


# NATIVE AMERICANS

and the LEGACY of  
HARRY S. TRUMAN



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Edited by  
Brian Hosmer



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Native Americans and  
the Legacy of Harry S. Truman

Native Americans and the Legacy of Harry S. Truman  
The Truman Legacy Series, Volume 4

Based on the Fourth Truman Legacy Symposium  
Harry Truman and Native Americans

May 2006

Key West, Florida

Edited by  
Brian Hosmer



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AMERICANS  
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## EDITOR'S PREFACE

Harry Truman is known for observing “there is nothing new in the world except the history you do not know.” Truman was a student of history, who believed that decision making required context and that an appreciation for that which came before—history—provided essential guidance for policymakers. In this, Truman echoed George Santayana’s often-repeated warning to those presuming to ignore the lessons of history.

An apropos place to begin a volume dealing with Truman’s legacy, this sentiment also speaks to the limits of the thirty-third president’s familiarity with American Indian history and the consequences that followed. Clearly sympathetic to American Indian struggles and determined to deploy the tools of government to improve the lives of “our First Americans,” as he sometimes referred to Native peoples, Truman largely equated Indian concerns with the experiences of other racial minorities. His focus on the historic “plight” of Indians led him to support remedies that linked amelioration of hardship with a more complete participation in American life. While this noble sentiment sometimes produced laudable accomplishments, Truman’s historical frame of reference ignored the specific character and dimensions of Native experiences. It also blinded Truman to the activities of Native peoples in his own times, who offered contrasting remedies that were themselves products of particular readings of history. In a way, Truman and Native people shared feelings of outrage and frustration at the historic treatment and ongoing condition of Indians and their communities. Just as often, they spoke past one another when it came to prescriptions and aspirations. Truman and Indians shared a determination to right old wrongs, but divergent, sometimes conflicting, interpretations of history led to misunderstanding.

As a student of history who acknowledged that there was always more to learn, Truman would, I think, have enjoyed this symposium. Several years ago, on a golf course in Laramie, Wyoming, Mike Devine asked whether I thought the Truman administration was significant for Native American affairs. My immediate response was to reference the era of termination, which began under Truman’s watch and gathered steam under Eisenhower before petering out in the 1960s and 1970s. For American Indian historians,

termination is remembered less than fondly, and I told Mike that a symposium on Truman's Indian policy might not present the former president in the best light. To his credit, Mike brushed off my concerns and suggested that the Truman presidency should be understood in its fullest sense and not reduced simply to hagiography. But even more, we agreed that a thoughtful analysis of Truman's Indian policies might also offer new insights into the totality of the Truman legacy.

*Native Americans and the Legacy of Harry S. Truman* is one fruit of this endeavor. Happily, it corresponds in time with a reexamination of that period, as Native and non-Native historians seek to understand termination more fully, as well as its relationships with the Indian New Deal and the surge of Indian activism that followed. As such, this volume is the product of multiple associations and contributions, and there are debts to be acknowledged.

First, the symposium and this volume would have been impossible absent significant institutional support. The Harry S. Truman Library and Museum, under the direction of Michael Devine, provided essential material, human, and moral support from its initial conceptualization in windy Laramie all the way to our gathering in balmy Key West, and beyond. I owe Mike Devine a tremendous debt of gratitude for offering me this opportunity. The Harry S. Truman Little White House in Key West, Florida, provided not only a beautiful location for our gathering, but the very real sense that Truman was watching and listening from one of his favorite places on this earth. This was due in no small part to the generous participation of Clifton Truman Daniel, who reminded us of his grandfather's essential humanity even as we acknowledged some limitations to his vision. I am especially grateful to Bob Wolz, director of the Truman Little White House, for his careful attention to detail and determination to pull off the gathering even in the aftermath of two destructive hurricanes. The Newberry Library also stood behind this endeavor, lending its good name to our efforts and reminding us that D'Arcy McNickle, namesake of the library's renowned center for the study of American Indian history, was a key player in the drama that unfolded during Truman's presidency. As director of the McNickle Center, I appreciated the Newberry's willingness to intertwine its own history with the events discussed during the symposium.

In those days, the Newberry's D'Arcy McNickle Center for American Indian History also housed the Committee on Institutional Cooperation's American Indian Studies Consortium. The CIC AIS was a visionary enterprise, dedicated toward nurturing scholarship and promoting the work of graduate students from thirteen institutions of higher learning located



across the upper Midwest. CIC AIS supported this symposium and rightly interpreted it as an extension of its own mission. For that, I owe a debt of gratitude to the CIC, liberal arts deans from Big Ten universities, and the faculty and students of CIC AIS.

These institutional associations were also responsible for a particularly gratifying aspect of the symposium not reflected in this volume. On the day preceding the formal presentations, CIC AIS, the Newberry, and the National Archives and Records Administration (NARA) sponsored a workshop on "Emerging Research in the History of American Indian Policy." This roundtable featured several graduate students associated with CIC AIS who presented works in progress. But what made this gathering special was the participation of NARA archivists, who not only commented on scholarship but also extended our conversations toward the creative possibilities that inhere in conversations between archival professionals and academics. While academics and archivists (and librarians) certainly speak to one another, this gathering represented a unique opportunity for reciprocal exchanges between student and archivist, and in a public setting. All credit goes to Scott Roley, then of the Truman Library, and McNickle Center assistant director Laurie Arnold, who organized the event; to graduate students Kelly Branham, Joel Helfrich, Rachel Liebowitz, and Matthew Martinez; and to NARA respondents Jim McSeeny, Amy Williams, and Scott Roley.

NARA professionals from Kansas City to Independence to Key West managed the many details attending to any such gathering and, as anyone who has organized symposia knows, provided essential but sadly invisible service. My thanks to Kathy Cornelius, Judy Kreher, Scott Roley, and Amy Williams.

The burden for producing this book fell to Truman State University Press and the Truman Library. Here, it is my pleasure to acknowledge a special debt to Barbara Smith-Mandell, who kept us—really me—on track. Thanks as well to Ray Geselbracht, Nancy Rediger, Sam Rushay, and Randy Sewell. My apologies too as my own professional trajectory and shifting responsibilities caused this project to slip to the sidelines.

At the Newberry, I am indebted to John Powell, photoduplications manager, for permission to reprint images from that spectacular collection, to the peerless Ayer librarian John Aubrey for pointing me in productive directions, and to Jay Nelson for advance work in the archives and with our contributors. In Tulsa, my thanks to Mike Juen who helped with proofreading and compiling author biographies.

Charlie Campo, chief librarian of Bangor (Maine) *Daily News* facilitated permissions to reprint a photograph from their archives (thank you

Micah Pawling for alerting me to that photograph). Patricia Barahona, assistant curator of archives at the Historical Museum of South Florida, responded quickly and generously to my request to reprint one of their photographs.

Finally and most importantly a word to our contributors. We were blessed with the presence of major scholars and activists, from a former senator and assistant secretary of Indian affairs to some of the most important scholars in the various fields of American Indian studies. A particular appreciation to Tina Osceola (Seminole), executive director of the Ah-Tah-Thi-Ki Museum, whose stirring address reminded all of us that success and Indianness are not contradictory concepts, Dexter Lethinen who filled in wonderfully when a health scare caused Buffalo Tiger (Miccosukee) to cancel his appearance, and Dave Devendorf, who shepherded Senator Campbell to and from Key West. In all cases, I am flattered to know that all of you were willing to take time from busy schedules to attend the symposium, to share your experiences and insights, and to bear with us as we moved, ever so slowly, toward completion of this volume. A special note of gratitude to Doug Miller, my student at UIC and now a PhD student at the University of Oklahoma, who generously provided a paper on relocation on very short notice.

In the end, this book is dedicated to our conference participants, and in the memory of William A. Hosmer, who loved history, enjoyed Truman, and would have reveled in this gathering.

Tulsa, Oklahoma

October 2009

# HARRY TRUMAN AND NATIVE AMERICANS

**Brian Hosmer**

The passage of this act is an important milestone in our Government's administration of Indian affairs. It represents a carefully developed plan for dealing with the unsolved economic problems which have delayed the social advancement of this large segment of our Indian citizens. For these Indian groups it also represents a significant forward step in self-government—a principle to which the American people are deeply devoted.<sup>1</sup>

—Statement by President Harry S. Truman,  
on signing Bill for the Aid of the Navajo  
and Hopi Indian Tribes, April 19, 1950

Termination is a bad word, a bad name, and an evil thought.<sup>2</sup>

—Philleo Nash, advisor to President Truman,  
Commissioner of Indian Affairs (1961–65), 1983

Harry Truman became president at a critical moment in the course of American Indian policy and affairs. Not that he necessarily knew it. Confronted with urgent matters of war and peace, fraying alliances, reconversion to a peacetime economy, a fragile political mandate and, later, challenges associated with civil rights, the Cold War, and implementing the Fair Deal, Truman could be excused for devoting little attention to concerns outside his experiences and seemingly less urgent. Considering this, it may be useful to wonder if Truman had an Indian policy at all. David McCullough's magisterial biography of the thirty-third president implicitly confirms this assessment. Its index contains no entries for American Indian, Native American, the Bureau of Indian Affairs (BIA),<sup>3</sup> or its controversial

commissioner, Dillon S. Myer. Conspicuously absent are references to such signature legislative accomplishments as the Indian Claims Commission Act and the Navajo-Hopi Rehabilitation Act, or even termination—that policy initiative that so shaped Indian affairs from the Truman administration into the 1960s and indeed beyond. Given the broad reach of McCullough's scholarship, these omissions tell us a great deal about the place of Native affairs for Truman, and historians of his administration.<sup>4</sup>

Several factors may account for these omissions. On the one hand lies the historian's understandable impulse to focus on monumental events that have come to shape a consensus view of Truman's presidency. Here, decisions to drop the atomic bomb, commit troops to Korea, stare down the Soviets, initiate a national security apparatus, implement the Marshall Plan, and recognize the State of Israel conform to a narrative that places Truman at the center of postwar international crises in the age of the Cold War. Similarly, historians' attention to Truman's support for civil rights, his move to desegregate the armed forces, and his efforts to extend prosperity and social justice present Truman as a visionary in the domestic sphere. The buck famously stopped with Truman, whose steely resolve and straight talk have captivated historians even if unappreciated at the time. In this context, American Indians, "our First Americans" as Truman sometimes referred to them, must appear as bit players in a consequential presidency.

But there is more to this omission than first meets the eye. For the marginalization of Native historical experiences also owes at least as much to habits and conventions that reflect and perpetuate the reduced place of Indians in our national consciousness. Just as popular culture situates Indians in predictable places (as objects of museum displays, in movies, or, more recently and perhaps uncomfortably, as operators of profitable casinos), history books include Natives in usual and accustomed locations: on battlefields or as tragically doomed representatives of disappearing ways of life. Stereotypes owe something to truth, of course, but inevitably carry a price. If unnoticed at the time or unseen, as Frederick Hoxie argues in his essay, American Indian history is less marginal than it is obscured by our tendency to ignore indigenous peoples in telling and retelling American history. Separating Truman from Native Americans can be understood as a function of the way we think about history, where Indian history is somehow exotic—"other"—and removed from issues and events that really matter. Historical treatments of Indians replicate patterns that relegate Native people to the margins of American life, where Indian history is seen as apart from, rather than a part of, national narratives that in this instance emphasize the Cold War and civil rights.<sup>5</sup>

Contributors to this volume, which arose from the 2006 Harry S.



Truman Legacy Symposium, argue otherwise. Hosted by the Harry S. Truman Little White House and co-sponsored by the Truman Library and Museum, the Newberry Library's D'Arcy McNickle Center for American Indian History, and the Committee on Institutional Cooperation (CIC) American Indian Studies Consortium, "Harry Truman and Native Americans" brought together academics from various fields, activists and attorneys, politicians of national reputation, and representatives from Florida's Seminole and Miccosukee Nations. All were asked to reflect upon Indian affairs during the Truman years, which they did. But quite on their own, contributors considered *legacies*. Partly implicit in the title of this meeting (it was one of a series of symposia, after all), this emphasis on seeking meaning beyond the Truman presidency testifies to outcomes and consequences, and challenges us again to see the unseen and to understand linkages between broader currents that shaped that presidency and their resonance for Native communities, then and today.

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Barely a month before Truman assumed the presidency, John Collier, commissioner of Indian affairs throughout Franklin Roosevelt's administration, resigned his post under pressure. Exhausted by scathing criticism for his policies supporting tribal self-government over forced assimilation, Collier exited the scene, and with that, the Indian "New Deal," already sputtering under the weight of wartime priorities, effectively stalled. In its place came a complex mix of initiatives identified in history as "termination." Conventionally described according to three interlocking agendas—*compensation*, or a final settlement of outstanding tribal claims against the federal government; *relocation*, meaning programs designed to induce Indians to abandon reservations for urban centers; and *termination*, code for the dismantling of the federal government's trust relationship with (and support for) Native nations as distinct corporate entities with status supported by the U.S. Constitution and legal precedent—termination represented a return to policies that promoted assimilation and constituted a thorough repudiation of Collierism.<sup>6</sup>

Termination cut a wide swath across Indian country. By the end of Truman's administration, relocation was well underway, a deeply flawed claims process anticipated a final resolution of tribal grievances, and Congress and the executive branch had pressed ahead with a controversial reclamation project that flooded fully one-third of the Fort Berthold Reservation in North Dakota. The fate of Indian programs (much less the BIA itself) hung in the balance as administrators and observers eagerly anticipated the eventual end of reservations. The pace of change only

increased with the emergence of Republican rule. Under Eisenhower, Congress passed landmark legislation formalizing the government's intent to terminate the special status of tribes (House Concurrent Resolution 108, 1953) and announced its intention to shift jurisdiction over reservation criminal and civil matters to states (Public Law 280, 1953). At virtually the same time, hastily convened congressional hearings produced legislation targeting Menominees and Klamaths, and singled out communities from New York, California, and Utah to Texas and Florida. Between 1954 and the close of the 1960s when termination stalled (before being formally renounced in the early 1970s), more than one hundred tribes were officially "terminated," directly affecting 11,000 people and more than 1.3 million acres of land. At the same time, Congress and executive branch agencies pressed ahead with economic development plans that diminished Indian trust land by 2.5 percent, cut off federal services for 3 percent of all federally recognized Indians, and left impoverished communities even less able to sustain growing populations. Little by little, many thousands of Natives abandoned home and community for uncertain futures in cities.<sup>7</sup>

Ultimately, termination prompted reaction from non-Natives opposed to the dismantling of tribal culture, but more importantly from Natives who organized and lobbied for recognition of Native rights. In the end, the politicization of American Indians, first in opposition to termination and later in support of self-determination and sovereignty, ranks among the most important legacies of the termination era. But still, as attorney and historian Charles Wilkinson (himself a player in the drive to reverse termination's effects) wrote, "for Indian people, the word termination represents the third rail, shorthand for all that is extreme and confiscatory in federal Indian policy." All of this began under Truman, even if the president, more likely than not, never fully appreciated the potential magnitude of the political movement emerging out of a moral, ethical, and humanitarian crisis then taking shape.<sup>8</sup>

## FROM NEW DEAL TO TERMINATION—AND BACK

Most historians agree that some mixture of dissatisfaction with the Indian New Deal, postwar cultural conformity and desires for national unity, anticommunism at home and abroad, and the increasingly visible, and intolerable, contradiction between America's support for liberty abroad amidst racial segregation at home, undermined whatever support existed for tribal self-government and cultural pluralism that existed during the Collier years. Many agree with Paul Rosier's observation that critics of the Indian New Deal "fused nineteenth-century language of the allotment

era with the new language of World War II and of the emerging Cold War—anticommunism, individualism, emancipation, and liberation.”<sup>9</sup> On the ground and at that historical moment, politicians and industrialists sought to exploit western resources, and criticized reservations as impediments to progress and prosperity. One letter to Wyoming’s U.S. Senator Joseph O’Mahoney captured the views of many. “I am distressed when I see great stretches of this land available for irrigation, uncultivated,” wrote Joseph B. Lutz, a federal probation officer assigned to that state. “Any plan,” he continued, “that will help to develop initiative and independence for the Indian and assist in the assimilation of these families into the general American population, would be both wholesome and practical.” For good measure, Lutz also encapsulated some of the sentiment behind termination, when he took pains to point out that “since there is little or no prejudices [sic] in this country against Indian blood there is no good reason from my point of view why they should not be taken into our white families as wives and mothers.”<sup>10</sup>

Others viewed federal protection for separate Indian communities as an expensive anachronism that undermined the authority of states and counties, removed lands from tax rolls, and seemingly justified duplicative social programs. In this political environment, Collier’s efforts to support Indian cultural values, preserved and sustained on and through self-governing reservation communities, seemed un-American at best, dangerous at worst. Collier battled these forces all through the 1930s, and for a time succeeded in protecting the Indian New Deal. But the criticism was damaging, particularly when congressional antagonists could draw upon Native activists like Joseph Bruner, the Creek businessman and president of the right-wing American Indian Federation, who accused the commissioner of forcing socialist ideas upon an unsuspecting, and presumably easily duped, population.<sup>11</sup> In one such letter, Bruner reported on congressional “hearings against Collier and Collierism, which by the way is Communism and Atheism.” In words that fly off the page, Bruner announced that “We are opposed to the appropriation of so much as ONE PENNY out of the public treasury for the carrying out of this COLLIER-COMMUNISTIC SCHEME.”<sup>12</sup> Collier proved more than a match for Bruner, but support for his Indian New Deal—communistic and atheistic or not—proved shallow. By 1943, with the Office of Indian Affairs temporarily relocated to Chicago’s Merchandise Mart building, Oklahoma’s Senator Elmer Thomas announced his intention to abolish the Office of Indian Affairs, charging that Collier’s policies “promoted segregation, made the Indian a guinea pig for experimentation, tied him to the land in perpetuity, and made him satisfied with all the limitations of primitive life.” Collier and Secretary of the Interior Harold Ickes

effectively parried that assault, but Congress still cut the office's budget, by \$2 million in 1945 alone.<sup>13</sup>

The Indian Reorganization Act (IRA) of 1934 stood at the center of controversies over Collier's agenda. Also known as the Wheeler-Howard Act after its congressional sponsors, the IRA ended the allotment of reservation lands to individuals and heads of households and framed a process for the development of elective tribal governments and corporations. Collier presumed that these bodies would gradually assume the management of reservation resources and provide a foundation for tribal self-government. It was an audacious plan that produced mixed results. More than two-thirds of the tribes holding referenda endorsed reorganization; ninety-two of those approved new constitutions and seventy-two drafted charters of incorporation. But all told, just 40 percent of Indians voting nationwide endorsed the IRA, and several groups, including the Crows of Montana and Iroquois communities in New York state, rejected Collier's plan. The most damaging blow came in 1934 when the Navajos, the nation's largest in terms of land and population but suffering mightily from the effects of a draconian stock reduction program mandated by Collier's Office of Indian Affairs, rejected the IRA in a close vote. More instructive, if less dramatic, were negative assessments by other communities, which viewed reorganization as an unwelcome extension of federal paternalism. Self-government mandated from above was not true self-determination, so Crows, Northern Arapahos, Iroquois, and others concluded.<sup>14</sup>

Critics pointed as well to unmet expectations. While the extension of New Deal work-relief programs to reservations, the support for arts and crafts, and the creation of a revolving fund designed to finance livestock purchases and other economic activities stimulated reservation economies along the margins, Native communities remained mired in poverty. Material deprivation in Indian country only reinforced calls to more fully integrate reservation economies into local and regional patterns, and to redouble efforts to exploit natural resources. Exigencies of the wartime economy fueled the drive to exploit reservation resources, often with disastrous results. The War Department expropriated acres of prime ranching lands on the Pine Ridge Reservation in South Dakota for use in munitions training and testing. After the war, these lands were pockmarked and littered with unexploded ordnance. More damaging still was the Pick-Sloan Flood Control Act, approved by Congress in 1944, which called for the construction of 112 dams in the Dakotas, Montana, and Wyoming. This massive reclamation project directly impacted eleven Indian reservations and 200,000 acres along the Missouri River. When tribal leaders protested, they found federal officials unwilling to alter plans, provide compensation



for relocation or reconstruction costs, consider the restoration of ancestral territories in exchange for lands soon to be underwater, or reduce electricity rates and guarantee access to hunting, fishing, and resource territories alongside reservoirs created from tribal lands. For Mandans, Hidatsas, and Arikaras of Fort Berthold in North Dakota, the Garrison Dam flooded 155,000 acres of fertile farmlands that had been sheltered from the elements by high riverbanks, and forced relocation to windier and drier plains. The iconic photograph of the 1950 agreement authorizing the transfer of reservation lands to the federal government shows Tribal Chairman George Gillette, face twisted in anguish, wiping away a tear. This evocative image came to symbolize the pain and frustration faced by Natives who rightly feared for the security of lands and sacred agreements in the era of termination.<sup>15</sup>

Relocation took place in the context of broader changes overtaking American society, including Indian communities. For the more than 25,000 Native Americans who served in the armed forces during World

*George Gillette, chairman of the Fort Berthold Tribal Council, wipes away a tear as Interior Secretary J. A. Kray authorizes the Garrison Land and Reclamation Act (1950). This project flooded tribal lands along the Missouri River in North Dakota. AP/Wide World Photos.*



War II (and equal numbers who found employment in war-related industries), wartime proved a broadening experience that exposed them to contradictions between America's support for freedom abroad and their own bitter experiences with paternalism and oppression. Some veterans struggled with reintegration, as demonstrated by the tragic death of Iwo Jima veteran Ira Hayes or dramatized later in the works of Native novelists N. Scott Momaday (Kiowa) and Leslie Marmon Silko (Laguna Pueblo). But others returned home determined to assume the mantle of leadership, while others resettled in urban centers, becoming the vanguard of the dramatic shift in Indian population that accelerated during Truman's administration and continues to this day. This new generation of Native leaders, so schooled and changed, proved instrumental in the 1944 creation of the National Congress of American Indians (NCAI), the leading voice for Native concerns in the immediate postwar era and into the next generation.<sup>16</sup>

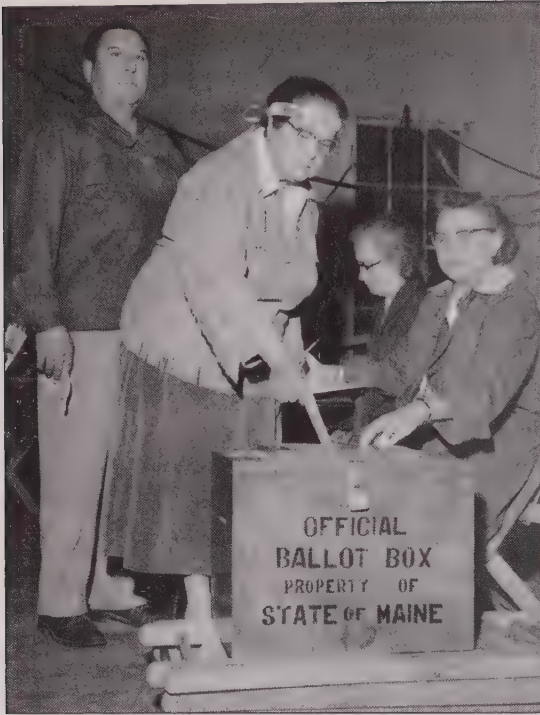
Finally, the change in tenor owed much to the broader political and cultural milieu of postwar American society. Influenced by a drive to preserve wartime unity in the face of postwar reconversion, shaped by the Cold War and anticommunism at home and abroad, motivated by the advance of national liberation movements across the globe, critics of the Collier program equated tribalism with communism and viewed separatism as toxic to national unity in a time of evident crisis. As historians Daniel Cobb and Paul Rosier observe, Soviet propagandists exploited presumed conditions in Indian communities to undermine America's claims of equal justice and democracy, and described reservations as concentration camps. This comparison was particularly damning, and damaging, in light of recent experiences fighting Nazi and fascist racism, and the burgeoning civil rights movement then shaking the foundations of America's social and political order. Effectively, if inaccurately, equating reservations with segregation, colonialism, and racism, critics from across the political spectrum saw freedom and liberty, justice and equality, as inextricably bound with the dissolution of the BIA, the dismantling of reservations, and the full assimilation of Native peoples into the American body politic.<sup>17</sup>

Prominent Natives and non-Natives recoiled at these comparisons. Felix Cohen, a solicitor under Collier and author of a standard text on American Indian law, interpreted the drive for termination as a betrayal of sacred promises, a pending disaster for Native people, and replete with uncomfortable parallels to recent history. "The Indian plays much the same role in our American society that the Jews played in Germany," he famously wrote in 1953. "Like the miners' canary, the Indian marks the shifts from fresh air to poison gas in our political atmosphere; and our treatment of Indians, even more than our treatment of other minorities, reflects the rise

and fall of our democratic faith.”<sup>18</sup> The novelist and activist Oliver La Farge likewise denounced termination and, through the Association on American Indian Affairs (AAIA), an activist group composed mainly of non-Natives, led a vigorous response to this latest assault on Indian cultural and political autonomy. The celebrated Flathead author, scholar, and activist D’Arcy McNickle objected to the characterization of the IRA as “retrograde,” writing in his 1949 work, *They Came Here First*, “the policy underlying the Indian Reorganization Act is not a policy of reverting to a prior condition of things.” On the contrary, asserted McNickle in a volume he dedicated to Collier (“Who Believes in Indians”), “to assert the right of self-government is to assert the future.”<sup>19</sup>

Along the way, Native leaders developed new organizational structures to advance their increasingly sophisticated political message. In 1944, Native delegates met in Denver to draft a charter for a new national organization. Officially launched at that meeting, the NCAI represented the culmination of several years of dreaming, planning, and organizing. An eclectic group of Native intellectual leaders led by D’Arcy McNickle (Flathead), Archie Phinney (Nez Percé), and Charles Heacock (Rosebud Lakota) led the way and labored to set an agenda. Though encouraged by Collier and aided by the AAIA, the NCAI was an Indian initiative, with membership limited to Indians and delegates answerable to tribes. This second feature distinguished NCAI from earlier pan-Indian organizations, notably the early twentieth-century’s Society of American Indians, which had focused on individual needs and achievements. By contrast, the NCAI articulated a strategy that equated cultural survival with tribal self-determination, and peoplehood with territorial integrity and sovereignty.<sup>20</sup>

Under the leadership of its first president, Napoleon Johnson, a Cherokee and member of the Oklahoma State Supreme Court, NCAI sprang into action on a number of fronts, including a successful drive to secure voting rights for Native people in Arizona and New Mexico (1948), and frustratingly unsuccessful efforts to stall dam projects that flooded tribal lands in western New York and along the upper Missouri River. But it was in the struggle against termination that NCAI really came into its own. Following the 1954 election of Joseph Garry (Coeur d’Alene) as president and Helen Peterson (Lakota) to the important post of executive secretary, NCAI organized lobbying and publicity campaigns against bills implementing House Concurrent Resolution 108 and Public Law 280, those legislative cornerstones of termination. As Rosier and Cobb demonstrate, one tactic aimed toward turning Cold War rhetoric on its head. Prominent Native leaders from McNickle to Garry and Peterson argued that America’s treatment of Native people could either confirm or refute Soviet



*Like New Mexico and Arizona, Maine prevented Indians, as “wards of the state,” from registering to vote. That changed in 1953. Here Lucy Nicolas (Princess Watawaso), Penobscot and leader in the drive to secure voting rights for Maine’s Native people, casts the first vote by a Native person in Maine. A noted performer as well as activist, Nicolas traveled the country, and was an example of the rich and varied experiences of Native people in the twentieth century. Photo courtesy of Bangor Daily News.*

propaganda, but the choice lay with America’s political leaders. Translating words to concrete action, Native leaders looked to debates over the Marshall Plan and other Cold War–era aid programs to press for a “Point Four” program of federal investment to reservation economies. Designed to offer scientific and technical assistance to underdeveloped countries, Truman’s Point Four Program aimed to blunt the spread of communism by demonstrating America’s commitment to development, democracy, and uplift. Indian leaders responded by openly wondering why and how America could aid the destitute in lands far away while ignoring similar conditions at home. Their response was not to oppose foreign aid, but to request consideration of this Point Four Program for Indian communities. Effective lobbying by NCAI and AAIA produced results in the form of Senate Concurrent Resolution 3, An American Indian Point IV Program, introduced in January 1957. Hearings followed, but then the process stalled when Congress adjourned, and the Interior Department made official its opposition.<sup>21</sup>

Though Senate Concurrent Resolution 3 died a silent death, other efforts bore fruit. Following an unsuccessful effort to dissuade Congress from passing termination legislation effecting six tribes, Garry called an emergency meeting for NCAI in 1954. This gathering produced the



“Declaration of Indian Purpose,” a clear and direct denunciation of termination. This, combined with a sophisticated public relations campaign, dampened the Eisenhower administration’s enthusiasm for termination. As Rosier argues, “The termination movement eventually ended because it politicized Native Americans, who mobilized across tribal lines,” eventually “blunting a well-organized campaign to divest them of sovereignty and land in part by using their own Cold War claim to an indigenous patriotism that married loyalty to the United States to Third World ethnic nationalism.” Two years later came McNickle’s first “Workshop on American Indian Affairs,” a series of seminars specifically designed and structured to train a new generation of Native leaders. Under the tutelage of Cherokee anthropologist Robert K. Thomas, attendees were encouraged to see Indians as “colonized peoples” with experiences paralleling those of subject peoples in Africa, Asia, and Latin America. And by the middle 1950s, the drive to blunt termination was in full force.<sup>22</sup>

As Indians began to articulate their concerns via “the language of the wider world,” (to borrow from Cobb) their critiques of termination dovetailed with broadened conceptualizations of self-government and sovereignty, or what it meant to be sovereign and self-governing. By 1961 the movement associated so strongly with McNickle and NCAI leaders had yielded the American Indian Chicago Conference, a 1961 gathering spearheaded by University of Chicago anthropologist Sol Tax, which developed its own public denunciation of termination and provided a spark to political activity that moved in more than one direction. On the one side was an older generation of tribal leaders who favored lobbying the federal government for policy adjustments that would support and affirm self-government. On the other side were younger, more “militant” Native leaders who favored confronting the structures of colonialism more directly. These leaders organized as the National Indian Youth Council (NIYC) in 1961; led by Mel Thom (Paiute) and Clyde Warrior (Ponca), the NIYC emerged as an important instrument in an emerging movement that ultimately, if not always directly, led to dramatic confrontations at Alcatraz and Wounded Knee, at the “fish-ins” of the Northwest coast, and numerous other confrontations that spoke to frustration over the status quo, but also political strategies that saw Native people increasingly taking their concerns to the American public (and connecting them with other movements of the 1960s and ’70s).<sup>23</sup> Contributors to this volume also demonstrate how the emergence of modern Indian activism, with its emphasis upon tribal self-determination and cultural survival, must rank among termination’s more ironic outcomes. Thus, in their response to termination, Menominees developed a grassroots activism, a skilled strategy of political lobbying, and



tireless legal advocacy that promoted not only the reversal of termination in that instance but also the cause of tribal sovereignty more generally (see Ada Deer in this volume). As state and federal politicians labored to diminish tribal influence over policymaking (Wilkins) or the realization of justice through claims (Tanner), Natives took advantage of programs and initiatives to train a generation of Indian attorneys and develop effective means for exercising legal advocacy (Echohawk). In still other cases, the process of combating termination ultimately created conditions ripe for the extension of tribal sovereignty, in ways scarcely imagined during the 1940s and '50s (Kersey and Cattelino).

## TRUMAN AND NATIVE AMERICANS

Harry Truman participated in these discussions in ways that revealed a tendency to conflate the experiences of Native people with other racial minorities, and to seek parallels between economic modernization and political democratization abroad with social justice and equality for Indians at home. A resurgent Republican opposition determined to roll back the New Deal, daunting fiscal challenges, and world opinion increasingly shaped by Cold War public relations and propaganda also influenced Truman's perspectives on Indian affairs. Given this context, Truman's support for the broad goals espoused by terminationists (liberation and freedom) and his determination to restrain what he saw as excesses that threatened tribal welfare and self-government comes into focus. His support of emergency relief for the Navajo and Hopi tribes over three years from 1947 through 1950 illustrates this point. As early as December of 1947, Truman spoke to critical conditions afflicting the sprawling Navajo and Hopi lands in New Mexico and Arizona, and the Interior Department's efforts to provide emergency relief. "The Secretary's report makes clear that the problems of the Navajos will not be solved merely by providing relief for them this winter," Truman noted, but required attention to "long range problems of health, education, and productive employment." To provide such attention, Truman announced his "basic purpose" was to "assist the Navajos—and other Indians—to become healthy, enlightened, and self-supporting citizens, able to enjoy the full fruits of our democracy and to contribute their share to the prosperity of our country." To the outside world, Truman added his hope that this aid would silence "those who would criticize [his] foreign aid program on the ground that we [were] letting our first Americans starve."<sup>24</sup>

Three years later, Truman had his \$88.5 million relief bill that directed aid to roads and trails, school buildings and equipment, conservation and

range improvements, irrigation projects, and research for additional proposed initiatives. "The passage of this act," remarked Truman, "represents a carefully developed plan for dealing with the unsolved economic problems which have delayed the social advancement of this large segment of our Indian citizens," for whom the measure "also represents a significant forward step in self-government—a principle to which the American people are deeply devoted." Significantly, Truman's signing statement also made reference to his veto of an earlier bill, deemed defective for its violation of principles of self-government and insulation from state interference in tribal affairs. On the occasion of that veto message (October 17, 1949), Truman noted his objection to provisions inserted by Congress that extended state jurisdiction over the adjudication of water issues to the detriment of tribal self-government. Recoiling against that bill's "avowed purpose of accomplishing a broad-scale extension of State laws to the Navajo and Hopi reservations" as "in conflict with . . . the principle of respect for tribal self-determination in matters of local government," Truman sent the bill back to Congress. But still, and attesting again to Truman's overall perspectives on Indian affairs, he expressed his belief that the "ultimate acceptance of State jurisdiction is a logical consequence" of U.S. Indian policy, and one that "can be expected to result in the complete merger of all Indian groups into the general body of our population."<sup>25</sup>

Truman's statements associated with the Navajo-Hopi Rehabilitation Act of 1950 demonstrate either a nuanced appreciation of Indian affairs, a limited perspective, or perhaps both. On the one hand, if he resisted the encroachment of state governments, he still foresaw a time when social, political, and economic developments in Indian country would obviate the need for reservations altogether. In this sense, Truman's views were in accord with liberal political sensibilities of that era. As historian Warren Metcalf reminds us, integration represented the progressive position on race, where integration remained the preferred tonic for the sickness of racial discrimination and unequal opportunity. If Truman's support of civil rights for African Americans can be seen as a model for Indian policy, and the extension of benefits under the GI Bill of Rights to veterans of all races is a practical application, then Truman's agenda envisioned the full participation of Indians in the American body politic, albeit at a pace of their own deciding, and in accordance with the national government's legal and moral obligations. For Truman, federal obligations to tribes remained binding, but within the context of a larger imperative—assimilation—that he probably viewed as right and just, even as it stood in conflict with the respect for tribal self-determination that most Natives desired. It is unlikely Truman appreciated that civil rights and treaty rights could

stand in fundamental conflict, but they did.<sup>26</sup>

This conflict—between tribal self-determination and full integration, or treaty rights and civil rights—surfaced as well in the creation of the Indian Claims Commission (ICC), perhaps the signature piece of Indian-related legislation passed in the Truman years. Signed in 1946, the Indian Claims Commission Act realized a long-standing goal of tribal leaders, policymakers (including Collier), and activists (like D'Arcy McNickle) for a process to adjudicate outstanding disputes against the federal government for treaty violations, failure to allocate or properly distribute promised annuities, and other similar issues. Though tribes had occasionally secured compensation through the United States Court of Claims, legal and political barriers generally prevented most from filing suit, hiring attorneys of their own choosing, or resolving disputes in a timely fashion. Truman rejected one such claim, vetoing a 1946 measure authorizing the Court of Claims to settle claims involving the Confederated Salish and Kootenai Tribes of the Flathead Reservation in Montana. For Truman, the broadly framed bill was dangerously broad and predicated upon the notion that the federal government would be bound to provide just compensation for “any taking of lands of the Indians by the United States, without compensation and without their consent” including through the application of eminent domain. That bill, so the president argued, would waive the statute of limitations and “create liability against the Government which would not otherwise exist,” and “probably require the Government to pay interest, for a period of more than 30 years, on a claim that did not even exist prior to [the bill’s] passage.”<sup>27</sup>

The Indian Claims Commission Act established a three-person board to adjudicate outstanding grievances against the federal government and a process for determining compensation. Over its life, the ICC received 850 claims, ruled on 484, and decided for plaintiffs in 285. The ICC court awarded a total of \$657 million in compensation, a hefty sum, but the equivalent of less than a thousand dollars for each Indian living in 1970. As Hoxie, Tanner, and Wilkins observe in contributions to this volume, the legislation passed by Congress and signed by Truman allowed tribes just three years to file claims and only for grievances arising before 1946. This proved so unwieldy that Congress periodically extended the life of the ICC until 1978. Other provisions excluded “moral claims” and disputes over lands not purchased by the federal government, limited compensation to cash, and authorized the Justice Department to deduct the value of past payments to tribes from the final settlement. These last two provisions substantially reduced settlements and prevented tribes from recovering ancestral lands. Worse still, Congress burdened claimants with the expense of

conducting research and, as Tanner observes, established an adversarial relationship between tribes and the U.S. Department of Justice. Indeed, to establish standing at all, petitioners were required to demonstrate “exclusive occupancy” of a definable parcel of land from “time immemorial.” For communities and peoples repeatedly on the move (often by force) and where historical circumstances produced overlapping and competing claims, this process effectively excluded many potential claims, while also sowing the seeds of discord between and within communities.<sup>28</sup>

Terminationists in Congress viewed the claims process partly as a means toward realizing justice—long delayed, but a final settlement that would relieve the federal government of lingering moral and material responsibilities to Indian nations. According to James Officer, associate commissioner of Indian affairs under Kennedy and Johnson, the act passed in part because of the departure of the unpopular Collier, but as much because “the policy tide on Capitol Hill was running increasingly in the direction of withdrawing the federal government from so much responsibility in Indian affairs.” Congressional supporters of the ICC, Officer concluded, “believe that the resolution of Indian claims would remove a major barrier to federal withdrawal and, where awards were made to tribes, would help to launch them on the way to economic self-sufficiency.”<sup>29</sup> Truman echoed these sentiments and did so in ways that revealed his attention, as Rosier argues, to the impact of public opinion in a Cold War world. “This bill makes perfectly clear what many men and women here and abroad, have failed to recognize,” reads Truman’s signing statement, “that in our transactions with the Indian tribes we have . . . set for ourselves the standard of fair and honorable dealings, pledging respect for all Indian property rights.” Acknowledging that the United States had “occasionally failed to live up to the precise terms” of “the largest real estate transaction in history,” Truman announced his administration’s intention to right old wrongs, and “submit all such controversies to the judgment of impartial tribunals.” And significantly, with that “final settlement of all outstanding claims,” he concluded, “Indians can take their place without special handicap or special advantage in the economic life of our nation.”<sup>30</sup> His public statement accompanying signing of the act emphasized not only the extension of justice, but anticipated clearing the path to assimilation and—presumably—opportunity. In this context, Truman’s discomfort over the distribution of awards to tribal members in per capita shares (as opposed to investment for economic development projects) makes sense. In 1948 he cautioned the Klamaths to “be prudent and wise in the use of money now made available,” reminding them that funds represent “a part of their heritage and should be so invested [to] bring them benefits long



after it is spent.” And in a 1951 message authorizing distribution of claims funds to the Ute Indian Tribe of the Uintah and Ouray Reservation, he remarked that “by settling its score with this group of Indians,” the United States “has made it possible for Indians to put their own affairs in order and to prepare themselves for the fullest participation in the affairs of our Nation.”<sup>31</sup> Reading between the lines a bit, Truman’s position translated as claims providing means toward extending justice, but not license to pursue agendas that formalized tribal sovereignty in perpetuity.

Yet for all Truman’s influence in articulating the broad contours of an Indian policy, he generally deferred to Congress, particularly senators and representatives from states with significant Indian populations or reservation lands. As Philleo Nash remembered, “the main thrust behind termination was Congress, which had long defined the Indian Bureau as the Indian problem,” and the drive toward termination intensified with the emergence of Republican majorities following the 1946 elections.<sup>32</sup> A key player was Senator Arthur V. Watkins of Utah, who assumed the chairmanship of the Senate Subcommittee on Indian Affairs in January of 1947. According to Warren Metcalf, Watkins was an avowed terminationist, driven by conservative principles and his Mormon faith that established for believers a special duty to assimilate Indians. He saw little value in Indian cultural traditions, or cultural pluralism more generally, and viewed termination in the context of American traditions of individual liberty. For Watkins, termination represented an “Indian Freedom Program,” and he confidently stated “following in the footsteps of the Emancipation Proclamation . . . I see the following words embellished in letters of fire above the heads of the Indians—These People Shall Be Free.”<sup>33</sup>

Republican intentions for Indian affairs became clear in early January when North Dakota Senator William Langer, chair of the Senate Civil Service Committee summoned BIA assistant commissioner William J. Zimmerman Jr. to appear in hearings devoted to reducing the number of federal employees. Zimmerman, who had served in the BIA throughout the Collier years, endured harsh questioning about the performance of the BIA. Langer demanded to know why “a Chinaman can come here and be taken care of, or a Jap, any other nationality of people on this earth can come into this country” and be served by existing federal, state, and local services. Though Zimmerman attempted to explain that current budgets made it difficult to meet existing obligations, and that diversity in conditions across Indian country rendered a comprehensive program unrealistic, indeed dangerous, his protestations landed with a thud. Langer closed the hearings by announcing his intention to “abolish the Indian agency entirely” and commanded Zimmerman to return to Congress with a plan



for reducing Bureau personnel and expenses.<sup>34</sup>

One month later, Zimmerman produced a list of Indian groups divided into three categories. The first category identified tribes that could be denied federal services immediately, or nearly so. Menominees, Klamaths, and Turtle Mountain Chippewas headed this list of ten tribal communities. The second category listed eighteen groups defined as capable of functioning with minimal supervision within a decade. Significantly, many were expected to secure settlements through the claims process, thereby effectively linking compensation with termination. The third group comprised remaining tribes that would require more than ten years to prepare for termination. Following the hearing, Zimmerman directed heads of Bureau field units to compile data on reservation resources, anticipating a major drive to reshape and refocus Indian policy. This was a key moment in the development of a congressional strategy for termination. By the end of 1948, Congress had introduced more than one hundred bills to transfer sections of reservation land to non-Indian buyers and had cut BIA budgets substantially, by more than \$9 million in 1948 alone.<sup>35</sup>

James Officer argued later that "Bill Zimmerman was bitter over the use of his 1947 testimony,"<sup>36</sup> but the truth is that many factors conspired to push termination forward. Collier's successor, William Brophy, endorsed the ICC with the expectation that "if a bill of this sort is passed, it will probably make it possible for large numbers of Indians who now remain on their tribal rolls and retain their membership, to surrender this right," and "eventually render it unnecessary to continue the Indian Bureau."<sup>37</sup> Moreover, and as a number of scholars have argued, Congress devoted shockingly little attention to initiatives that held such monumental implications and hurried provisions through committee absent serious study. Some Native leaders participated by endorsing termination, or remaining largely silent, at least through 1947 and 1948. The NCAI was on record supporting abolition of the BIA, and some prosperous Natives, chafing under paternalistic controls, understandably asked for the right to manage their own affairs.<sup>38</sup> Hearings featured tribal leaders who were sympathetic to termination, like Klamath tribal chairman Ward Crawford, who railed against an Indian service bureaucracy that "left the Indians and their property to the mercy of the political machine that Mr. Ickes and Mr. Collier built, a machine that is communistic in design and practice."<sup>39</sup> As political scientist Gary Orfield observed decades later, "One reason this legislation passed was that nobody seriously tried to block it. . . . The Indians who came testified in favor of the legislation. As far as Congress knew the tribes had given their consent." Advocates of termination, he concluded, "controlled the whole process because nobody else was involved with most of

these tribes.<sup>40</sup>

Truman's surprise victory in 1948 dampened enthusiasm for overturning the Indian New Deal, but only partly. The 1949 Hoover Commission Report singled out the BIA for criticism, identified reservations as the source of Indian poverty, and recommended transferring BIA functions to states or other federal agencies.<sup>41</sup> Truman endorsed the report, and as David Wilkins observes (in this volume), largely acquiesced when Congress reorganized committees charged with Indian affairs, and in ways that signaled a reduction in priority given to Indian affairs.

