capitol installed prior to the Civil War, see Vivien Green Fryd, *Art and Empire: The Politics of Ethnicity in the United States Capitol, 1815–1860* (New Haven and London: Yale University Press, 1992).

¹⁷ Daniel Walker Howe, *What God Hath Wrought, The Transformation of America, 1815–1848*. (New York: Oxford University Press, 2007). In the early 19th century, Indian tribes' alleged under use of their potentially profitable land was often used as reasoning to dispossess them of traditional territory, but in the case of the Cherokee, this argument was undermined, leading to increasingly extreme and dramatic confrontations. The Cherokee had become prosperous and productive farmers in what remained of their southern Appalachian territory by the 1820s, adapting a written constitution in 1827. For a full account of the Removal confrontation, its resolution, and the Constitutional implications, see Howe, pages 243–256.

ing in America, these grand-scale works depicting fictionalized historic events created a “visual shorthand” signaling the teleologically inevitable eradication of American Indian cultures under the momentum of white settlement across the continent.¹⁸ While Indians are not the central subject, William Powell’s *Discovery of the Mississippi* (1853), epitomizes the coded historical fiction common in 19th-century history paint-



Discovery of the Mississippi, 1541, oil on canvas by William Powell, 1853.

ings in the Rotunda. In this complex work, the American Indians are contrasted with the armored Spaniards by an unusual display of flesh in the Capitol, particularly in the young, frightened women on the ground at the opening of the tipi. The men, adorned with feathered headdresses and other signifying marks of exotic frontier natives, stand proudly yet silently as De Soto approaches on his white horse. The defenselessness of these people is emphasized further by the array of arms in the foreground—including a large cannon pointed in the general direction of the partially clothed, vulnerable women. The contrast of armor and bare flesh, civilized and primitive suggests the immanent end of the primitive element. These Indians are greeting the doom of their way of life, overwhelmed by the weaponry and the forceful presence of the incoming Europeans.

In an example contemporary to the Eastmans, Emanuel Leutze’s mural, *Westward the Course of Empire Takes Its Way*, reduces Indians to a parenthetical presence. This work depicts a jubilant group of mostly white pioneers who are crossing a mountain range and at long last catching sight of the Pacific Ocean on the horizon. While contact and conflicts with American Indians were a well-known element of the transcontinental journey, their presence is diminished to figures skulking in the decorative margins.¹⁹ From an east-coast perspective, the conflict itself was

¹⁸ William Truettner and Nancy K. Anderson, eds. *The West as America: Reinterpreting Images of the Frontier, 1820–1920* (Washington and London: Smithsonian Institution Press, 1991). In this benchmark exhibition catalogue, Truettner and other scholars critically re-examine American art from the period of westward expansion, exploring questions of racism, 19th-century cultural assumptions, and the consequent romance of the West within American culture. In the essay “Prelude to Expansion,” Truettner analyses mid-19th-century interpretations of pre-colonial events through the media of history painting. Here, he describes how artists recast historical events to foreshadow and glorify the expansion of the United States, and how characterizations passing for historical reportage were symbolically coded to project an image of Indians that justified the contemporary state of affairs. See pages 55–95.

¹⁹ Fryd, 211. In addition, Daniel Clayton Lewis’s essay “Emanuel Leutze’s *Westward the Course of Empire Takes Its Way* Imagining Manifest Destiny, the ‘Stars and Stripes,’ and the Civil War” discusses the elimination of hints at the presence of American Indians in the West from the final mural in comparison with the study for the work, currently on display at the Smithsonian Museum of American Art. See Donald Kennon, ed., *The United States Capitol: Designing and Decorating a National Icon* (Athens, OH: Ohio University Press, 2000), 239–55.

no longer the story, and the extinction of American Indians was a foregone conclusion.²⁰ In the language of history painting, they had already been marked for extinction in the colonial era and were decorative marginalia by the 1860s. It is within this milieu that the Eastman images were first published and then reconfigured as oil paintings for the Committee on Indian Affairs.

Eastman's Naturalism

In contrast, the Eastman Indian paintings emblemize a separate strain of 19th-century representation. Rather than sidelining the subjects in illustrations of triumphant European colonization, they illustrate details of daily life and rituals in Dakota and Chippewa communities, with the expressed intent of retaining a record of their fading way of life. The goal was not to populate a narrative starring the white settler with American Indian characters, but to attempt to show actual native people, albeit in an idealized manner. This more sympathetic perspective provides more information to the viewer and aligns with the ideas presented in the publications that they initially illustrated.

