

Native Americans and the Federal Government

Andrew Boxer

Andrew Boxer traces the origins of a historical issue still as controversial and relevant today as in past centuries.

At the start of the twentieth century there were approximately 250,000 Native Americans in the USA – just 0.3 per cent of the population – most living on reservations where they exercised a limited degree of self-government. During the course of the nineteenth century they had been deprived of much of their land by forced removal westwards, by a succession of treaties (which were often not honoured by the white authorities) and by military defeat by the USA as it expanded its control over the American West.

In 1831 the Chief Justice of the Supreme Court, John Marshall, had attempted to define their status. He declared that Indian tribes were 'domestic dependent nations' whose 'relation to the United States resembles that of a ward to his guardian'. Marshall was, in effect, recognising that America's Indians are unique in that, unlike any other minority, they are both separate nations and part of the United States. This helps to explain why relations between the federal government and the Native Americans have been so troubled. A guardian prepares his ward for adult independence, and so Marshall's judgement implies that US policy should aim to assimilate Native Americans into mainstream US culture. But a guardian also protects and nurtures a ward until adulthood is achieved, and therefore Marshall also suggests that the federal government has a special obligation to care for its Native American population. As a result, federal policy towards Native Americans has lurched back and forth, sometimes aiming for assimilation and, at other times, recognising its responsibility for assisting Indian development.

What complicates the story further is that (again, unlike other minorities seeking recognition of their civil rights) Indians have possessed some valuable reservation land and resources over which white Americans have cast envious eyes. Much of this was subsequently lost and, as a result, the history of Native Americans is often presented as a morality tale. White Americans, headed by the federal government, were the 'bad guys', cheating Indians out of their land and resources. Native Americans were the 'good guys', attempting to maintain a traditional way of life much more in harmony with nature and the environment than the rampant capitalism of white America, but powerless to defend their interests. Only twice, according to this narrative, did the federal government redeem itself: firstly during the Indian New Deal from 1933 to 1945, and secondly in the final decades of the century when Congress belatedly attempted to redress some Native American grievances.

There is a lot of truth in this summary, but it is also simplistic. There is no doubt that Native Americans suffered enormously at the hands of white Americans, but federal Indian policy was shaped as much by paternalism, however misguided, as by white greed. Nor were Indians simply passive victims of white Americans' actions. Their responses to federal policies, white Americans' actions and the fundamental economic, social and political changes of the twentieth century were varied and divisive. These tensions and cross-currents are clearly evident in the history of the Indian New Deal and the policy of termination that replaced it in the late 1940s and 1950s. Native American history in the mid-twentieth century was much more than a simple story of good and evil, and it raises important questions (still unanswered today) about the status of Native Americans in modern US society.

The Dawes Act

Between 1887 and 1933, US government policy aimed to assimilate Indians into mainstream American society. Although to modern observers this policy looks both patronising and racist, the white elite that dominated US society saw it as a civilising mission, comparable to the work of European missionaries in Africa. As one US philanthropist put it in 1886, the Indians were to be 'safely guided from the night of barbarism into the fair dawn of Christian civilisation'. In practice, this meant requiring them to become as much like white Americans as possible: converting to Christianity, speaking English, wearing western clothes and hair styles, and living as self-sufficient, independent Americans.

Federal policy was enshrined in the General Allotment (Dawes) Act of 1887 which decreed that Indian Reservation land was to be divided into plots and allocated to individual Native Americans. These plots could not be sold for 25 years, but reservation land left over after the distribution of allotments could be sold to outsiders. This meant that the Act became, in practice, an opportunity for land-hungry white Americans to acquire Indian land, a process accelerated by the 1903 Supreme Court decision in *Lone Wolf v. Hitchcock* that Congress could dispose of Indian land without gaining the consent of the Indians involved. Not surprisingly, the amount of Indian land shrank from 154 million acres in 1887 to a mere 48 million half a century later.