Truman contributed to this momentum by appointing Dillon S. Myer as Indian commissioner in 1950. The new commissioner came to the BIA from the War Relocation Authority, where he earned praise, or condemnation, for developing a plan to rapidly close detention camps and disburse Japanese-American detainees across the country (to prevent the creation of "Little Tokyos" in West Coast cities, he infamously observed). In Myer, Truman found a committed assimilationist who vigorously promoted a plan to relocate Natives to urban centers. He argued that reservations would prove inadequate to meeting the needs of growing populations, and so relocation was, in this construction, an assimilation agenda described as an antipoverty program. Worse still, and in ways that echoed discredited and cruel policies from deeper in history, Myer closed reservation schools, promoted plans to place Indian children with white families, moved to decentralize BIA functions, and authored a plan to shift responsibility for social service programs to state agencies. In each of these areas, his actions foreshadowed terminationist initiatives undertaken in subsequent years.<sup>42</sup>

Myer was authoritarian, overbearing, and exceedingly controversial. D'Arcy McNickle found Myer's philosophy and administrative style so distasteful that he resigned from the BIA.<sup>43</sup> Philleo Nash also clashed with the new commissioner. "I begged Harry Truman to fire Myer," he remembered, but "I also asked for the job, which was probably a tactical error. Truman said, 'How can I respect your judgment if you are just looking for work? ... but if a lot of bad things are going on and they are bad enough so you think I ought to do something about it, you have my authority to look into it and come back and report to me.' That was as far as I got." For Nash, the issue was relocation, which he predicted "would bring the house down, and ... bring President Truman down with it."<sup>44</sup>

Relocation was the area where Myer's influence was most keenly felt. In 1950, he inaugurated the Voluntary Relocation Program, which formalized and extended an earlier initiative that recruited Navajo families to move to Denver, Salt Lake City, and Los Angeles. Under Myer's leadership, the BIA established relocation offices in Oakland, San Francisco, San Jose,

St. Louis, Chicago, and cities in Oklahoma and Texas; by 1960, offices operated in fourteen cities and had affected 33,000 individuals. Even so, most of the 100,000 Natives who moved to cities by the early 1970s did so without BIA assistance.<sup>45</sup>

Scholarship on Indian relocation typically focuses on difficulties faced by Natives in adjusting to urban life. Disconnected from home and family, ill-served by a BIA bureaucracy that provided minimal assistance in finding jobs and locating housing, possessing few marketable skills, and unfamiliar with the rhythms and demands of labor in industrial economies, relocatees struggled to adjust and found themselves underemployed, impoverished, and vulnerable to crime, alcohol, and alienation. Many scholarly treatments of relocation echo historian Donald Fixico, who argued that while federal officials expected urban Indians to assimilate quickly, relocatees instead found "Indian ghettos," that "fostered feelings of isolation, loneliness, and estrangement."<sup>46</sup> University of Chicago anthropologist Sol Tax attributed hardships to inadequate support. "When Indians came to Chicago," he remembered years later, "they received relocation assistance for about six weeks. Indian families came on a train with a one-way ticket," and "were met by somebody from the Bureau of Indian Affairs who took them to a rental house and found them a job. When Indians returned to the relocation office to say they had a problem, which they all did, they were told we do not have any more jurisdiction over you. We have rented you a home; if you want to move to another one, that is your problem. If you do not like the job, that is also your problem."<sup>47</sup>

While Tax's appraisal neatly summarizes the bureau's sink-or-swim approach to relocation, it also misses some broader points. First, the Truman era relocation policy hardly initiated the migration of Indians to cities, which had begun during the war, and was initiated as much by Indians as federal bureaucrats. Persistent poverty on the reservations, as well as war-time migrations, impelled relocation. Second, and as importantly, while critics like Tax were correct in observing "a big discrepancy between what was actually going on and the notion of relocation held in Washington, DC," Native urbanites also adjusted to the demands of city life, principally by drawing upon the support of existing communities of Native city-dwellers. This largely middle-class population, some of whom had arrived in cities during the Second World War, others far earlier, had established communities and developed institutions that smoothed adjustment for more recently arrived migrants (see Hoxie, this volume). The new generation of migrants also developed institutions of their own, like Chicago's American Indian Center (founded 1953), while also maintaining strong connections to home and reservation, drawing upon friends and families for support. This diverse

mix of tribes and occupations, of cultural values and socio-economic conditions, provided a rich environment for political action. From the Society of American Indians, the first pan-Indian organization of the twentieth century, to the NCAI and ahead in time to the NIYC and the American Indian Movement, urban environments provided rich sustenance for Native political activism. So perhaps NCAI officer Helen Peterson (Northern Cheyenne/Lakota) phrased it best when she observed that members of that organization “felt it was necessary and a good program. Our concern was that the priority that it had in its relationship to other programs.” For the NCAI then, “the government needed to spend more time developing the human and natural resources on reservations and put relocation in its proper place. . . . The plain truth is that Indians are probably the most mobile people in the country.”<sup>48</sup>

## LEGACIES

On December 22, 1973, President Richard Nixon signed a congressional measure reinstating Menominee status as a federally recognized tribe. Nearly a decade in the making, the Menominee Restoration Act publicly and tangibly reversed what by then had become the most celebrated example of the termination policy.<sup>49</sup> Coupled with Nixon’s 1972 public repudiation of termination as an Indian policy objective and his administration’s decision to restore lands surrounding and including Blue Lake to the Taos Pueblo people (as opposed to a cash settlement), Menominee restoration marked, for lack of a better phrase, the “termination” of termination. By the early 1970s, all three branches of the federal government had come to support tribal self-determination, which, by law, executive order, and court decision, formalized America’s commitment to tribal self-government, the recognition of Indian nations’ inherent (if ill-defined) sovereignty, and their right to explore cultural, political, and economic alternatives to the eventual assimilation so prized by Truman and his contemporaries. In the ensuing decades, tribes would explore the dimensions of self-determination through the courts and legislative processes, and in areas as varied as the protection and repatriation of sacred lands and objects, the conceptualization and realization of educational institutions that supported indigenous cultural values, and an extension of governmental power and economic activity based upon treaty rights but extended into novel and unforeseen areas. Though controversial, scrutinized, and forever vulnerable, these remarkable advances have turned conversations away from termination and toward a modern tribalism still under creation.<sup>50</sup>

All of these advances bring into stark relief the legacy of termination, if only for the fact that its proponents anticipated such a remarkably different



future for Native peoples of North America. So what happened? The short answer is that Indian power happened, and in this one can see—perhaps ironically—the roots of Indian self-determination in the reaction against termination. Take the Menominee case for example: when Congress authorized Menominee termination in 1954, it acted according to pre-conceptions and practices that characterized the era. As one of the first category of Indian nations identified by William Zimmerman in 1947, the Menominees were singled out because of their rich forests, vibrant lumber industry, unallotted lands, and well-educated (and seemingly assimilated) population. In short, they possessed all the preconditions for successful withdrawal of federal protections. But many Menominees who objected to termination assented only when Senator Watkins threatened to withhold a substantial claims award unless the tribe approved his pet project (see Deer, this volume). Menominees, in need of per capita payments and anxious to receive what was fairly won, strongly reversed course upon learning that Watkins' action was disingenuous at best, and probably illegal. Watkins and his associates rejected the Menominee change of heart and pressed ahead, claiming all along that a majority had approved termination. Ada Deer remembers it differently: "Many people, over the years, have said that the Menominee consented to termination," she recalls, "This is not true. For many years the Menominee had carried on a suit against the federal government for mismanagement of the trust. . . . Senator Arthur Watkins felt that in order for the Menominee to receive the per capita payment [from the settlement] they would have to agree to termination. . . . I do want to state for the record that there was a lot of misinformation. People did not understand what they were voting on."<sup>51</sup>

Menominee termination proved a famous disaster. Though their timber and sawmill business, owned by the tribe, had provided steady employment for more than half a century, profits and prosperity were unstable. The Menominee mill at Neopit depended upon government contracts and a level of insulation from the larger lumber marketplace. Moreover, nearly half of Menominees depended upon some level of public assistance, and educational attainment was low in the aggregate.

If terminationists like Watkins refused to acknowledge the evident dangers in releasing Menominees from federal supervision, Menominees and their allies certainly recognized them. They were able to delay formal implementation of termination for several years, pending the development of a viable plan for transition. But the end came, and in 1961 the Menominee reservation became Wisconsin's newest county. And its poorest. Absent federal contracts, the aging and inefficient mill quickly fell into the red. MEI, a corporation designed to assume responsibilities for tribal



assets, namely timber and mill, found itself saddled with the responsibility of managing an unprofitable mill while also satisfying stockholders, Menominee and non-Menominee. The tribe's hospital failed state inspections and closed. Soon, MEI, largely under the control of a Milwaukee bank that held shares for Menominee minors, began auctioning off tribal lands for vacation homes. The Legend Lake project deprived Menominees of reservation lands and demonstrated the clear and present danger inherent in termination. It also spurred Ada Deer and other activist Menominees to action. With the assistance of Native American Rights Fund attorneys, a new organization, DRUMS (Determination of Rights and Unity for Menominee Shareholders), took on MEI leadership, ultimately gaining control over the board. From there, and under the leadership of Deer, DRUMS halted land sales and transformed itself into an effective lobbying body that ultimately secured restoration in 1973. But as Deer explains in this volume, the scars of termination ran deep and still affect Menominees today.<sup>52</sup>

Klamaths fared even worse. Also blessed with abundant timber resources, their reservation was targeted by terminationists for the same reason the Menominee reservation was targeted. But like the Menominee experience, seeming prosperity was reed-thin. Educational attainment was low, tribal members lacked skills to function in the world without federal assistance, and members were divided over termination, but also deeply disaffected by the performance of the BIA. As the drive toward termination proceeded, per capita distributions were once again the lever used to pry apart tribal community. Klamaths were promised per capita shares derived from liquidation of their assets, calculated at \$43,000 for each of the approximately two thousand tribal members. Some, particularly those not living on the reservation, favored the cash settlement, a fact confirmed by the tribal plebiscite where fully three-fourths voted for per capitas and termination. But as with the Menominees, termination brought not prosperity but destitution as liquidation of the tribe's timber resources left local Klamath residents with a reduced land base and poor prospects. A twenty-five year fight to reverse termination ended in 1986 with restoration of tribal status, but not restoration of lost land and timber resources.<sup>53</sup>

Stung by criticism, Eisenhower reversed course and declared in 1956 that termination would not proceed without a clear endorsement from affected tribes. But other tribes targeted for termination fared equally badly, so badly in fact that the Kennedy administration turned away from termination as a policy objective. By the time Nixon repudiated this policy, it had ceased to be a factor at all. Except, that is, for the long-term economic effects, and the emotional and psychological trauma it inflicted.<sup>54</sup>

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In 1952, the accomplished novelist, historian, activist, and long-time BIA administrator challenged delegates to consider the implications of the approaching change in presidential administrations. Referencing nominations for leadership posts in the Interior Department and BIA, D'Arcy McNickle pointedly asked, "Will these men have any knowledge of Indian problems? Will they be sympathetic with the aspirations and the needs of Indian people? Will they be committed, before they enter office, to some notion or dogma of what they believe to be good for Indians? Or will they be free to find the facts, to study the needs, and to base their decisions on what they discover for themselves?" And above all, McNickle asked, "Will they give the Indian people a hearing and listen with an open mind to what the Indians have to say?"<sup>55</sup>

In the short run, events answered McNickle's queries decidedly in the negative. Meaningful consultations with Native leaders on the implications of termination were not forthcoming as policymakers proceeded with termination in spite of opposition. McNickle asked delegates if policymakers, in promoting termination, had taken time to consider the multiple administrative details sure to follow. They hadn't. As with the late nineteenth-century drive to force assimilation through allotment, the movement for termination focused only on a perceived (and in some sense abstract, illusory) good that spoke more to non-Indian appraisals of what was good for Indians than to policies and practices that might work—or were desired by Native people and communities themselves. Too often lost were sacred promises made to Indians and formalized by treaties and agreements.

To his credit, Truman understood this tension, and often came down on the side of honoring promises, even if that slowed or diluted the drive toward assimilation. Truman was not an ideologue when it came to Indian policy, and his positions, though generally supportive of goals associated with termination, were often balanced by support for tribal governments, and cultural self-determination. His Republican colleagues in the Congress and his successor in the White House came to different conclusions, which helps explain the acceleration of the drive toward termination following the 1946 elections and again after 1952.

But in the final analysis, Indian people and communities responded with characteristic resolve, and in the process explored the dimensions of sovereignty in ways that were unforeseen by Truman, and probably would have been horrifying to Watkins, Myer, and the more ardent terminationists. But if Truman would have been surprised by advances in the meaning and dimensions of tribal sovereignty, he would, insofar as his words

and pronouncements reveal, have appreciated the resolve demonstrated by Native people, and their efforts toward realizing self-sufficiency and self-government. And, no doubt he would have celebrated the 1986 election of a Northern Cheyenne artist, rancher, and politician to the U.S. House of Representatives and later to the U.S. Senate.

## Notes

<sup>1</sup>Truman, "Statement by the President Upon Signing Bill for the Aid of the Navajo and Hopi Indian Tribes," [Public Law 474, 81st Congress (64 Stat. 44)], April 19, 1950. In *Public Papers, Truman, 1950*, 259–60.

<sup>2</sup>Philp, *Indian Self-Rule*, 130.

<sup>3</sup>The Office of Indian Affairs was formed in 1824 as part of the Department of War and was transferred to the Department of the Interior in 1849. The name was changed to the Bureau of Indian Affairs in 1947.

<sup>4</sup>McCullough, *Truman*.

<sup>5</sup>Scholars have begun discussing interrelationships between American Indian history and U.S. history. For a recent overview, see Blackhawk, "Look How Far We've Come." See also Harmon, "American Indians and Land Monopolies in the Gilded Age"; and Rosier, "They Are Ancestral Homelands." More than two decades ago, the Newberry Library's D'arcy McNickle Center for American Indian history sponsored a symposium dealing with the place of Native Americans in U.S. history textbooks. This symposium produced a widely read anthology, now in its second edition; Hoxie and Iverson, *Indians in American History: An Introduction*.

<sup>6</sup>Termination is receiving renewed scholarly attention following many years of relative neglect. Book-length studies are Cobb, *Native Activism*; Metcalf, *Termination's Legacy*; and LaGrand, *Native Metropolis*. Charles Wilkinson's *Blood Struggle* links the emergence of Native activism to resistance to termination. Edward Charles Valandra offers a stirring account of Sioux responses to termination in *Not Without Our Consent*. Classic accounts include Burt, *Tribalism in Crisis*; Deloria, *American Indian Policy in the Twentieth Century*; Fixico, *Termination and Relocation*; Orfield, *Study of Termination Policy*; Peroff, *Menominee DRUMS*; and Philp, *Termination Revisited*. Particularly valuable contemporary accounts include Cohen, "Erosion of Indian Rights, 1950–1953"; La Farge, "Termination of Federal Supervision"; and Watkins, "Termination of Federal Supervision."

<sup>7</sup>Laurie Arnold has offered a very accessible overview of termination in "Termination and Relocation." See also Wilkinson, *Blood Struggle*, 57–83, 113–28; and Edmunds, Hoxie, and Salisbury, *The People*, chap. 16.

<sup>8</sup>Wilkinson, *Blood Struggle*, 57.

<sup>9</sup>Rosier, "They Are Ancestral Homelands," 1309.

<sup>10</sup>Joseph B. Lutz, U.S. Probation Officer, to Senator Joseph C. O'Mahoney, March 7, 1945, Box 21, Folder 173, O'Mahoney Papers.

<sup>11</sup>For a brief profile, see Cowger, *National Congress of American Indians*, 20–21.

<sup>12</sup>Joseph Bruner, President, American Indian Federation, to Senator Joseph C. O'Mahoney, April 11, 1935, Box 21, Folder 173, O'Mahoney Papers.

<sup>13</sup>Quoted in Philp, *Indian Self-Rule*, 117.

<sup>14</sup>Hosmer, "Indian Reorganization Act (1934)." The literature on the Indian New Deal is vast. For a sampling, see Biolsi, *Organizing the Lakota*; Deloria and Lytle, *Nations Within*; Hauptman, *Iroquois and the New Deal*; Kelly, *Assault on Assimilation*; Kersey, *Florida Seminoles and the New Deal*; Philp, *John Collier's Crusade for Indian Reform*; and Rosier, *Rebirth of the Blackfeet Nation*.

<sup>15</sup>Wilkinson, *Blood Struggle*, 118–19; Edmunds, Hoxie, and Salisbury, *The People*, 402–7; and Clemmons, "Indian New Deal."

<sup>16</sup>Fixico, *Termination and Relocation*; Cowger, *National Congress of American Indians*, 11–48; and Cobb, *Native Activism*, 8–29.

<sup>17</sup>See Rosier, “They Are Ancestral Homelands”; and Cobb, *Native Activism*, chap. 1.

<sup>18</sup>Cohen, “Erosion of Indian Rights,” 390; and Wilkinson, *Blood Struggle*, 61–62.

<sup>19</sup>Cobb, in *Native Activism*, 8–29, offers a clear overview of this period. And see McNickle, *They Came Here First*, 247.

<sup>20</sup>Cowger, *National Congress of American Indians*, 30–48; Wilkinson, *Blood Struggle*, 102–3; and Cobb, *Native Activism*, 30–38.

<sup>21</sup>Rosier, “They Are Ancestral Homelands”; and Cobb, *Native Activism*, 13–22.

<sup>22</sup>Rosier, “They Are Ancestral Homelands,” 1303. For more on the Workshops on American Indian Affairs, see Cobb, *Native Activism*, 24–27, 73–75.

<sup>23</sup>Cobb offers the best treatment of NIYC and Indian activism as it developed coming out of the termination era.

<sup>24</sup>Truman, “Statement by the President Making Public a Report on the Needs of the Navajo Indians,” December 2, 1947, in *Public Papers, Truman, 1947*, 503–4; and *New York Times*, December 10, 1947, quoted in Rosier, “They Are Ancestral Homelands,” 1311.

<sup>25</sup>Truman, “Statement by the President upon Signing Bill for the Aid of the Navajo and Hopi Indian Tribes,” April 19, 1950, in *Public Papers, Truman, 1950*, 259–50; and Truman, “Veto of Bill Establishing a Program in Aid of the Navajo and Hopi Indians,” October 17, 1949, in *Public Papers, Truman, 1949*, 514–17.

<sup>26</sup>Metcalf, *Termination's Legacy*, 5. For discussion of Truman's developing position on civil rights, see Geselbracht, *Civil Rights Legacy of Harry S. Truman*.

<sup>27</sup>Truman, “Veto of Bill Relating to Claims Against the United States by Certain Indian Tribes,” June 29, 1946, in *Public Papers, Truman, 1946*, 321–22.

<sup>28</sup>Edmunds, Hoxie, and Salisbury, *The People*, 406–8; and Wilkinson, *Blood Struggle*, 223–25.

<sup>29</sup>Philp, *Indian Self-Rule*, 114.

<sup>30</sup>PL 726, 79th Cong. (60 Stat. 1049). Truman, “Statement Accompanying the Passage of the Indian Claims Commission Act,” August 13, 1946, in *Public Papers, Truman, 1946*, 414.

<sup>31</sup>Truman, Letter to Secretary Krug Upon Signing Bill Authorizing Distribution of Capital Reserve Funds of the Klamath Indians, March 29, 1948, in *Public Papers, Truman, 1948*, 195–96; and Truman, “Statement by the President Upon Signing Bill Relating to the Tribal Funds of the Ute Indian Tribe,” August 21, 1951, in *Public Papers, Truman, 1951*, 477–78.

<sup>32</sup>Philp, *Indian Self-Rule*, 131.

<sup>33</sup>Quoted in Metcalf, *Termination's Legacy*, 19, and see 21–48.

<sup>34</sup>Metcalf, *Termination's Legacy*, 38; and Hoxie and Iverson, *Indians in American History*.

<sup>35</sup>Metcalf, *Termination's Legacy*, 39–41, 43.

<sup>36</sup>Philp, *Indian Self-Rule*, 120.

<sup>37</sup>U.S. Congress, Senate Committee on Indian Affairs. *Hearing before the Committee on Indian Affairs ... on H.R. 4497, a bill to create an Indian claims commission*, 15.

<sup>38</sup>Edmunds, Hoxie, and Salisbury, *The People*, 406–10; and Cobb, *Native Activism*.

<sup>39</sup>U.S. Congress, Senate Committee on Indian Affairs. *Hearing before the Committee on Indian Affairs ... on H.R. 4497, a bill to create an Indian claims commission*, 21.

<sup>40</sup>Philp, *Indian Self-Rule*, 137.

<sup>41</sup>Metcalf, *Termination's Legacy*, 45.

<sup>42</sup>Ibid., 78–87; Wilkinson, *Blood Struggle*, 64–65; Cowger, *National Congress of American Indians*, 71–75; and Edmunds, Hoxie, and Salisbury, *The People*, 400, 408, 410.

<sup>43</sup>Cobb, *Native Activism*, 23. For an account of McNickle's relationship with Dillon Myer, see Parker, *Singing an Indian Song*, 126–33.

<sup>44</sup>Philp, *Indian Self-Rule*, 164–66.

- <sup>45</sup>Fixico, *Termination and Relocation*, 138–48; Burt, *Tribalism in Crisis*, 89; and Edmunds, Hoxie, and Salisbury, *The People*, 399–401.
- <sup>46</sup>Fixico, *Termination and Relocation*, 155.
- <sup>47</sup>Philp, *Indian Self-Rule*, 184.
- <sup>48</sup>*Ibid.*, 169.
- <sup>49</sup>David R. M. Beck offers the most complete and up-to-date discussion of Menominee restoration; *Struggle for Self-Determination*, 150–78.
- <sup>50</sup>For details, see Wilkinson, *Blood Struggle*, chaps. 8–9.
- <sup>51</sup>Philp, *Indian Self-Rule*, 140.
- <sup>52</sup>Arnold, “Termination and Relocation,” 752–53.
- <sup>53</sup>*Ibid.*, 754.
- <sup>54</sup>*Ibid.*, 755.
- <sup>55</sup>D’Arcy McNickle, “Instructions to Working Committees, AID Conference, 1952,” Box 22, Folder 191: AID Materials, Miscellaneous Papers, 1952, McNickle Papers.

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INDIAN AFFAIRS DURING  
THE TRUMAN YEARS





# SEEING AND NOT SEEING American Indians in the Truman Era

Frederick E. Hoxie

One caveat before I begin: my theme here is the way historians have viewed Indian affairs in the Truman era and the subjects I believe they have overlooked. My view is based on my own reading and teaching, and I would be the first to admit I have neither read everything nor am I aware of everything that has been or is about to be published on this subject. One of the benefits of an opportunity like this is to test my ideas and to take advice and correction from people who may have seen or read things I have missed. And I welcome that advice. On the other hand, for now, this is my view of the matter. To quote the great Phoenix Suns power forward Charles Barkley, “I may be wrong, but I doubt it.”

While considering the legacy of one Missouri giant it seems appropriate to invoke the words of another. One of my favorite passages from Mark Twain’s *Huckleberry Finn* captures an inescapable truth historians confront every day. This passage comes late in the book, when the reunited Huck and Tom search for Jim, who has just been recaptured and is facing a return to slavery, the evil institution that has haunted the journey down the Mississippi. Even allowing for the unfortunate racist imagery, Twain was saying something important here. Tom spoke first:

“Looky here, Huck, what fools we are, to not think of it before! I bet I know where Jim is.”

“No! Where?”

“In that hut down by the ash-hopper. Why, looky here. When we was at dinner, didn’t you see a man go in there with some vittles?”

“Yes.”

“What did you think the vittles was for?”

“For a dog.”

“So’d I. Well, it wasn’t for a dog.”

“Why?”

“Because part of it was watermelon.”

“So it was—I noticed it. Well, it does beat all, that I never thought about a dog not eating watermelon. It shows how a body can see and not see at the same time.” If I had Tom Sawyer’s head, I wouldn’t trade it off to be a duke, nor mate of a steamboat, nor clown in a circus, nor nothing I can think of.

And any historian would agree.

All historians, but particularly those who focus on the recent past, are constantly *seeing and not seeing* the people and events we study. Wrapped in our own time, shaped by the crises of our own lives, and presented with mountains of confusing and often contradictory documents, reports, letters, speeches, and diaries, we struggle to frame a credible picture of the past, something recognizable to contemporary minds, yet fresh, insightful, original, and true. The broad topic of American Indian affairs during the Truman presidency presents an excellent example of this predicament. The sources are everywhere, ample information seems to be at hand, but what do we see? What are we looking for—and what are we missing?

The first historian to examine Indian affairs in the Truman era wrote in 1949, while the Man from Independence was still president. D’Arcy McNickle published *They Came Here First* while an employee of the Bureau of Indian Affairs (BIA). The first comprehensive history of Native Americans in the United States written by an Indian scholar, McNickle’s book had a distinctive point of view. *They Came Here First* was dedicated—quite pointedly—to former commissioner of Indian affairs John Collier, the man who had recruited McNickle into the federal government in 1936 and had supervised the young Montanan’s education in Indian affairs. While descended from Cree and Métis hunters who sought refuge in Montana in the 1880s, raised on the Flathead reserve, and educated for a time at a BIA boarding school, McNickle came to Washington from New York City where he had been pursuing a career as a writer and editor. The young author had traveled in England and France, but he knew little of the national political scene or the complex world of tribal politics. At Collier’s side while the former social worker urged tribal leaders to accept the Indian Reorganization Act—a law that marked a dramatic shift away from the Victorian paternalism of the previous half-century—McNickle eagerly embraced the idea of providing Native people with the tools to shape their own futures. He was captivated by Collier’s idealism and his determination to reconnect tribal communities to their ancient pasts. McNickle became an ardent New Dealer. Within a year of joining the Indian office, he declared that the administration’s goal was nothing short of persuading the American



*D'Arcy McNickle at Navajo Reservation, 1958. Photo courtesy Edward E. Ayer Collection, The Newberry Library, Chicago.*

Indian, “to believe in himself, in the strength of his past, and in the glory of his future.” McNickle’s continuing devotion to this goal—and his old boss—was clear in the dedication to *They Came Here First*: “To John Collier, Who Believes in Indians.”

McNickle made his point so forcefully in 1949 because, during Truman’s presidency, the people who believed in Indians were rapidly being replaced with bureaucrats who had other priorities. Men and women like Collier and McNickle were rapidly passing from the scene. By the spring of 1945, John Collier’s idealism was wearing thin. Congressional leaders and cabinet officials were increasingly skeptical of the Indians’ potential for the “glorious future” Collier and McNickle had promised. Attacked regularly by Republicans in Congress and exhausted by twelve years in office—a tenure as Indian commissioner far longer than any other before or since—Collier left office in March 1945, just a few weeks before Roosevelt’s death. Before long, Collier’s longtime friend and patron Interior Secretary Harold Ickes also resigned. Ickes’ resignation was more significant than Collier’s because the secretary had steadily supported the turning away from heavy-handed paternalism and had long protected reformers in the Indian office from attacks by western politicians and church groups who had dominated Indian affairs for decades. Ickes had worked with Collier in Indian affairs since the 1920s and was devoted to the rehabilitation of tribal governments

and the promotion of tribal culture. His replacement was Julius Krug, a water engineer with no background and little interest in Indian affairs.

The impact of these changes first became apparent in early 1946 when the Indian Claims Commission Act, a bill that had been first proposed by Arthur Parker and the Society of American Indians thirty years earlier, moved towards final enactment by Congress. The recently formed National Congress of American Indians (NCAI) had submitted a draft bill to Congress in late 1944. They proposed a special tribunal with wide powers to hear any moral or legal complaint a tribe may bring forward. Ickes and Collier supported this proposal during the final months of their tenures. Ickes recommended the creation of a special investigative office to work for the commission and warned against turning the claims process into a slow and narrowly focused contest between plaintiff and government lawyers. But as the proposal worked its way through committee, westerners such as Washington's Henry Jackson and South Dakota's Karl Mundt expressed concerns about the possible budget implications of the proposed law and suggested narrowing the commission's mandate. Urged on by President Truman, who worried that a wide-ranging claims process would "unloose a Frankenstein" of complicated petitions and expensive settlements, administration lobbyists supported Jackson, Mundt, and other western politicians who dominated the Indian affairs committees in both houses of Congress. As the final vote on the bill approached, Attorney General Tom Clark recommended that the commission's jurisdiction be limited solely to disputes arising from government purchases of Indian land—thereby eliminating moral claims or claims based on official misconduct. Clark's recommendations were incorporated into the final bill along with provisions that eliminated the investigative office and permitted the government to offset any future awards made to tribes by deducting from them expenditures made to support the plaintiffs in the years following the transaction in question.<sup>1</sup> This practice allowed accountants to reduce large cash awards to nearly nothing.

Despite these amendments, the new president remained skeptical about the Indian Claims Commission; he worried over its potential financial and political cost throughout the summer of 1946. Truman finally agreed to sign the measure only after he was persuaded that whatever funds were appropriated for future awards would not be used to support tribal institutions and would instead encourage individual Indians to separate from their tribal communities. His position created a linkage in many minds between the proposed commission and the ongoing debate over Collier's innovative tenure in the Indian office. Truman presented the commission bill not as an opportunity for tribes to have the day in court they had long desired, but



as a prelude to a final settlement of accounts that would ideally be paid to individuals and make possible a reduction in the scope of the government's responsibilities. At the bill's signing ceremony, Truman underscored this connection when he said, "I hope that this bill will mark the beginning of a new era for our Indian citizens.... With the final settlement of all outstanding claims... Indians can take their place... in the economic life of our nation..."<sup>2</sup>

If New Dealers like McNickle or leaders of the NCAI had any doubts that a new, hostile era was beginning, those doubts were erased a few months later when Truman ignored the recommendations of both tribal officials and the Indian office and selected Edgar Witt—a man with no previous experience in Indian affairs and a protégé of House Speaker Sam Rayburn—to chair the new commission. He named two other nonentities put forward by western congressmen to fill out the group. He ignored experts such as Felix Cohen and Indian lawyers such as Ben Dwight and Napoleon Johnson, and others who had been recommended by the NCAI and endorsed by the BIA.<sup>3</sup>

In the years following the passage of the Indian Claims Commission Act, the movement away from the protribal idealism of the Roosevelt administration continued. In Congress, several legislators from states with significant Native populations advocated the removal of trust restrictions on tribal lands. Some proposals echoed the extension of citizenship to war veterans following World War I by proposing that all land owned by Native World War II veterans be declared fee simple, available immediately for sale and taxation by local authorities. Other lawmakers saw the BIA as a place where federal spending could be cut without creating a popular backlash. It was this group that in 1947 famously pushed Assistant Commissioner William Zimmerman to list the tribes he believed could survive without federal assistance. Zimmerman's list became the manifesto for a vocal group—now called terminationists—who urged the Indian office to terminate its relationship with the most self-reliant groups. Collier's replacement, a former tribal attorney named William Brophy, countered these activists by reminding legislators of the federal government's long-standing recognition of tribal governments and its many commitments to them, but few listened. He was hampered by the continuing backlash against Collier's New Deal reforms and his own ill health. He left office in 1948.

As McNickle's history of Indian affairs went to press in 1949, the BIA was attacked from yet another direction. The Republican-inspired Commission on Organization of the Executive Branch—chaired by former president Herbert Hoover and commonly called the Hoover Commission—

reported that support for tribal cultures was based on unsound policy. Charged with investigating the federal bureaucracy to identify waste and inefficiency, the commission focused on the Indian office and issued a special report, which declared, "Traditional tribal organization was smashed a generation ago," adding, "assimilation cannot be prevented. The only questions are: What kind of assimilation and how fast?"<sup>4</sup> As had been the case three years earlier when the Indian Claims Commission bill was before Congress, Truman and his associates acquiesced to this antitribal rhetoric. In fact, the recently re-elected president appointed a member of the Hoover Commission's task force on Indian affairs, a New Mexico college president named John Nichols—another person with no background in Indian affairs—to the vacant commissionership.

In *They Came Here First*, D'Arcy McNickle wrote that the conflict between tribal peoples and the United States represented "the Indian war that never ends." Frustrated by the growing popularity of termination and the simplistic idea that Indians needed only to be "set free" from the federal government to prosper, McNickle saw the modern Indian war continuing all around him. Hostility to tribal governments and to federal protection for tribal people was an American habit of mind, he argued; it emerged from centuries of domination in which contempt for Indian people and their traditions had become routine. "Europeans" who traveled to the New World, McNickle declared, "could not appreciate... that they had come face to face with customs, beliefs, habits—cultures—which had been thousands of years in the forming." He added that "the practical, enterprising men who sailed the seas" (and, no doubt, the former presidents and college presidents who were now pronouncing their recommendations for the Indians' future) "had no insight into any of this."<sup>5</sup>

Influenced by *They Came Here First*, as well as the writings of John Collier and others who sympathized with his Indian New Deal, historians of Indian affairs in the Truman era have consistently focused on high-level policymaking and have generally viewed this eight-year period as a time of reaction and retreat in the face of Republican attacks. McNickle's book with its pointed (and impolitic) dedication was the first work of this kind, but others quickly followed. Collier, Harold Ickes, and former solicitor Felix Cohen—who became counsel to several tribes in the 1940s—published commentaries, scholarly articles, and popular books celebrating Indian culture and criticizing the administration's turn away from tribal governments. As time passed and historians began to reassess their criticisms of Truman, their focus remained on high-level policymaking and the reaction against Collier. Interestingly, the rehabilitation of Truman's reputation that has occurred in other areas of Truman's administration—

foreign policy and race relations, for example—has not occurred in writing about Indian affairs.

Historians writing about the Truman presidency cast powerful western Republicans as central actors and focused special venom on Truman's last—and most disastrous—appointment to the BIA, former War Relocation Authority director Dillon Myer. Always described as the man who oversaw the incarceration of Japanese-Americans during World War II, Myer was an outspoken advocate of termination who came to symbolize the Truman administration's abandonment of tribalism. Historians continued to see what McNickle and his colleagues had seen in 1949: the reversal of a benevolent federal policy, efforts to undermine and downsize the Indian office, the narrow, legalistic proceedings of the Indian Claims Commission, and the emergence of two additional areas of federal activity that confirmed Truman's standing as an opponent of tribal cultures—the relocation program that sought to address Indian unemployment by encouraging (even coercing) Indians to leave reservations for jobs in distant cities and a BIA reorganization plan that created area offices and reduced the size of the Washington DC headquarters.

In the summer of 1983, nearly forty years after Truman took office, a conference organized by the Institute of the American West assembled historians, anthropologists, tribal leaders, and former government officials at Sun Valley, Idaho, to review the history of Indian affairs from the Collier era forward. Interestingly, when the Truman presidency came up for discussion, historians continued to “see” reaction and the evil Commissioner Myer. Philleo Nash, a Truman aid who later became Indian commissioner under John Kennedy, put it simply. “It is customary for commissioners to refer to their predecessors as distinguished and capable individuals,” he observed, before going on to abandon that custom. Recalling conversations with Myer at the end of Truman's tenure, Nash declared, “I told Myer that he was an idiot and that he was going to get himself and the president . . . into enormous difficulties.” At the 1983 conference, Nash focused the bulk of his comments on Myer and his official actions.

At the same conference Nash's former deputy, anthropologist James Officer, contributed an overview of the Truman administration that echoed the comments of his former boss. Officer too saw the actions of government leaders as the most significant events of the time. According to him, the years from 1945 to 1953 were “an incubation process” that paved the way for the outspoken terminationists who came to power when the Republicans led by Eisenhower took control of both Congress and the presidency. In Officer's view, there were no significant differences between Democrats and Republicans in the postwar era. He described what he saw

in terms of incubation and birth. Officer declared that in 1953, when the Republicans won passage of a congressional resolution announcing termination as official federal policy and Eisenhower signed a new statute (Public Law 280) that unilaterally imposed state criminal jurisdiction over tribal lands in California, Minnesota, Nebraska, Oregon, and Wisconsin, that incubation process had “hatched some chicks.”<sup>6</sup>

Like Huck and Jim, historians of the Truman presidency have spent most of their time watching for the expected subject, in this case tribes that had been partially rehabilitated in the New Deal who were defeated and ignored during a period of conservative reaction. The optimism and excitement of the Roosevelt era framed their subject for them and determined the historical questions they asked: Would Truman sustain or reject the Indian New Deal? Would Collier’s successors carry out his policies? Would Collier’s enemies finally succeed in restoring western timber, mining, and cattle interests to positions of influence in Indian affairs? Would the assimilationists among the missionaries, church leaders, and other social conservatives overcome the cultural pluralism of the Collier era? This is what they saw and this is what they recorded. But what did they miss?

Fifty years after Truman took office, historian Nancy Shoemaker uncovered the testimony of Amabel Bulin, a Dakota woman in Minneapolis who spoke before a congressional investigating committee in the summer of 1944. Bulin reported that “there are a lot of Indian people coming down [to the city] . . . and they are being pushed down into the slums.” She noted that there were more than five thousand Indians in Minneapolis and St. Paul. Thanks to the wartime labor shortage, these newcomers had little trouble finding jobs, but the population had grown and changed dramatically. Indians no longer settled in integrated neighborhoods or socialized together in community organizations or churches as they had in the 1920s and 1930s. Instead, Bulin reported, immigrants from the reservations congregated in overcrowded ghettos, forming intertribal friendships and often becoming involved with bootleggers and criminals. She urged federal authorities to appoint a full-time social worker to address these conditions. State officials were no help: “They think the Indian Bureau should take care of them,” she told the committee. “They always think that.” She added wearily that educating white Minnesotans about Native American issues was “a hopeless task.”<sup>7</sup>

Amabel Bulin (and Shoemaker) saw something historians of the Truman era did not. Bulin described a pattern contemporary pop sociologists call a “tipping point.” Instead of urban migration being confined to the rare individuals like Charles Eastman, Ruth Muskrat Bronson, or D’Arcy McNickle—relatively middle-class and educated individuals—



Bulin sensed that the relocation of reservation residents to major cities was involving large groups of people whose pathway to the city was no longer a lonely journey. Urban migration was becoming routine. And these new urban Indians seemed to be settling in to stay and form a new kind of community.

Ignatia Broker was one of the people Bulin saw and the historians ignored. Broker arrived in Minneapolis in 1941, found work in a defense plant, and moved into a rented room with six other Native women. "Employment was good," Broker later recalled, "but Indian people faced discrimination in restaurants, nightclubs, retail, and department stores . . . and worst of all in housing." Despite these hardships, Broker believed the wartime migration was "a good thing. . . [I]t brought us to a brotherhood . . . we became an island from which a revival of spirit began."<sup>8</sup>

Bulin's testimony, and Broker's memory of poverty and "revival" describe the birth of a new urban Indian community, one that was taking shape beyond the official gaze of the BIA and outside the regimented bureaucracy of the reservation. While dependent on non-Indians for jobs and hampered by poverty and discrimination, urban migrants like Ignatia Broker discovered the freedom and mobility that had fueled the formation of ethnic enclaves across the United States over the previous century. The "island" of Indians in Minneapolis grew and before long made contact with other "islands" forming in Chicago, Milwaukee, Detroit, and Cleveland. Similar networks were taking shape in Los Angeles, Seattle, Denver, Houston, and New York. But in the 1940s, this process was invisible to most observers.

In 1944, Amabel Bulin was one of the few who could see what was happening; a generation later this new reality was inescapable. Working-class communities of Indians became a feature of city life across the country. More important, these new intertribal Indian communities began to wield a new form of political and cultural power. While the post-World War II era was punctuated with dramatic public events that made up what McNickle called the "Indian war" between the tribes and federal authorities, the shift Bulin first identified in 1944 (and which historians ignored for a generation) played a powerful role in every area of North American Indian life, both on and off the country's reservations; it shaped a new sense of Indian identity, it gave Indians new visibility in politics and popular culture, and it made possible new alliances with leaders of other racial minorities, academics, religious leaders, and cultural institutions. Ignatia Broker confirmed this view in 1983 when she published her memoirs under the name *Night Flying Woman*. She reported that in the city "new-fangled types of Indian people came into being: those demanding what was in our

treaties, those demanding service to our people . . . and all reaching back for an [Indian] identity.”<sup>9</sup>

The twenty-five years following World War II produced more changes in the size, location, and character of the American Indian population than in any comparable period following the devastating epidemics of the seventeenth and eighteenth centuries. Beginning with the dislocations caused by the draft and the war effort’s unprecedented demand for unskilled labor, Native American men and women left their traditional homelands in record numbers in the 1940s, settled in cities and towns where few Native people had lived before them, and routinely worked alongside non-Indians. By 1970, this movement had altered the face of Native America.

Between 1950 and 1970, the population of American Indians in the United States more than doubled. In 1950, the Census Bureau counted 357,000 American Indians. Twenty years later, that figure had risen to 793,000. Part of this increase can be explained by a change in census procedures—individuals now stated their own race rather than relying on enumerators to classify them on the basis of appearance—but it was also clear in 1970 that after decades of tiny increases, the Indian population had begun to explode.

There were many reasons for this rapid rise. First, modern health care became a universal feature of Indian life. Public health education, widespread vaccination, and the migration of many Indians to cities where health care was more widely available also reduced the incidence of infectious diseases that had decimated reservation communities earlier in the century. Improved health meant fewer deaths among Native American children, and a decline in the incidence of TB and other infectious diseases meant longer life expectancies. Life expectancy among Native Americans rose from fifty-one in 1940 to sixty-one in 1960. In 1940, life expectancy for whites was more than thirteen years longer than for Indians; by 1970 that gap had been cut in half.<sup>10</sup>

The improvement in Native American health and population size in the postwar era was accompanied by a stunning increase in the rate of intermarriage between Indians and members of other ethnic groups. Of course sexual relations between Indians and whites was as old as the frontier itself, but as late as 1900 a clear majority of all Indians counted by the federal census had no ancestors other than Indians. This figure varied considerably from tribe to tribe. In Oklahoma, for example, where thousands of outsiders had infiltrated Indian lands and where former southeastern tribes like the Cherokees and Creeks had a long tradition of intermarriage, only about a third of the Indians in the state in 1900 had no non-Indian ancestors. By contrast, in Arizona, an area long isolated from the non-

Indian population centers of the East and home to the relatively homogeneous Navajos, Hopis, and Apaches, the Census Bureau reported in 1910 that only 14 percent of the state's Indians were of mixed ancestry. In 1940 these figures were largely unchanged: 88 percent of Indian men and 85 percent of Indian women were married to other Indians. By 1970, those figures had dropped to 65 percent and 60 percent respectively. In 1970 at least a third of Indians were marrying outside their group and producing offspring of mixed ancestry. Not surprisingly, the rate of intermarriage among the Indians who left reservations and moved to cities was nearly twice as high as the rate for those who continued to live on rural reservations.<sup>11</sup>

Driving all of these shifting population patterns was the fact—vaguely apparent when Truman took office but clear when he left—that for the first time in their history, Native Americans were becoming residents of large industrial cities. In 1926, 10,000 Indians—approximately 3 percent of the group—reported an urban residence; in 1956, that total had risen to 160,000 (30 percent of the total). The move to the city encouraged other changes. In addition to fostering higher rates of intermarriage, cities also allowed greater access to education, widened exposure to new political systems, access to better health care, and the opportunity to interact with Indians from other tribes. As *Night Flying Woman's* memoir noted, city living also meant the rise of Indian ghettos, new forms of poverty, and frequent encounters with alcohol and racial prejudice. All of these changes loosened one's ties to tribal elders and reservation homelands.