However gentle they appear, though, the Eastman paintings are as much a product of their cultural context as the Rotunda relief sculptures and history paintings. Eastman's work rests among a category of art depicting American Indians that strove for "authenticity" above all. During the 19th century, the quest for accuracy outweighed artistic merit, and as previously discussed, Eastman was known for the authenticity of his representations. This ostensibly neutral position, though, does not imply lack of value judgment. Schoolcraft's volumes, while well-researched and primarily intended to convey facts of American Indian life, also presented a sympathetic moral position on the unfortunate circumstances of American Indians. He firmly believed that Indians suffered greatly from contact with Europeans, and in his writings set forth the idea that assimilation through Christianization was their best option for the future. Mary Eastman's romantic fictions also conveyed a subtext of sympathy for the plight of Native Americans while expressing the benefits of religious conversion. By modern standards, these views are clearly paternalistic and



Feeding the Dead, oil on canvas, by Seth Eastman, 1868.

²⁰ Like Eastman's work, the subject matter here is at odds with historical reality. Leutze's work idealizes and sweeps away much of what was actually occurring in the far west, in favor of presenting a unifying vision of post-Civil War America, where the common cause of the nation is the pursuit of Manifest Destiny. In addition to the nearly contemporaneous War of the Outbreak, military conflicts continued through the rest of the century particularly with unified Northern Plains Indians and with the Apache in the Southwest. See Weigley, *The American Way of War*, 153–63.

entirely ignore the non-white perspective, but at the time, Schoolcraft and the Eastmans were models of pious Christian sympathy. Eastman's paintings reflect this attitude, depicting the domestic details of a unique culture, ostensibly free from European influences.

While some of the customs shown were exotic and strange to 19th-century white Americans, they are not particularly sensationalized in the paintings. *Feeding the Dead*, for example, illustrates the Dakota funereal practice of placing the deceased on a scaffold in the open air, allowing the body to decay. Food was traditionally brought to the grave sites, as, according to Schoolcraft, the Dakota believed that "the soul . . . abides for a time with the body in the grave, requiring food for its ghostly existence and journeyings [*sic*] . . ." ²¹ The painting shows a light-filled landscape including lakes and hills, with the subjects and action set back in the picture plane, focusing on the mechanics of the ritual and the appearance of the landscape surrounding it, rather than emphasizing emotional content or sensational detail. The distinct lack of drama lends *Feeding the Dead* and the other works an emotional flatness for which they have been criticized as works of art. But in this context, Eastman's prosaic approach to painting seems more appropriate and value neutral. While certainly not photographically accurate, the painting effectively conveys both cultural and topographical information about the Dakota and their northern Midwest environment.

The content of *Rice Gatherers* also has more in common with domestic genre painting than the more sensational works elsewhere in the Capitol. This 1867 work shows a quiet scene of women gathering rice in a birch bark canoe, using small paddle-shaped implements to remove the grains from the water plants. Other groups of women in boats conduct similar tasks in the distance. The subjects' attire is plain, free of the elaborate beads and feathers or other typical visual signifiers of American Indians. The individuals are unexpressive and non-differentiated, but Eastman does include archeological details such as the material of the canoe, indicating that the women are Chippewa, the only group in Minnesota to use bark as material for canoes. ²² Eastman's approach as an artist has some overtones of domestic-genre painting, with its small details and quiet action, but the unindividualized, and emotionally neutral figures help maintain a more anthropological distance. Compared with the frightened nude figures in the *Discovery of the Mississippi*, Eastman's peaceful, hardworking figures show a more realistic view of the lives of American Indian women. On the surface, this contrast highlights the differing objectives of the artists, making a case for Eastman's claim of painting what he saw for the sake of information. The Powell work, on the other hand, is a history painting—a dramatized account of a historical event, and a showcase for the artist's skills. The lack of drama in the subject matter does not indicate, however, an absence of the artist's perspective. While the activities depicted in the Eastman paintings probably seem primitive and strange to 19th-century viewers, the neutral presentation of the individuals suggests the idea espoused by Schoolcraft's and Mary Eastman's writings, that Indians were not intrinsically bad, they simply needed to adopt the lifestyle of the white settlers.

Consideration of the historical context of these works further suggests an ideological agenda in these ostensibly truthful representations. Painted in the late 1860s, these works came into being after the

²¹ Schoolcraft, *Historical and Statistical Information*, Vol. 1, 88–89. This burial practice also was utilized by other Plains Indians, and was a practical measure to protect the deceased from digging animals.