The Dawes Act also promised US citizenship to Native Americans who took advantage of the allotment policy and 'adopted the habits of civilized life'. This meant that the education of Native American children – many in boarding schools away from the influence of their parents – was considered an essential part of the civilising process. The principal of the best-known school for Indian children at Carlisle in Pennsylvania boasted that his aim for each child was to 'kill the Indian in him and save the man'.

John Collier and the Indian New Deal

The 1924 Citizenship Act granted US citizenship to all Native Americans who had not already acquired it. In theory, this recognised the success of the assimilation policy, but the reality was different. Indians were denied the vote in many Western states by much the same methods as African-Americans were disenfranchised in the South. The Meriam Report, published in 1928, showed that most Indians lived in extreme poverty, suffering from a poor diet, inadequate housing and limited health care. Schools were overcrowded and badly resourced. The Meriam Report, while accepting that government policy should continue to enable Indians to 'merge into the social and economic life of the prevailing civilization as adopted by the whites', rejected 'the disastrous attempt to force individual Indians or groups of Indians to be what they do not want to be, to break their pride in themselves and their Indian race, or to deprive them of their Indian culture'.

This new approach to Native Americans was enthusiastically endorsed by John Collier, who became Commissioner for Indian Affairs in 1933. Collier, a white American, believed that Native American community life and respect for the environment had much to teach American materialism, and he became passionately determined to preserve as much of the traditional Indian way of life as possible. In particular, he wanted Native American reservations to be permanent, sovereign homelands. The centrepiece of his new policy was the 1934 Indian Reorganisation Act (IRA) which ended the policy of allotment, banned the further sale of Indian land and decreed that any unallotted land not yet sold should be returned to tribal control. It also granted Indian communities a measure of governmental and judicial autonomy.

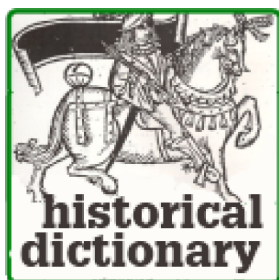
The IRA was vitally important in arresting the loss of Indian resources, and Collier, by directing New Deal funds towards the regeneration of Indian reservations, successfully encouraged a renewed respect for Native American culture and traditions. Not surprisingly, some historians sympathetic to Native Americans have placed him and the IRA on a pedestal. Vine Deloria Jnr described the IRA as 'perhaps the only bright spot in all of Indian-Congressional relations' and Angie Debo praised Collier as 'aggressive, fearless, dedicated ... an almost fanatical admirer of the Indian spirit'.

Other historians, however, have argued that the IRA was highly controversial and, in many respects, unsuccessful. The Act assumed that most Native Americans wanted to remain on their reservations, and so it was vigorously opposed by those Indians who wanted to assimilate into white society and who resented the paternalism of the Bureau of Indian Affairs (BIA). These Indians criticised the IRA as a regressive 'backto- the-blanket' policy that aimed to turn them into living museum exhibits. Although the IRA was accepted by 174 out of a total of 252 Indian tribes, a number of the larger tribes were among those who rejected it. Historian Lawrence Kelly tells us that 'of approximately 97,000 Indians who were declared eligible to vote, only 38,000 actually voted in favour of the Act. Those who voted against it totalled almost 24,000.' Nor did the electoral rules add to its credibility. Peter Iverson has pointed out that 'the practice of counting no vote at all as a vote in favour of the measure helped swing close elections, especially on smaller reservations. The Santa Ysabel reservation in California was counted as giving the Act a 71- 43 margin of approval, but only nine persons there actually voted for [the IRA].'

Moreover, Collier's policies, through no fault of his own, failed in the most crucial areas of all. The erosion of Indian land as a result of allotment had created a class of 100,000 landless Indians, adding to the problems of the reservations whose best land had been sold off since 1887. Few could become selfsustaining economically and Collier succeeded in adding only four million acres to their land base. Furthermore, the annual budget of the BIA was not large enough to cope with the demands of economic development for the reservations, let alone provide adequate educational and health facilities.

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