California, for example, became a mecca for migrating Native Americans. In 1900, there were so few Native Americans in California that the state was not even listed among those with significant Indian populations. In 1930, Oklahoma, New Mexico, Arizona, and South Dakota all had larger Indian populations than the Golden State. But the advent of large military installations and the rise of the aerospace industry after World War II soon catapulted California ahead of the rest. The state's Native American population rose from 19,000 in 1930 to nearly 40,000 in 1960. Many cities had a small Indian community before World War II, but as was true in Minneapolis, few were prepared for the massive population shift that got underway during the 1940s. Long Beach, California, for example, counted barely 1,000 Indians in 1940; by 1980, 50,000 Native Americans had settled there.<sup>12</sup> Chicago's Native population rose from 274 in 1940 to 6,500 in 1970.<sup>13</sup>

Like the Okies who crowded Route 66 to California in the 1930s, thousands of Indians in the 1940s and 1950s headed for the nation's industrial cities in search of work and new homes. And the gap between reservation

and urban Indian income continued to grow. In 1949, for example, the average income of reservation residents was 80 percent of the figure for urban Indians. Twenty years later, reservation income had dropped to 57 percent of the amount earned by Indian city dwellers. Accompanying this income difference was a shift in occupations. In 1940, for example, the federal census reported that 50 percent of all Indian men were farmers. By 1970 this figure had dropped to 2 percent. During the same period, the percentage of Indian workers listed as “skilled” or “semi-skilled” rose from 10 percent to 50 percent.

Historians of the Truman presidency have described the government’s efforts to relocate Indians to cities, but much of their description has focused on the coercive nature of the project and Indian resistance to it. A pilot program in 1948 provided assistance to Navajos seeking jobs in Denver, Los Angeles, and Salt Lake City, and in 1950 BIA Commissioner Myer created a national network of relocation centers that were soon operating in eleven additional cities: Chicago, St. Louis, Oakland, San Francisco, San Jose, Dallas, Cleveland, Oklahoma City, Tulsa, Phoenix, and Albuquerque. While it was true, as former commissioner Philleo Nash reported at the Sun Valley conference in 1983, that the government’s program in the end was little more than “a one-way bus ticket from rural to urban poverty,” few could see the fundamental shifts in Indian life that were taking place in the immediate postwar years when one-third of Native people transferred their lives from reservations to cities. And few would realize until quite recently that perhaps as many as three-quarters of urban migrants who moved to the city did so without any support or encouragement from the BIA.<sup>14</sup>

Urban Indian history continues to be a small and underdeveloped field. James LaGrand’s history of the Chicago Indian community, *Indian Metropolis*, appeared in 2002 and it remains the only full historical study of urban Indian migration and community formation. Minneapolis, Cleveland, Denver, Oakland, Houston, Los Angeles, and Seattle all await their historians. Urban life has been the subject of literary works, from Gerald Vizenor’s Minneapolis stories published first in the 1970s to Susan Power’s recent *Roof Walker*, but historians have largely not “seen” urban communities as fitting subjects for study.

But the label “urban history” does not adequately cover the topics that historians have missed. The social and demographic shifts taking place while D’Arcy McNickle and Dillon Myer battled over the national policy towards tribes during the Truman era reached every corner of Native American life. Indians on the move in the postwar era—whether moving to distant cities or relocating to town to work for wages—created new



communities and new patterns of life that lay outside the control of the Indian office. Encountering one another in churches, bars, community centers, and at job sites, migrants from different tribes formed friendships and began to seek out ways to socialize together. Their associations gradually produced a series of Indian centers and friendship houses that provided facilities for athletic events, community celebrations, and powwows. With notable exceptions, most of these organizations and activities still await their historians.<sup>15</sup>

In the 1950s the prospect of moving to the city was particularly appealing to young people. Better educated than their parents and frustrated by limited employment opportunities in reservation communities, young families and single men and women were drawn to the prospect of new homes and higher incomes in the city. During the 1950s more than half of those who applied to the BIA for relocation assistance were single. Of the single migrants seeking BIA help, approximately 25 percent were women—many were single mothers of small children. As had been true for earlier immigrants from Europe and the American South—and for their mothers and older sisters in World War II—cities offered Indian women more job opportunities and the chance to live free from the constraints of family and community scrutiny. Here again are arrays of subjects historians have yet to “see.” What about Indian women as wage earners, their employment patterns, experiences with occupational mobility, and continuing (or interrupted) relations to home communities? Can we see patterns distinguishing major metropolitan areas from regional centers such as Rapid City, Farmington, Tulsa, and Spokane?

What about household economies, and balances forged and maintained between men and women workers within a household? How did households form and how might they have varied in different regions and at different times? Were first-generation migrants during World War II different from their younger siblings or children who relocated in the 1950s? This leads to deeper considerations of gender and family relations. How did urban living affect male and female roles, and relations between parents and children and between men and women?

Just as World War II affected the home front as well as the men and women who served overseas, so the massive population shift of the 1940s and 1950s reverberated back to the reservation homelands. After all, urban migration was spurred on by the shift to a cash economy across rural America, a shift that had been taking place for nearly a century and was also causing massive upheavals in the Deep South, in Mexico, and elsewhere in the world. A Ute woman from Randlett, Utah, captured the essence of this shift when she told an interviewer in 1967 that the rural

landscape of her childhood had largely disappeared. She recalled that in the 1920s, the houses near her home “got gardens and haystacks and cattle and horses and everything. . . . Everything just look fine.” “Nowadays,” she complained, “you just see the houses, the barest kind. They don’t have no hay, nothing.”<sup>16</sup> Lulu Brock worried that her neighbors in 1967 were “too lazy,” but the gardens and haystacks did not disappear because of a sudden onset of poor Indian work habits. In an industrialized and integrated national economy, Indian-owned land had simply become a worthless commodity.

Throughout Indian country, the 1940s were a time when communities faced this grim reality. Some, like the Oregon Klamaths, who controlled significant natural resources—in their case timber—responded by lobbying to privatize their tribal assets. In Montana, Blackfeet officials repeated this plea, arguing that the tribal council was well qualified to manage community pastureland and oil reserves for the profit of the group. At Hoopa Valley in northern California, the tribe began leasing mill sites to non-Indian logging operations in the 1950s and issued permits that authorized the removal of between 11 and 40 million board feet of timber annually. Timber interests generally hired Hoopa labor, pumping millions of dollars into the local economy. The strategy worked well until the forests were exhausted in the 1970s. On the Great Plains, tribes leased their lands to large cattle operations and former farmers turned to cowboying for wages. At the Pine Ridge Reservation in 1955, 42 percent of family incomes came from wage labor; only 13 percent came from the profits of Indian-run agricultural operations. Indian mineral resources also grew more accessible and more attractive. U.S. consumption of natural gas rose 50 percent between 1945 and 1950, for example, bringing exploration and pipeline companies to the Navajo reservation in record numbers. Uranium mines opened in the Navajos’ Chuska Mountains as well as on nearby lands adjoining Laguna and Acoma Pueblos.<sup>17</sup>

Several tribal histories—most significantly Paul Rosier’s wonderful study of the Blackfeet (*Rebirth of the Blackfeet Nation*) published in 2001—have examined the way reservation communities struggled to maintain their autonomy amidst the shift to wage labor and a cash economy in the 1940s, but few have focused primarily on economic life or the social consequences of shifting employment patterns.<sup>18</sup> Frequently overlooked is the impact of wages and cash on the class structure of reservation communities. Many historians have continued to assume that tribes are essentially communal organizations in which “the people” constitute a homogeneous whole. Kinship, reciprocity, and powerful instruments of redistribution such as giveaways and multifamily households continued in many commu-

nities during the Truman era, but just as historians have largely overlooked the gender dynamics of relocation, so have they largely ignored the ways in which traditional redistributive forces (such as giveaways, the centrality of women in family economies, and kinship obligations) struggled with the growing gap between workers and the unemployed, between landed and landless, and between educated and uneducated tribal members.

The disruptions of the postwar era also encouraged a number of religious innovations in Indian America. The Native American Church, which had been incorporated in Oklahoma during World War I, had spread during the 1920s and 1930s to tribes in the Midwest and Southwest and even into Canada. In the period after World War II, however, its practitioners dramatically expanded their influence and won vital legal protection for their rituals. The religion's focus on moral conduct and abstinence from alcohol made it ideally suited to displaced individuals engaged in wage labor. Its willingness to embrace members from a variety of tribes also attracted urban Indians living in multitribal neighborhoods. In the 1950s and 1960s, peyote groups formed in Chicago, Los Angeles, and other relocation centers. These groups often held their meetings in the countryside near the city. The San Francisco group, for example, met in a hogan church in Sonoma County north of the city; a man who worked during the week as an "Indian chief" at Disneyland led the Los Angeles group.<sup>19</sup> During these same years, the ritual also spread to Denver, Tacoma, Washington, and Dallas.

The Native American Church was not the only Indian-oriented religious group to grow during the population shift of the 1940s and 1950s. Many Christian mission groups also experienced dramatic growth. The Church of Latter-day Saints, or Mormons, for example, launched a concerted missionary campaign on the Navajo reservation in the 1950s, establishing forty-seven new congregations. Fundamentalist Protestants also made significant headway. In addition to their zeal, many of these fundamentalists were eager to recruit Native Americans as church leaders. With few formal requirements for clergy, Assembly of God congregations, Pentecostals, and independent Baptists recruited Native Americans—mostly men—to be pastors in both urban and reservation communities. Again, the Navajo reservation offers the most dramatic evidence.

The rise of new religions in both urban and reservation communities during this time of migration and population growth is another subject "not seen" by most historians. While Omer Stewart's landmark study, *The Peyote Religion*, has been available for nearly twenty years, few others have explored the appeal and rapid growth of the faith. Similarly, the subjects of contemporary Indian Pentecostalism and the role of the Latter-day Saints

in the religious life of postwar reservation communities remain largely unexplored.

Just as the postwar era offered middle-class Americans new vistas of mobility and affluence, so it promised Native Americans the opportunity to pursue their futures in new settings and in new ways. The growth and movement of the Indian population, together with the social and religious changes that took place within Indian communities, signaled a shift to a new style of life and promised new ways of relating to the American majority. Unfortunately, however, the promise embedded in these years of movement and change was obscured for most Indians by a countertrend of hostility and fear. McNickle and his successors were well aware of this countertrend in Washington, but few have looked beyond the beltway to explore the sources and expressions of anti-Indian and anti-tribal sentiment in and around reservation communities. Thomas Biolsi's remarkable *Deadliest Enemies* about Indians and whites at Rosebud in South Dakota unfortunately focuses on the 1970s, ignoring the generation or two that link—or might link—the racism of Wounded Knee I and Wounded Knee II.<sup>20</sup>

Indian voting is frequently mentioned as an important issue during the Truman presidency—it was in these years that Arizona and New Mexico dropped their restrictions on Indian voting and agitation began for the lifting of restrictions in Utah. But while historians have noted these changes, they have not explored local resistance to Indian civil rights or the nature of the anti-Indian sentiment in these states. Thomas Cowger's study of the NCAI and Joe Fahey's biography of NCAI president Joe Garry (published in 1999 and 2001, respectively) cover the outlines of the organized activism of this period, but as with the other policy studies, their focus is primarily on Washington and not on the world most Indian people inhabited.<sup>21</sup> Paul Rosier's new work on the international dimensions of Indian policy in the Truman era, published in the March 2006 edition of the *Journal of American History*, represents an innovative approach and new direction for future scholarship.<sup>22</sup>



I tell my graduate students that the first thing one should do when beginning a doctoral program in history is to make friends. Friends are important because any subject in history—from the history of the Middle Ages to the history of the Truman presidency—is so complicated and open-ended that it takes more than a single mind to comprehend it. Friends can be sounding boards as you try to work out a new idea or define a new subject for research. Friends can be supporters when your work is criticized, or worse, ignored by other scholars.



One of the paradoxes of studying history is that on the one hand it is a lonely occupation that requires solitude and concentration, while on the other hand, it is basically impossible to do alone. These reflections on Indian affairs in the Truman era illustrate this point. D'Arcy McNickle, Felix Cohen, and other scholars who saw the Truman era as the age of reaction saw only one thread of events. Preoccupied with the new tribal governments created in the 1930s and worried over their future, these scholars were focused solely on the issue of tribalism and the role of federal officials. They did not see another thread that moved quietly through the Truman years that soon burst into public view: the transformation of American Indians from rural to urban people and from isolated communities dominated by the BIA to flexible new enclaves occupying strategic spots in cities and towns across the country.

There is one further point to make about what historians now "see" in the experiences of Indian people in postwar America. It isn't just that scholars can and should look for something previously undetected in the lives of American Indians, but that they should also define Native Americans themselves in broader terms—to set Native American experience in a wider context. To explore and appreciate all the dimensions of the social transformation taking place in Native America in the 1940s and 1950s requires viewing Indian people as a component of the national community and understanding their history as a component of our national history. For all their idealism and creativity, the historians who define Indian history in terms of federal policy, BIA administration, and arcane disputes within the federal bureaucracy contribute to the idea that Native people are somehow separate and immune from the history that happens to everyone else. When the policy scholars "see" Indians, they often "see" people defined by their place in federal policymaking. Indians are people on reservations because reservations are Indian places. Indians are objects of BIA actions because the BIA is an agency focused on Indians.

I propose that we "see" Indians as migrants, urban dwellers, wage-earners, feminists, artists, political activists, storefront preachers, and ambassadors of culture. They are people who act for a variety of motives, associate with all manner of unexpected people, participate in a surprising array of activities, and express themselves in settings and art forms their parents could not have imagined. Their histories do not unfold in separate compartments, cut off from the history of everyone else in North America. Instead history—particularly modern history—happens to Native people at the same time it happens to non-Natives. There is an Indian war that never ends as McNickle declared, but that war has taken place in a mobile, highly integrated world that encourages people to transcend the borders



between groups and shrinks the distances between them. Indian and non-Indian histories of the Truman era are deeply intertwined. We can see it now in a way Truman and his contemporaries could not. But surely, at the same time, we are not seeing something else. That's why it is good to be among friends.

## Notes

- <sup>1</sup> Philp, *Termination Revisited*, 17–27.
- <sup>2</sup> Prucha, *Great Father*, 1019.
- <sup>3</sup> Philp, *Termination Revisited*, 29–30.
- <sup>4</sup> Prucha, *Great Father*, 1029.
- <sup>5</sup> McNickle, *They Came Here First*, 93.
- <sup>6</sup> Philp, *Termination Revisited*, 124.
- <sup>7</sup> Quoted in Shoemaker, "Urban Indians and Ethnic Choices," 431–32.
- <sup>8</sup> Broker, *Night Flying Woman*, 5.
- <sup>9</sup> *Ibid.*, 7.
- <sup>10</sup> Shoemaker, *American Indian Population Recovery*, 11–13. See also Snipp, *American Indians*.
- <sup>11</sup> For a recent discussion of this shifting demography, see Edmunds, "Moving With the Seasons," 38–43.
- <sup>12</sup> Shoemaker, *American Indian Population Recovery*, 76.
- <sup>13</sup> LaGrand, *Indian Metropolis*, 7.
- <sup>14</sup> Parman, *Indians and the American West*, 142.
- <sup>15</sup> For an exception to this generalization, see Ellis, Lassiter, and Dunham, *Powwow*.
- <sup>16</sup> Lewis, *Neither Wolf Nor Dog*, 68.
- <sup>17</sup> See Ambler, *Breaking the Iron Bonds*.
- <sup>18</sup> Rosier, *Rebirth of the Blackfeet Nation*.
- <sup>19</sup> Stewart, *Peyote Religion*, 319.
- <sup>20</sup> Biolsi, *Deadliest Enemies*.
- <sup>21</sup> Cowger, *National Congress of the American Indians*; and Fahey, *Saving the Reservation*.
- <sup>22</sup> See Rosier, "They Are Ancestral Homelands," 1300–1326.

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# REFLECTIONS ON PHILLEO NASH, HARRY TRUMAN, AND AMERICAN INDIANS

**Ken Hechler**

Every ten years after the decennial census, there is a mad scramble as the seats in Congress are reapportioned among the states and state legislators go to bat to redistrict congressional districts. Well, there is a story that a particular congressman woke up after a redistricting to find that he had five thousand American Indians added to his district, so he felt he better go out and make a few campaign promises. In a fine speech, he promised he was going to provide a job for every American Indian. He proclaimed he was going to furnish more money for education and more money for medical care, and each time he came to an applause line, the Indians would jump to their feet and whistle and yell, "Oompah, oompah, oompah." He was feeling really great at the end of his speech. Then the chief carefully guided him across the cow pasture back to his car, and he said, "Watch out you don't step in the oompah."

Everything I learned about Native Americans, I learned from a fellow named Philleo Nash. Philleo joined the White House staff under FDR, and Truman inherited him when he took office on April 12, 1945. Philleo was buried beneath a somewhat paranoid boss named David Niles, who would never let him go out and learn anything new. But he told me a great deal about his efforts to try to get President Truman to understand more about Native Americans. Later on, after he left the White House, he was elected lieutenant governor of Wisconsin and later became commissioner of Indian affairs in the Kennedy administration. He said he learned more about Native Americans when he was commissioner than he did when he was supposed to be the number-one man on Indian affairs at the White House. He had so many other things to do with the recognition of Israel,



*Philleo Nash (center) with  
President Truman and staff at Key  
West.*

civil rights, and trust territories that he could never get President Truman to focus 100 percent on Native Americans.

There are a couple of *New Yorker* cartoons that are relevant here. In one published in April 2006, a group of Native Americans are watching the first English colonists rowing ashore, and one says, "Well, they look pretty undocumented to me." You can imagine that this caused a brouhaha over immigration. Another from back in January 1971 showed a Pilgrim child speaking to a Native child. He says, "We're here to escape religious persecution. What are you here for?"

Anyway, I would say that President Truman's record on American Indians was very mixed. There were some real high points, such as in 1946, as Fred Hoxie tells us, with the establishment of the Indian Claims Commission, which was supposed to work for five years but kept getting renewed until it was finally abolished in 1978. But in 1947, the 80th Congress, which was billed as a penny-pinching Congress, passed a really wonderful pro-Indian bill through both House and the Senate unanimously. It was a bill to reimburse Indians for taxes they had overpaid over the years. It only amounted to \$220,000, and the Senate reduced the interest rate from 6 percent to 4 percent. It was really a good bill, but Truman vetoed it because the Treasury Department advised it shouldn't be signed. That was a negative.

Then in 1948, the Secretary of the Interior told the president that the Navajos and Hopis were having a very hard winter and needed some relief, so he quickly signed a relief bill. He vetoed the first version of it because it contained a section providing that the state courts, rather than the federal courts, could make judgments about distributing the relief funds. The states were very anti-Indian during that period. In fact, New Mexico and Arizona refused to give Social Security to anybody who was American Indian, and Truman just didn't like that.

There came another high point in 1951 when a Winnebago named John Rice, a U.S. Army sergeant, was killed in the Korean War, and the Sioux City, Iowa, cemetery would not allow this non-Caucasian to be buried there. President Truman intervened and they buried Sergeant John Rice in Arlington National Cemetery with full military honors.

But the worst thing Truman did was to appoint Dillon Myer as commissioner of Indian affairs. That fellow was just so gung-ho for termination. He could have played Arnold Schwarzenegger's part in *The Terminator*. So I would have to give President Truman a C minus on Indian affairs; because of some of the pluses in the Indian Claims Commission and other things, I won't give him a D.



# DIGNITY AND DECENCY

## Father Peter Powell and American Indian Relocation to Chicago

Douglas K. Miller

In the 1960s, Chicago had the fourth largest concentration of American Indians in the nation—reservations included. Like Indian-dominated neighborhoods in other cities, it was not uncommon to hear Chicago's Indian population refer to the Uptown neighborhood as "the reservation."<sup>1</sup> Native people had long been migrating to this Midwest bastion of cultural pluralism in numbers gradually increasing from the turn of the twentieth century. However, in 1952 the Truman administration introduced a "voluntary relocation program" that began placing thousands of reservation-based Indians in Chicago and other cities west of the Mississippi. From 1952 through 1960, over 31,000 Indians migrated through the program and countless more migrated without benefit of support from the Bureau of Indian Affairs (BIA).<sup>2</sup> However, the large number of Indian relocatees did not necessarily reflect general satisfaction with the program on the part of Native participants, or even on the part of federal bureaucrats who envisioned lofty goals for the program. In fact, the relocation program was highly problematic. Native people, for the most part, struggled to succeed in a program that was largely underfunded and mismanaged. As a result, urban Indians resorted to numerous tactics to ensure their cultural survival and personal security. These ranged from innovative methods of survival directly linked to the urban experience, to more traditional practices that imbued urban Indian life with a sense of cultural preservation.

Beginning in 1953, Episcopal parish priest Father Peter John Powell played a key role in helping relocated families survive the transition to Chicago. Eight years later he established St. Augustine's Center for Indians in the city's diverse and impoverished Uptown district. The center doubled

as an Indian social services agency and community church that featured a syncretic Indian-Christian religious service informed by Powell's close relationship to the Cheyenne tribe. St. Augustine's mission statement claimed, "We desire to assist in making it possible for the First Americans to live in dignity and decency wherever they may choose to dwell—be it city or reservation."<sup>3</sup> *Decency* referred to adequate housing in safe neighborhoods, steady employment, and a respectable education. *Dignity* meant achieving these goals without compromising Indian cultural integrity. Unlike the nineteenth-century boarding school experiment, Indians in Father Powell's care were not expected to shed their Indianness in exchange for a better standard of living.

This is a history of Father Peter John Powell's mission to American Indians in Chicago and the social services he provided on their behalf. Additionally, it is a history of how urban relocation impacted Native peoples' lives. Finally, it is a history of how Native participants affected the relocation experiment's eventual outcome. By studying the history of St. Augustine's Center for Indians, we gain some understanding of how American Indians anticipated, responded to, and ultimately survived a highly problematic federal Indian relocation program. Over the course of adjusting to life in the city—securing employment, locating adequate housing, enrolling their children in school—Native people had unique experiences that could not possibly speak for the overall success or failure of the relocation program. This is because former reservation-based Native people brought their life experiences with them to the city and those experiences varied from tribe to tribe, family to family. Simply put, the degree to which Indians were capable of navigating city life and demonstrating the usefulness of the relocation experiment depended on the individual. For some it was a success. For others, it was an utter failure. This is not to suggest relocated Indians exhibited unlimited agency throughout the process—seemingly insurmountable odds were stacked against them. But Indians did exhibit agency in the relocation process and whatever good came of the program can largely be attributed to their collective resolve.

A major goal of the relocation program was to break apart tribalism and weave Indians into a postwar attempt by federal policymakers to achieve national racial and cultural harmony—one country, one people, Indians included. To be sure, relocated Indians did engage majority America in ways unique from those of previous Indian generations. But they did not necessarily surrender or even compromise traditional Indian culture as a result. Tradition, of course, meant something different to various Indians from various tribes. Therefore, the degree to which it was affected is difficult to gauge. One thing is certain, migrating Indians did not and could

not leave tradition behind on the reservation for safekeeping. Nor did they stash it away on the city limits, from where they hoped to recover it on the way out. Indians carried their own understanding of tradition into the city. At times it was amended. At times it was a burden. Oftentimes it provided refuge from the pain of relocation. Undoubtedly, it evolved. But it was never destroyed. In fact, some Indians discussed in this essay insist that they developed an understanding of Indian tradition for the first time after they moved to the city. In short, any dichotomy that suggests reservation Indians remained traditional and urban Indians became assimilated obfuscates the complexities of the urban Indian experience.

Scholarship on the relocation project too often reduces Indian participants to childlike caricatures incapable of operating elevators and setting alarm clocks. If we accept the standard portrayal of Indians in the city, then retention of tradition must have been an afterthought for relocated Indians. Scholars too often tell stories of urban Indians who could not figure out when to eat lunch, hid in their apartments, and cowered from noisy traffic and flashing lights. While it is true that Natives themselves were largely responsible for giving voice to such experiences, scholars have greatly overemphasized this aspect of the relocation experience.<sup>4</sup> Understandably, such a perspective contributes to the larger Indian history narrative of indigenous resolve in the face of cultural hegemony. Indians, of course, share a long history of struggling to overcome ill-advised federal programs for assimilation, but notions of struggle surely do not speak for the entirety of the urban Indian experience.

While it is important not to diminish the relocation project's damaging effects or to downplay the compromised position in which urban Indians often found themselves, it is also important to remember that relocated Indians were complex individuals who brought diverse experiences into the city, and both challenged and strengthened their understandings of themselves and their tradition—regardless of whether they returned to the reservation or remained in the city. No doubt, many relocated Indians were taken advantage of and many regretted the experience. But numerous relocated Indians took advantage of the opportunity to improve their lives however they saw fit, thus challenging the notion that Indians embraced poverty on the reservation while rejecting Euro-American education and professional careers.

At St. Augustine's Center for Indians in Chicago, the lines between tradition and progress were blurred. Many members of the Native community ultimately used the federal relocation program to strengthen both tribal ties and their individual sense of tradition. Several historians have argued that adopting new ways to ensure tribal survival is, in fact, a defining characteristic of Indian tradition.<sup>5</sup> Chicago Indians who took advantage of St. Augustine's Center

social services and, more specifically, Father Peter Powell, did not deviate from a long tradition of Native peoples' use of the Christian church and Christian charity to protect their families and ensure survival. Nor should the practice of temporary, migratory labor and the adoption of Western skills and cultural paradigms be construed as oppositional to Indian tradition. This is not to say that voluntary displacement did not threaten some aspects of Indian tradition. Land is central to Indian tradition and relocated Indians were miles from their traditional homes; because traditional Native spiritual practices are inextricably linked to land, they certainly would have been strained in the context of an urban environment. Also, young, relocated Indians would have been miles from their elders and extended families, thus threatening the importance of clan networks in traditional Native life. Distance from elders also meant a younger Indian generation was separated from traditional language and storytelling practitioners. However, arguments both for and against the compromise of tradition are largely built upon generalizations and assumptions. Different Indians understood land, language, clan networks, and spirituality in different ways; therefore the degree to which these subjects factored into individual Indian lives is difficult for historians to determine. For these reasons, historians who promote dichotomous notions of "traditional" and "assimilated" contribute little of value to discussions on the urban Indian experience. Too much focus on what was lost leads historians to overlook what was ultimately preserved. Indians discussed in this essay experienced fundamental changes in their lives, but through it all they remained Indian.

St. Augustine's was not Chicago's first social services agency for urban Indians. From the beginning of the twentieth century, several Chicago-based Indian rights and social services organizations worked on behalf of Native people. In the process, they fought to overcome the city's general impression of Indians as relics of a romantic past. Stereotypes were indeed obstacles blocking the way toward improved conditions for Indians in the city. Yet, urban Indians also understood that appeals to cultural stereotypes frequently produced receptive non-Indian audiences. Accordingly, Indians in the Second City promoted an identity that was equal parts real and imagined. Newly arrived Chicago Indians from otherwise disparate tribal backgrounds also understood the benefit of uniting in common cause to improve their immediate living conditions and secure employment, education, and housing prospects for future tribal generations in the city.<sup>6</sup>

In 1910, a total of 188 Indians called Chicago home. Most prominent among them was University of Illinois-educated Dr. Carlos Montezuma (Yavapai), whom historian David Beck called a "one-man social services agency."<sup>7</sup> The progressive Indian activist and onetime leading member

of the Society of American Indians began a long trend of social services work by and for Indians in Chicago that he maintained until his death in 1922. One year later, the Indian Council Fire (originally called the Grand Council Fire) began providing social services for Chicago's small Indian population, thus filling the void created by Montezuma's passing. The Council's officially stated objective was "to promote the advancement and protection of Indian rights and welfare; to assist the Indian in time of distress; to encourage the Indian in all educational and artistic pursuits; to strengthen and maintain the Indian character, and to cultivate friendlier relations between the Indian and white races." Promoting a message of reconciliation between Indians and whites, as the group frequently did, the Council's objective concluded, "Cooperating in sincere and earnest effort for humanitarian cause, our members of both races meet in friendship."<sup>8</sup>

Scott Peters, an Ojibwa from Michigan educated at the Carlisle Indian boarding school in Pennsylvania, served as the Council Fire's second and most effective president from 1925 to 1934. In the 1930s, he traveled throughout the Midwest encouraging educated Indians to join the burgeoning Chicago Indian community. Peters successfully found work for his Indian recruits in Chicago factories, leading a fellow council member to call Peters a "one-man relocation team."<sup>9</sup> From 1923 until 1953, the Council Fire assisted Chicago Indians with legal, education, housing, and employment matters. The council also made a habit of delivering Thanksgiving food baskets to needy Indian families, visiting sick Indians in local hospitals, and helping with burial arrangements for deceased members of the Indian community. Council programs also included the Indian Players Little Theater Group, a young women's chorus, and an Indian boy's basketball team. In addition to providing modest social services and community youth programs, the Council Fire focused a great deal of attention on participating in the annual Chicago Indian Day celebration held every September since its official adoption in 1919.<sup>10</sup> In 1953, however, the council redrafted its bylaws and decided to shut down its social service program in favor of focusing solely on the Annual Indian Achievement Award, which it continued to sponsor well into the 1990s.<sup>11</sup> Ironically, around the time the Council Fire was reducing its role in Chicago's Indian community, more Indians than ever were migrating to the city as part of the federal government's recently introduced voluntary relocation program.

Several American cities witnessed an increase in their Native population during World War II when thousands of Indians migrated to urban areas in search of war-industry jobs. Then, in 1947, the federal government sanctioned Indian urban relocation for the first time. As a result of a devastating blizzard that paralyzed the Navajo reservation earlier that year, the BIA



sponsored a program to relocate Navajo Indians to urban areas to escape the blizzard's dire consequences. Finally, the Truman administration introduced a full-fledged "voluntary relocation program" in 1952. Recently appointed Commissioner of Indian Affairs Dillon S. Myer (1950–1953) directed the program and played a key role in its development. Commissioner Myer had previously supervised the War Relocation Authority camps as part of the Japanese American Internment program during World War II and he would ultimately model his Indian relocation program according to that experience.<sup>12</sup> Myer, like most other termination policy advocates, believed the solution to American Indians' economic woes lay in relocating Native populations from reservations to urban areas. To continue thinking of Indians as agricultural people was a mistake, Myer reasoned. By the beginning of the 1950s, 83 percent of the American population resided in cities. Especially encouraged by significant Indian participation in World War II military ranks and the war-production industry, Myer and other terminationists saw no reason why Native people should not join the urban American majority. Furthermore, Indian policymakers were convinced that providing Indians with steady employment in urban areas was a viable path toward reducing the costly Indian affairs bureaucracy that had expanded during the Roosevelt administration's New Deal reform period.<sup>13</sup>

The relocation program worked according to a multidimensional plan. Its primary objective was to provide steady work for Indian adults, enroll Indian children in public schools, and locate adequate housing for Indian families, thereby completing the federal government's age-old effort at Indian assimilation, an effort temporarily confused by the 1934 Indian Reorganization Act. Indian attitudes toward the program were mixed. Many Indians were suspicious of the BIA's agenda. For them, relocation resembled old federal paternalism in new clothing.<sup>14</sup> Others viewed the program as an opportunity to overcome the scarcity of steady employment on reservations. Soon, thousands of Indians put their names on waiting lists to begin anew in places like Minneapolis, Denver, Phoenix, Los Angeles, and Chicago—the latter two receiving the most relocated families.<sup>15</sup>

The BIA advertised its relocation program on Indian reservations with bright flyers and posters urging Indians to try their luck in distant urban locales. Area relocation offices posted pictures of immaculate homes with captions reading: "They are available to families now! See your Relocation Officer." Photos typically depicted clean apartments furnished with lamps, radios, televisions, and refrigerators. Some pictures depicted young Indian mothers reading bedtime stories to their children; others portrayed Indians in church, at home eating dinner, and at work. Three photos in particular perfectly encapsulated the life relocation directors envisioned

for their Native constituents. The first displayed an Indian boy mingling with his new white friends during a break at school. The second depicted an Indian family sitting on a couch in front of a TV; a shorthaired father wears a pressed button-down shirt with a pack of Lucky Strikes tucked in the breast pocket while his apron-clad wife embraces him and their three children, everyone smiling for the camera. Finally, a third photo captured an Indian mother on a sidewalk, pushing her baby in a stroller alongside a white mother doing the same. Some Indians no doubt dismissed such photos as farcical advertising. Others might have willfully envisioned such a life for themselves. However they interpreted these photos, Indians putting their names on relocation waiting lists certainly must have recognized the Indian Bureau's message of assimilation.<sup>16</sup>

Regardless of Dillon Myer and the BIA's intent, the relocation program faltered from the outset. Suffering from insufficient funding and BIA mismanagement, the program largely failed to deliver a life resembling anything like that advertised in recruitment photos.<sup>17</sup> Philleo Nash, who fought to improve the relocation program as commissioner of Indian affairs from 1961 to 1966, claimed, "Myer's relocation program was essentially a one-way bus ticket from rural to urban poverty."<sup>18</sup> Furthermore, the program discriminated by providing funding for vocational training while denying funding for academic training. In this respect, the program failed to educate and prepare Native relocatees for administrative positions or white-collar work. Worse yet, training programs actually provided less financial support than Indians could achieve simply by remaining on the reservation—many Indians could not afford to enter the training program.<sup>19</sup>

Looking back, Robert Bennett, who succeeded Philleo Nash as BIA commissioner from 1966 to 1969, recognized some positive outcomes of the program. Most importantly, he argued that a higher standard of living could be achieved in the city than was available to Indians on the reservation. In gauging the larger long-term impact the program had on various tribes, Bennett summarized the relocation program: "I would say that the relocation program was excellent for some people. The mistake was trying to make it successful for everybody, which it was not. But we did finally get the state employment services and the Employment Security Commission offices interested in a stronger effort to locate employment opportunities near the reservation, rather than transplant people from South Dakota all the way to Los Angeles and other distant places."<sup>20</sup> Locating employment opportunities near reservations was no doubt an important development for Native people, but the fact that this occurred after thousands of Indians had migrated to cities must be acknowledged as an ironic insult. Thousands of miles from home and financially strapped, how easy would it have been for

urban Indians to take advantage of those new jobs?

While BIA officials debated the finer points of the program from above, relocated Indians faced real challenges on city streets below. Problems ranged from racial discrimination to alcoholism to lack of steady work. In 1960, Chicago Indian community leader Benjamin Bearskin (Sioux/Winnebago) proudly moved his family of seven into a new four-room apartment at 3415 West Huron. After relocating his family to Chicago from South Dakota in 1948, Bearskin worked for twelve years as a welder and construction laborer by day and board chairman of the American Indian Center by night and on weekends. "We spent all day May 14 moving into our flat after we had worked hard to clean and decorate it," Benjamin's wife, Fredeline (Ho-Chunk), recalled. "That night we went to a party at the Indian Center. When we reached home, we found the windows had been smashed by stones." The Bearskin's new front room was filled with stones and broken glass; vandals had broken every window in the building. Attached to one stone was a note: "You mex, get out of here. This is only the beginning. No kidding. [Signed] The Whites." Benjamin sarcastically looked on the bright side when interviewed by reporters in the aftermath, "I feel it's an honor to be taken for Mexican."<sup>21</sup> Ten days later, a frightened landlord evicted the Bearskins from their new apartment because of persistent threats. "They fear the neighborhood will be overrun by Negroes, Puerto Ricans and Mexicans, I guess," Bearskin reasoned. "But my ideal neighborhood is one where you might find ten or twelve nationalities all getting along together." Fredeline Bearskin added, "It's tough to have to take such treatment—we belong to this country."<sup>22</sup>

For the most part, relocated Indians hoped the city would provide a solution to deficient work, education, and housing resources on the reservation. Unfortunately, urban life often failed to provide much of an alternative; deciding where to settle permanently could be an exercise in choosing the lesser of two evils. "We have much more money here," one Indian mother claimed, "but we have far less freedom. We don't consider Chicago our real home. It's just a means of supporting our family right now." A Winnebago woman added, "At first we thought life here was impossible. We hated the fast pace and being stuck indoors. We thought of giving up and going back, but we couldn't make a living as easily anywhere else."<sup>23</sup> For these two Native women, Chicago did provide greater financial stability but life in the city was not altogether satisfying. Some Indians told of a desperate struggle to find their way in the city, "I ain't no Chicago Indian," one Native man insisted. "I'm from the Bad River Reservation in Wisconsin. There was nothing up on the reservation. I wanted to come down to see the big city. All my friends came too. I show up here [the daily

labor office] everyday. When they don't send me out, I go get drunk. I can't hold a steady job. You know how Indians are. Once we start on the bottle, we're stuck. I'd like to go back to the reservation now. Give me the money to live on and I'd go back tomorrow."<sup>24</sup> Echoing those sentiments, an Oneida man lamented, "They [Indians] just can't handle the city. They come here from the reservations to get jobs. But there were none. That's why they turned to drink. They used to just blow you away," he surmised. "Now they do it in other ways."<sup>25</sup> A Chicago journalist caught a glimpse of a particularly bleak situation when she visited an Indian mother of four as part of a human-interest story on Uptown Chicago Indians. Hiding from an abusive, alcoholic husband, the mother occupied a roach- and mice-infested apartment with a leaking roof and heating system that only worked intermittently. "I was kicked out of my last apartment after my husband broke all of the windows," the Indian mother explained. "My landlord removed the door to this apartment from its hinges after I failed to make a rent payment."<sup>26</sup> Of course scenes such as this were not unique to the poor Indian community; other ethnic minorities faced similar conditions when migrating to urban ghettos. This does however illustrate the fact that, for the most part, the living arrangements relocated Indians encountered hardly resembled those promised by BIA advertisements.

Indians relocating to Chicago faced a series of crises from the outset. First, the BIA only provided financial assistance for the first thirty days of relocation, hardly enough time to make the transition from a remote reservation to the second largest city in the country.<sup>27</sup> Second, Indian families were not eligible for Chicago public aid until they had lived in the city for one year and Indian Health Services could only assist Indians on reservations. Third, the BIA knowingly moved Indian families into impoverished, crime-ridden neighborhoods with substandard housing. Fourth, Indian children struggled to adapt to a Chicago public school system that demonstrated little sensitivity to Indian culture and made little effort to provide special assistance to their distinctive needs.<sup>28</sup> Finally, the BIA intentionally distanced Indian families from each other when selecting housing for them. Politicians promoting racial integration thought they were helping matters by forcing Indians to intermingle with other ethnic groups and resist communal living. As a result, tribal kinship networks—the foundation of most traditional Indian societies—could not be as easily relied upon for coping with the rigors of city life. Indian families therefore experienced a great deal of isolation and loneliness. One Chicago journalist speaking on behalf of the entire Indian community claimed, "Indians relocating here said it seems the Bureau doesn't understand, in its high-handed methods, that an Indian relinquishes more than mere poverty when he leaves his ethnic community



for a distant industrial community. The Indian leaves something he loves—the only way of life he knows—when he goes to a metropolis.<sup>29</sup>

Many Indians rejected public aid and charity when it was available. For some, this was a way of holding fast to traditional Indian cultural values through upholding a sense of ethnic pride. Certain members of the Chicago Indian community may have feared taking handouts from non-Indians would reinforce a stereotype of helpless Indians in need of welfare. “Most Indians only will apply for social services as a last resort,” a Pottawatomie woman explained. “They desperately want to make it on their own.”<sup>30</sup> A Chicago caseworker added, “Indians won’t go to these non-Indian places. That’s just the way of the Indian. They’re very proud people. Very proud.”<sup>31</sup> Further complicating matters, a substantial number of Indian families migrating to Chicago during the 1950s and 1960s did so independently of the BIA. These Indians did not receive the same vocational training as BIA-sponsored Indians. As a result, they were placed in unskilled positions and were the first ones affected by job layoffs that commonly occurred between November and March. Even if unemployed Indians accepted welfare assistance, they were only eligible after they met a one-year residency requirement.<sup>32</sup>

Many relocated Indians felt more comfortable seeking assistance from an area church, as many did back home on the reservation. Upon arriving at the Chicago relocation office, Indians were given a slip that read, “Christian Churches are eager to welcome Indians into the Community and Church of their own choice,”<sup>33</sup> and invited to submit contact information and denominational preference. They could then expect a visit from a local church representative who would help them navigate the challenges posed by the city. This is where Father Peter Powell enters the picture.

The relocation program provided Father Powell an opportunity to put his vast knowledge of Indian lifeways to use. He believed his intimate understanding of Indians, developed over two decades working as an Indian rights activist and anthropologist among the Cheyenne, provided him with the knowledge to improve on the federal government’s ailing relocation program. The solution, Powell reasoned, was to build a relationship with Indians founded on trust and loyalty.<sup>34</sup> In order to achieve this, he had to know more about Indians than what the average American was fed through Hollywood films and Old West novels. Inspired by the anthropology work of Clark Wissler and Mari Sandoz, as a high-school student Powell volunteered at the University of Pennsylvania Museum where he recatalogued their Plains Indian collection. Each summer his father brought him to Indian reservations where young Peter conducted ethnographic fieldwork—interviewing his first Indian at age thirteen. Especially inspired by the 1879 Cheyenne flight from reservation to home-



land, Powell claimed that Cheyenne chiefs Little Wolf and Morning Star provided the historical inspiration for him to seriously pursue a career as an anthropologist.<sup>35</sup> The degree to which a romanticized background in nineteenth-century Plains Indian culture spoke to the problems of twentieth-century Chicago-based Indians is debatable, and Powell might be criticized for reinforcing Indian stereotypes. However, his background in Indian history and culture at the very least enabled him to identify with Indians and relate to them on their terms. Chicago Indians likely appreciated Father Powell as someone deeply sympathetic to Native people.