²² The neighboring Dakota tribe used canoes made from hallowed logs. For further information on the Chippewa, the Dakota, and their relationship, see Harold Hickerson, *The Chippewa and Their Neighbors: A Study in Ethnohistory* (Prospect Heights, IL: Waveland Press, 1988).

War of the Outbreak of 1862, the Sand Creek Massacre of 1864, and just before the congressional “peace commissions” of 1869, which were dispatched by President Ulysses S. Grant in the hopes of negotiating land agreements with American Indians. The end-goal of the federal government, a variation on the older idea of cultural assimilation, was to move American Indians to reservations, where they would be instructed in Christianity and white farming practices. The peace commissions failed to result in docile, segregated communities of Christian converts, not least of all among the Plains Indians, and led to the infamous battles of the 1870s. The hope that the government held for a favorable and quiet resolution to the Indian problem in the West is inscribed into the peaceful scenes hung in the chambers of the Committee on Indian Affairs, drawn from life in a more harmonious period of relations between the Dakota and white settlers in the northern Midwest.²³

The *Death Whoop* Controversies

While the content of all the Eastman paintings carry undertones of racism, *Death Whoop*, stands apart in subject, mood, and composition amongst the nine Indian Affairs paintings. While the other eight works show regularly occurring tasks and rituals, this work illustrates the unusual event of a scalping. Unlike the placid women in *Rice Gatherers*, the protagonist in *Death Whoop* cries out in triumph, waving a scalp aloft, over the vanquished enemy. Though very different from the other images of the group, and indeed Eastman’s subjects overall, this was something of a signature image.²⁴ *Death Whoop*’s earliest appearance occurred in Mary Eastman’s publication, *The American Aboriginal Portfolio*, accompanying a rather lurid passage, which was not unusual for her writing style:

Every nerve in his body is thrilling with joy. His blood-stained knife he grasps in one hand while high in the other he holds the crimson and still warm scalp . . . Right joyfully falls upon his ear the return of his death-whoop; it is the triumph for his victory, and the death-song for his foe.²⁵



Death Whoop, oil on canvas, by Seth Eastman, 1868.

The image appeared again as the title illustration for five of the six volumes of Schoolcraft’s ethnological study, and also as a full-page engraving entitled *Scalp-Cry* in volumes one and four of

²³ Conflicts of the 1870s–1880s spanned the western territories, culminating, for the Dakota, with the Battle of Wounded Knee. For a more detailed account of these events, see “An Overview of Westward Expansion,” by Howard Lamar, in Truettner and Anderson, *The West as America*, 16–19.

²⁴ See Kathryn Sweeny Hight, “The Frontier Indian in White Art, 1820–1876: The Development of a Myth” (Ph.D. diss., University of California, Los Angeles, 1987), 286. Hight addresses the literary context in which many of Eastman’s images appeared in published works.

²⁵ Mary Eastman, *The American Aboriginal Portfolio*, 78.

the same series. The apparent popularity of the image perhaps inspired Eastman to include it as part of the Indian Affairs group. The character of the subject was somewhat toned down in the painting in comparison with earlier illustrations. The protagonist's expression is less intense, and his clothing more polished, but the violence of the image nonetheless appears at odds with the other paintings. The action occurring in any of the other scenes could conceivably have been observed by Eastman, while *Death Whoop* is far more theatrical and dramatic in its action. Within the context of the other paintings in the Capitol, *Death Whoop* has far more in common with the violent savagery seen in Daniel Boone and the Indians or with the staged drama in *Discovery of the Mississippi* than the rest of Eastman's own work. This sort of high-drama image contains plenty of the "attitudinizing" that Eastman's other works notably lacked. Its many iterations imply that there was a robust audience for stagy, violent images of American Indians more so than for his more "truthful" depictions. That *Death Whoop* fit seamlessly in with the other subjects goes a long way in arguing for the validity of the 19th-century perspective on American Indians previously outlined. As "truthful" and objective as the other scenes appeared, broader 19th-century cultural perceptions discerned negative stereotypes and savagery where today it could easily be missed. The vastly different value judgments placed on non-white cultures today give an anthropological cast to what would look like reprehensible savagery to a 19th-century viewer. While seemingly out of place amongst the Indian Affairs paintings today due to its markedly different tone, no indication that *Death Whoop* might be considered at odds with the other paintings or at all inappropriate was raised in any public way for many years after its arrival.