Powell also counted himself as Indian, and this further complicated his relationship to Chicago's Indian community. Having chosen Powell to record and publish their sacred ceremonies, Cheyenne elders and the Northern Cheyenne tribal council formally adopted the Philadelphia-raised priest into their tribe, giving him the Indian name "Stone Forehead."<sup>36</sup> As a result, Powell occasionally made reference to his "full-blood Cheyenne parents." Even his will asks that he be buried among "his people" on the Northern Cheyenne reservation.<sup>37</sup> Powell's comments to the press after a St. Augustine's Center-sponsored Indian canoe team lost a race on the Chicago River are particularly illustrative of his identification with the Chicago Indian community. Powell lamented, "We just finished a canoe race from Wilmette to Meig's Field. But we came in second—the white boys beat us."<sup>38</sup> Like the anthropologists famously mocked in Floyd Westerman's folk song "Here Come the Anthros," Powell could have

*Canoe race on Lake Michigan in the early 1960s; left to right: Leroy Wesaw, Art Elton, Roger Harper, Father Peter J. Powell, Dan Battise. Photo courtesy Edward E. Ayer Collection, The Newberry Library, Chicago.*



been dismissed as a white man who claimed to know more about being Indian than most Indians.<sup>39</sup> Still, Powell's identification as Indian can be understood in the context of forming kinship bonds with the Indian community he served. For Chicago Indians, accepting a clergyman into the tribal community for political, spiritual, and economic benefit reflected a traditional practice employed by countless tribes over the years. In order to accept Powell's much-needed offerings, Indians in the Chicago community seemed willing to either ignore or indulge Powell's identification as Indian. When a leading member of Chicago's Indian community was asked if there were any good Indian leaders in Chicago she responded, "I'd say Father Powell helped me the most, but he's not Indian." She paused, "But he is adopted by the Cheyenne."<sup>40</sup>

In 1953, Powell graduated from Nashotah House in Wisconsin where he was trained to conduct missionary work among Indians. Later that year he was appointed diocese director of Indian work at St. Timothy's on Chicago's west side, where he helped Indian parishioners who were struggling to succeed in the city.<sup>41</sup> In addition to his work at St. Timothy's, Powell spent much of the decade working as an Indian rights advocate. In letters to President Eisenhower, he protested the building of the Kinzua Dam.<sup>42</sup> He helped the Northern Cheyenne tribe fight land dispossession.<sup>43</sup> In correspondence with the commissioner of Indian affairs, he protested the termination policy while advocating a Point Four tribal resource development program. Within his own Episcopal church, he urged for greater advocacy of Indian rights.<sup>44</sup> Back in Chicago, Mayor Daley praised the energetic priest "for seeking out opportunities for American Indians to participate fully in community life, and for his special help to the Benjamin Bearskin family when that family was victimized by racial bigotry."<sup>45</sup> Without question, Father Powell was on the cutting edge of Indian activism, both nationally and locally. At one point, Helen Peterson even offered him a position in the influential, Indian-led National Congress of American Indians.<sup>46</sup> However, sensing a greater demand for his services within the Chicago Indian community, Powell turned down the offer. At that time, the federal government's three-pronged policy to terminate Indian tribal sovereignty, relocate Indians to urban centers, and compensate tribes through the Indian Claims Commission was in full flux. Thousands of Indians were pouring into Chicago.

Father Powell vehemently opposed the Indian Bureau's relocation program. "The early years of relocation were indescribable," he explained. "Families were brought in here on a one-way ticket. After a month, it was assumed the Indian family had adjusted and all aid was dropped."<sup>47</sup> Further elaborating on the program's failure, he recalled, "Between 1953 and 1960, the government claimed 35,000 Indian families had been moved to the cities and more than

75 percent had successfully made the adjustment to city living. This was an absolute lie. Our people were in the midst of the most terrible turmoil one could imagine.<sup>48</sup> After contending with the government's failing program for eight years as the Chicago Episcopal diocese director of Indian work, Powell finally decided to expand his mission in a way that would counterbalance the damaging nature of urban relocation.

In 1962, with no financial support from his own church, Father Powell established St. Augustine's Center for Indians in Chicago's impoverished Uptown immigrant portal to help Indian families navigate the BIA's highly problematic urban relocation program. Originally a small storefront operation, the center eventually expanded into a three-story brownstone building where relocated Indians could gain access to family counseling, job referrals, housing searches, and education assistance. More pressing needs like food, clothing, and emergency cash to pay rent and utility bills were also covered. In addition to helping those who migrated through the official BIA program, the center also extended services to Indian families that migrated independently. These families have been somewhat overlooked by historians but they in fact comprised a significant portion of Chicago's Indian population.<sup>49</sup> What they collectively illustrate is the fact that not all Indians fell prey to misleading BIA advertising. These Indians were not tricked into boarding trains and buses bound for terrifying cities where, once they had arrived, they quickly realized they could not cope. They had to be confident in their ability to survive and desperate enough to migrate without benefit of BIA support.

Reflecting the Johnson administration's recent declaration of a War on Poverty, Powell promoted St. Augustine's as a "bridge to the Great Society."<sup>50</sup> That analogy proved appropriate when the Office of Economic Opportunity awarded Powell a War on Poverty Community Action Program grant in 1965. Thanks to additional funding, the center introduced a modest scholarship and youth recreation program while adding a second priest, three social workers, and a psychiatrist to the payroll.<sup>51</sup> From 1962 through 1969, St. Augustine's counseled and assisted over seven thousand different Indian families representing over sixty tribes, and its family casework program was serving more Indians than any other private agency in the country. In that time, St. Augustine's staff had grown from one person to twenty-three—fourteen of whom were Indian—and the center's annual budget grew from \$10,500 in 1962 to \$206,000 in 1970.<sup>52</sup>

Community Action Program funding expanded the scope and efficacy of Father Powell's services, but it also increased his obligation to the Indian community. Because Community Action Programs intended to place administrative responsibility and funding directly in the hands of impoverished communities—what President Johnson called "maximum

feasible participation of the poor”—Father Powell now had an obligation to make sure Indians were directly involved in center administration. This he achieved in 1969 when the center announced that all five members of its board of directors were Indian. Two years later, Ho-Chunk community leader Matthew Pilcher replaced Father Powell as the center’s director—becoming the first Indian to fill that position.<sup>53</sup> By promoting an all-Indian administration at St. Augustine’s, empowered by thousands of dollars in federal funding, Powell made a significant contribution to the era’s larger Indian self-determination movement that intended to place the management of tribal affairs—be that education, business, government, or health services—in Indian hands.

In opposition to a relocation program that intended to turn reservation-raised Indians into urban Americans, Powell declared Indian cultural preservation a central aspect of his mission. “I have always been convinced that it’s part of the priestly vocation to assist in preserving the culture of the people you serve,” he said.<sup>54</sup> According to Powell, Indians leaving everything behind on the reservation had nothing to fall back on but their sense of “innate worth.”<sup>55</sup> He proclaimed, “the Church must work with the Indian in offering him the opportunity of retaining the best in the old culture while acquiring the best in the new.”<sup>56</sup> Still, Powell had to be careful not to ignore his responsibility to Christianity in favor of focusing too much attention on promoting Indianness. Whether consciously or not, he managed to circumvent this problem. Rather than allowing Indian tradition and Christianity to stand in opposition to each other, Powell effectively intertwined them. Preservation of Indian tradition was a central aspect of his social services platform, but he also made it a central aspect of his Christian platform.

“The altar is the heart of life at St. Augustine’s Indian Center,” Father Powell declared. “In these days of doubting and unbelief, both within and without the Church, we wish to make it clear that the work of St. Augustine’s Indian Center is a work of adoration to Christ present in the Blessed Sacrament and in His Mystical Body, the Catholic and Apostolic Church.”<sup>57</sup> Interestingly, Indians carved, cut, sewed, painted, sculpted, and sanded every religious symbol in St. Augustine’s, all of which reflected an Indian interpretation of Christianity. The chapel altar was finished by a Pottawatomie carpenter. A Navajo man carved the altar candlesticks. A Comanche created an oil painting of Christ as the Indians’ lawgiver. A shrine of Madonna depicted the virgin lady and her divine son as Kwakiutl Indians. Mass vestments depicted sacred designs of the Sioux, Pottawatomie, Sac and Fox, and Kiowa. The tabernacle door displayed a painting of Water Bird, the messenger between God and man in the Native American Church. Hanging prominently above Father Powell’s



head during mass was the chapel centerpiece—a beautiful thirty-seven-inch-long crucifix carved by Cherokee artist Richard West from a piece of Osage orangewood found in a trash heap. But the crucifix did not have the traditional Christ-on-a-cross motif. In place of Jesus was an outstretched Cheyenne, with pronounced cheekbones and all.<sup>58</sup>

As part of Powell's priestly responsibilities, he held Mass twice daily, offered communion for the sick, performed baptisms, and presented candidates for holy confirmation. But the degree to which Chicago Indians embraced his religious service is hard to determine. In 1969, on average, four people attended each Mass and one would have to reason that they were returning regulars.<sup>59</sup> Did Native parishioners link church attendance with delivery of relief? One Indian mother writing Father Powell did hint at an obligation to attend church in exchange for social assistance. "I'm baby-sitting for Gerald Jackson while his wife goes to the hospital," she wrote, "but I will go to church next Sunday for sure." She continues, "Father if you can get a hold of shoes and a few more clothes for the boys will you tell me please?" She concludes, "I hope to be in church next Sunday. I'm sending all the boys to church."<sup>60</sup> This exchange suggests that the Native mother felt obligated to reciprocate Powell's assistance with church attendance. The Indian mother depended on Powell for help with clothing and shoes and she tried to give Powell something in return—parishioners, the most important gift someone could give Father Powell. In this way, she exhibited a traditional Indian practice of reciprocation.

Participation in St. Augustine's religious services was not the only way Indians from different tribes contributed to a sense of tribal community within the city. For example, a group of Indian women representing twenty-two different tribes formed the Father Philip Deloria Guild, named after the popular Dakota Episcopal priest. The guild played a key role in the center's daily distribution of food and clothing. On holidays, the group made presents for Indian children and visited elders who were unable to attend center events. They also made blankets, beadwork, and other traditional Indian arts and crafts to raise rent money for St. Augustine's. This was crucial in the years before the Community Action Program grant helped keep the center financially solvent. In 1963 alone, the Guild raised three-months worth of center rent.<sup>61</sup> In this way, the women of the Father Philip Deloria Guild performed the traditional role many Native women played throughout history in contributing to the economic well being of the tribe. St. Augustine's Center also contributed to community building by sponsoring baby showers, sewing circles, teen dance parties, and an Indian canoe-racing team. In 1965, a center-sponsored basketball tournament helped raise money for an Indian burial fund.<sup>62</sup> According to 1960s Comanche activist LaDonna



Harris, "Indians used their imagination to survive in urban areas such as Los Angeles. There were basketball teams, church groups, peyote groups, and dances."<sup>63</sup> Indeed, at St. Augustine's Center, the Chicago Indian community took a similar approach toward ensuring the survival of Indian tradition within the city.

For many Natives, the emergence of an urban Indian community at St. Augustine's fostered an individual awakening or reawakening of Indian identity. In this sense, St. Augustine's was just as much an avenue toward expressing Indianness as it was an avenue toward Christianity. "You know, I was eighteen years old and one day I got to talking with some white guy in a tavern in the city," Leonard Village Center, a Rosebud Sioux recalled. "He says what do you think of Sitting Bull as a leader? I didn't even know who Sitting Bull was..." Through Father Powell's support, Village Center went on to embrace his Indian identity. "Until I was in my late twenties, I didn't know if I was Indian or white. Now I know. I'm Indian."<sup>64</sup> Echoing Village Center's experience, Steve Fastwolf remarked, "We have a second generation of Indian kids who have grown up here and are trying to redefine their tribal and religious identity."<sup>65</sup> Finally, Amy Skenandore, who would eventually become the first female Indian director of St. Augustine's claimed, "There are so many Indians born in the city who don't even know what being Indian is. But they all seem to want to learn about their culture." She recalled, "Father Powell really changed my life and he made me understand more, being Indian... what an Indian is."<sup>66</sup> Many individuals did indeed connect with traditional Indian identity, but they also willingly or unwillingly formulated a new Indian identity in the process. In effect, members of distinct tribes combined their own notions of Indianness with Father Powell's teachings to create a new urban Indian identity specific to the Chicago experience.

Indian identity is an intensely personal and complicated construct. The degree to which Powell was actually responsible for helping Indians become "Indian" is debatable. However, his community work clearly helped Indians adjust to the city. According to one Indian woman, "If it wasn't for Father Powell, we wouldn't have stayed here as long as we have. Most of our people feel the same way."<sup>67</sup> A Ho-Chunk man claimed, "While others were talking, St. Augustine's Indian Center was hard at work quietly, but effectively, offering the means whereby Indians would find lives of dignity and decency in Chicago."<sup>68</sup> Finally, one Indian woman was so impressed by Father Powell she volunteered as a center staff member. "When I came here, I was all alone, and I was scared. I remember being in a store once and hearing a lady speaking in my language. I just couldn't believe it. I was so happy just to have someone to talk to. But now the Indian community has St. Augustine's Center."<sup>69</sup>

Writing in 1967, influential twentieth-century Cherokee intellectual Robert K. Thomas found Christian churches useful to American Indians in three ways. First, since Indians had for so long depended on religion as an integrative mechanism to help adjust to American society, Christianity fostered cultural cohesiveness and provided a connection to an identifiable past. Second, churches provided a familiar place within which Indians could safely develop an understanding of the urban world. Third, the church possessed the ability to provide one familiar institution to Indians that didn't insist that they act like Americans.<sup>70</sup> Essentially, Thomas viewed the church as one of the last vestiges of Indian stability in the relentless storm of assaults by the non-Indian world on Indian cultural identity and tribal sovereignty. Perhaps his theory provides some understanding of why Indians in Chicago felt so comfortable at St. Augustine's. Echoing Thomas' point, in writing on the history of the Episcopal Church's mission to Indian tribes, Virginia Driving Hawk Sneve—herself the daughter of a Dakota priest—states, “The color and richness of the Episcopal ritual appealed to the Dakotas, because they could associate such with their Native ceremonies. Feast days and holidays were important in the church, and provided festivities to a people who needed diversion to relieve the drab drudgery of their days.”<sup>71</sup> According to Driving Hawk Sneve, several Episcopal ceremonies reflect those of Dakota tradition. For example, Christian funerals and the practice of baptism are similar to Indian burial and adulthood ceremonies. Also, the church frequently promotes giveaways and family feasts that recall central aspects of tribal social life. “The Dakota managed in their own fashion to fit the values of the old into Christianity,” Driving Hawk Sneve writes, “and could understand, by their knowledge of the Sun Dance, the asceticism and the torture of the crucifixion for the good of others.”<sup>72</sup>

As part of his 1970 Special Message on Indian Affairs, President Nixon addressed the fact that both Indians and urban social services agency personnel alike were confused as to exactly who was supposed to assist impoverished urban Natives—both the Indian Health Service and BIA were previously directed to only help reservation-based Indians. Nixon's plan was to contract with seven urban Indian centers in various cities to provide a bridge for Native people to local services available to them as U.S. citizens. In addition, the president envisioned Indian centers as a place where urban Indians could establish a Native community within the city. “Lost in the anonymity of the city,” he explained, “often cut off from family and friends, many urban Indians are slow to establish new community ties.”<sup>73</sup> One year later, leading Comanche activist and head of Americans for Indian Opportunity called the American Indian Center of Dallas a “pioneer” in

its ability to help Dallas/Ft. Worth-area Indians find housing and employment. She also commended the center for referring Indian families to social welfare agencies while establishing education programs, youth programs, housewives clubs, dance groups, and the like.<sup>74</sup> Back in Chicago, Father Powell had been fostering an urban Native community through similar tactics for over a decade. However, he could not have achieved lives of dignity and decency for his parishioners and social services recipients without their direct input and involvement. By turning to a Christian clergyman who was capable of wielding political power on behalf of Native people, Indians at St. Augustine's Center engaged in a survival tactic that had long since become Native tradition. Tradition was also alive in Indian canoe races, the Father Phillip Deloria Guild, and the center chapel where Powell promoted a religious message that was just as Indian in nature as it was Christian, if not more so. In the end, the Chicago Indians themselves, through direct participation in St. Augustine's social and religious services and contemplating the significance of Indian tradition in their own lives, were the ones most responsible for negotiating the meaning of the terms *dignity* and *decency*.

## Notes

<sup>1</sup>"Freedom to Be," *Ripon College Alumnus Magazine*, February 1964, 3-5, copy in St. Augustine's Center Early Publications Binder, SAC. Referring to an urban Indian neighborhood as "the reservation" is common practice among many Indians who dwell in cities.

<sup>2</sup>Philp, "Stride toward Freedom."

<sup>3</sup>St. Augustine's Center funding proposal, June 1, 1965, Box 39, Folder 3, Uptown Chicago Commission Papers, CHS.

<sup>4</sup>See, for example, Fixico, *Termination and Relocation*; Fixico, *Urban Indian Experience in America*; Lazarus, *Black Hills White Justice*; and Philp, "Stride toward Freedom." LaGrand, in *Indian Metropolis*, offers a more nuanced interpretation of the relocation experience and focuses more on the complex nature of intertribal relations within the city. Similar to my argument, Garbarino's "Life in the City: Chicago," calls for a more balanced account of the urban Indian experience that resists overemphasizing a narrative based on struggle.

<sup>5</sup>See, for example, Harmon, *Indians in the Making*; O'Brien, *Dispossession by Degrees*; and Raibmon, *Authentic Indians*.

<sup>6</sup>Century of Progress Papers, Series 1: General Correspondence, Box 259, Folder 1-7957: Indian Council Fire, Daley Library, UIC.

<sup>7</sup>Beck, "Chicago American Indian Community," 171, 188.

<sup>8</sup>*The Indian Council Fire* [newsletter], May 7, 1944, Box 18, Folder 33: Indian Council Fire correspondence, mailings, newsletters, 1950; 1944-1980, Vogel Papers.

<sup>9</sup>LaGrand, *Indian Metropolis*, 63.

<sup>10</sup>*The Indian Council Fire* [newsletter], May 7, 1944, Box 18, Folder 33: Indian Council Fire correspondence, mailings, newsletters, 1950; 1944-1980, Vogel Papers.

<sup>11</sup>Indian Council Fire brochure, undated [after 1954], Box 18, Folder 33: Indian Council Fire correspondence, mailings, newsletters, 1950; 1944-1980, Vogel Papers.

<sup>12</sup>Fixico, *Termination and Relocation*, chap. 7.

<sup>13</sup>Philp, "Stride toward Freedom."

<sup>14</sup>For background on the termination policy and relocation program, see Castile, *To Show Heart*; Deloria, *American Indian Policy in the Twentieth Century*; Fixico, *Termination*

and Relocation; Fixico, *Urban Indian Experience in America*; LaGrand, *Indian Metropolis*; Lazarus, *Black Hills White Justice*; Lobo and Peters, *American Indians and the Urban Experience*; Metcalf, *Termination's Legacy*; Philp, *Termination Revisited*; Philp, "Stride toward Freedom"; Sorkin, *Urban American Indian*; Thrush, *Native Seattle*; and Waddell and Watson, *American Indian in Urban Society*.

<sup>15</sup>Commissioner of Indian Affairs Glenn Emmons, "Annual Report of the Commissioner of Indian Affairs, 1954," in Prucha, *Documents of Federal Indian Policy*, 238–39.

<sup>16</sup>Photos, Box 2, Folders 24 and 26, BIA Indian Relocation Records.

<sup>17</sup>Regardless of whether his program had Indians' best interests in mind, Commissioner of Indian Affairs Dillon Myer was in fact hamstrung by minimal funding. The program was better funded after Glenn Emmons succeeded Myer as commissioner.

<sup>18</sup>Philp, *Indian Self-Rule*, 166.

<sup>19</sup>Ibid, 162–64.

<sup>20</sup>Ibid.

<sup>21</sup>"Bigotry Here—An Indian Home is Stoned," *Chicago Sun-Times*, May 16, 1960, Box 17, Folder 3: Bearskin Family—clippings, 1960–1969, Series 5: Chicago Indians, 1942–1982, Vogel Papers.

<sup>22</sup>"Bearskin Family to Move from W. Side," *Chicago Sun-Times*, May 26, 1960, Box 17, Folder 3: Bearskin Family—clippings, 1960–1969, Series 5: Chicago Indians, 1942–1982, Vogel Papers.

<sup>23</sup>Sherry Ricchiardi, "Chicago's Haven for Migrating Indians," *Des Moines Sunday Register*, May 5, 1974, Early Publications Binder, SAC.

<sup>24</sup>Debbe Jonak, "The Uprooted Americans," *The [Chicago] Sunday Herald*, November 18, 1979, Early Publications Binder, SAC.

<sup>25</sup>Ibid.

<sup>26</sup>Lynn Emmerman, "Family Glad Just to Be Together," *Chicago Tribune*, December 23, 1979, Early Publications Binder, SAC.

<sup>27</sup>Saint Augustine's Center for American Indians, 1962 Annual Report, Annual Reports Folder, SAC.

<sup>28</sup>Ibid.

<sup>29</sup>Fletcher Martin, "Relocation Doesn't Solve Their Problems, Indians Say," *Chicago Sun-Times*, May 21, 1957, Early Publications Binder, SAC.

<sup>30</sup>Sherry Ricchiardi, "Chicago's Haven for Migrating Indians," *Des Moines Sunday Register*, May 5, 1974, Early Publications Binder, SAC. See also Neog, Woods, and Harkins, *Chicago Indians*, for more on Indian rejection of welfare and urban Indian alcoholism.

<sup>31</sup>Debbe Jonak, "The Uprooted Americans," *The [Chicago] Sunday Herald*, November 18, 1979, Early Publications Binder, SAC.

<sup>32</sup>St. Augustine's Center for American Indians, 1962 Annual Report, Annual Reports Folder, SAC.

<sup>33</sup>Assistance recruitment slips and information cards, "Relocation Office: Chicago" Folder, 1950s–1960s, SAC.

<sup>34</sup>Father Powell expressed these views in a United Thank Offering grant proposal from 1966, SAC. Father Powell also expressed these views in a 1965 proposal to the Uptown Chicago Commission for financial support; Box 39, Folder 3, Uptown Chicago Commission Papers, Series 5: Community Organizations, CHS.

<sup>35</sup>Background on Father Powell's life is drawn from "Father Powell Address to the American Association for the Advancement of Science in New York City, 27 December 1967," SAC; Dawn Klingensmith, "Preserving Indian Culture, Customs: Priest Follows Boyhood Calling," *Citytalk*, November 23–December 6, 2001, Early Publications Binder, SAC; and Peter Gorner, "Cheyenne Warrior," *Chicago Tribune Magazine*, May 2, 1982, Early Publications Binder, SAC.

<sup>36</sup>Powell published a two-volume work on traditional Cheyenne spirituality and sacred ceremonies, titled *Sweet Medicine: The Continuing Role of the Sacred Arrows, the Sun*



*Dance, and the Sacred Buffalo Hat in Northern Cheyenne History.*

<sup>37</sup>Peter Gorner, "Cheyenne Warrior," *Chicago Tribune Magazine*, May 2, 1982, sec. 9, Early Publications Binder, SAC.

<sup>38</sup>*Ibid.* On the canoe race, see Edith Herman, "Indian Center Solves Big-City Problems," *Chicago Tribune*, October 27, 1968.

<sup>39</sup>Floyd Red Cloud Westerman's song, "Here Come the Anthros," is on his album titled *Custer Died for Your Sins*, Red Crow Creations, 2001.

<sup>40</sup>Interview with Amy Skenandore, March 31, 1983, interview no. 003, Chicago American Indian Oral History Project.

<sup>41</sup>Peter Gorner, "Cheyenne Warrior," *Chicago Tribune Magazine*, May 2, 1982, sec. 9, Early Publications Binder, SAC.

<sup>42</sup>Father Powell to President Eisenhower, April 19, 1960, Correspondence–1960s, SAC.

<sup>43</sup>Oliver La Farge to Father Powell, October 14, 1959, Correspondence–1950s, SAC; and Assistant Secretary of the Interior Roger Ernst to Father Powell, December 15, 1959, Correspondence–1950s, SAC. See also Wooden Legs, "Back on the War Ponies."

<sup>44</sup>Powell, memo to "Right Reverend Bishops, Reverend Clergy and Members of the Diocesan Departments of Christian Social Relations," [1950s?], SAC.

<sup>45</sup>Mayor Daley to Father Powell, December 2, 1960, Correspondence–1960s, SAC.

<sup>46</sup>Father Powell to Helen Peterson, March 18, 1960, Correspondence–1960s, SAC.

<sup>47</sup>Debbe Jonak, "Father Peter Powell: A White Man They Can Trust," *The [Chicago] Sunday Herald*, November 18, 1979, Early Publications Binder, SAC.

<sup>48</sup>Peter Gorner, "Cheyenne Warrior," *Chicago Tribune Magazine*, May 2, 1982, Early Publications Binder, SAC.

<sup>49</sup>St. Augustine's Center for American Indians, 1962 Annual Report, Annual Reports Folder, SAC.

<sup>50</sup>St. Augustine's Center funding proposal, [1964/65?], Uptown Chicago Commission Papers, Box 39, Folder 3, CHS.

<sup>51</sup>St. Augustine's Center, "Request for United Thank Offering Grant" proposal, 1966, Grants Proposals Folder, SAC.

<sup>52</sup>St. Augustine's Center for American Indians, 1969–1970 Annual Report, Annual Reports Folder, SAC.

<sup>53</sup>Cobb, "Philosophy of an Indian War," 71; and Untitled paper by Elmira McClure, no date, SAC. Elmira McClure was a member of St. Augustine's board of directors in the 1960s and became the center's director in 1981.

<sup>54</sup>Dawn Klingensmith, "Preserving Indian Culture, Customs: Priest Follows Boyhood Calling," *Citytalk*, November 23–December 6, 2001, p. 19, Early Publications Finder, SAC.

<sup>55</sup>St. Augustine's Center funding proposal, Uptown Chicago Commission Papers, Box 39, Folder 3, CHS.

<sup>56</sup>St. Augustine's Center for American Indians, 1964 Annual Report, Annual Reports Folder, SAC.

<sup>57</sup>St. Augustine's Center for American Indians, 1969–1970 Annual Report, Annual Reports Folder, SAC.

<sup>58</sup>"The Helping Hand," *Advance, The Official Magazine of the Diocese of Chicago (Episcopal)* 78, no. 8 (September 1965); St. Augustine's Center for American Indians, 1969–1970 Annual Report, Annual Reports Folder, SAC; and "Wood From Pile of Trash Becomes Statue for Church," *Muskogee Sunday Phoenix and Times Democrat*, September 15, 1963, Early Publications Binder, SAC.

<sup>59</sup>St. Augustine's Center for American Indians, 1969–1970 Annual Report, Annual Reports Folder, SAC.

<sup>60</sup>Anonymous letter to Father Powell, no date, Indian Correspondence–Miscellaneous, SAC.

<sup>61</sup>"The Helping Hand," *Advance, The Official Magazine of the Diocese of Chicago (Episcopal)* 78, no. 8 (September 1965), Early Publications Binder, SAC; and "Church Dance



to Net Funds for Indians," *Chicago Tribune*, May 16, 1963, Early Publications Binder, SAC.

<sup>62</sup>Edith Herman, "Indian Center Solves Big-City Problems," *Chicago Tribune*, October 27, 1968, Early Publications Binder, SAC.

<sup>63</sup>Philp, *Indian Self-Rule*, 172–73.

<sup>64</sup>Lesley Sussman, "The Indian: His Quest for Identity," *Lerner Newspapers*, December 17, 1972, Early Publications Binder, SAC.

<sup>65</sup>Ibid.

<sup>66</sup>Interview with Amy Skenandore, March 31, 1983, interview no. 003, Chicago American Indian Oral History Project.

<sup>67</sup>Edith Herman, "Indian Center Solves Big-City Problems" *Chicago Tribune*, October 27, 1968, Early Publications Binder, SAC.

<sup>68</sup>Father Peter Powell, untitled article, *Cross and Calumet* [quarterly newsletter of St. Augustine's Center for American Indians], April 6, 1971, SAC.

<sup>69</sup>Sheryl Kahn, "Community Spirit: St. Augustine Center Unites Urban Indians," *Uptown News*, Lerner Newspapers, May 18, 1982, Early Publications Binder, SAC.

<sup>70</sup>Thomas, "Role of the Church in Indian Adjustment."

<sup>71</sup>Driving Hawk Sneve, *That They May Have Life*, 10.

<sup>72</sup>Ibid.

<sup>73</sup>Richard Nixon, "Special Message to Congress on Indian Affairs," July 8, 1970, Box 282, Folder 17, Harris Collection. (Available online at American Presidency Project, <http://www.presidency.ucsb.edu/ws/index.php?pid=2573&st=&st1=>)

<sup>74</sup>"AIO [Americans for Indian Opportunity] Annual Report, 1971," Box 282, Folder 5, Harris Collection.

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### BIA Indian Relocation Records

Bureau of Indian Affairs Indian Relocation Records, Edward E. Ayer Manuscript Collection, The Newberry Library, Chicago

### Chicago American Indian Oral History Project

Chicago American Indian Oral History Project, The Newberry Library and NAES (Native American Education Services) College Library, Chicago

### CHS Chicago Historical Society

Daley Library, UIC Richard J. Daley Library, University of Illinois at Chicago

Harris Collection Fred R. Harris Collection, Carl Albert Center, University of Oklahoma, Norman

SAC St. Augustine's Center for American Indians, Chicago

Vogel Papers Virgil J. Vogel Research and Personal Papers, Edward E. Ayer Manuscript Collection, The Newberry Library, Chicago

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HARRY S. TRUMAN  
AND NATIVE AMERICANS  
A Graphic Essay Based on the Holdings  
of the Harry S. Truman Library

Samuel Rushay Jr.

September 29, 1945

Dear Chief:

I shall always treasure the peace pipe  
smoked by Chief Crazy Horse when he consented to  
join the ranks of peaceful Indians. My hearty  
thanks to you for your part in bestowing so  
interesting a gift.

Very sincerely yours,

(Sgd) HARRY S. TRUMAN

Chief Black Horn,  
Pine Ridge Indian Reservation,  
South Dakota.

President Truman considered Chief Crazy Horse a great leader of the Sioux Tribe. Crazy Horse's pipe had been presented at a ceremony in South Dakota commemorating the successful ending of World War II and offering thanksgiving for the safe return of members of the Sioux Tribe, as well as all other American troops. On behalf of the Sioux Tribe, Chief Standing Bear presented the pipe to Colonel William Lewis, who sent it to Senator Chan Gurney (R-SD), who personally delivered it to President Truman on September 24, 1945. At Gurney's request, President Truman personally thanked Sioux tribal leaders, including Chief Black Horn. (White House Central Files, President's Personal File, Truman Papers, Truman Library)



President Truman, holding a peace pipe said to have been smoked by Sitting Bull, shakes hands with members of Utah tribes after signing a bill creating the Indian Claims Commission on August 13, 1946. From left to right are: Reginald Curry (Uncompahgre Ute), Lawrence Appah (White River Ute), and Julius Murray (Uintah Ute), all of Fort Duchesne, Utah. (TL 68-1893)



HOLD FOR RELEASE

HOLD FOR RELEASE

HOLD FOR RELEASE

AUGUST 13, 1946

The following statement by the President is for release when the Bill to which it refers is signed; probably about 11:45 A.M., today, August 13, 1946.

CHARLES G. ROSS  
Secretary to the President

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STATEMENT BY THE PRESIDENT

I am glad to sign my name to a measure (H R 4497) which removes a lingering discrimination against our First Americans and gives them the same opportunities that our laws extend to all other American citizens to vindicate their property rights and contracts in the courts against violations by the Federal Government itself.

This bill makes perfectly clear what many men and women, here and abroad, have failed to recognize, that in our transactions with the Indian tribes we have at least since the Northwest Ordinance of 1787 set for ourselves the standard of fair and honorable dealings, pledging respect for all Indian property rights. Instead of confiscating Indian lands, we have purchased from the tribes that once owned this continent more than 90 per cent of our public domain, paying them approximately 800 million dollars in the process. It would be a miracle if in the course of these dealings -- the largest real estate transaction in history -- we had not made some mistakes and occasionally failed to live up to the precise terms of our treaties and agreements with some 200 tribes. But we stand ready to submit all such controversies to the judgment of impartial tribunals. We stand ready to correct any mistakes we have made.

I hope that this bill will mark the beginning of a new era for our Indian citizens. They have valiantly served on every battle front. They have proved by their loyalty the wisdom of a national policy built upon fair dealing. With the final settlement of all outstanding claims which this measure ensures, Indians can take their place without special handicap or special advantage in the economic life of our nation and share fully in its progress.

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On August 13, 1946, President Truman signed into law a bill creating the Indian Claims Commission. This commission was established to determine the merits of all outstanding Indian land claims, subject to court review. This bill overturned an 1863 statute that had barred Native Americans from access to the Court of Claims. This bill also set the stage for termination of federal control over Indian life and property by permitting Indians to sue the federal government to settle claims for past injustices. Its assimilationist tone was evidenced by providing for *per capita* compensation rather than restoration of land to tribal control. (Press Release File, President's Secretary's Files, Truman Papers, Truman Library)

Richard Kirkendall, ed. *The Harry S. Truman Encyclopedia* (Boston: G.K. Hall & Co., 1989), 172; Dennis Merrill, ed., *Documentary History of the Truman Presidency*, Volume 34, *The Truman Administration's Policy Toward Native Americans* (Bethesda, MD: UPA, Lexis-Nexis, 2002), xlv; and Clayton Koppes, "From New Deal to Termination: Liberalism and Indian Policy, 1933-1953," *Pacific Historical Review* 46 (November 1977): 543-66.



On July 11, 1947, President Truman received a beaded belt for himself and a beaded necklace for Mrs. Truman from Albert Attocknie (center), a Comanche of Apache, Oklahoma, and Robert Goombi of Mountain View, Oklahoma, President of the American Indian Exposition, during a White House visit. Congressman Toby Morris (D-OK) had asked if he and a group of Oklahoma congressmen might bring a group of Indians representing the Kiowa, Comanche, and Apache tribes to see the president. (TL 68-1874)



Seminole Chief William McKinley Osceola presented a Seminole shirt to President Truman at the dedication of Everglades National Park on December 6, 1947. Admiral William Leahy (second from the right) and others look on. In an address that same day, President Truman hailed the establishment of Everglades National Park as “another great conservation victory.” While the president discussed the importance of proper conservation and use of natural resources for economic purposes, he also called the park necessary “for conservation of the human spirit.” (TL 59-1472)



On January 19, 1948, President Truman received a "Crazy Dog" necklace from Thunderbolt Lefthand, at right. Senator Milton Young (R-ND), at center, sponsored this visit. (TL 59-1451)





On June 15, 1948, President Truman received a Navajo rug from Chief Joe Deerfoot aboard the presidential train car, the *Ferdinand Magellan*, in Gallup, New Mexico. President Truman's visit to Gallup was part of his "non-political," publicly funded trip west to speak at a commencement ceremony at the University of California–Berkeley. (TL 59-563)

TELEGRAM

P.P.H.

The White House  
Washington

4145

NIGHT LETTER October 13, 1948

C. N. A. DeBajligethy *x.c*  
General Chairman  
Indian Centennial  
Muskogee, Oklahoma *sd*

I HAVE LEARNED WITH A GREAT DEAL OF PLEASURE OF THE PROPOSAL TO COMMEMORATE THE COURAGE AND THE ACHIEVEMENTS OF THE FIVE CIVILIZED TRIBES — THOSE FIVE GREAT TRIBES WHICH WERE MOVED AGAINST THEIR WILLS OUT OF THEIR EASTERN HOMES AND MADE TO TAKE UP NEW HOMES IN THE LAND BEYOND THE MISSISSIPPI. THE INDIAN CENTENNIAL TO BE HELD AT MUSKOGEE, OKLAHOMA IS AN OCCASION TO WHICH THE ATTENTION OF THE ENTIRE NATION MIGHT WELL BE CALLED. THE INDIANS WERE A PROUD PEOPLE, AS WE WELL KNOW, BUT THEY ACCEPTED THE FATE WHICH STRONGER FORCES PLACED UPON THEM AND MOVED ACROSS THE RIVER.

THIS NATION OWES A GREAT DEBT TO THE INDIAN PEOPLE FOR THE UNIVERSAL FRIENDLINESS WHICH THEY SHOWED TO OUR FOREFATHERS AND FOR THE PATIENCE AND PERSEVERANCE THEY HAVE DEMONSTRATED IN OUR EFFORTS AS A NATION TO DO JUSTICE TO THEM FOR THE MANY WRONGS WHICH THEY SUFFERED AT THE HANDS OF THEIR WHITE BROTHERS. I AM THEREFORE MORE THAN HAPPY TO JOIN IN THIS OCCASION OF PAYING TRIBUTE TO THESE FIVE GREAT TRIBES AND THROUGH THEM TO ALL OUR INDIAN CITIZENS.

*x296*

HARRY S. TRUMAN

In October 1948, President Truman sent a telegram “paying tribute” to the Five Civilized Tribes of Oklahoma on the occasion of a celebration marking one hundred years of progress made since their establishment in Oklahoma. As a result of the Indian Removal Act of 1930, these tribes had been forcibly removed from their lands in the eastern United States and sent to Oklahoma on what is now called the Trail of Tears. Although he was unable to accept an invitation to attend the celebrations being held in Muskogee, the president wanted the Five Tribes to know that the American people owed them a “great debt” for their friendliness, and that he acknowledged the injustices done to Native Americans. (White House Central Files, President’s Personal File, Truman Papers, Truman Library)

APARTMENT 15-A  
29 WASHINGTON SQUARE, WEST  
NEW YORK 11, N. Y.

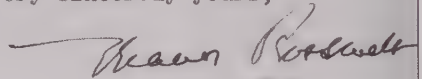
February 18, 1949

Dear Mr. President:

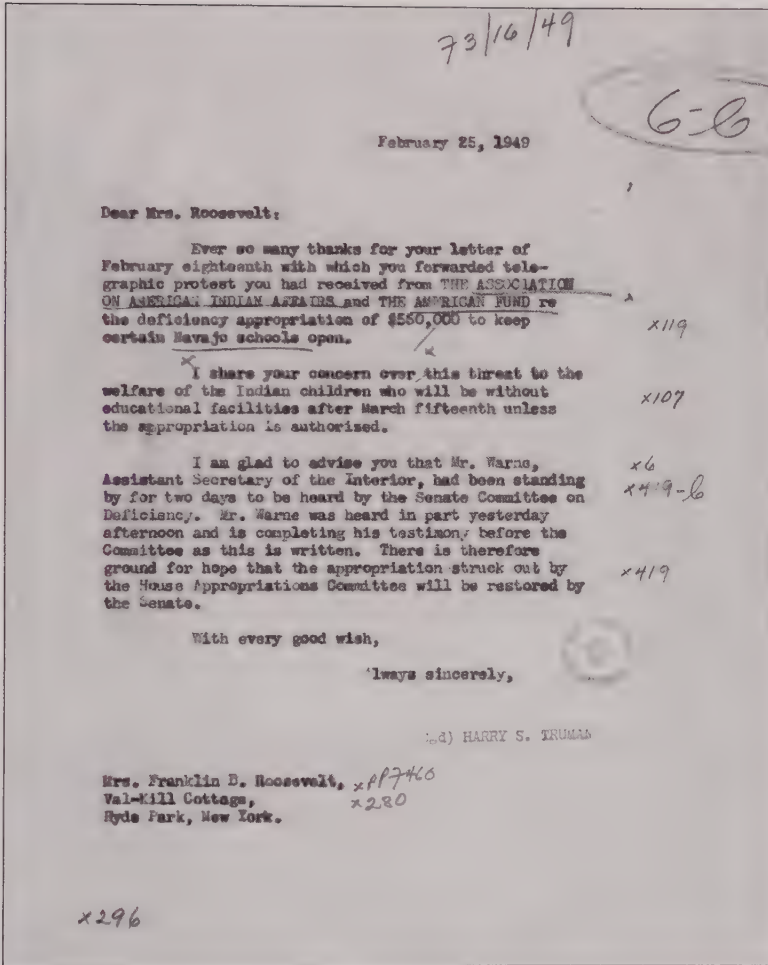
I am enclosing a telegram which came to me. Is it not unwise for this appropriation not to go through and the Navajo schools closed because of lack of funds?

With many thanks for your consideration,

Very sincerely yours,



In February 1949, former first lady Eleanor Roosevelt called President Truman's attention to the possible closing of Navajo schools due to a lack of federal funding. Her letter was prompted by her broader concern for the plight of Native Americans, including veterans, who faced economic hardships following World War II. In responding to Mrs. Roosevelt, the president expressed his shared concern that Navajo schools should not be closed and informed her that Assistant Secretary of the Interior William Warne was working to have the Senate restore \$550,000 that the House



Appropriations Committee had cut. Eventually, the Navajos received educational aid as part of the Navajo-Hopi Rehabilitation Act of 1950. (White House Central Files, Official File, Truman Papers, Truman Library)

Dennis Merrill, ed., *Documentary History of the Truman Presidency*, Volume 34, *The Truman Administration's Policy toward Native Americans* (Bethesda, MD: University Press of America/Lexis-Nexis, 2002), xlv.

March 4, 1949

My dear Mr. Secretary:

At my request, you prepared and presented to the Congress on March 15, 1948 a proposed ten-year program for the rehabilitation of the Navajo and Hopi Indians of Arizona and New Mexico. Except for one small segment of this program, the Eightieth Congress failed to enact the necessary legislative authority to place it in motion.

The needs of these Indians are as great today as they were a year ago. Indeed the severe winter storms have emphasized the serious economic conditions prevailing among these tribes. The authorization of this long-range program is considered essential to enable these groups of Indians to become healthy, enlightened and self-supporting. I hope you will continue to emphasize to the Congress the needs of the Navajos and Hopis.

The United States, which would live on Christian principles with all of the peoples of the world, cannot omit a fair deal for its own Indian citizens.

Very sincerely yours,

(Sgd) HARRY S. TRUMAN

The Honorable  
The Secretary of the Interior,  
Washington, D. C.

A month after his correspondence with Eleanor Roosevelt, President Truman wrote to Interior Secretary Oscar Chapman and called for a "fair deal" for Native Americans. In 1950, the president signed the Navajo-Hopi Rehabilitation Act, authorizing \$88.5 million over ten years to fight poverty and illiteracy and to provide health care for the Navajo and Hopi tribes, both of whom resided in New Mexico and Arizona. Although he initially vetoed the bill because it contained a provision that he believed undermined federal and tribal courts, he signed it when the offensive provision subsequently was struck, hailing the bill as a model for "the complete merger of all Indian groups into the general body of our population." (White House Central Files, Official File, Truman Papers, Truman Library)





On May 16, 1950, President Truman received an Indian war bonnet in Havre, Montana, from the Blackfoot Indian Tribe, which wanted to thank him for federal aid during Operation Snowbound the previous winter. When a blizzard hit Nebraska, the Dakotas, Wyoming, and Montana, the U.S. Air Force and other military and civilian agencies conducted Operation Snowbound. This homeland version of the Berlin Airlift rescued Americans and brought food and supplies to people and to millions of livestock crucial to western states' economies. (TL 77-3599)

STANDARD FORM NO. 14A  
APPROVED BY THE PRESIDENT  
MARCH 10, 1926

FROM The White House  
Washington

**TELEGRAM**

OFFICIAL BUSINESS—GOVERNMENT RATES

Major General Harry H. Vaughan  
Military Aide to the President

The Mayor  
Sioux City, Iowa

Please advise the family of Sergeant John R. Rice that  
arrangements for burial in Arlington have been authorized  
The President feels that the National appreciation of patriotic  
sacrifice should not be limited by race color or creed

x 471-B  
x 296  
x 144-A

On September 6, 1950, Sergeant First Class John R. Rice, a full-blooded Winnebago Indian, was killed in action in Korea while leading his squad in a First Cavalry Division attack. It was nearly a year before his body was returned to his family for burial. When officials in his hometown of Sioux City, Iowa, refused him burial in Memorial Park Cemetery because he was a Native American, President Truman contacted Sergeant Rice's widow, offering that her husband be buried at Arlington National Cemetery. She accepted the president's offer and Sergeant Rice was interred with full military honors at Arlington National Cemetery on September 5, 1951. General Harry Vaughan sent a telegram to the mayor of Sioux City, pointing out to him President Truman's belief that "patriotic sacrifice should not be limited by race color or creed." (White House Central Files, Official File, Truman Papers, Truman Library)



On September 5, 1951, volunteer pallbearers of the 3rd Old Guard Infantry Regiment lifted the flag over the casket of Sergeant First Class John R. Rice who was killed in action in Korea, September 6, 1950, while leading his squad in a First Cavalry Division attack. A full-blooded Winnebago Indian, his family had been refused burial of his remains in a cemetery in his native Sioux City, Iowa. President Truman intervened and arranged for his burial with full military honors in Arlington National Cemetery. Family mourners are seated in the front row. In the wheelchair is Sergeant Rice's mother, Mrs. Samie Davis. (TL 2005-12)



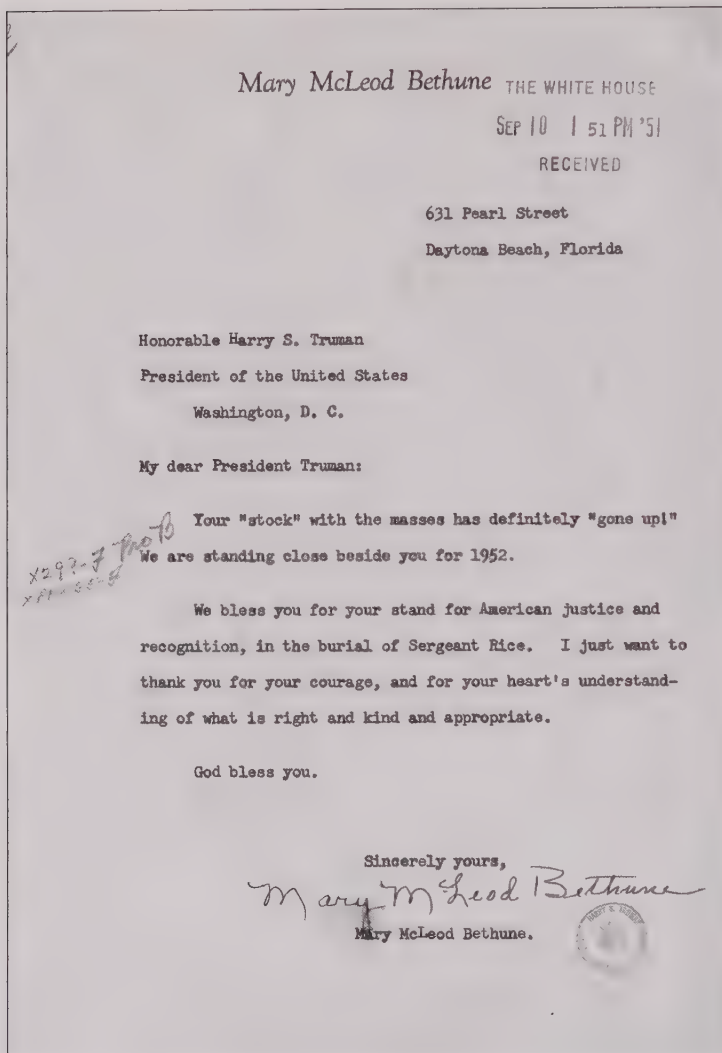


The traditional artillery funeral caisson carrying the remains of Sergeant First Class John R. Rice wends its way through Arlington National Cemetery to the gravesite. (TIL 2005-13)

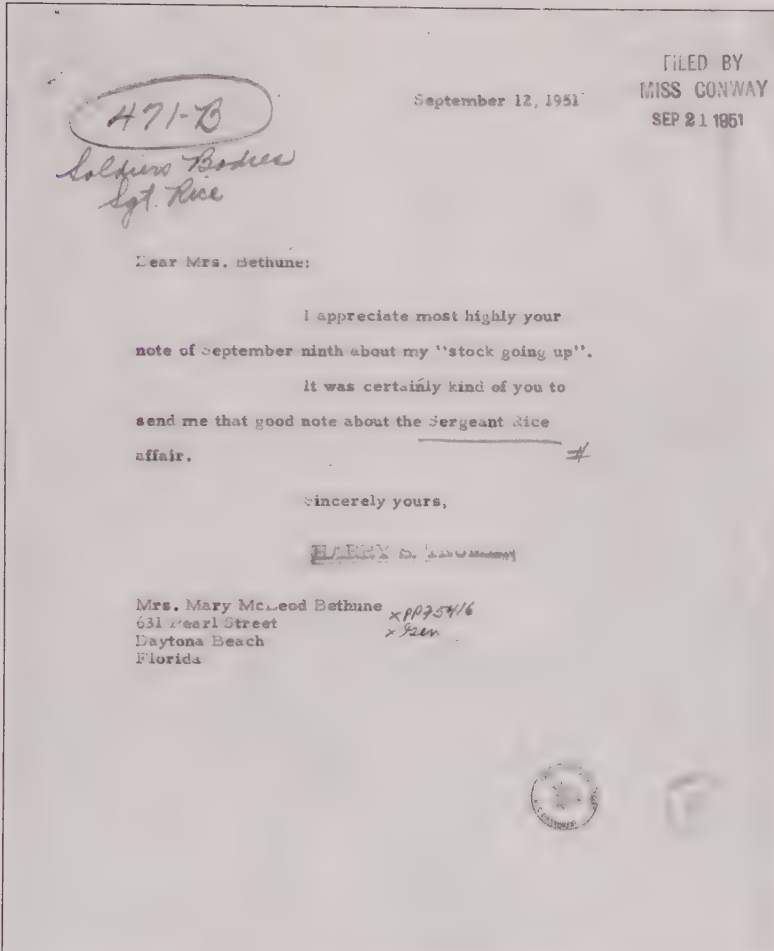




A huge floral bouquet from President Truman is shown at the graveside of Sergeant First Class John R. Rice. PFC Donald Bergin stands to the side of the White House wreath. (TL 77-1710)



In her letter to President Truman of September 9, 1951, Mary McLeod Bethune praised President Truman for his courage with regard to the Rice burial matter and suggested that she and her allies would back him should he run again for election in 1952. Ms. Bethune, president emeritus of the National Council of Negro Women (NCNW), was a strong supporter of



Truman's civil rights program, and the president acknowledged her support in his reply to her of September 12. Almost two years earlier, on November 15, 1949, President Truman had spoken to the NCNW and thanked Ms. Bethune for her support of him "from the beginning." (White House Central Files, Official File, Truman Papers, Truman Library)

Truman, "Address at the Annual Meeting of the National Council of Negro Women, Inc.," November 15, 1949, in *Public Papers, Truman, 1949* (Washington, DC: GPO, 1964), 564-66, quote at 566.







TERMINATION IN LAW  
AND POLICY



# NATIVE PEOPLES AND AMERICAN INDIAN AFFAIRS DURING THE TRUMAN PRESIDENCY

**David E. Wilkins**

My work broadly focuses on indigenous governance—traditional and constitutional—and the ever-vibrant political/legal relationship among indigenous peoples and the states and federal government, and at the international level as well. Although I am trained as a political scientist, from the very beginning, even before graduate school, I worked primarily—largely because of Vine Deloria’s influence—at the intersection of politics, law, and history. In fact, I tell my students that I am not so much a political scientist as a “polegalorian.” While I am not an expert on Harry Truman or on the termination era, my focus on Native governance and federal Indian policy and law invariably involves termination as one of the leading policy eras and specific presidents, like Truman, who played roles in the development or curtailment of certain policies that affected First Nations.

For example, Truman’s name figures prominently in a discussion of Navajo politics and history in the 1940s and ’50s because he vetoed an important bill in October 1949—one that was later enacted after Congress incorporated changes Truman had demanded. The bill was titled the Navajo-Hopi Long Range Rehabilitation Act, and it eventually pumped over \$88 million into those two tribes to help them recover from the harsh economic problems of the past decades and the massive unemployment their nations were experiencing after World War II. He initially vetoed the bill because, first, it would have given the state civil and criminal jurisdiction over those two tribes when they were not prepared for it. Second, it would have given the state jurisdiction over the tribes’ water rights. More importantly, he vetoed the bill because he said that allowing state jurisdiction would “conflict with one of the fundamental principles of Indian law

accepted by our Nation, namely, the principle of respect for tribal self-determination in matters of local government.”<sup>21</sup>

Truman had also signed the 1946 Indian Claims Commission Act—a critically important, if flawed, policy that recognized tribes’ right to file claims against the federal government for past treaty violations. In signing this law (HR 4497), Truman said: “I am glad to sign my name to a measure which removes a lingering discrimination against our First Americans and gives them the same opportunities that our laws extend to all other American citizens to vindicate their property rights and contracts in the courts against violations by the Federal Government itself.”<sup>22</sup>

Of course, in both these cases, while Truman was clearly showing support for the Native peoples in question, and even used the expression “tribal self-determination” in the Navajo-Hopi bill, he was still adamant in his hope that eventually all American Indians, even the most traditional of tribes, would eventually merge into the racial and ethnic mosaic that is American society. As he said in his veto speech, “Ultimate acceptance of State jurisdiction is a logical consequence of our policy of assisting the Indians to develop their natural talents and physical resources in ways that will enable them to participate fully in our free, but vigorously competitive, society.” He went on to say, “In the long run, this process of adjustment to our culture can be expected to result in the complete merger of all Indian groups into the general body of our population.”<sup>23</sup>

These two measures, and Truman’s own language, clearly reflect the inherent inconsistencies and contradictions that have always been a hallmark of federal Indian policy and law regarding First Nations. Even as he expressed support for Navajo and Hopi “self-determination,” Truman still emphatically stated that both tribes would eventually be merged into the body politic. Even while acknowledging the legal hurdles tribes had long faced in their efforts to secure justice, he emphasized that “with the final settlement of all outstanding claims which this measure ensures, Indians can take their place without special handicap or special advantage in the economic life of our nation and share fully in its progress.”<sup>24</sup>

A second important dimension to the study of indigenous politics and law is that larger state, regional, national, and international events and issues sometimes have an important, if variable, influence on what happens or does not happen to Native nations in the United States. Beyond the Indian Claims Commission (ICC) and the Navajo-Hopi Rehabilitation Act, other issues come into focus that also reflect a comparable dichotomization—a schizophrenia, if you will—in what transpired during the Truman years in the area of Native affairs. But even that dichotomy still ultimately had as its long-term goal the absorption of Native peoples into the body politic.

On the negative side were several developments that would eventually come to play a profound role in diminishing indigenous sovereign status in the law and in intergovernmental affairs. And interestingly, some of these developments had no explicit bearing on Native nations or were taking place because of larger policy or economic shifts. All this took place in the wake of John Collier's resignation as commissioner in 1945, and with the conclusion of World War II and the birth of the United Nations in that same year. Each of these events deserves attention; the latter two, of course, did not directly focus on indigenous peoples, but in the long term, they adversely affected Native rights.

First, in 1946, largely as a cost-cutting measure in the wake of World War II, Congress passed the Legislative Reorganization Act, which folded the Indian affairs committees in both houses (and several other committees as well) into two larger committees: the Committee on Public Lands in the House and the Public Lands Committee in the Senate. While not an intentional or direct assault on Native sovereignty and legal status, the loss of the two permanent standing committees on Indian affairs amounted to a harmful diminution in the political status of Indian affairs, since congressional committees are at the heart of governance at the federal level. This reduction to minor subcommittee status in both houses would last until 1977 when the Senate established the Select Committee on Indian Affairs (CIA), which would remain in place until it was made permanent in 1984. Thus, from 1946 to 1977 this subcommittee arrangement, a prominent senator said in 1983, "failed to provide a truly adequate forum for legislating appropriate solutions to problems affecting Indian people. Indian legislation could no longer be reported to the floor of the Senate directly from a full Indian affairs committee and legislative jurisdiction over Indian affairs was fragmented in a number of committees."<sup>5</sup>

Second, also in 1946, Congress enacted An Act to Facilitate and Simplify the Administration of Indian Affairs, popularly known as the Indian Delegation Act. It reads in pertinent part: "That for the purpose of facilitating and simplifying the administration of the laws governing Indian affairs, the Secretary of the Interior is hereby authorized to delegate, from time to time, and to the extent and under such regulations as he deems proper, his powers and duties under said laws to the Commission on Indian Affairs (CIA), insofar as such powers and duties relate to action in individual cases arising under general regulations promulgated by the Secretary of the Interior pursuant to law."<sup>6</sup> The law went on to authorize the CIA to delegate powers down to the assistant commissioners, who could then delegate down to any branch, who could delegate down to the division, etc. Such delegated powers could be appealed to the secretary, but



under regulations his office generated. Prior to its own demise, the CIA argued that such delegation of authority, which had already begun without specific statutory authority when the Office of Indian Affairs was removed from Washington to Chicago, was, "in the interest of prompt, efficient administration" since it would free up the secretary of the interior from having to approve so many rules and regulations. As the committee noted in its report, "Evidence was submitted to the committee on almost every reservation that the Indian Service was tied down by red tape and that, in particular, too many matters [had to] be referred for decision to the central office in Chicago or to the Secretary of the Interior in Washington." Again, cutting costs factored in here. The committee indicated that, "the cost of fiscal administration of Indian affairs [had] been increasing and [would] certainly continue to increase unless positive corrective steps—like this one—[were] taken."<sup>7</sup> William Brophy, then commissioner of Indian affairs, said in a 1945 hearing on the bill, "I consider that this bill is necessary if the Indian service is to have a successful reorganization and is to be enabled to conduct its business with expedition, efficiency, and economy."<sup>8</sup>

More importantly, from a Native perspective, and as Vine Deloria has observed, this action, along the legislative realignment of committees, substantially diluted the federal government's trust responsibility. In effect, Deloria said, "Congress washed its hands of Indians and assumed that Indian matters could be handled administratively. Thereafter, the information Congress received regarding Indians was carefully screened by the Interior Department, and of course represented the bureaucratic view of things."<sup>9</sup>

This act transformed secretary mandatory authority into secretary discretionary authority, thus allowing the secretary to choose those issues he/she wanted to oversee and delegate down anything else, with certain exceptions, which again were largely left to secretarial discretion, despite congressional misgivings about the secretary not being able to delegate "important" matters down. In fact, when prodded by the committee, Associate Solicitor Felix Cohen said that his office had tried to arrive at a formula for separating the important issues from the less important ones. And although they had spent about three years on the problem, he had to say that they had "not been able to find any formula that would last over a period of years."<sup>10</sup>

Third, in 1948 Congress, through Public Law 162, established the Commission on Organization of the Executive Branch of Government to make recommendations on how to promote economy and efficiency, and improve federal services. The Hoover Commission, as it was popularly called since it was headed by the former president, had twelve members appointed by Truman, the Speaker of the House, and the president of the Senate. As

James Officer has shown, Hoover focused much of the commission's energy on the administration of Indian affairs.<sup>11</sup> There is much more that can be said about that, but suffice it to say that the Commission continued to focus on termination of federal supervision, although according to the Hoover commissioners, Indians themselves should have a direct role in formulating and executing the cessation of federal oversight of their affairs.

Of course, developments shifted dramatically when Dillon Myer was appointed commissioner of Indian affairs in May 1950. The next three years were fraught with tremendous problems for tribes, problems so severe that Felix Cohen, who had served in the Interior Department along with John Collier and who wrote the Indian Reorganization Act and the solicitors' opinion that cataloged the reserved rights of tribes, wrote a scathing article in 1953 titled, not surprisingly, "The Erosion of Indian Rights, 1950–1953: A Case Study in Bureaucracy," in which he stated categorically and with ample evidence that Indians were "the only racial group in the U.S. whose rights are more limited in 1953 than they were in 1950." Cohen blamed Dillon Myer for much of this and in the article he focused on the three major areas where Native peoples had endured profound restrictions on their rights: "1) restrictions upon freedom which apply only to Indians; 2) restrictions upon Indian control of Indian property; and 3) organic changes in the power structure of the BIA which underlie the changes in the boundaries of Indian rights and liberties."<sup>12</sup>

Interestingly, Cohen dramatically showed that both historically and in the Myer era, even as the commissioner and the BIA were talking seriously about termination, withdrawal, and liquidation, in fact such talk was "accompanied by a request for a 70 percent increase in 1953 Indian Bureau appropriations over the 1952 appropriations." And in a more telling comment, Cohen said, "In long range terms, we find that between 1851 and 1951, a century in which the Indian Bureau kept talking about working itself out of a job and turning over responsibility to the Indians, congressional appropriations to Indian tribes decreased by approximately 80 percent, while appropriations to the Indian Bureau (chiefly for salaries) increased by approximately 53,000 percent."<sup>13</sup>

Fourth, the final negative topic that would eventually have a devastating impact on Indian affairs was a provision in an Appropriation Act in 1952 popularly known as the McCarran Amendment. Although the United States as trustee holds legal title to Indian water rights, it historically had provided them at least some protection from private, corporate, and state interests, and the United States as a sovereign and as trustee could not be sued in state court without its consent. Indian water rights were typically adjudicated in federal courts, where the United States sometimes

faithfully carried out its responsibilities as trustee and supported Indian water rights. But in 1952, at the insistence of Pat McCarran, a section was inserted in an appropriation act whereby the Congress consented to suit in state courts—a venue typically much less favorable to Indian water rights. Although there is no express language in the statute saying that Indian water rights are subject to such suit, later case law has interpreted that legislative silence as having allowed the states to sue Indian tribes and their trustee, the United States, for rights to tribal waters.

The reality is that very little positive Indian policy was developed during the Truman years. One could argue that the 1946 ICC was a positive since it finally provided a standardized process for tribes to file claims against the government for its misdeeds. But one could also plausibly argue that this policy did not, in fact, provide the justice to tribes that Truman thought it might, since it created an adversarial proceeding and the only ones to really benefit were the claims lawyers who received a sizable amount of the final settlement.

A somewhat more promising measure was the 1947 Buck Act, which succinctly declared that “Nothing in sections 105 and 106 [dealing with state taxation of federal areas] of this title shall be deemed to authorize the levy or collection of any tax on or from any Indian not otherwise taxed.”<sup>14</sup> In other words, while states could impose motor fuels taxes, sales taxes, use taxes, and income taxes in “federal areas” they could not tax “federal instrumentalities” or “Indians not otherwise taxed.” This was an important recognition that tribal citizens who work and earn a living on tribal lands may not be taxed by states unless Congress has expressly authorized such an action. Congress and the Supreme Court today need to be reminded of this important law, since states are increasingly acting as if they have significant power inside Indian country, which they do not.

After Truman left office in January 1953, Congress, in August of that year, enacted three laws, two of which were devastating to Indian sovereignty: the infamous termination resolution and Public Law 280, which gave five states, without tribal consent, full criminal jurisdiction in Indian country, with certain exceptions; and one that provided a small but important positive corrective in Indian country by repealing a series of old liquor laws and finally allowing Indian tribes to decide for themselves whether they wanted to allow the sale and consumption of liquor in Indian country. Strange but true that at the end of 1953, American Indians could legally buy alcohol as American Indians, but faced the outright political and legal termination of their very status as American Indians.

## Notes

- <sup>1</sup>Truman, "Veto of Bill Establishing a Program in Aid of the Navajo and Hopi Indians," October 17, 1949, in *Public Papers, Truman, 1949*, 515.
- <sup>2</sup>Truman, "Statement by the President Upon Signing Bill Creating the Indian Claims Commission," August 13, 1946, in *Public Papers, Truman, 1946*, 414.
- <sup>3</sup>Truman, "Veto of Bill Establishing a Program in Aid of the Navajo and Hopi Indians," October 17, 1949, in *Public Papers, Truman, 1949*, 516.
- <sup>4</sup>Truman, "Statement by the President Upon Signing Bill Creating the Indian Claims Commission," August 13, 1946, in *Public Papers, Truman, 1946*, 414.
- <sup>5</sup>U.S. Congress. Senate. Select Committee on Indian Affairs. "History, Jurisdiction, and Summary of Legislative Activities, 1981–1982," 97th Cong., 2nd sess. (1983), S. Doc. 1.
- <sup>6</sup>60 *Stat.* 939 (August 8, 1946).
- <sup>7</sup>U.S. Congress. Senate. Committee on Indian Affairs. "Facilitate and Simplify the Administration of Indian Affairs," 79th Cong., 2nd sess., May 8, 1946, Report no. 1318, 2.
- <sup>8</sup>U.S. Congress. House. Committee on Indian Affairs. "Delegating Federal Authority to Bureau of Indian Affairs Field Offices." October 25, 1945. House Unpublished Hearings Collection, p. 3.
- <sup>9</sup>Deloria, "Congress in Its Wisdom," 127.
- <sup>10</sup>*Ibid.*, 21.
- <sup>11</sup>Officer, "Termination as Federal Policy," 121.
- <sup>12</sup>Cohen, "Erosion of Indian Rights," 351–52.
- <sup>13</sup>*Ibid.*, 388.
- <sup>14</sup>61 *Stat.* 641, 645 (July 30, 1947).

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- . *Public Papers of the Presidents of the United States, Harry S. Truman, 1949*. Washington, DC: Government Printing Office, 1964.

# A WORM'S-EYE VIEW OF INDIAN CLAIMS LITIGATION

**Helen Hornbeck Tanner**

In Florida, I'm known as a Florida historian because I did my dissertation research on Spanish colonial Florida after the American Revolution and wrote a book that the University of Miami Press published. My degree is actually in Latin American history, but all of this changed when I was introduced to the entirely new experience of being an expert witness in Indian claims cases. What I have is a worm's-eye view of the scene whereby American Indians tried to achieve justice under the Anglo system of justice, courtesy of Professor Nancy O. Lurie, former president of the American Anthropological Association, who introduced me to this work. We were both members of the Women's Research Club of the University of Michigan at the same time, and she came up to me one day and said, quite simply, "You know what you ought to do? You ought to help out the lawyers I've been working for." I asked, "What do they want?" Nancy replied, "They want to know what Indians lived around Ann Arbor, Michigan [where I was living] at the time of the American Revolution." Given the facilities of a rare book library on the University campus, which I knew very well, I thought, "Well, that ought to be duck soup." The only job I had been able to find with my new degree was teaching extension classes and, although they were graduate classes at University of Michigan centers throughout the state, that kind of commuting was long and arduous. I had a husband and four children at home and that kept me from moving about very much, so I thought this might be an interesting challenge. All of a sudden this nice lawyer from the Upper Peninsula in Michigan called and asked to speak with me. I said, "Why, yes, I'd be interested," and he made the same simple request, nothing about justice, nothing



about Indian litigation, just "Can you write a report on Indians living around Ann Arbor during the American Revolution?" After a short conversation, I said I'd be glad to do that and he gave me a check for five hundred dollars on the spot—which absolutely blew my mind. Nothing in my academic experience had brought that kind of immediate monetary reward. I thought, "This is a new kind of game."

So I began what I thought was a simple research task that gradually began to resemble fishing. You start with a leader line and then you get a bigger line when you think there's going to be more weight to pull. I discovered that there were Indian treaties involved and it wasn't just the land around Ann Arbor but a much larger set of land cessions involving great numbers of tribal people, but mainly the Chippewa and Ottawa. At that point, I found out the significance of that five hundred bucks. I belonged to this law firm that subleased me to a Pottawatomie lawyer, who assumed that I also represented the Pottawatomie. Before long, Wyandot and Shawnee lawyers concluded that I represented their interests too, which meant that Chippewas and Pottawatomies, Ottawas, Wyandot, and Shawnee were all involved in one legal case.

At that time, I hadn't taken a course in anthropology or even in American history very recently, but I decided to see what sort of report I could write. It was 1962, and I began by consulting maps produced by the National Geographic Society and the Smithsonian Institution. I'm a map person, and these wonderful maps had Indian tribal names all over the western part of the United States, Iroquois over in the east, and other names in the northeast and all through the south. But the area around the Great Lakes was represented in pale gray and a caption read, "insufficient data" on one map and on another, "unknown area." It seemed ridiculous that this first "combat zone" in the early frontiers of American history should be considered unknown, with insufficient data. So that's why I began by trying to devise and develop my own maps of the area in order to try to present the information clearly to anybody who was supposed to listen.

Initially I thought I would conduct the research and Nancy Lurie would do all the talking when it came to appearing in court. But the lawyers said, "No, you're going to have to go down to Washington and do it yourself." By that time I was really nervous because I found out that the Department of Justice opposed this case, and had invested a half-million dollars on a research operation in Indiana headed by an eminent anthropologist (Erminie Wheeler-Voegelin) with a staff of graduate students who were assembling a huge amount of data to undermine my small reports. To me, this sounded like a David and Goliath situation, but it really wasn't. Lofty ideals of bringing justice for the American Indian appealed to my

own sense of social justice and so I decided to lay down the facts of the case—which Indian people were utilizing which sections of land, what should be considered their homeland, and what they should receive as recompense. I decided I would do my level best to explain this in history as clearly and succinctly as possible and that's what I did. I had testified for about twenty minutes into the first session, and then the government lawyer stood up and said, "I move that all this testimony be stricken from the record as being incompetent, irrelevant, and immaterial." I was utterly shocked—I stood up and pounded on the table and said, "I've never been called incompetent in all my life and I'm not about to take it here!" which was very bad behavior on the part of an expert witness.

The next thing I knew I was surrounded by a phalanx of three lawyers and marched out of the hearing room. They said, "Don't you understand? If what you said had been insignificant they wouldn't pay any attention to it. But because it's important and it might affect the judge's decision, this opposition lawyer wants it taken out of the record." I said, "Well, I certainly don't understand that and I don't understand how you can make good decisions if you're deprived of all the information possible, particularly historical information." At that moment, I became acutely aware that it is very, very difficult to present historical information in the court of law under the rules of evidence. It was just a miracle if you could accomplish this task. I discovered, for example, that while I referenced the most up-to-date publications, nobody warned me that citing a living author meant you had to arrange for cross-examination of that witness, which is an expensive and contentious procedure. So with great glee, one of the rival lawyers eliminated all of the up-to-date research I had carefully gathered. "Something has to be done about this particular rule of evidence," I said. "Some respect has to be given to historical scholarship." But I realized that history and the law are in some ways at swords' points when it comes to presentation in the legal setting. Through this baptism of fire, I learned how to parry questions that were thrown at me one after another.

One of the big problems with the Indian Claims Commission was how it turned into an adversarial process. To me, this amounted to thwarting the congressional objective in setting up a tribunal where Indian claims could be heard. But the Department of Justice interpreted it differently. Their reaction was, "The government is being sued! My God! The government has to be defended!" and so they created an enormous bureaucracy to defeat the very claims that Congress had invited the Indians to bring to court. Talk about checks and balances—this is a check and balance to the point of negativity, where this big empire within the Department of Justice had a vested interest in delaying the resolution to Indian claims simply to

preserve their jobs. So while Congress tried to handle Indian litigation as rapidly as possible, this empire within the Department of Justice dragged things out as long as possible, at times by requiring that all the direct testimony be delivered orally. Later they realized that historical data should be printed out for people to read, but early on, the process moved at a very, very slow rate. Nobody was in a hurry.

One morning when I was testifying, I saw a great big man walk in and sit down, chin in hand, steel blue eyes staring at the members of the commission hearing the testimony. They all looked at each other nervously and called an intermission. Well I knew who it was: my husband had traveled from Ann Arbor to find out why this litigation was taking such a long time because it was softball season and the boys had games and I needed to be home. He wondered what on earth was going on. In the men's room, he cornered the expert witness who was going very slowly and said, "For God's sake if you don't know the answer say no!" Then he took the government lawyer and the expert witness out to lunch and got them a drink, and everything proceeded much more rapidly after that. I later found out that the commissioners thought Congress had sent someone to find out why they weren't reaching their quota of legal decisions; they feared this stranger was a congressional staff person rather than just an annoyed husband. That sort of thing happened.

I was exceedingly disturbed to find out how much time and energy it took to deal with the narrow legalisms of trying to explain Indian interest in the land. For instance, certain places like portages—these early cases dealt with the Ohio country and if a tribe had control over a portage it was an asset—were like toll roads where tribes charged for carrying things and for helping people with their transportation. Explaining something as simple as that led to a discussion of riparian rights and English property law that I thought would be totally bewildering to Indian people, had they been listening. These kinds of narrow legalisms stand in the way when you have an Anglo-dominated body of law and you're trying to achieve justice in terms of Indian values. They don't translate without difficulty.

I also noticed that Indian participation was almost negligible. This was before the advent of the Native American Rights Fund and therefore was a primitive era as far as Indian representation was concerned. But I still asked, "Why aren't there Indian people? They're supposed to be bringing their claims before the Indian Claims Commission." They said, "Oh, we couldn't have Indian people actually here in court." I asked why not, but gradually came to understand that for an Indian person to be qualified to speak, he or she would normally start out with a biographical description that explained accomplishments and deeds of honor that would give that

person the right to speak for other Indian people. Sometimes that took a very long time and the legal minds were impatient with that sort of procedure. Furthermore, Indian people think that asking a whole series of questions is rude and, while the most knowledgeable people in an Indian community are the elders, the idea of subjecting elders to cross-examination is absolutely unthinkable. This I can understand.

As I discovered, you have to be kind of tough and resilient and combative in order to withstand cross-examination. I've had two Indian friends who died of heart attacks while testifying about federal recognition in court in Washington and this grieves me greatly. But in one case, we brought an Indian from Michigan to testify before the court on behalf of the Saginaw Chippewa tribe and he did marvelously. George Cook had been very carefully coached, but even so, Indians in court were treated as though they were illiterate. Cook managed by making certain that he only commented on what his grandmother had told him about the oral tradition of Indian events in the area around Saginaw. He protested: "But my grandma told me I could read these things in the local county history, that what she said was also printed there." The lawyers said, "Don't let on you've ever read anything. Don't let on you've read a single thing or you'll be thrown out as an expert witness. You can only be an expert witness on oral history." I was supposed to testify on written evidence, and while this division of categories and responsibilities may have been necessary, I thought it was terribly insulting to George, even though it worked. He did a marvelous job convincing the government lawyers that everything he said was sincere and accurate. Such were the roadblocks put in the way of Indian people bringing their own cases before the Indian Claims Commission. Our testimony had to be very carefully arranged and orchestrated.

I also discovered that history might be juggled and rearranged. Having lawyers who thought they could rearrange the facts of history for narrow legal gains made me furious and I said so as an expert witness. And I discovered that when you go in as an expert witness, you're open to personal attacks. That was unpleasant, but maybe it's the price you pay for getting involved in litigation. Moreover, the commission took so long in deciding because they often tried every case three times: once to decide whose land it was and how many acres might be accorded to any given tribe as tribal territory, once for title, and once to determine how much the land was worth per acre. I testified in all three stages, including the third when the court assessed charges that would offset a potential award. If you try every case three times, it takes an immeasurable amount of time and since they had six hundred cases to handle, it's a wonder they have gotten through as many as they have. To me, the thing that is ironic is that having made all

of these decisions has not really given the Indian people their day in court. Maybe it takes a day and a half or two days for them to get a full day in court because so many cases were dismissed. Even more ironic is the fact that past decisions are now being mined by a whole new set of researchers who are looking for loopholes to start an entirely new group of cases. Many of those loopholes might make it possible for tribes to open casinos. So instead of ending litigation, I would say that this noble-sounding measure was hatching an entirely new generation of legal cases.



# TERMINATION, INDIAN LAWYERS, AND THE EVOLUTION OF THE NATIVE AMERICAN RIGHTS FUND

**John Echohawk**

I was born in 1945, the year President Truman took office, and was raised in New Mexico, even though I'm a member of the Pawnee Nation of Oklahoma. My father was a land surveyor on the Navajo, Apache, and Ute reservations in the Four Corners area, and that's where our family was raised. My dad had left the Pawnee Reservation in Oklahoma when he was a young man. His parents had passed away and he lived with his uncle who had TB and moved to New Mexico for the warm and dry climate. Now, my mother and father didn't have much education. They struggled to make it economically and as a result they really emphasized education to me and my three brothers and two sisters. All of us went to college. I was taught that I could do whatever I wanted to if I worked hard enough—I decided to be a lawyer.

I graduated from the University of New Mexico at Albuquerque where I was fortunate enough to have received a scholarship to support my undergraduate education. Later, I looked for a scholarship to go to law school at the University of New Mexico and just happened to be in the right place at the right time. In 1967, the federal government began providing scholarships for Indians to attend not just college, but also graduate school. The government also supported Native people who wanted to become attorneys. At that time we had but a handful of Native American attorneys—nationwide. That scholarship program was designed to address this problem and the University of New Mexico provided support at exactly the time I was entering law school.

What I was exposed to in law school was not what I had anticipated. To their credit, the faculty at the University of New Mexico Law School

put together one of the first courses in Indian law and so exposed Native American law students—myself included—to the legal and political history of our tribes. It was a real eye-opener. We learned that sovereign nations negotiated treaties, which means that the law says an Indian tribe is a sovereign nation. My fellow law students and I wondered about the gap between all those things in the law books and the reality back on the reservations where we grew up. We learned about the legal process: that it is all about lawyers. If you don't have a lawyer, then you don't have any rights. It doesn't matter what's written in those books. Lawyers cost money and our people were the poorest of the poor. With no money for lawyers, we had few rights, even though the books said we did.

This realization, that Indian people lacked the necessary means to secure their rights, led a number of Indian law students and tribal leaders to organize the Native American Rights Fund in 1970, just as I graduated from law school. We had been inspired by a new generation of lawyers sent to Indian reservations by the Office of Economic Opportunity through President Johnson's War on Poverty. In those days, Americans realized that poor people were denied justice because they lacked access to lawyers. The lawyers who were sent to Indian reservations did wonders, and as law students, we studied some of the cases they had brought on behalf of enforcing Indian law. We believed that, while this initiative held great promise for Indian people, it also was essential to expand legal advocacy across the country, and not just on those few reservations where some of these poverty lawyers were located. That was the rationale for the Native American Rights Fund.

We also learned the thing Fred Hoxie discussed earlier in this volume—that Indian policy doesn't develop in a vacuum, but is driven by what is happening in the larger society. Well, in the 1960s, there were two brilliant events going on. One was the civil rights movement. For us, that movement concerned law and legal advocacy for poor people who didn't have lawyers. The NAACP Legal Defense Fund had been organized and raised money as a non-profit organization to hire civil rights lawyers and make them available to represent black people in the most important civil rights cases in this country. The NAACP Legal Defense Fund brought those cases to court and made this country live up to the laws of equal treatment and equal justice. Our people needed to do the same thing, but with a difference. We weren't advocating equal justice and equal treatment. We were after enforcement of the treaties and our rights as sovereign Indian nations. That describes the priority for the legal work of the Native American Rights Fund.<sup>1</sup> Our all-Native board of tribal leaders decided how we were going to spend our precious resources to address all the legal

issues, all across Indian country, and which ones could not be addressed.

Our basic experience with attorneys had been the same as what Helen Tanner described regarding the Indian Claims Commission. Yes, there were lawyers, but non-Native lawyers were all we had. We discovered that lawyers working through the Indian Claims Commission were less interested in seeking the justice inherent in that system than they were in the money. Attorneys took 10 percent of awards determined through the claims process, and that's all we knew about the lawyers. They came along and grabbed these claims; they didn't cost us anything, but after they took their 10 percent, they were gone. Nothing else happened. We didn't have lawyers anymore.

In law school, we studied the notion that tribes are nations with sovereignty just like other governments. You never heard any of these Indian claims lawyers say the *S* word. We wondered why not, since sovereignty is the most important principle in Indian law. Our people talked about sovereignty, but our lawyers wouldn't. Well, the Native American Rights Fund did. We talked about it because we represented the Indian people and that's what the people wanted—a discussion of sovereignty and sovereign rights as a nation as recognized in treaties. To address this in a serious way, we had to confront the dominant Indian policy at that time and that was termination. We have seen how termination was incubated during Truman's presidency and how it grew to full fruition during the Eisenhower administration. It lingered on through the 1960s and was the backdrop for the civil rights movement. Termination policy was still there and we had to do something about it. So that was the highest priority.

Ada Deer was the first tribal leader to partner with the Native American Rights Fund on this issue (see her article later in this volume). Ada came from one of these terminated tribes and talked with us about working with her and her tribe to undo this termination—to reverse it and to restore the tribal status of the Menominee Nation. We knew that would be very difficult, but it had to be done. Even though we had a strong fundamental body of law that supported Native American rights, court decisions said that if Congress wanted to break the treaty, it had the power to do so. Congress can do whatever it wants with and to Indian tribes—break treaties or do whatever it wants. Some of the tribes had already tried to litigate against these termination acts and had lost. The court assumed that Congress acts in the Indians' best interests, so the courts offered no help on termination.

But Ada had an idea about taking this problem to Congress and explaining how they had promised that termination would be good for the Menominees, but instead, it was an unmitigated disaster. So we simply went

to Congress and, under Ada's leadership, explained what had happened to the Menominee Nation under termination. Members of Congress were appalled. They apologized and then passed the Menominee Restoration Act, restoring the sovereign status of the Menominee Nation. They reversed that termination, recognizing the Menominee Nation as a tribe once again, and away we went. There had been over a hundred tribes terminated during the 1950s into the 1960s. Eventually, Congress restored all of those tribes through that same process, because they all had the same story. So one by one, they went up and presented their case and had tribal status restored. Today, there aren't any more of those terminated tribes; they are all restored tribes.

The story goes on about the Native American Rights Fund. We have taken some cases over the years. We haven't won them all, but we've won most of them. It has really changed the course of Indian history and of U.S. history. We clarified the status of tribes as sovereign governments just like the states and the federal government. Tribal sovereignty has now come to be fully recognized. Tribes are an ongoing part of this country under U.S. law. It's a struggle that continues, and it is playing out today in the most dramatic fashion in the biggest case the Native American Rights Fund has ever brought and the biggest case the U.S. Department of In-justice has ever defended. This case relates to Indians' claims of mismanagement of Indian funds the federal government holds in trust. It is our money, generated from our lands, but is held in trust by the federal government. Whenever Indians sign a lease, the government has to sign the lease as trustee. When lease monies are collected, the government collects those funds and deposits them in trust accounts for us, like a banker. Of course, like a banker, the government is supposed to account for those funds. Well, guess who has never accounted for all those monies, for all these years? Even though Indian people complain and complain, generation after generation, decade after decade, nothing ever happens. In 1996 we brought litigation to have the courts enforce the trust and get the government to account for all this money. Billions of dollars have gone through these individual Indian money accounts since they were set up following the Indian Allotment Act of 1887, when the government allotted reservation lands to individuals and established individual money accounts. Our expert witnesses, together with the government's expert witnesses, agree that about \$13 billion have passed through these accounts since 1887. By law, these monies accumulate interest—a lot of interest since that time. But there has never been an accounting by the federal government for this money. The federal courts have now ruled that the government is the truster and that it owes this trust accounting. Lawyers from the Department of Justice delay

and deny and resist. We have been at it ten years and even though there is this court order for this legal accounting, they keep putting it off so the battle goes on. Congress is tired of it too; Congress has a settlement bill pending. We're waiting for an offer from Congress for a fair settlement, but we don't know whether we're going to get that or not. We've proposed a settlement of \$27.5 billion. We don't know whether Congress is going to give us that, but we're hoping for a response. If we don't get that, we'll just keep litigating. We do that as a non-profit organization, along with our co-counsel for a class of 100,000 Indian account holders. As always, we depend on grants and contributions from people across the country to continue this legal representation of Native American people who otherwise wouldn't have any representation. I think our legal rights are safe, at least for the moment, from a return of termination because of the aggressive efforts of our people and the good will of the majority of Americans. Hopefully that will continue for a long time and we will never see the days of termination again.

## Notes

<sup>1</sup>See the Native American Rights Fund website ([www.narf.org](http://www.narf.org)) for more information.



# INDIAN SOVEREIGNTY AND NATION-BUILDING SINCE TERMINATION

**Ben Nighthorse Campbell**

For the past thirty years, I've lived just east of the cliff dwellings called Mesa Verde. From an international historic and archaeological preservation standpoint, they are on par with the great pyramids of Egypt, and the Native people were there about the time when Christ walked the earth and left there over four hundred years before Columbus even got off the boat, so we've got a long, long history, long before there was any recorded history. Unfortunately, until about 1900, we didn't get to tell our side of the story because we had no written language. The books and stories written about Indians were usually written by people who did not have the same experiences. There is an old saying that the winners write the history books and I have a hunch that if we had suffered the terrible tragedy of losing World War II, history would be reflected a different way, because our books would have all been burned and other books written by those who conquered this country would have told a new kind of history to glorify their own actions.

That's kind of what happened to us. It's only been since about 1900 that Indian writers and people who have been taking a more observant and objective view have been writing about the Indian experience. When you think about Mesa Verde and the people who lived there until about the eleventh century, remember that they didn't have any tuberculosis or smallpox or AIDS or polio or even a common cold. They didn't have any jails because they didn't have any crime. They didn't have any gangs. They didn't have any drug abuse or alcoholism or prostitution or anything else. It was a pretty darn good culture. They lived by trying to be in synch with their Creator, with their families, and with what they called Mother Earth,

which American Indians still call Earth Mother. In all that time, of course, they didn't have to pay taxes or conform to government regulations.

I'm going to focus a little bit on President Truman's administration—one of my great heroes, but for a totally different reason. About five years ago, when I was in the Senate, a guy came up to me and said, "Senator Campbell, I want you to change the national anthem to a song my brother wrote." Now a good politician would say, "Sir, that's a very interesting concept. I'll take that under advisement and I'll get back to you." Instead, I gave him a Harry Truman answer: "Are you damn crazy or what?" Of course he said, "I'll never vote for you again." But I think that's the kind of response President Truman would have given. He's one of my heroes because he didn't test the polls every morning before he made a decision about the direction he should be going. It's clear why his polls were pretty low. You don't take on the most popular general in the history of America and fire him and have high approval ratings at the same time. That's a pretty tough thing to do but it also took a tremendous amount of courage. It might have been the thing that kept us out of a war with China.

In any event, Truman's record regarding Indians was pretty sparse compared to his record on a lot of other things. There were a couple of pretty good things that happened in Indian country and a couple of bad things that happened, too. But it seems to me that most presidents in the history of this country (and I've known every one since President Nixon), even going back two hundred years, either set policy through misguided judgment or maybe through pressure from some special interest group that was driven by just pure greed for the land or the untold wealth under the land of Indian country. Maybe it was through misunderstandings, but in some cases, and maybe in President Truman's case, it was because some people "wanted those Indians to be like the rest of us." But they were completely forgetting that Indians don't want to be like the "rest of us" and can't be treated like "the rest of us," because they are not only an ethnic minority, they comprise sovereign nations and you can't apply the same kind of logic to a sovereign nation that you can apply to an ethnic minority. The U.S. Constitution recognizes state governments as quasi-sovereign, recognizes foreign governments, and recognizes Indian tribes. So we are the only ethnic minority that has been recognized as sovereign and that's why we just cannot be like everybody else. We like to have some of the same benefits—have our kids go to school, pay our bills, make a living wage, and all that kind of stuff. But when you get right down to the crux of what sovereignty is all about, I don't know an Indian person alive who will give it up to be like "all the rest of us." It just doesn't fit.

That might have been what drove the Truman administration, but you know that a president himself doesn't set all the policy, that's a mighty

big operation with tens of thousands of people. Sometimes presidents make decisions on the best advice of staff or one of the departments, but no president can personally pass judgment on every single thing that goes on in this nation. It's not humanly possible.