Death Whoop's most documented move occurred in 1987 at the request of then-freshman Congressman Ben Nighthorse Campbell of Colorado.²⁶ At the time, Campbell was the only Native American serving in Congress, and was assigned to what was then called the House Committee on the Interior, the descendant of the Committee on Indian and Insular Affairs. He found *Death Whoop* both insulting and depressing, in that all legislation affecting American Indians went through the committee, and American Indians testifying before the committee were confronted by this sensationalized and stereotypical image. In an interview on the subject, he said that there were no images of "Japanese Americans during World War II or the slavery of blacks" within the Capitol complex, and felt that this image showed the same level of degradation for American Indians. Representative Morris Udall, chairman of the committee at the time, told Campbell that "if it offends you, it offends me," and had the painting removed. When Udall jested in an interview that the committee's council Frank Ducheneaux, a Sioux, had said to him that the painting was "one of his favorites," Campbell countered, "He's a Sioux. In that part of the country, some of them haven't given up yet."²⁷

Although this exchange was meant to add levity to the incident, it reveals the complex and conflicting relationship between minorities represented in such works of art, and the use of the spaces that the works were created to adorn. *Death Whoop* was returned to the hearing room in 1995, when the curator of the Architect of the Capitol along with then-committee chairman Don

²⁶ The painting was reportedly removed in the 1940s, but why the move was requested and where it went are undocumented to my knowledge at this time. Ben Nighthorse Campbell, a Democrat, served in the House, 1987–1992, and in the Senate, 1993–2004.

²⁷ Chuck Conconi, Personalities column, *Washington Post*, October 9, 1987, B3. Sioux and Dakota refer to the same northern-Midwest tribal group.

Young of Alaska agreed that the collection should remain intact, as the group of paintings as a whole was historically significant.²⁸ The painting was quietly removed once again at the request of the committee in 2007. In this short period of the painting's life in the House, it was first viewed as insulting and at the same time, perhaps heroic and interesting, then simply historically significant, circling back to inappropriate. This all occurred within just over a decade, demonstrating the unstable nature of the government's relationship with American Indians within the legislative institution. These movements, along with the statement by Congressman Nighthorse Campbell, frame the issues of significance circulating around this group of paintings, particularly *Death Whoop*. In the Capitol, art is neither simply decoration nor straightforward documentation of the nation's past. The objects within these buildings are material evidence holding metamorphosing meanings within a constantly evolving context. The Capitol is a unique venue, as it is neither a static historic site nor a museum, but a workplace of considerable historical significance that holds highly valued historical objects. As the movements of *Death Whoop* illustrate, this unusual status can lead to intellectual quandaries for those responsible for the stewardship of the building's history. While the exact motivations for these changing impressions of the painting are not known, this interaction is emblematic of the role of works of art in the Capitol complex. Objects are in some ways treasured for their historical status and the sense of cultural and visual richness they lend to their exhibit space. But at the same time, objects also confront contemporary standards of acceptability. In such a context, a painting is not just a painting but an unsavory relic of an unenlightened past.

Because the relief sculptures and paintings in the Rotunda are immovable parts of the building, the content, however it is perceived, is part of the fabric of the Capitol. Out of practicality, they must be accepted as they are, and as an expression of the historical context in which they were created. In contrast, it is instructive to see the reaction to *Death Whoop* as a movable object that illustrates the dominant mid-19th-century approach to the American Indian population. While the public spaces of the Capitol either serve as ceremonial spaces or simply spaces to pass through, the committee hearing room, the exhibition venue discussed here, is a working space that addresses policy relating to American Indians. In the 19th century, the point of view of minority populations was not an issue. The history of Eastman's efforts to acquire the federal commission, and his past occupation of painting souvenir watercolors for fort visitors suggest that he was perfectly willing, as an artist, to give the client what they wanted. However, we are left without documentation as to whether *Death Whoop*—or any of the other images, for that matter—was integral to his vision for the Indian Affairs commission. Within the context of minority representations from the 19th century in the Capitol, Eastman's paintings, while not necessarily factual on all points, are a relatively respectful representation. However, it is still clear today that the realities of history—that Indians were considered in many ways inferior to the European Americans making decisions about their rights and future—were not edited from the artistic content of Eastman's House Committee on Indian and Insular Affairs commission.

Photo credits: Seth Eastman, Library of Congress; *Conflict of Daniel Boone and the Indians* and *Discovery of the Mississippi*, Images Courtesy of the Architect of the Capitol; *Feeding the Dead*, *Rice Gatherers*, and *Death Whoop*, Collection of the U.S. House of Representatives

²⁸ "The Return of an Image: House Panel's Collection 'Intact Again,'" *Washington Post*, June 1, 1995, A6.