During the time of President Truman, there was great change in America. The military was being integrated so they were beginning to break down the all-black military units and integrate them. The Tuskegee Airmen had proved their worth in World War II, as had the code talkers, which included not just the Navajo, but also Lakota, Comanches, and so on—there were many tribes involved. They had proved their worth in helping win World War II with a “secret code,” which was actually just their own language. Then right after World War II, the Hoover Commission recommended, through a report, that there be a termination of services at the federal level and the responsibilities that had been handled by the Bureau of Indian Affairs be transferred to the states. Since 1824, the Office of Indian Affairs had been empowered to administer the promises the federal government made to the tribes, even though over half the treaties were never ratified and all the others were broken at one time or another. The federal government was supposed to conform to those things but the Hoover Commission basically wanted to do away with that, which really put things in play through the Truman administration and for years later.

There was a gentleman by the name of Dillon Myer who had been head of the War Relocation Authority and had overseen the incarceration of tens of thousands of American Japanese during World War II, and he was put in charge of overseeing the transfer of some of these responsibilities. I think that boded very ill. There was a commissioner at the time, but there was not an undersecretary position as we now know it. Before 1849 the Office of Indian Affairs had been under the War Department and I can't help but think that in 1944 or '45, there were still senior members of the U.S. Army whose dads or granddads had witnessed the Custer battle in 1879. But Indians had no one to talk to. There was no Senate committee on Indian affairs. There was a subcommittee under the military committee, but I don't think they were really inclined to listen to grievances by Indian tribes. The tribes were basically left hanging. When I got elected, it had been about sixty-five years since the last Indian U.S. Senator had been elected. He was Kaw Osage from Kansas by the name of Charles Curtis, and became vice president under Herbert Hoover—the one and only person of Indian ancestry who has ever become vice president. We had kind of a drought for an awful lot of years after he left. We didn't have anybody an Indian person could talk in Washington, DC. We didn't have a Marshall Plan to help us as defeated nations, like all of Europe did.

There was nothing in place in America to help Indian nations. In fact, we were pretty much herded onto Indian reservations and kept there while Congress passed bills like the termination acts and the relocation acts during the Truman years. There was an awful lot of policy in Congress for years and years that was driven by great euphemisms like “manifest destiny,” or “divine right,” or “westward expansion,” or all that kind of stuff that cloaked the real reason for taking the land away from Indian people.

If you know history, you know that we went from millions and millions and millions of people before European settlers to only roughly 200,000 Indian people left alive in this nation in 1900. Fifty years earlier, at the time of the California gold rush, there were in excess of 150,000 Indian people in that area. There were fewer than 50,000 in 1900—they were killed by disease, killed by being shot. There were any number of ways to relieve the Indians of not only their land, but of all the wealth—the minerals, the gold, the oil, the copper, you name it—that was under the land. We’re still fighting those battles.

Indians have been the recipients of a lot of other bad stuff for a long, long time in our history—the removal acts that started in the 1800s literally drove us at gunpoint from our lands in the northeast part of what is now the United States. You know of course about the Trail of Tears, but if you look on a map showing locations of Indian tribes you might wonder how the Seminoles could be in Florida and Oklahoma at the same time. Well, there are many others—the Creeks, the Choctaws, the Delawares and so on—who were not there either. They were all driven out of their lands under duress, often literally at gunpoint. Some, like the Seminoles in Florida, had the swamps to hide out in. Nobody could find them and catch them; I understand that Chief Osceola was the only chief who refused to sign any kind of agreement with the federal government to give up land. His people just simply wouldn’t leave and they had the ability to hide so they couldn’t be herded out to Oklahoma like so many other people were.

Unfortunately, even the tribes in Oklahoma lost a lot of their land under the Dawes Act of 1887, which opened the land to homesteading. Perhaps you’ve heard how the Oklahoma Sooners got the name “Sooners.” They were the guys who hid out the night before and snuck in to lay claim to land before the flag was officially dropped to signal the time when everybody could gallop off and stake claims. The Dawes Act and other acts, including the termination acts, disenfranchised thousands upon thousands of people. I often wondered, “Why would the federal government, which lives by its honor, or is supposed to, sign an agreement with France and then break it?” Same thing, why would you sign an agreement with a tribe and then break it? Remember that tribes signed agreements with the U.S. government as



sovereign nations. The U.S. government signed agreements with the tribes, not with individual Indians. They had a trust, they had a responsibility called “trust responsibility” under those agreements to provide certain things for Indians in exchange for their land. Other acts forced Native American children into boarding schools. My dad was in the Crow agency boarding school right next to the Cheyenne reservation in Montana, and considering the Crows and the Cheyennes were traditional enemies a hundred years ago, I bet my Dad took a lot of lickings from some of those tough Crow kids for being in the wrong school. Of course, I have a lot of very close Crow friends now. But in those days, the kids’ hair was cut off and their mouths were washed out with soap for speaking their language—as if they were trying to bleach the red out of the little redskins. As much as the Japanese have suffered, the black Americans, the Irish, and everybody else, I don’t know of any other group in America except the Indian people who had bounties put on them to encourage their killing.

Death and boarding schools, there was no way out of it. I read an article about nineteen Hopi men from Arizona who refused to let their youngsters be taken to the boarding schools. They were imprisoned for nine months in the newly constructed Alcatraz penitentiary out by San Francisco—for not wanting to give up their children. I don’t know of any other group that’s had to go through that kind of an experience, where their kids were taken by force by a foreign government. But that happened to Indians.

During the Truman years, there was a cause and an effect. There was less money being appropriated for Indian tribes, and there was an intentional effort to encourage Indians, particularly men, to leave the reservation. They told thousands of Indian people: “Tell you what. Leave the reservation. Here’s a one-way ticket to San Francisco, New York, Dallas, wherever and we’re going to put you in electronics school or carpentry school or mechanic school or something, and you’ll have a job.” Now you’re talking about people who were living on commodity cheese and beans and were starving. You bet that 35,000 took that one-way ticket and went to the cities. But guess what? There was no placement system after they got out of school and so of course we saw problems such as unemployment, alcoholism, homelessness, suicides—all of that kind of stuff began to skyrocket after that. So I guess it’s really no wonder that we have a 73 percent unemployment rate on some of our reservations, a high-school dropout rate higher than any other ethnic minority, and high rates of substance abuse and suicide. On some reservations, one out of every two teenage girls attempts suicide; one out of every three boys tries it. Unfortunately, too many succeed. That’s a real number, right now. The



national average is about one in five thousand kids are born with fetal alcohol syndrome, but there are some Sioux reservations where one in four babies suffers from some degree of fetal alcohol syndrome. This is totally preventable, but totally incurable once they are born with it. These are the kinds of things we face on Indian reservations today and the vast majority of bills, no matter how well intentioned, were written without any input from Indian people and must have benefited somebody, but they certainly didn't benefit Indian people.

The growth of this great nation is based on the idea of upward mobility, a chance to get ahead. Indians had everything to lose and nothing to gain—and we almost did lose everything—during the past four hundred years. In addition, this country was founded on religious freedom, but there wasn't any religious freedom for Indians. Many of their religious practices were outlawed. The potlatch, the Sun Dance, the Snake Dance, and many others remained illegal so had to be done in secret. I don't know of any other religions that were made illegal except Indian religions. Most of them are being practiced again now, by the way, because Indians are not the kind to give up. They may die but by golly their offspring and their grandkids will keep on with it.

Well, we're beginning to change. We're learning, unfortunately the hard way in many cases, but now we find that many of our young people are going to college and learning what I call the "new rules of engagement" and it's not with a war pony and a lance anymore, it's with a college degree and voting rights. The locations of those battles are different too, because it's not the plains and the woodlands, now it's the corporate boardrooms and the halls of Congress and the courts. And our youngsters are recognizing that and our elders are encouraging us to meld old Indian traditions with modern technology and to try to provide a better life for our kids. That's beginning to change very fast. Economic opportunities, like industrial development, tourism, manufacturing, marketing, are all being taught now, and our young people are learning. I'm very proud to say that and now you can find one or two in public office.

Years ago, some of my American Indian Movement friends went and landed on Alcatraz Island in the '70s and raised the Indian flag there, and they took over the BIA building in Washington, DC. They were a little bit militant but for a darn good cause. When I first ran, a couple of them said to me, "Why do you want to run for a government that took everything away from us?" My belief then, as now, is that you can't change things by staying on the outside. If you want to change things, you have to be active. You can't just complain and not be involved in trying to find the solution. There are six Indian people in the Montana legislature. There are

five in South Dakota. We have them in Alaska, New Mexico, Oklahoma, Arizona—more Indian people are running for office all the time, and frankly, I don't care what party they are in. I want them to run and hopefully we'll find more of them to do that.

Now let's look at an example: the effects of gaming. Indian culture is a gaming culture. In the old days, we used to bet on horse races, on hand games, on all kinds of things. It's in our nature. All Indian tribes I know play games of chance, so casinos are not a big deal to Indian tribes. It is just a means to an end. I helped write The Indian Gaming Regulatory Act of 1988, and I can tell you right now that none of us had any idea of the effect it would have. The sales in Indian gaming now exceed all those of Las Vegas combined and the whole casino industry was up by 25 percent just from 2004 to 2006. Of course, there are people who have some religious or cultural opposition to gaming, including some Indian people. The Navajos have not gamed yet, and the Hopis have not gamed yet, and there are other tribes that have not gamed yet, so not all tribes do it. I think less than half the tribes actually have casinos, but the money from casinos has allowed them to step back and get a breath and do some new things. It's certainly helped them diversify because some of them know there may be a saturation point with what some Indian tribes call the "new buffalo." But the economic success of a casino doesn't just help the tribe, it helps everybody in the community around the casino and even other less fortunate tribes. I'll give you a couple of examples. Before they went into gaming, the four-county area around the Pequot tribe in Connecticut had 12,000 people unemployed. When they opened the casino, the tribe, directly and indirectly, hired 11,000 people. They offset all that unemployment. Obviously, when you get a paycheck, there is less need for social service programs—taxpayers' money you had relied on to survive—so it does help. Probably 90 percent of the people who work in the casino industry are not Indians. So the casino helps everybody who wants a job. In the meantime, more of our youngsters are going to college. New language classes are being initiated, new dictionaries being written, new films being made, and new museums being built on the reservation—these things could not have happened if the tribes did not have access to the new capital. Most tribes still live in third-world conditions, and the gaming tribes are successful when they are near a major metropolitan area, a major interstate, or a resort area. Some tribes just happen to be, by the grace of the Creator. Others are not, so it simply won't work for them.

There is a study called *American Indians on Reservations: A Databook of Socioeconomic Change between the 1990 Census and the 2000 Census*. It makes mighty good, interesting reading if you're interested in what

gaming did. The authors looked at fifteen socioeconomic indicators on reservations, comparing gaming tribes, non-gaming tribes, and the general population, and I can tell you this: nobody from 1988 could have predicted that we would now, less than twenty years later, have a \$20 billion a year industry that employs 558,000 people. And with that money, tribes have been able to diversify. Now, we find agreements between Indian tribes and such industries as K.O.A., Wal-Mart, Home Depot, Pepsi-Cola, Coca-Cola, the Defense Department, the Marriott Corporation, the Hyatt Corporation, and on and on and on. You never would have seen this before we passed that bill, and all of this helps the economic health of those new youngsters who we're trying to make sure don't commit suicide, but instead do something with their lives.

Let me just mention a few other things. The population of Native Americans in the ten-year period from 1990 to 2000 went up by 25 percent. We had terrific growth—that is twice the national average. Now that means either there were a lot of Indian people that did not admit it in 1990, or we had a lot of cold winters on the reservations during that decade. Second, the growth of per capita income among Native Americans had lagged behind the United States as a whole before the 1980s. It rose by 33 percent in the '90s, as compared to the U.S. population as a whole, which grew by 11 percent during that same decade. Even with federal funding for Native Americans relatively stagnant during that decade, the rate of growth was three times the national average. During the 1990s, the Indian family poverty rate dropped by 7 percent for non-gaming tribes, 10 percent for gaming tribes. At the same time, the family poverty rate for the whole United States dropped by less than 1 percent. That means the poverty rate dropped ten times faster for gaming tribes than for the United States average during that decade. Unemployment dropped by 2.5 percent for non-gaming tribes and 5 percent for gaming tribes, while unemployment for the United States as a whole dropped by only 0.5 percent during that decade. We were creating jobs while the rest of the nation was stagnant, and with that money came indoor plumbing, telephone service, electricity, and so on, as tribes had access to money. As you might guess, with improved economies, societal problems began to decrease. We saw a decline in drug and alcohol use, even though it's still way too high, higher than the national average. And more kids are staying in school.

Now of course some other things happened during the '90s that had really started during the Nixon and Johnson years. As you know, historically most Indian tribes received money from the federal government through an appropriation process, but it got filtered through all the federal agencies before it got to the Indians out on the reservations. Well, we found a way for

tribes who had the expertise and infrastructure to handle their own affairs, so money could be appropriated directly to them. They would contract with the federal government to run programs themselves and they would get the whole amount of money, instead of just the part left over after going through all of the bureaucracies. During the Nixon administration, they called it "self-determination," meaning that since everything else had failed over the last 150 years, how about letting them make their own decisions? It's been working pretty darn well. In California alone, the Pechanga Tribe had about 130 employees in 1997. They now (in 2006) have 5,800 employees and are the largest employer in Riverside County. Less than ten years ago, some of the homes on that reservation did not have indoor plumbing, if you can imagine that. There are over 50,000 employees in California tribes alone and only half of the tribes even have gaming. Some of them simply don't want it or they're not in a location where it would work out very well. But there is a fund in California that the gaming tribes pay into and in 2005 they paid in \$130 million and that money was then distributed to the less fortunate tribes. So the fortunate ones are helping as well as they can, and they pay roughly \$750 million a year in California, which has a multiplier effect of \$4.3 billion on the main streets of California, so that is a major contribution to the economy in California.

In Mississippi, the Choctaws are the second largest employer in the whole state and some of their biggest contracts are with the Defense Department, of all things. Other tribes, like the Colusa Ranch Real in Northern California, bought farmland and planted four thousand acres in alfalfa and walnuts and rice and many other things in a high-growth area near Sacramento, which daily goes up in value simply because of the growth around their reservation. You know, in the Indian community, it's considered impolite to talk about your successes or brag. But we've found over the years, when Indian gaming began to grow, that the detractors of Indian gaming were saying some things that were not true. *Time* magazine published scathing articles about Indian gaming, but they had not done their homework, and the articles just simply weren't true. So at the request of the National Indian Gaming Association, some tribes began to release what they were doing with their profits. In just eight years, one Sioux community donated \$57 million of their profits to needy people, not only to Indian programs, but to Boy Scouts, Boys and Girls Clubs, the local police athletic league, and charitable organizations, as well as to Indian powwows and different things that provide education for other tribes. They've given over \$11 million to other tribes who need help, so they're very definitely on the cutting edge of what a lot of Indian people are all about now. In the Indian community, there is something called the Indian Way, which



means that if you're doing well, you should share with somebody who's not doing so well and these successful tribes are doing just that, in spades.

But let's look at the downside. If we have 75 percent unemployment on a reservation and we're reducing unemployment by 5 percent per decade, as that Harvard study indicated, then we will reduce it by 25 percent in fifty years, which leaves us with a rate that is still ten times higher than the national average. So we're doing better and there are glowing numbers, but it kills us how far we still have to go because we were so far behind the rest of the nation in literally every socioeconomic indicator.

When I was in House, I sponsored the legislation that built the National Museum of the American Indian, and my dear friend and colleague Danny Inouye (who is still in the Senate) was the Senate sponsor. It was really gratifying to me after eighteen years of doing everything we could to raise almost \$70 million from the private sector for that building—the feds didn't pay for it all, you know—that the doors opened the month before I retired. I was there with a former staffer, a Navajo girl named Pablita and I was looking at this wonderful, marvelous building—there is a great rotunda that they call a kiva, and on the one wall there is a window to the east, the Indian way, and when the sun comes up in the morning, it comes through that window. The glass is situated so the light breaks up into colors as it goes across the wall, and if you stand there a while, you see these wonderful rainbow colors going across the great rotunda, the kiva of the museum. I was kind of musing—I guess the Anglo way of saying the end of the rainbow, pot of gold, that kind of a thing—and I said, “You know, Pablita, for me, as I see the progress our people are making, it's really wonderful to see that rainbow and this is really the end of our rainbow, having this building here.” She said something very, very knowing: “No, Senator, you're wrong. This isn't the end of our rainbow. This is the beginning of our rainbow.” I firmly believe that, and I know that with the help and understanding of people who have been enlightened about the problems Indian people have faced decade after decade and generation after generation, and the hard work of our current Indian leaders who have often put their lives on the line to make national statements about our needs and where we want to be, I see a bright future for our Indian people.



# TERMINATION AND THE MENOMINEE RESTORATION ACT

Ada E. Deer

When I was a young student in New York City, I went to a lecture by President Truman in a huge, huge auditorium. I was impressed with his remarks, his humanity, his humor, and his down-to-earth feeling because I had never, of course, heard a president before and I was really pleased because I didn't know what to expect. I thought he would be this big, impressive, mythical figure, I guess, but he came across as such a human. I thought, "That's our president." My next connection with President Truman was through Philleo Nash. I had a very long association with the Nashes starting with graduating from Columbia with a degree in social work. I went to Minneapolis in 1961 when Indians were being brought down to cities to work, and I went to work at the Waite Neighborhood House because, other than one in California, this was the only social service agency that I knew was working with Indians. I said, "California is too far away. Minnesota is closer to my home," and so I selected the Waite House.

When word of a new Indian social worker got out, all kinds of people started coming to the Neighborhood House. I was the assistant director, and I had several people under my supervision. One of the first people who came to see me was a gentleman by the name of Yellow Thunder. In social work school, as in law school, you take classes on ethics and how you're supposed to interact with the clients—I really don't like the word *client*, but I haven't invented another word. At any rate, you couldn't give them any money. Well, here was Mr. Yellow Thunder. He came by and said hello to me and we started talking and then pretty soon he said, "Can you lend me some money?" So I said, "Well, how much?" I wanted to see what he

said. "Well... not very much, you know." I decided, against my strong ethical standards, to lend him fifty cents. He loved me. He came by from time to time, and he always brought me small gifts, the latest Indian jokes, and this and that and another thing. I started noticing the large number of Indians coming into the cities, so I thought, "What is this?" I learned about the BIA relocation programs and I learned that Indians were provided almost no orientation or preparation for living in cities. There were almost no evaluations or screenings. Indians were placed in low-income areas with minimal financial assistance and inadequate counseling. It would be one year, two years. Well, I decided that this was wrong and needed to be changed.

About that time, my boss, the director of Waite Neighborhood House, asked me if I wanted to go to a conference on social work in Washington DC, and I said yes. So I went. I thought, "I'm in DC, and this is where the Bureau of Indian Affairs is. I'm going to go see the commissioner, Dr. Nash." So I called up and told the person on the phone that I was a Menominee Indian, a social worker working in Minneapolis, and I would like to see the commissioner. "Well," she said, "He's very busy. You can't. You need an appointment, you know." I said, "Well, this is not going to take very long. I am here for a very short time and I would really like to see him. I'm from Wisconsin and he's from Wisconsin and— I'll give you a call back tomorrow. Talk to him. I would really appreciate it."

So I called back the next day and said, "Listen, all I want is ten minutes in between elevators," and she said, "Oh, okay." I remember seeing Philleo Nash for the first time. He looked like Santa Claus and I thought, "Wow, isn't this interesting. You know, Santa Claus for a commissioner"—or maybe the great white father, as he often referred to himself. So I said, "Okay, I will talk really fast," and he said, "Not to worry. I'm going to talk fast, too." But I had to set the stage so I told him who I was and that I was a Menominee. He kind of knew who I was because my mother—my little white mother—had been bugging him and telling him to do something about this terrible injustice of termination. I thought it was very open and generous of him to allow me to come see him because my mother was berating him for not doing anything to solve the problem of termination.

I learned later that he was an anthropologist and did his work among the Klamath Indians, who were also terminated. So being the open, kind, generous person he was, he was very curious. I told him the relocation program really needed to be improved, needed to be streamlined. It needed to be much more sensitive to the people who were brought into the cities with no orientation. I said the current program was not helpful and if they talked to social workers and other people involved, they could improve the

program. So he listened to me, he smiled at me, and he didn't say yes and he didn't say no, but he appreciated my coming.

So that was my introduction to Philleo Nash. Later he told me that he decided right then that he was going to hire me. Of course, I had no interest in working for the Bureau of Indian Affairs (BIA), so when the area director called me up a few years later and invited me to work for the BIA, I declined. I said, "I have a master's degree from Columbia University and I did not get this degree in order to work with a social service department that hands welfare checks to Indians." And he said, "No, you wouldn't be working as a welfare worker. You would be coordinator of community services and you would be working as a liaison with the area directors." After much friendly persuasion by the area director, I accepted the position. I did that for a couple of years and really had an opportunity to look inside the BIA and examine its performance. So I wrote a very, very short report outlining what I thought should be done. Of course, they didn't ask me to write this report, but I did it anyway. Philleo Nash liked it and so he decided to send me on this training program. Later he told me that was the best five thousand dollars he had ever spent. Nash sent me on this six-month training program because he decided I should get out of the Midwest, that I should understand and learn more about other Indians. I spent a lot of time in the Southwest and in Washington, DC, and the experience gave me a lifelong appreciation of Indian people and their love of lands and cultures. That was the beginning of my long association with Philleo Nash.

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Our people did live through termination—the Menominee tribe was the first tribe terminated and I'm very happy to say we were the first tribe to be restored, and that didn't just happen. A whole bunch of things happened between termination and restoration, and I'll just give you an outline. My father was Menominee and spoke Menominee very well. He would never teach it to us because he went to a mission school and was not taught to be proud of his heritage, so he did not want to share this with us, even though when I was a little kid, I would tug at him and say, "I want to go fishing. I want to go hunting." And he would say, "No, no. You can't do that. You're a girl." I said, "I want to learn the language," and he said, "No, I'm not going to do that, either." Poor guy, he was stuck with me as his oldest child; I have two brothers and two sisters, and four of us have college degrees plus advanced degrees. My mother was not a "wannabe" Indian; she came from a very wealthy family in Philadelphia, with a Quaker heritage. She lived by her values and she told me when I was old enough to understand,

“Ada Deer, you’re an American Indian.” I thought, “Well, yes. That’s what you’ve been telling me.” “You’re an American Indian. You were put on this planet for a purpose and your purpose is to help your people.” Ah well, that sounded okay to me. Having five younger brothers and sisters, helping others was not a foreign concept.

When I was a college student from 1953 to 1957 at University of Wisconsin–Madison, she started barraging me with letters opposing the Menominee Termination Act of June 17, 1954. At that time the Menominee Indian Tribe was one of the few tribes still living in its homeland. We once had nearly ten million acres in Wisconsin, but this was reduced to 235,000 acres after a series of treaties in the 1800s. At the time of termination, there were 3,270 members of the tribe when the rolls were closed.

Now, how did termination occur? Our tribe has a beautiful forest that is known worldwide. It won a United Nations Award for Sustainable Development in 1995 and the United States Presidential Award for Sustainable Development in 1996. We have people from all over the world visiting our forest, and Brian Hosmer wrote a whole book on the Menominees. The tribe loved the forest, they loved the land, and it is central to our identity. We had a forest, we had a logging and lumbering operation, and we won \$8.5 million in damages from the federal government for mismanagement of our tribal forests. This was a big victory for the tribe, and it gets to the point about trust and land and money. The tribe wanted to harvest the lumber but the BIA, being the way they were at that point, did not allow Menominees to harvest, so millions of dollars in timber were lost because the BIA didn’t want to impact surrounding white business people. So we went to court and won the money, and then people said, “Well, let’s have a per capita payment. This shouldn’t just all be sitting there,” and we were, at the time of termination, “one of the wealthiest tribes in the country.”

Now, it looked good: we had \$10 million in our tribal treasury. But individually, people were poor—basically poor. There were some people who worked for the BIA and they were comparatively well off, but most of the people were poor. So our congressman, Melvin Laird, introduced a bill allocating the money, and it got through the House in the form of a \$1500 per capita payment. It passed the House. Then the bill got over to the Senate and we ran into Senator Watkins. Now, Senator Watkins entered the Senate in 1947 and he immediately started working to implement termination. So in 1947, that was his goal.

Now the question here is what motivated the thinking of many of these people? Watkins was from Utah. We were in Wisconsin and we were

wondering how he got into his position. This guy really had this passion for termination. So Congress decided that, in order for us to receive our own money that we had been awarded in the lawsuit, we would have to agree to termination. Well, this was a very hard concept and the Menominee people did not understand. According to House Concurrent Resolution 108 (1953),

it is resolved by the House of Representatives (the Senate Concurring), that it is the sense of Congress, that at the earliest possible time, all of the Indian tribes, including the individual members thereof, should be freed from Federal supervision and control.

The Menominee Termination Act (1954) announced its goal as,

To provide a per capita distribution of the Menominee tribal funds and authorize the withdrawing of the Menominee tribe from federal jurisdiction. Being enacted by the Senate and the House of Representatives of the United States of America and Congress assembled that the purpose of this act is to provide for orderly termination of Federal supervision over the property and members of the Menominee Indian Tribe of Wisconsin.

Well, there were very large complications. First of all, the Menominee were no longer a federally recognized tribe. The tribal rolls were closed. The land became subject to taxation and a state corporation called Menominee Enterprise, Inc. (MEI) was created. Each Menominee received two pieces of paper: one was a bond worth three thousand dollars in 2000, the other was a certificate of beneficial interest. The Menominee—the tribal people—didn't understand this. When Watkins came out to the reservation with his bullying tactics, this was the only meeting he held with tribal members. I wasn't there, but those who were say that he came out and basically stated that if they wanted their money, the tribe would have to take termination. So 169 people voted for this and five voted against it. So I'm wondering, "Where was the quorum?" There was a real issue about the legality of this meeting. But you wave this kind of money in front of people, and they see this imposing, threatening guy and these are friendly, hospitable people; they're not accustomed to this. Later they started asking, "Wait a minute. What happened here?" So several weeks later, they held another election, and they voted no, they didn't want this. Well, Watkins ignored that vote. Years later when I was in Washington and people would say that the Menominee wanted this, I would explain all of this to them and set them straight.



I was a college kid and if I wanted to get good grades, I had to study, so there was no way I could get involved, even though my mother always reminded me that something should be done. I visited with people on the reservation and I still remember a traditional person who said, "You know, I looked at myself and you know, one day I'm an Indian and the next day I'm not, but I'm still the same person." It was very confusing to many because the land suddenly became subject to taxation. People like my father, who had about twenty acres, wondered, "Why would you suddenly have to pay taxes on land you've always had?" So people did not have any information or any understanding; there were no meetings to explain what all of this meant.

But termination was going to happen, so a plan had to be drawn up. Some options were that the Menominees could merge with the surrounding counties or become a separate county or be a part of a national forest. They voted to become a separate county, and this was an expression of modern tribalism. So on April 31, 1961, the reservation became Menominee County, Wisconsin's seventy-second county, and its poorest. We're still the poorest county after all this time.

People's health went down immediately. Health services were provided by Catholic nuns, and the tribe paid for all the services and all the salaries of the BIA people who provided the services. The people were very confused, and a lot of people left. They went to Milwaukee or Chicago. It was a very, very difficult time—it was a cultural, economic, political disaster. The tribal government was abolished. We had a Menominee Indian Advisory Council made up of twelve men from all over the various districts, and that was abolished. What we ended up with was that on the bottom, you have the Menominees, who were the certificate holders. Then there was the Menominee common stock and voting trust, composed of both Indians and whites, and then there was the MEI board of directors. There was also the First Wisconsin Trust Company of Milwaukee that held shares for all the minors. They ended up holding 40 percent of the shares in MEI, so instead of being freed from federal supervision, we got oppressed by a white financial institution.

By that time I was in Minneapolis, so I started going to meetings and decided I should get involved. The area director told me I could not attend meetings—with *my own tribe*—so I resigned my position with the BIA. All the Indians were sitting in the back of the room, just listening. I decided to sit right up front and look everybody straight in the eye and ask questions. I asked reasonable questions. They provided poor answers. This of course irked me to no end. They would mumble the answers, and I would stand up and say, "Excuse me, that's not an acceptable answer. Menominees,

listen to what they are not saying.” Of course, the Menominees were looking at me—where did she come from? Even my first cousin said, “Well, you know. You left.” I replied, “Excuse me, but in the fifties there were two choices: you could be a welfare Indian or you could leave. So I left and went to school on the single tribal scholarship. I went to school, but I did not resign from the tribe.” It was a thousand dollars a year for three years and that was when it cost ninety dollars a semester for tuition at the University of Wisconsin–Madison. I got this fabulous education and I deeply appreciated the opportunity. So I thought, “Someday I am going to repay the tribe for this wonderful education.”

So in 1969, when I began hearing that the Menominees were demonstrating against the actions of MEI, part of a continuing undercurrent opposing termination, I started going to these meetings, and I got angry. At the time, I was director of the Upward Bound program at the University of Wisconsin–Steven’s Point, and I found a lawyer. Joseph Preloznik, who is still involved with us—I’m his permanent non-paying client! I told him I needed to understand termination. But the more I learned the angrier I got, so I said, “What can you do about this?” He said, “I need more than one client. Other Menominees came to me, but soon left under pressure.” So I said, “Okay, I will get two more clients.” He asked who, and I said, “My brother and my sister.” So we were his three clients and then we started.

MEI could not generate the monies necessary to support the tribe and decided to sell the land—that would be one of their solutions. Well, Menominees love their land, but developers began to cut the trees down on one of the most beautiful lakes to build vacation homes. That was an electrifying awakening and pretty soon there were demonstrations. The MEI was really afraid because we decided to start a group called DRUMS (Determination of Rights and Unity for Menominee Shareholders) and soon our lawyer had gone to the Native American Rights Fund (NARF). This was 1970 and very early in NARF’s existence. The Menominee Tribe is eternally grateful to NARF for taking us on as one of their first cases. We succeeded and I’m very happy they were there at that point and had the vision and the courage and the commitment to Indian people. We are very grateful to John Echohawk and our NARF lawyers Charles Wilkerson and Yvonne Knight for their assistance in enabling the Menominees to go from termination to restoration.

Back to termination: the rolls were closed, we were no longer federally recognized as a tribe, we had no health care, and our people were streaming into Milwaukee and Chicago. In short, termination was a cultural, political, and economic disaster. People were uninformed and really suffering. Our story needed to be told. We formed the National Committee

to Save the Menominee People and Forests and produced our own book—*Freedom with Reservation: The Menominee Struggle to Save Their Land and People*—and even in that, the Indian sense of humor shows through. Lots of people got involved with the Menominee restoration effort; one of them was a young woman named Deborah Shames. She was twenty-one years old when she edited this book. We didn't have any money; we didn't ask for any grants; we didn't have time to do this, but we moved ahead with our group. We organized chapters in Milwaukee and Chicago and had meetings in those areas. We couldn't meet on the reservation because we were the outside agitators or dissidents and they were afraid of us: we might *do* something.

We asked a few friends to suggest titles for our manuscript and were prepared for a deluge of bright ideas. We learned our lesson the hard way— one man's brainstorm was considered outrageously trite by another. Our solution was to choose a title that won approval from at least two people and list the "also-rans" on our final title page. They're listed in no particular order or in deference to those of us who should have known better. They just may bring you a few chuckles:

Adam Wasn't the Only One Screwed by an Apple  
 Apples, Attorneys and Anthropologists: The Fate of the  
 Menominee  
 Progress Is a Dirty Word  
 They Got the Bread, We Got the Crust  
 The Great Menominee Rip-off  
 Deliver Us from Termination  
 Little White Lies, Great White Father  
 Echoes of Drums  
 Uncle Sam and Grandmother Earth: The Marriage Menominee  
 Terminated  
 Will You Sell Your Mother?  
 Genocide of Our People  
 The Tribe That Came to Dinner  
 Forked Tongue in Cheek  
 Nobody Loves a Terminated Indian  
 (That is really true—Indians across the country made fun  
 of the people: "Na, na, na. You're no longer an Indian." It  
 was a very cruel way for other Indians to act.)  
 A Touch of Genocide  
 Don't Cancel My Reservation  
 This Land Is Not Your Land  
 Reservation-Yes, Termination-No

## Drumming Out Termination

Rich Man, Poor Man, Beggar Man, Thief, Banker, Realtor,  
Indian Chief

A Century of Security: A Decade of Disaster

Curing a Terminal Illness

The Great Twentieth-Century Land-Grab

New Growth and Sustained Guilt

The Tyranny of Termination

Drums

Dreamers With Power (An anthropologist wrote a book on the  
Menominee called *Dreamers Without Power*, and I com-  
plained enough that they titled the next edition *Dreamers  
With Power*)

Why Weren't We Asked?

So we soon engaged NARF attorneys Yvonne Knight and Charles Wilkinson; they gave three years of wonderful service to the Menominees, and we had many meetings to draft the Menominee Restoration Act. As a social worker, I wanted to create independence and not dependence, so we started having these meetings and people were kind of quiet. I said, "Now, listen, we are going to get this bill introduced, they are not asking us to do this." We knew that we had to get an act of Congress to restore our tribal status, so we drafted the Restoration Act and that was a long, tedious process because people were not accustomed to meeting and having their voices heard, and there are still people up there that are hurt because their little point didn't stay in the Restoration Act. I dropped out of law school—I like to tell the lawyers that I dropped out of law school but I succeeded anyway—and I went to Washington. Now I hadn't taken any courses in lobbying, I just knew that we were going to get this act through Congress and so I went knocking on doors. Now let me tell you, people just give up on the American political system. They think it's all corrupt, but that's not true. Citizen action can result in justice.

Well, we got our grassroots movement going. Our people cared about the land, and they cared about themselves. Of course, we had some dis-sension and we finally won some of those people over, and we figured that when we had enough votes, we could overtake them.

Before we went to Washington, we got a call from Senator Ted Kennedy. He was coming to Wisconsin and wanted to meet with us. Now, none of us had called Senator Kennedy. Why would a guy from Massachusetts care about what's going on in Wisconsin? So we went down to talk to him and he said, "When you get to Washington, call me up and we'll help." So of course we said, "Thank you very much."

When I got to Washington, I didn't have much money, so I showed up and I said, "Here I am. The Deer is here." I stayed with friends. LaDonna and Senator Fred Harris invited me to live with them and they were invaluable in assisting with this.

Now, it's not like there was just Ada Deer out there bombing Iraq. We didn't have very much money, so we couldn't afford to go back and forth as much as we wanted and we had many people in the BIA who said "Oh, we don't know if we can help," but we also had Commissioner of Indian Affairs Louis Bruce and a number of other Indian higher-ups under him who were in favor of this, and so part of our success was due to luck. So I was the right person at the right time, just like John Echohawk.

I began knocking on doors and making friends with everybody. You would say hello to me and the next thing you knew, you were buying one of my books and you were going to write to your congressman. It was exhausting work. NCAI helped us. They gave us a little desk in their office and we pulled people together. Several people from my tribe came down, and I also worked with Congressman Lloyd Meeds. He took a special interest in us because he was from the State of Washington and he had Indians there. I would just pick up the phone and call people and I took direction from them: LaDonna Harris and Fred Harris, Senator Kennedy's staff, Senator Nelson's staff, Senator Proxmire's staff. People got on board because this was the early '70s, when Nixon's presidential message on Indian affairs provided background for self-determination without termination. We said we were just following the president's directions, his instructions, and I liked telling some of the people at the BIA who didn't know what the president had said that they needed to do their homework. They would always ask, "Who are you?" so I would give them my background, then I would ask, "Well, what is your pedigree?" They weren't accustomed to that type of an approach.

We got the restoration bill introduced and had a hearing on our reservation. It's not often that Congress has hearings outside of Washington. Congressman Meeds and another congressman agreed to hold a hearing for our people, and we got the Restoration Act through. Its full title was:

Menominee Restoration Act: To repeal the Act terminating Federal supervision over the property and members of the Menominee Tribe of Wisconsin as a federally recognized sovereign Indian Tribe; and to restore to the Menominee Tribe of Wisconsin those Federal services furnished to American Indians because of their status as American Indians; and for other purposes.

Now I want to emphasize that it took a lot of work. Everybody wanted



to put their mark on the act and I wouldn't let them. In one of the first encounters I had with the good-guy lawyer in the BIA, he said, "I was just talking about the restoration and we think it's a pretty good idea to amend that." I said, "Excuse me, did I hear you say 'amend'?" "Uh, well, yes," he said. I said, "English is my first language. I have a bachelor's from University of Wisconsin–Madison and I have a master's from Columbia and you and I both know the difference between amend and repeal." "Okay, Ada, okay." So he agreed to "repeal."

I was aware of the precedent that this act was setting and its historical significance, so was thrilled when the act got passed by a phenomenal margin of something like 403 to 5. It was a huge thrill, one of the biggest thrills of my life. I was sitting up in the balcony and the lights were going off, *ching, ching, ching, ching, ching, ching, ching*. There were some people absent and three people were opposed. I kept track of them and learned that later on they were either defeated or had left. Not just for that of course, but I figured they weren't in the mainstream.

So we got the Restoration Act passed and I planned to return to law school. However, I was persuaded to run for chair of the Restoration Committee since I was the person most familiar with the act we now needed to implement. A number of us DRUMS people got elected to the Restoration Committee. People asked us, "When is the Bureau of Indian Affairs coming back?" and I said "It's not coming back." "What are we going to do?" they asked. I replied, "That's right—*we*. This is federal protection, not federal domination, and *we* are going to do this together." Then I said, "We are going to have a tribal movement, a constitution committee . . . we're going to do this." But you see, again we were trying to cut through years of dependency and years of oppression. One lady said, "But I'm just a housewife." It always irks me when women say, "I'm just a housewife." Now listen guys, according to a newspaper story, if you were going to pay for the services of your wife, you would have to pay at least \$130,000 a year. So keep that in mind. So I told those ladies, "Yes, we can do this," and so we did. We appointed an enrollment committee; we appointed a constitution committee; we developed a whole new constitution. Now, people say that's a hard job, and yes it was. We started from scratch to create our constitution. With our lawyers' assistance, the Menominees developed this whole new constitution. It got voted in and I said, "Okay. I'm done. The constitution is passed and the rest of the work can be done by the council." I went down to the University of Wisconsin–Madison as a lecturer in the School of Social Work and in the American Indian Studies program. We had achieved a historic reversal of American Indian policy.

As a postscript, some people ask what happened to the \$8.5 million

settlement that provoked termination in the first place. Well, a lot of the money was used up—we had to pay for a lot of our own termination expenses! So the enterprise didn't have much money to divide among the people. It was very sad. I took my \$1,500 per capita payment, borrowed some more money, and went off to graduate school. My brother (I tried to talk him out of it) went out and bought a car and crashed it up, and that was his money.



TERMINATION IN FLORIDA



# EVADING TERMINATION

## Florida Indians during the Truman Administration

Harry A. Kersey Jr.

The decades immediately following World War II were a critical interlude for American Indians. In the aftermath of the war, life on the reservations was in disarray. Over 25,000 young Indians had served in the military during the conflict and while some, such as the code talkers, gained great notoriety, a number who returned home found cultural reassimilation difficult. Many Indian families had moved to urban areas to take advantage of employment opportunities in the defense industry; following the war thousands remained and formed the nucleus of urban pantribal communities in cities such as Denver, Los Angeles, Chicago, and Minneapolis. Some Indian lands seized by the military for bombing and artillery ranges had not been rehabilitated, and the War Relocation Authority had used part of one Arizona reservation as a Japanese internment camp. Moreover, most of the tribal governments that got off to an auspicious start during the Indian New Deal were moribund as government funds dried up and there were few jobs available for those who remained on the reservations. In addition, there was great instability as the younger generation was caught up in the government's relocation policy and in constant flux between reservation life and city life.

This nadir in Indian economic and political life created an opportunity for the revival of assimilationist sentiment, in other words, the belief that Indians should abandon their traditional languages, religions, and cultures and become part of mainstream American life. That had been the prevailing sentiment among Christian reformers and government bureaucrats who formulated federal Indian policy during the last half of the nineteenth and early twentieth centuries. Their unremitting assault on Indian



culture was stymied throughout the 1920s by reformers such as John Collier and his American Indian Defense Association. And when President Franklin D. Roosevelt appointed Collier commissioner of Indian affairs in 1933, he introduced the Indian New Deal policies of the 1930s and '40s that reversed the previous assimilationist thrust. However, Collier's effectiveness had greatly subsided by the end of World War II. In 1946 the nation elected a Republican-dominated Congress intent on reducing the size and costs of government. Part of the savings was to be realized by reorganization of the federal bureaucracy, others came through elimination of nonessential services and agencies. American Indian communities were weak political constituencies that could not defend themselves, and the Bureau of Indian Affairs (BIA) became a major target of neo-assimilationists who believed the federal government should no longer be engaged in Indian issues. This spawned the so-called termination era, in which the government sought to dismantle all associations with the tribes, regardless of laws or treaties.

A major figure among the congressional assimilationists was Senator Arthur Watkins of Utah. A conservative Republican, he believed Indians should stand on their own two feet and make their own way in a competitive society. This translated into ending government support for Indian education, health, housing, and maintenance of reservation infrastructure. Watkins effectively employed the rhetoric of self-determination and anti-paternalism to gain the Democrats' support for "freeing" Indians from government control. In 1953, the 83rd Congress passed House Concurrent Resolution 108, which, although it never used the word "termination" *per se*, expressed the sense of Congress that certain tribes should cease receiving government services and protection. Later in the same session, members approved Public Law 83-280, which transferred civil and criminal jurisdiction over Indian cases to various states. These two pieces of legislation, both conceived during the Truman administration, constituted serious threats to the legal sovereignty and social integrity of tribal communities. Yet, Indians were unable to effectively oppose this legislation. The National Congress of American Indians, formed in 1944, was still a struggling organization without the funding or standing to lobby effectively at the national level. For the most part, individual tribes were left to deal with the threats of termination and relocation on their own. And for tribes such as the Seminole and Miccosukee of Florida, it would become necessary to set aside their historical disdain for dealing with the United States and organize tribal governments to protect their lands and legal rights.

In the 1950s the Seminole and Miccosukee people of Florida existed at the periphery of American Indian issues. They constituted a small, isolated

ethnic enclave far removed from Indian country in the West. To the extent that Americans knew the Seminole name (Miccosukees were not yet recognized as a separate tribe), it was through their contact with thousands of tourists who annually visited the Sunshine State. Outsiders knew the Seminoles primarily through their colorful patchwork clothing, alligator wrestling, and thatched-roof *chickees*. Behind this placid façade, however, Seminoles struggled for economic and political survival. They received little attention from the Washington bureaucracy and to a degree were the beneficiaries of benign neglect. On the other hand, Florida Indians lacked the numbers to be politically significant and did not have an extensive support network to defend their rights when the bad times came. In this instance, the bad times resulted from the government's Indian termination policies that originated during the Truman administration.

Florida's Indian population of about nine hundred was divided into two major groupings. Two-thirds of the people, a mixture of Creek and Miccosukee speakers, lived on three federal reservations: Brighton northwest of Lake Okeechobee, Big Cypress on the edge of the Everglades, and Dania on the lower east coast near Fort Lauderdale. The second significant group, traditional Miccosukees, lived in the Everglades near a cross-state highway known as the Tamiami Trail, and for this reason were often referred to as Trail Indians. Although closely linked to Seminoles by language, culture, and kinship, the Miccosukees would have nothing to do with the federal government and resisted all overtures to lump them with the reservation dwellers.

Washington authorities began acquiring land for Florida Indians in the late nineteenth century, but these reservations were not opened until the 1920s and 1930s as Indians voluntarily sought refuge from an ever-encroaching white population. The three federal parcels provided Florida's Indians with a land base of about 70,000 marginal acres. There was also a state Indian reservation of some 104,000 acres, but most was virtually unusable due to drainage problems. Nevertheless, the reservations became a nexus of acculturation for Indian families who lived there. A commercial beef cattle herd program was successfully introduced at Brighton during the New Deal era, and expanded to Big Cypress following the war. This gave rise to a cattle-owning elite who tended to provide the tribe's social and political leadership.

The BIA established elementary day schools and health clinics on the reservations, and Natives slowly began to accept education and medical care. Government-contract doctors and visiting nurses provided medical services for Indian families. Public schools in Florida did not admit Seminole children until after World War II, so those who wanted to continue beyond

the elementary grades had to attend the Cherokee Indian School in North Carolina as residential students. The first Seminoles to receive a high school diploma graduated from Cherokee in 1945, but there was not an Indian public high school graduate in Florida until 1957 when Joe Dan Osceola graduated from Okeechobee High School. He would later serve as president of the tribe's board of directors, which supervised business enterprises.

By the early twentieth century, the reservation people were also increasingly receptive to Christianity. Beginning in 1907, Indian Baptist missionaries from Oklahoma made annual visits to Florida, and a resident missionary arrived in the 1920s. Nevertheless, there were few converts until the 1940s when a dynamic Creek-Seminole preacher, Stanley Smith, arrived. He converted a large number of men and women, and the Southern Baptist Convention built a church and parsonage at the Dania reservation. Unfortunately, Smith soon became a controversial and disruptive figure in the Indian community, so the Southern Baptists sent a non-Indian missionary to serve the flock. Smith was accused of having questionable relations with married female congregants and of mishandling funds, while some of his followers reportedly inflicted harsh corporeal punishment on dissidents. Smith soon returned to Oklahoma, but his followers, undeterred, formed the Independent Mekusukey Baptist Church. This led to a schism among Christian Indians who split into two churches with contending congregations on the reservations. Nevertheless, the Christian element became a dominant force in tribal politics. When the Seminole Tribe organized its government in 1957, Baptist lay ministers with strong connections to the cattle-owning group dominated electoral offices. The first, and so far only, woman elected to chair the tribal council was a staunch Baptist as well. These leaders subscribed to conservative social values that dominated the council's decision making for its first twenty years of existence.

No semblance of a tribal government existed in the 1950s except for the three cattle program trustees elected at the Brighton and Big Cypress reservations. At that time, cattle owners were the only successful Seminoles; they had decent incomes and the respect of government officials. Since 1926, the BIA had maintained an agency at the Dania reservation (renamed Hollywood in 1966) with a staff that supervised upkeep of infrastructure and administered educational and social services. The Indian office first assigned a federal Indian agent to Florida in 1913, although Florida Seminoles lacked federal recognition as a separate tribe per se. Washington bureaucrats still dealt with the Seminole Nation that had negotiated treaties with the United States following its removal to Oklahoma. One of the agent's first duties was to conduct a census of Florida Indians; this became the basis for a Seminole membership roll. This tribal roll, later revised and

reconstituted, contains the names of some seven hundred persons. By contrast, at the time of Oklahoma statehood in 1907, the Seminole Nation's roll contained over three times that number. This disparity in actual membership would become vitally important in determining a formula for distributing funds awarded by the Indian Claims Commission (ICC) in 1976. Of the final payout determined by Congress in 1990, approximately 75 percent went to Oklahoma Seminoles and 25 percent went to Florida Seminoles and Miccosukees plus the Independent Indian group that refused to accept membership in either tribe.

Following World War II, a conservative Congress determined to sever the nation-to-nation relationship with Indian tribes. As a first step, the ICC was established in 1946 to hear and settle all tribal claims against the federal government. Shortly thereafter, the Seminole cattle trustees filed a claim in the name of the tribe that would take some four decades to resolve. The claim turned on underpayment for Florida lands seized by the United States government following the Second Seminole War of 1835–42. The ICC process was intended to operate no longer than ten years—it actually ran over twenty—and clear the way for taking government out of the “Indian business.” Concerned that the process was not moving forward rapidly enough, in 1953 both houses of Congress adopted House Concurrent Resolution 108 (HCR 108) that mandated termination of services for certain enumerated tribes.

Few Indian tribes appeared less prepared to assume control of their own affairs than the Seminoles. Reports to Congress consistently reinforced this evaluation. In 1947, Congress instructed Assistant Commissioner of Indian Affairs William Zimmerman to identify those tribes most prepared to run their own affairs; the so-termed Zimmerman Report placed Florida Seminoles in the category of tribes that would need federal assistance for the foreseeable future. Again, in 1952, another BIA list identifying tribes ready to manage their own affairs had the Seminoles marked as “no.” Nevertheless, Florida Indians appeared on the HCR 108 list of tribes to be terminated. Accordingly, a bill for Seminole termination was drafted and set for hearings before the Joint House and Senate Subcommittee on Indian Affairs.

Why then were Seminoles placed on the termination list? James Officer, assistant commissioner of Indian affairs, offered a clue when he wrote that “while the Seminoles of Florida were a congressional ‘add-on,’ the legislators omitted a number of others.” Apparently it was not unknown for members of Congress to add or omit tribes in their districts, especially if their constituents strongly supported the idea that Indians should be terminated from government support and placed on their own. In addition, powerful



cattle, mineral, and timber interests supported termination because they preferred to deal directly with tribes that were no longer under federal protection. However, none of these seem to fit the Florida Seminoles' situation. Their reservations contained no natural resources or grazing lands of great worth to outside interests. Nor was there a strong outcry in Florida against Seminoles receiving government support and services. In fact, just the opposite was true; they had a small number of influential supporters. Perhaps the answer then lies in the political dynamics of the termination era and the role played by Representative James Haley of Florida, who chaired the House Subcommittee on Indian Affairs.

Haley, a Democrat from Sarasota, had married into the Ringling family and, as managing officer of the Ringling Brothers Circus, served a year in jail following the tragic Hartford fire of 1944. He was viewed as a local hero, and voters sent him to Congress in 1952 by overwhelming margins; Haley was the only Floridian ever to chair the House Subcommittee on Indian Affairs, a position generally awarded to legislators from western states with large Native populations. He was a fiscal conservative who generally favored the termination policy, and had no problem proceeding with hearings on termination bills for the tribes listed in HCR 108. However, Haley was also a great admirer of the Seminole people and knew they were far from ready to manage their own affairs. In the opinion of some colleagues in the Florida congressional delegation, Haley probably placed Seminoles on the termination list to show that he was even-handed. He was convinced that the Joint Senate House Subcommittee members would agree that Florida Seminoles were not ready for termination. It was a risk taken at the tribe's expense, and it could have backfired.

Senator George A. Smathers of Florida served on the Senate Subcommittee on Indian Affairs and took his lead from Haley, who chaired the joint sessions dealing with Seminoles. It was the height of serendipity that Florida legislators sat on both small subcommittees at this crucial time. Smathers also harbored positive sentiments toward the Seminoles. While attending Miami Senior High School, he had played football with a future Indian leader, Mike Osceola. As a result, Smathers took umbrage at Senator Watkins' bullying tactics during the first hearing held in Washington during March 1954. A delegation of Seminoles testified and asked that no action be taken to terminate the tribe for twenty-five more years. By that time they would be well prepared to assume responsibility for managing the reservations while providing for their own economic and social welfare. The entrepreneurial Mike Osceola was the only Indian present who seemed to support the termination concept. Leaders of white support groups such as the Seminole Indian Association and Friends of the Seminoles protested any immediate action



to dissolve the reservations. A noted anthropologist from the Smithsonian Institution, William C. Sturtevant, testified that it would be difficult for the reservation and non-reservation Indians to agree on how to handle the lands; he believed it would create great hardship. Buffalo Tiger and attorney Morton Silver appeared representing the traditional Miccosukee people. Not a chief, Tiger was chosen because, unlike the elders, he was fluent in English. Through him, elders argued it would be best if the government left things as they were; Tiger constantly parried Senator Watkins' efforts to convince Indians to take charge of their lands. Following intense questioning, Senator Smathers declared that he was unclear on exactly what the Indians wanted or what, if anything, should be done with their lands. The hearing ended amidst great confusion and absent a concrete conclusion.

A second round of congressional hearings held in Florida during the spring of 1955 yielded the same result. Numerous speakers, both Indian and non-Indian, attested that the Seminoles and Miccosukees were not ready to stand on their own. The same Seminoles who at the Washington hearings asked that termination be postponed for at least twenty-five years reiterated their position. Mike Osceola again took the position that Indians could take care of themselves. This highlighted the fact that Seminoles, like many Native American communities, held differing views about the balance between adaptation to the norms of majority culture, and the role of tradition as a bulwark against social forces that would undermine Indian identity. Though difficult to quantify and necessarily fluid, these competing notions shaped Indian responses to termination. At a crucial point, Representative Haley, who had maintained a low profile throughout the sessions, made a very strong statement to his colleagues on the subcommittee pointing out the many ways in which the Seminoles lacked the ability to fend for themselves without government assistance. Although the sentiment for termination persisted in Congress for a few more years, the Seminole termination bill died quietly in committee and never came to the floor for action in either the House or Senate. Haley had won his gamble and the Florida tribes were spared from termination.

Thoroughly shaken by the whole experience, Seminole leaders sought protection by organizing a tribal government under the Indian Reorganization Act (IRA) of 1934. How the Florida group was eligible to do so deserves some explanation. In 1935, Commissioner of Indian Affairs John Collier, accompanied by Secretary of the Interior Harold Ickes, visited the Seminole villages in Florida. The purpose of their contact was to encourage the Seminoles to vote for acceptance of the recently enacted IRA. Collier was enthralled with the pristine Seminole culture, finding it reminiscent of what he encountered at Taos Pueblo in the early 1920s. However, the commissioner expressed

ambivalence about the Seminoles' ability to participate in certain provisions of the legislation. Seminoles were less than enthusiastic about the opportunity offered. In balloting, only twenty-one Indians voted and all were in favor of the IRA. Of course, that number fell far below the 30 percent participation threshold required for a tribe to accept the IRA. Nevertheless, the solicitor for the Department of the Interior, in a somewhat tortured application of legal reasoning, ruled that this met the letter of the law and the Florida Seminoles had accepted the IRA. Over twenty years passed before the Florida Indians, alarmed by the near loss of their lands and sovereignty, opted to exercise their right and set up a government as authorized by the IRA.

In 1956, a split had emerged between the Trail Indians—by then generally recognized as Miccosukees—and the Seminoles living on reservations. Those more eager to establish a tribal constitution and business corporation moved forward toward federal recognition. The BIA sent a tribal government specialist to work with the Seminoles in developing a constitution and bylaws. Authorities assumed that all Florida Indians would be subsumed under the title Seminole. However, the Miccosukees led by Buffalo Tiger did not want to be incorporated into the Seminole Tribe; they sought federal recognition and lands of their own. Tiger was one of the few Miccosukees to have made a life for himself away from tribal confines in the Everglades. Born in 1920 to a very traditional family, he never attended school as a youngster but picked up some English on visits to trading posts in Miami and other areas. During the war he attended night school briefly to learn to read and write in order to hold a defense-industry job. He married a non-Indian woman, had two sons, and was residing in Miami when the tribal elders selected him to be their spokesman during the termination hearings. Obviously the elders' views ran contrary to the concept of termination, which still had currency in Washington. Later, older, traditionally oriented Miccosukees, who refused to have anything to do with the federal government, opposed Buffalo Tiger's faction, which had come to the realization following the termination scare that the tribe needed federal recognition as a means of legal and political protection.

The Seminole Tribe of Florida received official recognition as an Indian government in 1957, and established a form of tribal organization that evidenced a unique balance of power. A tribal council composed of elected representatives from each reservation established policy and exercised legislative oversight for general reservation affairs. A board of directors with elected members from each reservation was charged with responsibility for business matters. A tribal chairman and president of the board headed these bodies and were eventually elected at-large by the

entire tribe. Moreover, the chairman sat *ex officio* as vice president of the board while the president sat *ex officio* as vice chairman of the council. At that time, governmental powers for other American tribes were usually vested in a single elected tribal council. However, the Seminoles were apparently urged to move in this direction by Reginald Quinn, a Sioux Indian and BIA specialist in tribal organization who was sent to help them develop a constitution and bylaws. Because the Seminole Tribe was comprised of three diverse reservation communities with little to unify them, not even language, a governmental form with significant checks and balances seemed the most workable approach.

Meanwhile the Miccosukees continued to lobby for independent tribal status. The State of Florida granted them limited recognition and arranged for Indian use of a large tract of conservation land in the Everglades. However, this was still not as important as federal recognition, so Buffalo Tiger and his supporters ratcheted up their efforts. In 1959, Fidel Castro, in power less than a year and needing to shore up support for his new regime, invited a delegation of American Indian dissidents to attend a conclave in Havana. Representatives of other indigenous peoples of the Americas also attended the meeting. The Indians were wined and dined and attended giant stadium rallies where the leader spoke. They also met with members of the revolutionary government, including a brief session with Castro himself (see next page). The Cuban minister of foreign affairs wrote a letter to Buffalo Tiger recognizing the Miccosukees as an independent nation. This drew strong reaction back in Florida, most of it condemning the Miccosukees for having journeyed to the island nation and having dealt with a Communist dictator. Even a few Seminole leaders were outspoken in their criticism of the affair. Nevertheless, recognition by the Castro government provided Miccosukees with the leverage they needed to generate a response from Washington. The Department of State wanted no part of American Indians consorting with Castro at the height of the Cold War and passed word to the BIA. Officials in the BIA subsequently informed Buffalo Tiger that recognition was contingent on severing his association with Castro's regime. He did and it was—although the process was delayed for over a year until the Kennedy administration came to office. In 1961, Reginald Quinn, the same BIA official who had worked with the Seminoles in establishing their government, came to work with the Miccosukees. The government structure they selected uniquely met the cultural as well as political needs of the Miccosukee people. It called for a general council comprised of all adults to determine general policy at quarterly meetings, but all the major clans had to be represented before official action could be taken. The document thereby retained the traditional role



*Miccosukee delegation in Cuba, 1959. Standing: Morton Siber, Howard Osceola, Cuban soldier, Tiger Tiger, Buffalo Tiger, Cuban soldier, John Osceola, Homer Osceola, Raymond Tiger Tail. Kneeling: Wild Bill Osceola, Calvin Sanders, John Willie, Stanley Frank. Photo Courtesy Historical Museum of Southern*



of dominant clans in decision making. An elected business council of five officers and their staff run day-to-day tribal affairs, but unlike other tribal councils are more closely responsible to their constituents at the quarterly meetings. The secretary of the interior approved the Miccosukee constitution and bylaws in early 1962. Buffalo Tiger was elected as the tribe's first chairman and served for the next twenty-three years.

By the early 1960s, both Florida tribes had not only evaded termination but were set on the road to political and economic independence. In 1971 the Miccosukees became the first tribe to take full advantage of the new Indian self-determination policy announced the previous year by President Richard Nixon. They eliminated the local Indian agency and began direct contracting with Washington for all tribal services. In the late 1970s the Seminoles opened "smoke shops" where they sold state tax-free cigarettes, and later won federal court approval to operate unregulated high-stake bingo games on their reservations. Today, Seminole and Miccosukee business enterprises are among the most successful in Florida, while for most tribal members, the threat of termination during the 1950s is only a dim memory from the past.



# TERMINATION REDUX? Seminole Citizenship and Economy from Truman to Gaming

Jessica R. Cattelino

Truman-era federal Indian policy grappled with a thorny question: Was the existence of tribal government compatible with American citizenship for indigenous individuals? That is, did the extension of American citizenship to American Indians, which had been codified with passage of the Indian Citizenship Act of 1924, presume a concomitant diminishment of tribal government power? Policymakers' and activists' positions on these matters were shaped not only by their postwar views on the role of government in American life more generally, but also by their conceptualization of the relationship between economic well-being and Indianness. Today, when tribal casinos dominate news headlines about American Indians, political matters of economy, Indianness, and citizenship are as pressing as ever. In fact, debates about tribal gaming sometimes bear an uncanny, but not coincidental, resemblance to Truman-era tussles over termination.

This paper outlines some of the double binds of economy and governance that have faced American Indians, with a focus on Florida Seminoles. In debates over both termination and gaming, American Indians struggled against two related and pervasive American assumptions, one about sovereignty and the other about citizenship. The first assumption finds indigenous wealth to be incompatible with the sovereign governmental authority of tribal nations, either because wealth renders sovereignty unnecessary or because it is a sign that indigenous peoples are not different enough to be treated as separate peoples and polities. The second assumption finds indigenous wealth to be incompatible with the differentiated political status whereby American Indian individuals are citizens both of the United States and also of their own tribal nations. I will trace these American log-

ics and some of their historical consequences before demonstrating that, for many Seminoles, citizenship is not an either-or choice between American and tribal belonging. Such questions of economy and governance might at first glance appear to be idiosyncratic topics of federal Indian policy, but pitched battles over tribal gaming across the United States show them instead to dwell at the heart of American struggles over political belonging and so-called "special rights." A paper on Florida Seminole economy and governance, it must be admitted, seems an ill fit for a volume on the Truman administration's Indian policy. After all, at the time of his presidency, Seminoles had not yet even reorganized as a federally recognized tribe. I nonetheless focus on Seminoles for two reasons. First, doing so honors Seminoles' presence in South Florida, where this volume's originating conference was held. Second, Truman-era Indian policy led to the reorganization of the Seminole tribal government and, more to the point, set the stage for present-day debates about Seminole gaming.

## SEMINOLE GAMING IN THE SUNSHINE STATE

First, a brief introduction to the remarkable story of Seminole gaming. In 1979, the Seminole Tribe of Florida opened the first tribally operated high-stakes bingo hall in Native North America, a modest operation on the suburban Hollywood Reservation. Seminoles subsequently won a landmark federal court ruling (*Seminole Tribe v. Butterworth*) that affirmed their right to gaming and opened the door for other tribal governments to launch casinos. Seminole gaming, and American Indian gaming more generally, is grounded in tribal sovereignty. More specifically, it is based on the freedom of tribes, as polities, from the regulation or taxation of on-reservation activities by state and local governments.<sup>1</sup> When Seminoles launched gaming in 1979, the major federal Indian gaming law (the Indian Gaming Regulatory Act) remained nine years in the future. Gaming was not inaugurated by a federal policy, but rather by indigenous action. By 2007, the Seminole Tribal Council operated seven casinos, including massive Hard Rock casino-resorts at Hollywood and Tampa, and Seminole gaming generated nearly a billion dollars in annual revenues.<sup>2</sup> In March of that year, the tribe diversified its holdings by closing on a \$965-million deal to acquire Hard Rock International, a major international corporation that owns cafés, hotels, and casinos around the world. This was widely reported to be the largest purchase of a major corporation by an American Indian tribe. Amidst the headlines and the rising profits, it is important to note that Seminole gaming is fueled by South Florida's large urban and tourist consumer base. Seminole casinos are unusually profitable when compared

to most other tribal operations, the majority of which are located on rural reservations.

Casinos have dramatically affected the lives of the approximately 3,300 Seminole citizens who live on or near six South Florida reservations, not to mention the thousands of non-Seminole who work for the casinos or the many businesses that contract with them. The tribal budget grew rapidly from less than \$2 million in 1979 to over \$400 million by the mid-2000s, with over 95 percent of recent budgets coming from gaming revenues. The elected tribal council distributes gaming revenues to various governmental programs and to each individual tribal member in the form of per capita dividends. With gaming, Seminoles have undertaken a single-generation transformation from widespread poverty to overall economic security.

The uses of gaming revenues include tribal social services such as health clinics and universal health insurance, lifelong education scholarships and two reservation schools, tribal law enforcement, and housing. Tribal control over social services has enabled Seminoles to design their own programs in new ways: gaming has not simply increased the number or the coverage of services, but it additionally has altered their very shape and meaning.<sup>3</sup> Seminoles also have devoted large sums to cultural production and preservation. Cultural programs include the Ah-Tah-Thi-Ki Museum, youth and adult cultural education programs, fairs and festivals, and language training. One example is Seminole Broadcasting (WSBC), the tribal television station that covers community-related events (including the conference on which this volume is based), produces documentaries, and serves as a repository for cultural knowledge.

The tribal government also allocates gaming revenues toward economic diversification. Seminoles had long faced serious obstacles to economic security, including tribal and individual debt, structural barriers to credit (because reservation land is inalienable and collateral is hard to come by), unemployment, and fiscal exposure to federal funding cuts. Like other American Indians, Seminoles worry that gaming will be halted by congressional action or market saturation, so economic diversification is a priority. In the gaming era, tribal businesses have ranged from citrus groves to real estate, an overseas cattle herd to investments in other tribes' casinos, ecotourism to gas stations. Meanwhile, the dramatic expansion of the tribal bureaucracy has brought new job opportunities to tribal citizens.

Finally, Seminoles use gaming revenues to protect their tribal sovereignty, whether through legal battles, lobbying, or political contributions. That Seminole economic prosperity has reinforced tribal sovereignty would have confounded the expectations of many Truman-era federal Indian policy experts, who presumed that indigenous wealth would lead

to assimilation and individualization. In order to understand the current politics of tribal gaming against the historical backdrop of termination, we now turn to the Truman era.

## THE ECONOMIC LOGICS OF TERMINATION

The effects of Truman-era federal Indian law and policy were mostly indirect for Florida Seminoles. Seminoles filed a 1947 claim under the Indian Claims Commission, a move that brought much-needed settlement funds but that also strained relations with Oklahoma Seminoles and other Florida Indians who would refuse settlement and come to be known as Miccosukees and Independent Seminoles. The 1947 dedication of the Everglades National Park was the most immediately significant act by the Truman administration, for the park's creation ejected Indian families living within park boundaries and greatly reduced the indigenous land base. As for termination, one could be excused for assuming that Seminoles had no reason to worry that they would be included among the tribes whose government-to-government relationship with the United States would be severed. After all, during the 1940s most Seminoles maintained only loose relations with federal officials, they had only recently begun to move onto reservations, and they were resolutely distinctive in their ways of life. Nor had Seminoles participated in national-level policy debates over whether and how American Indians should be encouraged to embrace American citizenship.

Nonetheless, and much to the surprise of almost everyone, Florida Seminoles were included on the list of tribes slated for termination by House Concurrent Resolution 108. Historian Harry Kersey Jr. has analyzed the reasons for their inclusion elsewhere.<sup>4</sup> Seminoles largely opposed termination. Ultimately, they avoided termination and in 1957 reorganized their government to secure federal recognition. As with many other tribes,<sup>5</sup> Seminoles responded to the threat of termination by asserting their self-determination.<sup>6</sup>

A critical aspect of termination was economy, and economy figured prominently in hearings about Seminole termination. One of the ideas that guided termination was that "advanced" tribes with sufficient economic resources should no longer have a collective, political relationship with the United States. Rather, individual citizenship and assimilation were encouraged, while federal supervision and tribal governance both were cast as obstacles to the full realization of American citizenship. As early as 1947, Truman's acting commissioner of Indian affairs, William Zimmerman Jr., testified during a Senate hearing that he thought it was

time to terminate federal services to more “advanced” tribes. Zimmerman listed criteria for severing federal ties with Indian tribes, and these included “economic capacity.”<sup>7</sup> By the time termination policy became law in 1953, increased attention was paid to tribal assets as a criterion for determining which tribes should be terminated.<sup>8</sup>

Why was the economic status of a tribe an important criterion (albeit not the only one) for termination? The place of economy in termination reveals a fundamental confusion in federal Indian policy during the Truman and Eisenhower years, a confusion that persists in today’s debates over gaming. Many in Washington misrecognized the government-to-government relationship between each American Indian tribe and the United States to be primarily a relation of service provision and wardship. The 1953 bill focused on eliminating “federal supervision and control,” and the goal was “to make the Indians within the territorial limits of the United States subject to the same laws and entitled to the same privileges and responsibilities as are applicable to other citizens of the United States, to end their status as wards of the United States, and to grant them all of the rights and prerogatives pertaining to American citizenship.”<sup>9</sup> Termination confused tribal governance with federal supervision, and U.S. citizenship with cultural assimilation and market participation.

Need-based views of the Bureau of Indian Affairs’ (BIA’s) role in American Indians’ everyday lives led to legitimate criticism of governmental control. However, in their postwar focus on the evils of state paternalism, many observers ignored the importance of tribal sovereignty (i.e., the governmental authority of the tribes) and the federal trust obligation as the foundations of tribal-federal relations. Federal Indian affairs are not simply a matter of providing services to poor people. Rather, they enact government-to-government relations, based in treaties and other sources of political authority, whereby the United States recognizes the governmental status of the various tribes. Termination politics failed to separate two issues: on the one hand, a necessary critique of the BIA’s control over indigenous peoples’ lives; and on the other hand, the more basic question of whether American Indian tribes should continue to be recognized as polities by the federal government.

This confusion, in part, reflected many Americans’ distinctly *cultural* ideas about economy, about what it meant to be an economic actor and how this related to indigeneity and to whiteness. Indigenous economic success, in the eyes of many whites, was itself evidence of assimilation to “American” ways. It was, hence, a mode and sign of whitening. One corollary of the idea that economic power equaled assimilation was that “real” Indians were poor. (The racism of this logic might seem obvious in



hindsight, until we recognize that similar assumptions pervade American debates about whether wealth from tribal gaming reflects—or causes—indigenous cultural loss.) It is telling that even many witnesses opposing Seminole termination couched their arguments in terms of Seminoles' inability to manage their own economic lives, and even historian James Covington cast termination in terms of economic self-management rather than sovereignty: "It was fortunate that the members of Congress changed their minds concerning the Seminoles, for the tribe, like the majority of American Indians, needed more time to manage their economic affairs before federal services were terminated."<sup>10</sup>

With assimilation, it was further presumed, came the *demise of tribalism*. The association of market participation and wealth, on the one hand, with U.S. citizenship and the decline of indigenous self-governance, on the other hand, were not new, but rather had antecedents in federal Indian policy and popular perceptions. One effect of this economic logic should be noted: it forecloses the possibility that American Indians can become wealthy while retaining indigenous forms of *governance*. Various federal Indian policies have been structured on the self-fulfilling assumption that wealth and market participation not only undermine individual indigenous identity, but also collective governance. During the Seminole termination hearings there was some ambiguity as to whether collective governance could survive termination, when lawmakers suggested that it might be possible to create a post-termination private corporation to hold Seminoles' lands collectively. Interior officials insisted, however, that in the federal government's eyes, Seminoles henceforth would be treated as individual citizens, not a tribal entity, regardless of whether they joined together privately to form a corporation.<sup>11</sup>

Interestingly, some U.S. senators viewed Seminoles' prior economic and administrative independence from the federal government—their relatively autonomous and culturally distinctive lives in the Everglades—as evidence of their fit for termination. Although Seminoles were relatively poor they did not receive extensive federal support, and some lawmakers interpreted Seminole independence as signaling their embrace of *individualism*.<sup>12</sup> Seminole witnesses often disagreed, even those who simply wanted the federal government to go away and leave them alone. Buffalo Tiger testified that his off-reservation group sought neither money nor supervision but instead just aimed to hold onto lands where they could live and hunt. He was asked whether, in that case, each person wanted an *individual* plot of land. Tiger replied: "No; they don't want it that way. They don't want it. They want the tribal council should have the land so that all of us can live on it and all hunt on it. They don't want chopped up."<sup>13</sup> That is, he refused the termination logic whereby "liberation" from federal supervision equaled

individualization, and he upheld the importance of collective governance.

Disagreements over whether Seminoles and other tribes were “capable” of managing their own economic affairs channeled termination hearings away from the basic political question of whether the United States should recognize the indigenous governments as such. Also obscured by the economic emphasis was colonialism. During the Seminole hearings only Henry Cypress, a Seminole witness, brought up the federal government’s obligation to Indians as based on colonial expropriation: “As far as we know, when we look back in the history, your forefathers fighting for the country, and you got it now, and we got a little piece of land on the reservation. Therefore, the Government supervision to help us should continue.”<sup>14</sup> Cypress offered an alternative economic logic to individualized economic citizenship: one of obligation and reciprocity that attends to the history of colonialism.

Laura Mae Osceola, a translator and subsequent member of the Seminole Constitutional Committee, argued her opposition to termination within its economic logics, casting her reasoning in need-based terms. She emphasized that Seminoles were not ready for termination. Yet her confidence in Seminoles’ future economic power was clear in her response to a Congressman’s query about whether Seminoles had made progress: “Yes. In twenty-five years more they won’t need your help. We will be giving you help.”<sup>15</sup> Today some Seminoles—especially Osceola’s son, Max Jr., who is an elected tribal councilman and frequent tribal spokesperson—recall her testimony with pride, noting that twenty-five years later Seminoles became the first American Indian tribal government to launch tribal gaming.

## TERMINATION REDUX?

Much has changed for Seminoles and other American Indian peoples since the Truman era. Most spectacular has been the economic and political impact of tribal gaming. Yet however different the casino era might seem from termination, a closer look suggests that the economic logics of termination are still in play.

Just as indigenous economic “success” (i.e., market integration) was for many termination-era observers a mark of assimilation, so too does casino-based wealth expose American Indians to the concern—or suspicion—that they are “losing their culture.” The 1999 final report of the National Gambling Impact Study Commission, a body established by Congress, found that “a common theme among many opposed to Indian gambling is a concern that gambling may undermine the ‘cultural integrity’ of Indian communities.”<sup>16</sup> A representative of a leading group opposing casinos and

tribal sovereignty, Upstate Citizens for Equality, claimed that tribes hide behind the idea that “they need sovereignty to preserve their culture,” when instead they “use it to build casinos.” He added that corrupt governments among gaming tribes are “a bigger enemy of Indian culture than anybody,” and “Indians don’t need sovereignty, or a whole federal bureau, to maintain their culture.”<sup>17</sup> Recent popular culture portrayals, for example in Harry Shearer’s novel *Not Enough Indians* or the television animated series *Family Guy*, traffic in the humor of either fake Indians seeking gaming windfalls (Shearer) or Indians who have lost any connection to a distinct cultural life amidst the search for casino wealth (*Family Guy*). It is not simply that many Americans believe that casinos will lead to indigenous cultural loss or the disintegration of indigenous polities. Rather, many take casinos to be *signs* that tribes with gaming aren’t all that different from other American communities in the first place, and that they are the same in unsavory ways to boot. The corollary is that the sovereignty and self-determination of wealthy gaming tribes (and other tribal nations by association?) rest on shaky ground.

In the gaming era, just as during termination, a “rich Indian” is an oxymoron in American public culture.<sup>18</sup> The seeming contradiction of indigenous wealth is built upon assumptions in three areas: culture, money, and indigeneity. First is the problematic notion that culture is a static thing that is always at risk of being lost. Second is the persistent idea in modern Western thought that money abstracts social relations and has a corrosive effect on cultural distinctiveness.<sup>19</sup> Third is the above-mentioned identification of American Indian peoples with poverty, such that indigenous authenticity is associated with being poor while wealth is associated with whiteness and being “American.”

This bundle of associations has consequences and constitutes a nexus of neocolonialism. For example, recent Supreme Court rulings have suggested that indigenous commercial success undermines tribal sovereign immunity.<sup>20</sup> Legal theorist T. Alexander Aleinikoff observed that gaming wealth threatens sovereignty because some lawmakers hold that “the increasing wealth and sophistication of the tribes argue for their assimilation and the ending of special Indian programs. To adopt the language of the late nineteenth century, Indians no longer need the guardianship of the federal government.”<sup>21</sup> Or as *Native American Times* columnist Tom Giago put it, “The feeling among the non-Indian was that if Indians are making so much money they can now fend for themselves. . . . In the new mindset casino Indians ceased to be Indians.”<sup>22</sup> Proposals occasionally pop up in Congress to subject federal Indian programs to “means testing,” whereby federal obligations would be assessed by financial “need,” and wealthier tribes would no longer have access to treaty-based resources. As in the

termination era, economic success threatens indigeneity and sovereignty. Meanwhile, state-recognized tribes that seek federal recognition, such as six tribes in Virginia and Lumbees in North Carolina, are increasingly being forced to accept the legislative stipulation that they will not operate tribal casinos.

Seminoles face new, wealth-linked skepticism about whether they “deserve” the sovereignty-based rights upon which tribal gaming was established. After the tribe announced the purchase of Hard Rock International in 2006, for example, Internet news boards including Yahoo! and CBS News were abuzz with user comments that Seminoles did not deserve “special rights” because they were rich. Jack Gordon, an attorney representing a woman who unsuccessfully tried to sue Seminoles over a casino slip-and-fall injury, told a reporter: “When they [Seminoles] got sovereign immunity, no one envisioned they’d be taking wheelbarrows of cash away the way they are now.”<sup>23</sup> He implied that Seminole sovereign immunity was outdated and ill-fitted for modern tribal wealth.

As numerous older Seminoles have reported, no one used to bother them when they were poor, wrestling alligators and selling trinkets to tourists, but once they became wealthy their government and their lives came under the public microscope. Michele Thomas recalled one episode of “rich Indian” jealousy, when the Brighton Reservation Parent Advisory Committee entered a float in a local town’s Christmas parade and a female spectator shouted: “Aren’t you guys those rich Seminoles with the casinos? Give me some of that money.” These days, added Thomas, “all we are when we’re in public is a rich Indian.”<sup>24</sup> Whereas many Seminole vehicles once proudly sported tribally-issued Seminole Indian state license plates, many tribal citizens now buy “regular” Florida plates after a few cases of keying, hostile verbal responses to the plates by some non-Indians, and a widening fear that Seminole-identified vehicles are targeted for road rage by resentful Floridians. It would be tempting to view these tensions only through the prism of stereotypes and shifting race relations. However, gaming disputes across the United States have shown that the specter of tribal gaming wealth also fuels *anti-sovereignty* movements.<sup>25</sup> The political status of Florida Seminoles and other American Indian tribes, and their recognition as sovereigns, is once again threatened by the economic logics of termination.

## SEMINOLE CITIZENSHIP IN THE CASINO ERA

Across the United States, tribal gaming has raised questions about whether the full realization of American citizenship for indigenous peoples is con-



sistent with the exercise of sovereign powers by tribal governments. In the *60 Minutes* special “Wampum Wonderland,” for example, Preston, Connecticut, selectman Robert Congdon found tribal gaming rights to contradict the basic values of American citizenship and nationhood: “Whatever happened to one nation under God, indivisible? I have a real problem with this country being set up where there are different rights for different groups, different privileges, different immunities. This is one nation, under God, indivisible.”<sup>26</sup> Anti-sovereignty groups like the Citizens Equal Rights Alliance have opposed gaming. As this group’s name suggests, their arguments often rest on a theory of “equal citizenship” that allows no space for tribal sovereignty within the American federalist system. Indigenous peoples often make collective claims based on sovereignty and self-determination. In many settler states, even federalist ones, these claims generally are treated as a “problem” for citizenship.<sup>27</sup> Just as with wealth, gaming-related disputes over citizenship echo termination. For termination architects, the achievement of full U.S. citizenship for American Indian individuals conflicted with robust tribal governance. House Concurrent Resolution 108 (67 Stat. B122), known as the Termination Bill, aimed “to grant [Indians] all of the rights and prerogatives pertaining to American citizenship,” and this in turn required that Indians “assume their full responsibilities as American citizens.” Donald Fixico notes that advocates generally saw termination as promoting civic egalitarianism, whereas many indigenous people viewed it as anti-Indian.<sup>28</sup> As Kenneth Philp has shown, during the 1940s and 1950s many American Indians and their allies insisted that Native people could simultaneously achieve individual first-class American citizenship *and* maintain the institutions and powers of tribal governments.<sup>29</sup> They did not necessarily see a contradiction between American citizenship and tribal governance.

Seminole termination hearings showed many proponents and opponents alike to associate U.S. citizenship for American Indians with assimilation, often with economic overtones. For example, an important local advocacy group, The Friends of the Seminoles, issued the following statement endorsing Seminoles’ request to delay termination for twenty-five years: “This time is necessary for the education and experience of the youth of the Seminole Nation so that they may learn the English language and the white man’s ways, and be fitted to take their rightful place in our American way of life and as useful citizens of Florida.”<sup>30</sup> Here, citizenship entailed assimilation to the “white man’s ways,” implicitly through economic contributions (as “useful citizens”), but this required interim federal support. Others considered full citizenship to follow from termination, for example when a local congressman stated his opposition: “I know that the



Seminoles themselves do not want the responsibilities of citizenship thrust upon them at this time.”<sup>31</sup> After Mike Osceola testified as a rare Seminole supporter of termination, one enthusiastic senator suggested that Osceola therefore stood in favor of Seminoles’ assimilating with the white people of Florida. But Osceola replied: “I don’t know just what particular reference you have, ‘assimilating.’ Not necessarily. They [Seminoles] can live on their own camps or wherever they want to live, ...”<sup>32</sup> Osceola advocated U.S. citizenship, but not necessarily assimilation, and he did not assume that one led to the other.

Far from seeing their tribal governance dwindle with the full exercise of American citizenship, Seminoles have witnessed a dramatic expansion of tribal governance since their 1957 reorganization, especially in the gaming era. In 2007, Seminoles celebrated the fiftieth anniversary of reorganization with a daylong celebration for thousands, a press conference, and the theme of survival despite hardship. The present-day tribal bureaucracy is sprawling, with thousands of employees filling overcrowded administration buildings in Hollywood, the tribal seat, and on the other reservations. Most employed Seminoles work for the tribal government, and political participation is robust. Multiple candidates generally run for any elected position, sometimes ten or twelve. Most candidates sponsor at least one campaign dinner, drawing crowds for buffet meals, entertainment, and brief speeches. Voter turnout is high, reliably over 65 percent and as high as 87 percent, and elected officials are well known. By contrast, relatively few Seminoles participate in local, state, or federal elections (some have estimated turnout at less than 10 percent).

Voting alone does not measure citizenship, and Seminoles have increased other forms of civic participation that extend beyond the tribal nation. Most notable is Seminole service in the U.S. military during and since the Vietnam era. Veterans Day events are well attended, with veterans expressing pride both in their service to the United States and in the legacy of Seminole military prowess *against* the United States. Annual July 4th fireworks and American flags display U.S. patriotism alongside Seminole flags and Indian Day celebrations. The tribe also makes political contributions to state and federal candidates. Locally, tribal officials increasingly serve as local parade marshals, on regional tourism boards, and as otherwise prominent civic figures. Seminoles have made a special effort to assert their belonging in the context of gaming disputes with the State of Florida. In 1997, the tribe took out an advertisement in local newspapers that began with a question: “Which Floridians employed over 2,200 other Floridians, paid over \$3.5 million in federal payroll taxes and purchased more than \$24 million worth of Florida goods and services last

year?" The answer: "The same Floridians who operate citrus groves, manage one of America's largest cattle herds and have acted as stewards of the Everglades for over 200 years." It concludes with bold print surrounding the tribal seal: "100% Seminole. 100% Floridian."

Seminole enact overlapping forms of citizenship (across the tribal nation, the nation-state, the state, and the local) that sometimes conflict but often reinforce one another. Gaming wealth has in many ways strengthened tribal governance, even as it has also afforded Seminoles new avenues of civic participation at multiple levels. Seminoles once again have defied the civic and economic logics of termination.

## CONCLUSION

On Seminole reservations, the Truman years and termination seem far in the past. Tribal governance is robust, albeit addressing dilemmas such as how to keep pace with economic expansion and how to distribute and reinvest casino revenues. Economic conditions have improved dramatically in a single generation, and children do not know the grinding poverty that confronted their elders. Yet as Seminoles celebrated the anniversary of the 1957 tribal reorganization, they faced many of the same questions posed to their ancestors. What are the cultural and political effects of wealth, of poverty? How can American Indians be citizens of the United States while also asserting a unique and differentiated political status as citizens of sovereign indigenous nations? How can Seminoles overcome outside threats to tribal sovereignty, threats that often are built upon a "need-based" conception of indigenous rights? The persistence of Truman-era questions in the gaming era suggests that both tribal sovereignty and American democracy remain unfinished business.

## Notes

<sup>1</sup> Mason, *Indian Gaming*; and Light and Rand, *Indian Gaming and Tribal Sovereignty*.

<sup>2</sup> Meister, *Indian Gaming Industry Report*.

<sup>3</sup> Cattelino, "Florida Seminole Housing and the Social Meanings of Sovereignty."

<sup>4</sup> Kersey, *Assumption of Sovereignty*, 26.

<sup>5</sup> Wilkinson, *Blood Struggle*, 86.

<sup>6</sup> Kersey, *Assumption of Sovereignty*.

<sup>7</sup> Philp, *Termination Revisited*, 71.

<sup>8</sup> *Ibid.*, 158.

<sup>9</sup> House Concurrent Resolution 108, *67 Stat.* B122.

<sup>10</sup> Covington, *Seminole of Florida*, 237.

<sup>11</sup> U.S. Congress, *Termination of Federal Supervision over Certain Tribes*, 1058.

<sup>12</sup> *Ibid.*, 1054.

<sup>13</sup> U.S. Congress, *Seminole Indians, Florida: Hearings Pursuant to H. Res. 30*, 49.

<sup>14</sup> U.S. Congress, *Termination of Federal Supervision over Certain Tribes*, 1147.

<sup>15</sup>Ibid., 1122.

<sup>16</sup>*National Gambling Impact Study Commission: Final Report*, chap. 6, p. 3.

<sup>17</sup>Quoted in Golab, "Festering Problem of Indian 'Sovereignty,'" 27.

<sup>18</sup>Darian-Smith, "Savage Capitalists"; and Spilde, "Acts of Sovereignty, Acts of Identity."

<sup>19</sup>See Cattelino, *High Stakes*.

<sup>20</sup>Wilkins and Lomawaima, *Uneven Ground*, 230–31.

<sup>21</sup>Aleinikoff, *Semblances of Sovereignty*, 123.

<sup>22</sup>Giago, "There is a New Mindset in Indian Country."

<sup>23</sup>Testerman, "Tribe Faulted for Not Warning Patrons about Sovereignty."

<sup>24</sup>Michele Thomas, interview with author, 8/18/05.

<sup>25</sup>Barker, "Recognition."

<sup>26</sup>CBS Video, "Wampum Wonderland."

<sup>27</sup>Aleinikoff, *Semblances of Sovereignty*; Beckett, "Aboriginality, Citizenship, and the Nation State"; Maaka and Fleras, *Politics of Indigeneity*; Peterson and Sanders, *Citizenship and Indigenous Australians*; Paine, "Aboriginality, Multiculturalism, and Liberal Rights Philosophy"; and Povinelli, "The State of Shame."

<sup>28</sup>Fixico, *Termination and Relocation*.

<sup>29</sup>Philp, *Termination Revisited*.

<sup>30</sup>U.S. Congress, *Seminole Indians, Florida: Hearings Pursuant to H. Res. 30*, 12.

<sup>31</sup>U.S. Congress, *Termination of Federal Supervision over Certain Tribes*, 1132.

<sup>32</sup>Ibid., 1067.

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## APPENDIX

# Harry S. Truman on the History of the American Indian

From June 1960 to January 1961, former president Harry S. Truman participated in a series of tape-recorded interviews regarding a proposed textbook on the history of the United States. The interviews were conducted and transcribed by associates of the former president, but the project never advanced beyond that stage and Truman never reviewed or revised the transcripts for publication. Excerpts from the interviews that relate to American Indian history are presented here, slightly edited for clarity, to correct grammatical lapses, and to omit repetition or unrelated comments. Editorial changes are indicated by brackets; ellipses in brackets indicate passages that were omitted because they were on an unrelated topic. Unedited transcripts and audio recordings are available for research at the Harry S. Truman Presidential Library.

These interviews are relatively informal in tone and Truman apparently spoke without referring to notes. As a result, some of his historical statements about Native Americans are inaccurate. Truman was an enthusiastic reader of histories and biographies, but he was prone to occasional errors and lapses of memory. His views often reflect standard opinions by popular historians in the first half of the twentieth century, and he was apparently unaware of the new history of blacks and Native Americans emerging in the early 1960s. These excerpts are presented because of their relevance to the Indian policy that Truman pursued as president from 1945 to 1953.

The two interviewers are David M. Noyes and William Hillman, although the transcripts usually do not indicate which of the two was speaking. Noyes, a journalist and advertising executive, was a consultant to President Truman and helped prepare his speeches, especially during the 1948 campaign. After Truman left the presidency, Noyes, together with journalist and author William Hillman, assisted the former president with writing and public speaking. Noyes advised Truman on the writing of *Memoirs* and other publications, helped in the preparation of speeches,

and counseled him on relations with his publishers and his many correspondents. Noyes also contributed to the production of a series of television films about Truman's presidency, *Decisions: The Conflicts of Harry S. Truman*, which was produced in 1964/65. William Hillman edited a collection of Truman's letters, diaries, and other personal papers titled *Mr. President* (1952), and was assistant to Mr. Truman in the writing of *Memoirs* and in other writing and television projects.

Recording no. 12, July 27, 1960

[...]

*Interviewer:* "Well, what about the attitude towards the Indian population in terms of religion? Who started to propagate the faith among them?"

*Truman:* Well, they had missionaries among the Indians and sometime or other I think we ought to get up a booklet on the terrible treatment which the original population of this continent had. I've just finished going through an essay on Chief Joseph and on Tecumseh, and on the Seminole Indians and the Choctaws and the Chickasaws and it's one of the most interesting studies that you ever came across. [...] One of the greatest military maneuvers in the history of the world was made by Chief Joseph from Idaho to northern Montana. He not only took his whole tribe, I think some eighteen hundred people, men, women, and children, but he outmaneuvered one of the great generals of the Civil War, General Howard, and a fellow by the name of [Sturgis], I think, who was supposed to meet him, and Chief Joseph outmaneuvered both of them. They were four miles apart and neither one of them knew where the other one was and Chief Joseph knew where both of them [were], and he got his people all out, and finally, after they had killed most of his people off..., he surrendered. And that great dam out in Montana, the Chief Joseph Dam, was named for that old Indian who outmaneuvered the whole cavalry of the United States for eighteen hundred miles, and they never did catch up with him. But somebody ought to at some time or other take all those great Indians who were fighting for their people and their country and make it perfectly plain that there never was an outfit that was more thoroughly mistreated—you take Sitting Bull and Crazy Horse and Tecumseh and Chief Joseph and Looking Glass, who was Chief Joseph's lieutenant—and you'll find one of the most interesting stories in the history of the world in the manner in which these people were treated by us, who believed in freedom and what was right.

*Interviewer:* Well, I think, Mr. President, that an important chapter in this history should be on them.

*Truman:* I think so too.

*Interviewer:* You've made some notes and you have some private opinions about them, but you also know where some original source material exists on the subject that has never been published before?

*Truman:* That's right. Well, I've got two little pamphlets on Chief Joseph and those other northwestern Indians, and I've also got one somewhere on Sitting Bull and Crazy Horse, who gave Custer his comeuppance at the Battle of the Little Big Horn.

*Interviewer:* Do you have a theory of your own [of] the reasons for this peculiar inhumane treatment by the whites to the Indians?

*Truman:* Oh, yes, I have. It was just as much a color complex as any other thing—superiority of the whites over the red man. In Massachusetts they made slaves out of the Indians. They did the same thing in a great many of the other colonies. And all those people wanted was to be fairly treated, because actually they owned the country. It was theirs, and it's well worth looking into and sometime or other we'll write an article.

*Interviewer:* We'd better do a whole chapter on this.

*Truman:* Yes, I think so.

[end of tape]

Recording no. 13, July 28, 1960

[Interviewer reads a selection from a book that states, "No more than 200,000 Indians lived east of the Mississippi River and the population was static for several reasons," and cites intertribal warfare, lack of hygiene, lack of wealth to support a larger population, poor diet, and European diseases.]

*Interviewer:* ... let's get the president's version and see whether he agrees with the estimate of the Indian population.

*Truman:* I do not. I do not agree with it at all. There were Indian tribes on the East Coast and in central New York, the Iroquois for instance, and the Algonquins in the Canadian layout,<sup>1</sup> that were working toward an organization that in the long run, I think, would have made them great statesmen insofar as the country is concerned. This article which you just read, Bill, is one that's written from the viewpoint of people who do not and did not like the Indian setup. The Natives of the United States should not have been called Indians—only because Columbus thought he had discovered India, they called the inhabitants Indians. But those tribes about which you've been reading, particularly the Iroquois and the Algonquins, were great people, and there were those among them who felt that their lands were being taken away from them, and they were without compensation, and that their defense began after the

colonies became the United States of America, and in the fight to save the Ohio Valley for Tecumseh and his people, was carried on by Tippecanoe and Tyler too.<sup>2</sup> If you remember that's how he was elected president; and that situation continued all across the country. In the Southeast, the Seminole Indians and the Choctaws and Chickasaws were terribly mistreated [with] Jackson in control, and that's the only thing I hold against old Jackson. But they never did succeed in conquering the Seminoles, the Florida Indians who have not yet surrendered. I saw their Chief the last time I was in Florida as president, and he presented me with a shirt and told me that they never had surrendered to the government of the United States, and I couldn't blame them. And then if you go west of the Mississippi River you'll find that an effort was made by the Osages, who were moved to the West to maintain their lands and they finally made a deal with Sibley, two or three other of the people who made settlements west of the Mississippi River in 1808 and I understand that Sibley made a deal with these Osage Indians to take all the land between the mouth of the Osage River and the head of the Kansas River, which was western Missouri and eastern Kansas, in return for a privilege of their trading at Sibley's Trading Post down here in eastern Jackson County.<sup>3</sup> Now I don't know whether that's true or not but I think you'll find that the deeds to the land in this part of the country show that Chief White Hair, who was the head of the Osages, made that deal, and I had an assistant secretary of the Air [Force] or the Navy, I forget which, who was a great-great-grandson of old Chief White Hair, and he told me that if old White Hair hadn't been so easy with Sibley and the rest of these people, his whole family would have been millionaires because they had some of the greatest agricultural land in western Missouri and eastern Kansas.<sup>4</sup> Well, this thing went on, and you'll find that Sitting Bull and Crazy Horse, who were the leaders of the Sioux, defeated Custer at the Battle of the Little Big Horn, and then they finally chased old Sitting Bull over into Canada and he came back and they captured him—they murdered him [in 1890], they murdered Crazy Horse [in 1877]—and this was under the old man with the right name, General Crook,<sup>5</sup> for whom Fort Crook in Nebraska is named. He is the fellow that did the job.

And in the Far West when the Nez Percé Indians were being mistreated, Chief Joseph marched his men, women, and children from Idaho to Montana in an effort [to get] into Canada, and [he] was finally defeated because he had everything, all his people. . . . One of the greatest marches in the history of the world was made by Chief Joseph from the valley of the Salmon River out in Idaho to Montana east of

the Glacier National Park. And it's one of the most interesting things you've ever read about, to find out how old Chief Joseph not only fooled General Howard, who was a corps commander in the Civil War and General Sturges, who was also a general in the Civil War, who got in between them. Neither Sturges nor Howard knew where the other was. Chief Joseph marched out between them and when they came together they were surprised to see each other, and that's the way old Joseph outmaneuvered them. He is one of the great leaders of all time.

*Interviewer:* Go ahead, Mr. President.

*Truman:* Well, I'm ... hoping that somebody, sometime or other, will outline the patriotism of these Indian Chiefs, who were trying to save their own country from exploitation by the whites, who made treaties with them and broke them every time they made one. Geronimo is another one that we haven't mentioned—the great Apache. They were all afraid of him. When I was in Fort Sill [Oklahoma] in 1917, they showed me the cabin in which Geronimo lived. He was the great Apache Chief who was trying to save the Southwest for his Apache people. Of course they called him a murderer and a cutthroat and he may have been, but he was trying to protect the country for the benefit of his people. And I don't have anything against him for doing that.

*Interviewer:* Now how were these people exterminated or reduced to where they became a beaten people?

*Truman:* Well, the citizens of the United States, on the basis of the fact that the president would declare this as public land and they could take it over, took all their hunting grounds and all their places where they could make a living away from them. That's how it came about. Somebody ought to go into the details and write the whole thing because it's one of the most important things in the history of the American continent. It was just as bad in Canada as it is here.

*Interviewer:* These are the colonies colonizing others, were they not?

*Truman:* After the Civil War was when most of this western thing took place. When the soldiers were offered homesteads in the West, and of course they went out and took up the homesteads, the Indians murdered their people and ran them out, then the federal government took over things and took care of the Indians so that they were put on reservations. But one of the most interesting things to read is the march of Chief Joseph from Idaho to eastern Montana.

*Interviewer:* ... Do you recall whether all of the Indian lands were held as tribal properties or were they individually owned? Were these collectivized or were they individually owned?

*Truman:* Mostly they were not individually owned. For instance, the Sioux



and all these tribes had hunting grounds. The Sioux followed the buffalo, north and south. Chief Joseph and his outfit in the valley of the Salmon River and the Snake River out in Oregon and Idaho moved various places during various times of the year, for fish on the Columbia River and for hunting grounds as things happened. They just felt that they owned the whole situation, and I think they did because they were the first occupants. But it was finally decided that it was a part of the United States, and the president issued orders in which titles to land were given to the settlers who would go in and stay for a certain period of time, and it worked out so that the persons who got the worst of it were the Indians.

*Interviewer:* Then this is a blight on the conscience of America?

*Truman:* There isn't any question about it.

[end of tape]

Recording no. 14, July 28, 1960

[discussion of natives in South America]

*Interviewer:* Now you say after the Civil War is when the real movement towards the displacement of the Indians began to take place in the westward movement?

*Truman:* That's correct.

*Interviewer:* Under what president?

*Truman:* Grant and Hayes and Garfield and... Chester Arthur.

*Interviewer:* They all made these grants to the homesteaders as they kept moving westward?

*Truman:* That's right. That homestead business was to prevent the discharged federal soldiers from causing an upset in the government of the United States and it worked.

*Interviewer:* They were dispersed that way and demilitarized?

*Truman:* That's right.

*Interviewer:* Did the same thing happen in the South? What happened to the soldiers of the South?

*Truman:* They didn't have anything. A great many of them went west and took up homesteads [...]

*Interviewer:* Now was there much of an Indian problem in the South in addition to the predominance of Negro slavery?

*Truman:* No, no, there wasn't because they moved the Indians out and put them in a reservation in Oklahoma which was known as Indian Territory.<sup>6</sup>

*Interviewer:* Where?

*Truman:* All through the South from Georgia and Alabama into the Indian

territory in the Oklahoma setup.

*Interviewer:* How were they moved out? Were they driven out, marched out?

*Truman:* They were driven out and marched out. They were driven out and put into the territory. Chickasaws and Choctaws and the Osages too.

*Interviewer:* Into open territory or compounds?

*Truman:* No, no, they were given all that country down there in what is known as Indian Territory and part of Oklahoma, and they still have title to a great deal of that land.<sup>7</sup>

*Interviewer:* That's the Osage country?

*Truman:* That's right.

[...]

Recording no. 29, August 11, 1960

[discussion about trade]

*Truman:* [...] That's the reason we set up the Securities and Exchange Commission, so the promoters couldn't sell the people the blue skies, which they had done up to the time before that was set up.

*Interviewer:* Well, of course, the problem always has been in the history of people seeking trade and seeking means of a better livelihood by spreading out.

*Truman:* That's right. That's what caused the terrible affairs in our history with the Indians. We traded them a string of beads for a section of land, and that was hardly fair. Even in those days when land wasn't worth more than 50 cents an acre.

[...]

Recording no. 54, September 17, 1960

[discussion of French and Indian War, and colonists' perception that they were defending their land from the French]

*Interviewer:* ... It was always defensive or protective?

*Truman:* Protective, that's what it was.

*Interviewer:* Well, the Indians thought it was conquest.

*Truman:* Well of course, they had a different attitude toward the Indians than what they should have had, but most of the Indians, in that part of the country, were inclined to be friendly to the whites, and were willing to make treaties with them, and did in a great many instances, but the attitude of the white settlers from Europe was that the Indians were an inferior race, and they had a perfect right to chase them off the land and take it away from them, which is what they did eventually.

[...]

Recording no. 88A, December 26, 1960

*Interviewer:* ... you were just talking about the man who was ... slaughtered ...

*Truman:* Black Kettle and his tribe were slaughtered in eastern Colorado<sup>8</sup> by a colonel [Chivington] who was in command of the Colorado National Guard, and he was also instrumental in doing some other things around over the country and was pretty well thought of in his time, but I never thought much of a man who would in cold blood slaughter an old Indian and his whole family when they were moving apparently to the territory which had been set aside for them in Oklahoma.

[...]

*Interviewer:* Well, Mr. President, that brings me to a question of the ruthless slaughter and treatment by the early Spanish explorers of the natives and of the Indians.

*Truman:* Yes, it is a terrible thing in that history, particularly the slaughtering that was carried on by Cortez in Mexico and Pizarro in Peru. They were ruthless in their treatment of the men who had organized one of the great empires in the history of the world. They were wonderfully wise people, both the Aztecs and the Incas, and the Spaniards enslaved them, and were the first ones to introduce slavery on the American continent<sup>9</sup>—not only by importing the Negroes from Africa but also enslaving the Indians who were already here.

There were a great many of the Indian governmental setups in this Western Hemisphere that were on an almost ideal basis. The Iroquois in New York were an organization of five Indian tribes—the Five Nations—and they were organized in such a way that their representative government was almost parallel with the government of the United States under the Constitution with its states and its representatives in the national government and in the state governments. This Indian organization was an ideal system of government. There was never any slavery in the Indian tribes themselves—not even when they conquered did they make slaves out of the people that they did conquer. They may have tortured them and killed them under certain circumstances, but they had some very great ideas of government and how it ought to run.

But the treatment of the Indian tribes and the Indian chiefs by the white settlers of the American continent, both North and South America, was a horrible thing to contemplate. We had some great Indian leaders in the North American continent. There [were] Pontiac and Tecumseh, Chief Joseph and Geronimo. All of those men were fighting for the welfare of their people. And, of course, they were fighting a losing battle from start to finish, just as Montezuma and the great Inca whom Pizarro conquered did under the same circumstances. The superiority of weapons

and the approach which the white settlers of both South America and North America made toward the Indian was a disgrace and always will be. Somebody sometime is going to make a research of that situation and declare the facts as they took place.

*Interviewer:* What is interesting, Mr. President, is the lack of slavery seemed to indicate a very high regard which the Indians held even for the individual as such for the dignity of the individual even where the enemy was involved.

*Truman:* That is true. The individual in the great Indian tribes to which I have referred, was a man of dignity and poise and had a right to his say before a council—his rights were always respected. The Indians also were very fond of children and they were very, very good to the youngsters as they grew up, and they tried to train them, both male and female, to the duties which they considered their proper place in life, although they made the women do all the work and the heavy drudgery that was necessary to be carried on. After the women had become old they were considered in the council—at least this was true in the Iroquois tribes—as a part of the government of the country. And I think that the Indian women in the other tribes, after they reached a certain age, were looked up to and treated as proper councilors.

*Interviewer:* ... Wasn't it significant that there was no slavery at all in the Western Hemisphere?

*Truman:* No slavery at all in the Western Hemisphere at all.

*Interviewer:* Until Western Christianity came in?

*Truman:* Until the Spaniards and the British and the French came to this country there was no slavery in the Western Hemisphere.

*Interviewer:* As I understand it, the nearest evaluation people can get of the number of people in the Western Hemisphere was about 5 million at the time of Columbus.

*Truman:* That is the estimate, over 5 million in the Western Hemisphere, and about 2 million of those were on the North American continent, and the rest of them were in Mexico and South America.<sup>10</sup>

*Interviewer:* Why was the lust for gold so strong among the Spaniards, more so then perhaps than [among] others, or were they all even that way?

*Truman:* They were all equally that way. They all thought that after the discovery of the Western Hemisphere by Christopher Columbus, who did not receive the proper credit for what he had done until long after he was dead when his son wrote a life of him, the idea was to exploit [the] whole Western Hemisphere and take everything and give nothing, and that is exactly what happened. All of them—British, French, and

Spanish—were all after gold. They found immense quantities of gold in Mexico and in Peru. It was all taken to Spain and was used by the great Spanish empire at the time for its own exploration in the Holy Roman Empire in Europe.

*Interviewer:* Mr. President, getting back to the Five-Nation defensive union and government. It was amazing how they paralleled even local government.

*Truman:* That is absolutely true. Their [the Iroquois] local governments were substantially independent. They were banded together for defense and protection, and they had a general government presided over by what would be parallel to our president of the United States and a council. And then they had a war cabinet that was also international with regard to the Five Nations in its scope. But the local governments of those tribes carried on just as if they did not have a federal national government.

*Interviewer:* I thought it was interesting too that the distinction in that group between a civil leader—a government leader—and a war leader. They were two different things.

*Truman:* That's right. They had an organization of the fighting men known as the war leaders and whenever it was necessary to go to war with any of their neighbors, the war leaders had control, although the civil control never got out of the hands of the civil government. They didn't have any compulsory military service. The fighting men were highly honored and the youngsters were trained that it was necessary for them to defend their organization whenever the time came, and they considered it the greatest honor in the world to fight for the benefit of the whole tribe. The warriors did and that's the reason they were so highly respected. It was a volunteer organization entirely.

*Interviewer:* Well, Mr. President, isn't there some generalization you can draw from the fact that here was... an ideal setup, but they were destroyed because of weapons which were superior to what they had.

*Truman:* That is true. They were almost completely wiped out. There are very few descendants—pure blood descendants<sup>11</sup>—of any of these Indian tribes which made up... the population of what is now the United States and Canada. ... The Iroquois Five Nations lasted about as long as any of them, but they were finally moved out of their property. It was taken away from them by the white people.

Then the Cherokees and the Chickasaws in the southeast part of the United States were moved out to Oklahoma, to the Indian territories out there. The great Sioux tribe of the northern central plains was finally wiped out, as were the Apaches in Arizona, New Mexico, and



Southern California. Geronimo was a prisoner in Fort Sill, Oklahoma, in a little brick building that is still there—if you want to see it they will show it to you and brag about [how] that is where Geronimo stayed. He was one of the great chiefs, old Geronimo was.

[...]

Recording no. 109, January 6, 1961

[apparently referring to a previous conversation]

*Interviewer:* I was trying to relate our treatment of the Indian, our abuse of the Indian and our neglect of the Indian with our deep concern for an imported body of slaves whom we utilized and incorporated into our society and then fought over their liberation, why we still continued to neglect the people from whom we took everything away?

*Truman:* Well, I think there is this difference. Those people who were the laboring force of the South, and who were the slaves, were imported into the country from Africa, and they were exploited to some extent. And then the industrial North began to fear that the cheap labor of the South might interfere with their industrial development, and they became the agitators [who] stirred up people to have an interest in the slaves of the South, with the idea of having them to be free, because everybody with any common sense, no matter what his position was or where he lived, knew that slavery was wrong. In the case of the Indians, they were the owners and the occupiers of the land and they were treated as a conquered people, because their land was taken away from them and distributed by the government of the United States to the settlers and homesteaders and people of that sort, and it was an entirely different approach because the Indians, in a great many instances, had nations of their own and they were fighters. Whenever the whites infringed on the treaty that they made, and they broke every treaty that they made with every set of the Indians, why, they would fight. They didn't mind slipping up and killing them at home and abroad with arrows and whatever they had and scalping them. It became a very unpopular situation when some family would be massacred by the Indians. Although the Indians were only protecting their ownership of the property which had been taken away from them. I think that answers your question as nearly as we can.

Now you take the conquests of the two great empires south of us—Mexico and Peru—was done by a bunch of cutthroat Spaniards for the gold which those people had. Their empires were upset, taken over by the Spaniards, and the Indians were enslaved. We didn't enslave the Indians because the Indians wouldn't be enslaved. And an Indian would rather die than be anybody's slave. He considered himself just as good

as any two white men, and in most instances they were. The Negroes were slaves and had been slaves from time immemorial, and they still are in some parts of Africa and Southeast Asia. Only the Zulus in South Africa have been the fighters in that line of people. Those fighters are highly respected by the white people and have always been.

*Interviewer:* Are you suggesting now that the Negroes are inferior to the Indians?

*Truman:* Yes, I am.

*Interviewer:* Were or are?

*Truman:* Are.<sup>12</sup>

*Interviewer:* Especially in their quality to stand up for their rights?

*Truman:* That is absolutely correct. They [the African Americans] have no chance of course to stand up and fight and that is the reason we have to fight for them. Those that are coming through this period and are being educated and informed on what is back of all this, they make good soldiers. Some of the best regiments we had in the last two wars have been Negro regiments. They are good fighters when they have leadership, but among themselves they have not yet produced a leader, and that is what the trouble is, except in the Zulus of South Africa.

*Interviewer:* Well now, the Indians were not only unable to protect themselves against the tremendous influence of power that we have been able to muster, but they have been cheated and, as you say, we have never kept a treaty with them that we made, and they also didn't keep most of their treaties with us. Or did they?

*Truman:* Oh, yes, the treaties were always broken by the whites. They were always broken by the whites, but they had some very great leaders. Some of the greatest leaders this country ever produced were the leaders of the Indian tribes. Now the Iroquois had a wonderful government on which ours, you might say, is modeled. The Iroquois government was a republic. It was an alliance between [five] nations and it was one of the good governments in the country. You take the old Indian who was the head of Michigan and Wisconsin ... there is a stove factory named after him<sup>13</sup> ... Pontiac and the other old Indian up there was the same kind—Tecumseh. Then you take Geronimo down in the Southwest. Sitting Bull and Crazy Horse in the Sioux—the great leaders—and Chief Joseph who put the United States cavalry over an 1,800-mile march and took his women and children along with him, which is a record that has never been equaled even by the march of the ten thousand or Jonathan's march. Old Joseph out-marched them all.

*Interviewer:* Tecumseh was no slouch either?

*Truman:* No. No, he was murdered. He was shot in the back, and it is just

too bad that somebody doesn't take into hand and write the history of those Indian tribes and what they were up against and why they fought so long to preserve their rights and never did get them preserved. You take down in the Southeast, the Cherokees and the Chickasaws were simply moved off their lands and brought over here and the Osages, and brought over here to Oklahoma which nobody thought was any good. It turned out to be one of the richest places in the world and made most of them rich and then the white man stepped in and tried to cheat them out of everything they had and succeeded in most cases.<sup>14</sup>

*Interviewer:* There were Seminoles and [unclear].

*Truman:* Well, the Seminoles still haven't surrendered. They are still down there. ...

[unclear]

*Interviewer:* Were there some in Oklahoma too?

*Truman:* Well, they brought a few of them, but the rest of them wouldn't come. They still haven't surrendered.

*Interviewer:* Yes, there is a Seminole County in Oklahoma. [unclear] ...

*Interviewer:* Now, Mr. President, the whole point of the question is this: that here we have a succession of presidents, and certainly in the case of Lincoln, a great humanitarian with a compassionate approach, and yet every one of our Indian Bureau setups in Washington was saddled with crooks and cheats. There was nobody ... they didn't have an honest man in any of those bureaus.

*Truman:* Every once in a while you would have an honest man, and then the difficulties would be exposed and for a while the thing would be all right. It didn't last. There were several of them that ... tried to do justice to the Indians, but they didn't have much chance because the crooks were always standing at the door to take what was loose. The Indians didn't understand the approach of the white man in his trade, and they got cheated every time they got into a trade with a white man.

*Interviewer:* Until 1924 they didn't even get a general citizenship status, did they?

*Truman:* No, Indians are not taxed was always mentioned in the revenue laws—Indians not taxed.

*Interviewer:* What was that, Mr. President?

*Truman:* Indians not taxed. You will see that in all the revenue laws up to a short time ago.<sup>15</sup>

*Interviewer:* Well, now there has never really been a concerted effort made to square accounts with them or do right by them on a presidential level, has there?

*Truman:* No, or on any other level.<sup>16</sup>

*Interviewer:* Why is that, sir?

*Truman:* I don't know. I don't have the slightest idea, but somebody ought to take it on himself to outline the history of what happened to the inhabitants of the North American continent and also the South American continent. It would make one of the most interesting stories that has ever been told.

*Interviewer:* You were kind of busy as president with a couple of wars—one to finish up and one to prosecute—the major action in Korea and you were pretty occupied, but did you try to ...

*Truman:* Yes, I vetoed a bill that would have taken everything the Indians in Nevada [had]—if McCarran would have got his bill through, but I vetoed it and saved them that much.

*Interviewer:* What was that?

*Truman:* ... They were trying to arrange it so that all the lands around [Tahoe] would be turned loose for settlement. The idea was to take it away from the Indians.<sup>17</sup>

*Interviewer:* Oh, the Lake Tahoe region. May I suggest also that unless a problem is pressing, quite often you can't even give it consideration because you have got other problems and I don't think in the development of the country, is this true that many presidents didn't have the opportunity to ...

*Truman:* Look at what old Crook did. He went out there and he had a good name. He got Sitting Bull and Crazy Horse into a conference and quoted the president and said they would get what they wanted and they didn't get anything they wanted, and they were both assassinated—both Crazy Horse and Sitting Bull were assassinated by Indian police. They [the police] were hired to work for the soldiers.

*Interviewer:* You made [some] widely scattered moves involving actions ... justice on the highest historic plane. One was your campaign in '48 [with] your civil rights approach [in] the South, the other ... when you undertook to ... express the conscience of the free world toward Israel ... It must have occupied your mind that you had a third problem here too?

*Truman:* I was looking after the Indian rights all the time. Whenever any bill came up that looked to me like it was for their exploitation, it got vetoed. You will find, I think, at least three of them that were vetoed when I was president because they were trying to take what lands the Indians had left away from them. ...

*Interviewer:* Do you have any approach in mind, or does it ever occur to you how we could go about acquitting our conscience with respect to the Indians?

*Truman:* It can't be done. It is too late. They are all dead. Those that are not

dead have become citizens and they are not interested.<sup>18</sup>

*Interviewer:* They are extinct, but there are a whole bunch of them that are still whiling away at some of these reservations and are looking ...

*Truman:* Most of them are rich.<sup>19</sup>

*Interviewer:* Really, most of them?

*Truman:* Yes. You take that up there at Niagara Falls, where they were trying to get the St. Lawrence Seaway through, they had to make a settlement with an Indian tribe up there [that] was left over of the Iroquois, and they made a good settlement with them. They got what was coming to them.<sup>20</sup>

*Interviewer:* They have shrunk in numbers to the point where ...

*Truman:* If we tried to civilize them in the guise of what the old fishing people use to call consumption ...

*Interviewer:* TB [tuberculosis].

*Truman:* It gets most of them.

*Interviewer:* They are very susceptible to that?

*Truman:* Yes, very susceptible to that and they have to be inside all the time. Although they [were] the healthiest race that anyone ever met up with when the white people first came over here.

*Interviewer:* Well, how would you mark our paper in terms of the Indian?

*Truman:* Zero minus.

*Interviewer:* You think that is pretty much a blight on our ...

*Truman:* There isn't any question about it. ...

*Interviewer:* And it is too late to correct it?

*Truman:* I don't think there is anything that could be done.

*Interviewer:* What is left is in pretty good shape?

*Truman:* They have taken very good care of what is left. The conscience was awakened I think thirty or forty years ago, and we have two or three wonderful Indian agents in this century that have looked after the welfare of the Indians. Now we have a whole number of Eskimos in Alaska that are being properly taken care of I think.

*Interviewer:* Well, they are still living behind barbed wires, aren't they, a lot of them?

*Truman:* I don't think so.

*Interviewer:* Oh they have got fences around some of those reservations.

*Truman:* They may have, but the reservations have been assigned to them.

The Indians in New Mexico and Arizona have one of the best reservations in the country, and they have been protected. Nobody is allowed to go in and take it away from them. [...]

I think they are being justly treated now. I think it is as near justice as can be given to them after they had been exploited to death.



*Interviewer:* [Are they] being assimilated?

*Truman:* Yes, to some extent they are.

[end of tape]

## Notes

<sup>1</sup>Truman is referring to Algonquin (also Algonkin) Indians whose ancestral homelands were located in present-day south-central Quebec, as distinct from Algonquian, which refers to one of the predominant linguistic groups in Native North America.

<sup>2</sup>Truman is referring to William Henry Harrison, governor of Indiana Territory, U.S. representative and senator from Ohio, and later, ninth president of the United States (1841). Harrison gained notoriety for his confrontation with a multitribal force led by the Shawnee leaders Tecumseh and Tenskwatawa (the Prophet). Tippecanoe refers to the Battle of Tippecanoe, 1811, where Harrison's army repelled an attack led by Tenskwatawa.

<sup>3</sup>George C. Sibley was appointed chief agent to the Osage Nation in 1808. Sibley was the first U.S. envoy to the Osage. The Osage Treaty of November 10, 1808 (also known as the Treaty of Fort Clark) resulted in the cession of 80,000 acres of tribal lands in eastern Missouri and the relocation of the Osage to the West. Fort Osage was located in what is now Jackson County, Missouri, near present-day Kansas City.

<sup>4</sup>White Hair (Teshuhimga, also and variously Pahuska, Papusea) reportedly signed the Osage Treaty of 1808, as well as several other land cession treaties from 1808 to 1825. He is said to have died in 1825. White Hair was an ancestor of Charles Curtis (Kaw/Osage), U.S. congressman and senator representing Kansas and thirty-first vice president of the United States (1929–33).

<sup>5</sup>George Crook (1828–90) was a career U.S. Army officer best known for his role in the U.S.-Indian Wars in the mid-nineteenth century. He served in campaigns from Oregon and California to Arizona, New Mexico, and the Great Plains. In 1875/76, Crook commanded U.S. Army forces against the Sioux (Lakota) and Northern Cheyenne. Crazy Horse fought him to a draw at the Rosebud River (June 1876), the battle that preceded the annihilation of Custer's command. During the 1880s, he campaigned against the Apaches, and in 1888/89, he led a commission that opened Lakota lands to white settlement in violation of the 1868 Fort Laramie Treaty.

<sup>6</sup>Indian Removal, ca. 1829–45, eventuated the forced relocation of sixty thousand Indians from homelands east of the Mississippi to territories in the West (principally present-day Oklahoma and Kansas). Truman associates removal with southeastern Indians, which is accurate, but the policy applied to all Native peoples residing east of the Mississippi, north and south.

<sup>7</sup>By 1825, the Osage Nation had ceded lands in present-day Missouri, Oklahoma, and Arkansas in exchange for lands in southeastern Kansas and north-central Oklahoma. Many had relocated to north-central Oklahoma (then Indian Territory), onto lands also promised to the Cherokees by virtue of removal treaties. This fact occasioned considerable conflict between the relocating groups. By treaties signed in 1865 and 1879, Osages surrendered their remaining lands in Kansas and Missouri, which set the stage for final relocation to Indian Territory. The present-day Osage Reservation, coterminous with Osage County, is 1.47 million acres in area, and located between Tulsa and Ponca City, Oklahoma.

<sup>8</sup>Truman is mistaken. Black Kettle was not killed at the 1864 Sand Creek Massacre in Colorado, but in the Battle of the Washita River in Oklahoma four years later, in 1868.

<sup>9</sup>This is a questionable assertion. Slavery likely predated the arrival of Europeans to North America.

<sup>10</sup>Current population estimates stand between seven and twelve million, north of present-day Mexico, at the time of contact. Hemispheric estimates run as high as forty to sixty million.

<sup>11</sup>Truman repeats a common misperception, equating blood with cultural identity

or tribal membership. They are distinct concepts, in custom and the law, and are often considered matters for tribal governments to determine.

<sup>12</sup>Truman's comments on the differences between American Indians and African Americans may seem surprising in view of his administration's forthright support for civil rights legislation. However, his further statements on this topic suggest that he believed the "inferiority" of blacks could be eliminated through education and the emergence of leadership within their ranks. Ironically, Truman makes no reference to African American leaders of his own time, and their role in directing the civil rights movement.

<sup>13</sup>Truman may be referring to the Round Oak Stove Company, based in Michigan, whose products featured the image of a fictitious Indian called Doe-wah-Jack.

<sup>14</sup>Truman is referring to the early twentieth-century discovery of significant deposits of oil under Osage lands. Osages have retained tribal rights to subsurface resources, which made them wealthy during the oil boom of the 1920s and 1930s. The existence of wealthy Osages drew the attention of the unscrupulous, some of whom swindled Osages out of their royalties, and in some cases, Osage heirs were murdered for their shares.

<sup>15</sup>Indians and taxation is a complex issue, and frequently misrepresented. Like state and local governments, tribal governments pay no taxes. Individual Indians pay federal income and payroll taxes just like other Americans. They pay sales taxes, where assessed. The only exception occurs when tribal members receive income directly from treaty or trust resources. This income is not taxed.

<sup>16</sup>Truman is not taking into account his own administration's record in enacting legislation beneficial to Native Americans.

<sup>17</sup>Truman is referring to Senator Patrick McCarran's (R-NV) repeated efforts to settle a dispute over water rights that pitted the Pyramid Lake Paiute Tribe against the non-Indians who had squatted on tribal lands. McCarran's "solution" was to void Indian water rights and transfer lands to the non-Indian trespassers.

<sup>18</sup>Truman's comment reflects the widespread belief that "authentic" Indians had mostly assimilated or disappeared by the middle of the twentieth century. The reality, as contributors to this volume demonstrate, was considerably more complex than Truman appreciated.

<sup>19</sup>This comment failed to take into account the widespread poverty that afflicted Native American communities at the time.

<sup>20</sup>Truman is referring to settlement of a dispute between the Tuscarora Nation of western New York and that state's power authority, over the construction of a hydroelectric dam that flooded 550 acres of reservation land and the alienation of still more land for the construction of the power plant and transmission lines. Beginning in 1957, Tuscarora activists fought the State of New York in court and with civil disobedience, but in 1960 the U.S. Supreme Court ruled for the power authority and against the tribe. The decision permitted the abrogation of agreements with the Iroquois Confederacy. Justice Hugo Black's dissenting opinion included the memorable phrase, "Great nations, like great men, should keep their word." In 1960, Tuscaroras received \$850,000 for lands surrendered.



## CONTRIBUTORS

BEN NIGHTHORSE CAMPBELL (Northern Cheyenne), a former U.S. senator (1993–2005) from Colorado, was the first American Indian to serve in the Senate in more than sixty years. A leader in public lands policy, he is recognized for the passage of landmark legislation to settle Native American water rights. He is also acknowledged for initiating and passing legislation to establish the National Museum of the American Indian within the Smithsonian Institution. In addition to his political life, Campbell is a self-employed jewelry designer, a rancher, and was a trainer of champion quarter horses. In 2007 Campbell designed the acclaimed “Creation Pendant” for the National Museum of the American Indian.

JESSICA R. CATTELINO received her PhD from New York University and is currently associate professor of anthropology at University of California, Los Angeles. She has been an assistant professor at the University of Chicago, a member in the School of Social Science at the Institute for Advanced Study in Princeton, NJ, and a Weatherhead Fellow at the School of American Research (now School for Advanced Research) in Santa Fe, NM. Her first book, *High Stakes: Florida Seminole Gaming and Sovereignty*, examined the cultural, political, and economic stakes of tribal casinos for Florida Seminoles. Her current research project explores citizenship and territoriality in the Florida Everglades, with focus on the Seminole Big Cypress Reservation and the nearby agricultural town of Clewiston.

ADA E. DEER (Menominee) is a nationally recognized social worker, community organizer, activist, and political leader. A champion of Indian rights, she led the successful campaign to restore federal recognition of the Menominee Tribe. She became the first woman chair of the Menominee Nation, first woman to head the federal Bureau of Indian Affairs, and the first American Indian woman to run for U.S. Congress and Wisconsin secretary of state. Currently she is a distinguished lecturer emeritus, and professor in the School of Social Work and American Indian Studies Program at the University of Wisconsin–Madison. She is also a fellow at the Harvard Institute of Politics, John F. Kennedy School of Government.

JOHN ECHOHAWK (Pawnee) is executive director of the Native American Rights Fund (NARF). He was the first graduate (1970) of the University of New Mexico's special program to train Indian lawyers and was a founding member of the American Indian Law Students Association while in law school. Echohawk has been with NARF since its inception and has served as executive director since 1977. He has been recognized as one of the one hundred most influential lawyers in America by the National Law Journal since 1988 and has received numerous service awards and other recognitions for his leadership in the field of Indian law. Echohawk serves on the boards of the American Indian Resources Institute, the Association on American Indian Affairs, the National Committee for Responsive Philanthropy, Natural Resources Defense Council, and the National Center for American Indian Enterprise Development.

KEN HECHLER received a PhD in political science from Columbia University and taught at Columbia College and Barnard College. Hechler went on to teach political science at Princeton, and then accepted the post of special assistant in charge of research for President Truman. In 1958, Hechler was elected a U.S. Congressman of West Virginia and was re-elected for eighteen years. He was the only congressman to march with Martin Luther King in Selma, Alabama; in 2006 he was Grand Marshall in the Martin Luther King Parade in Huntington, West Virginia, and was presented the Civil Rights Award by West Virginia's governor. Ken Hechler is the author of several works, including *The Bridge at Remagen* (1957), *Working with Truman: A Personal Memoir of the White House Years* (1982), and *Super Marine: The Buddy Jones Story* (2007).

BRIAN HOSMER holds the H. G. Barnard Chair in Western American History at the University of Tulsa. Previously, he served as director of the Newberry Library's D'Arcy McNickle Center for American Indian History, and was associate professor of history at the University of Illinois at Chicago. His research interests focus on wage labor, economic change, and cultural identity on Indian reservations during the twentieth century. Hosmer is author of *American Indians in the Marketplace*, co-editor of *Native Pathways*, and is currently at work on a labor history of the Wind River Indian Reservation in Wyoming and a history of American Indians in Illinois. In an earlier lifetime, he taught at the University of Wyoming, where he served for a time as chair of the history department.

FREDRICK E. HOXIE is the Swanlund Professor of History at the University of Illinois, Urbana-Champaign. He also holds an appointment in the College



of Law and is an affiliated faculty member in the university's American Indian Studies Program. He received his PhD from Brandeis University and has held fellowships from the National Endowment for the Humanities, the Rockefeller Foundation, and the Mellon Foundation. Prior to his appointment at Illinois he taught at Antioch College and Northwestern University, and served as McNickle Center director and vice president for research and education at the Newberry Library. Hoxie has worked as an expert witness for several tribes, the U.S. Department of Justice, and the Senate Committee on Indian Affairs. He has curated exhibits and has written three books and more than two dozen scholarly articles on federal Indian policy, the history of Native communities, and the teaching of American Indian history.

HARRY A. KERSEY JR. is emeritus professor of history at Florida Atlantic University, specializing in multicultural issues in the United States and abroad. He is a recognized expert on the Seminole and Miccosukee Indians of Florida, and for a decade he was a member of the Florida Governor's Council on Indian Affairs. Kersey has received numerous research grants and contracts from agencies including the American Philosophical Society, National Endowment for the Humanities, the Newberry Library, and the Bureau of Indian Affairs. Kersey has published more than eighty articles and chapters in scholarly works. He is the author or co-author of nine books including *Buffalo Tiger, A Life in the Everglades* (2002), a work co-authored with the venerable Miccosukee leader, which received both the James J. Horgan Book Award and the Samuel Proctor Oral History Prize. Professor Kersey's most recent book is *The Stranahans of Fort Lauderdale: A Pioneer Family of New River* (2003).

DOUGLAS K. MILLER is a doctoral student in American history at the University of Oklahoma. He received a BA in history from the University of Minnesota and an MA in history from the University of Illinois at Chicago. His research interests include American Indian urban relocation, Indian activism, and the International Indian Treaty Council. He has presented work on these topics at the American Society for Ethnohistory Conference and the Native American and Indigenous Studies Association Conference.

SAMUEL RUSHAY JR. holds a doctorate in U.S. history from Ohio University. He is supervisory archivist at the Harry S. Truman Library and Museum, where he worked as an archivist from 1993 to 1997. From 1997 to 2007, he was an archivist and subject matter expert on the Nixon Presidential

Materials Staff at the National Archives in College Park, Maryland. Rushay is the author of "Listening to Nixon: An Archivist's Reflections on his Work with the White House Tapes," and "Harry Truman's History Lessons," which appeared in the National Archives and Records Administration's *Prologue* magazine. He also published "Harry Truman's Masonic Career as Revealed in the Truman Library's Collections," in the Summer 2009 issue of *The Missouri Freemason*.

HELEN HORNBECK TANNER, a retired geographer and historian, is the country's foremost researcher and disseminator of Native American history of the Great Lakes region. She is known for her involvement in claims brought before the Indian Claims Commission and as an expert on Native American history and Native rights. Among her many books and articles is the *Atlas of Great Lakes Indian History* (1987), which has been called "the only accurate mapping of Native American tribes." Tanner has taught at the University of Michigan and served as a senior research fellow at the Newberry Library in Chicago, which established the Susan K. Power and Helen Hornbeck Tanner Fellowship for a graduate student of Native American ancestry.

DAVID E. WILKINS (Lumbee) is McKnight Presidential Professor of American Indian Studies at the University of Minnesota. He teaches and writes in the areas of comparative politics, American political theory, federal Indian policy, tribal government, and history of colonialism and native peoples. He has been recognized for his accomplishments with awards such as Fulbright Fellow (Distinguished Chairs Program), University of Calgary Chair in North American Studies, and the McKnight Research Award, University of Minnesota Arts and Humanities Endowment Fund. He is the author of several books including *Uneven Ground: American Indian Sovereignty and Federal Law* and *American Indian Politics and the American Political System*.

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VOLUME 4

NATIVE AMERICANS AND THE LEGACY OF HARRY S. TRUMAN

Harry S. Truman's presidency coincided with the beginning of a dramatic shift in the relationship between the U.S. government and Native Americans. Under Truman, the federal government turned away from Roosevelt's Indian New Deal, and toward a series of policies known as "termination," which anticipated the end of tribalism and the assimilation of all Native Americans by encompassing final compensation for tribal grievances, relocation to urban centers, and a dismantling of the trust relationship between the government and Native American nations. Influenced by Cold War politics, Republican opposition in Congress, and the growing civil rights movement, Truman juggled support for the broader goals of termination with continued support for tribal self-determination. The two impulses were often at odds, and Truman's positions were contradictory and often criticized. Drawn from contributions by scholars, activists, attorneys, politicians, and representatives from several Native American nations, this collection considers the immediate effects of termination, as well as its long-term consequences. Rather than leading to the destruction of Native American sovereignty and culture, one of the legacies of termination was the rise of modern Native American activism. And, as Brian Hosmer writes in the introduction, Truman would have appreciated "the resolve demonstrated by Native people, and their efforts toward realizing self-sufficiency and self-government."

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