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"WASHINDONE" AND THE INDIANS

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It has been almost 50 years since Stephen Vincent Benét penned his ballad, "American Names". I shall not quote this great poem in its entirety, however, the prophetic nature of its lines can be sensed by the opening and closing verses;

"I have fallen in love with American names,
The sharp names that never get fat,
The snakeskin-titles of mining-claims,
The plumed war-bonnet of Medicine Hat,
Tucson and Deadwood and Lost Mule Flat".

and the final lines;

"I shall not rest quiet in Montparnasse.
I shall not lie easy at Winchelsea.
You may bury my body in Sussex grass,
You may bury my tongue at Champmédy,
I shall not be there. I shall rise and pass.
Bury my heart at Wounded Knee".

Less than 50 years after the poet-philosopher had written these lines, a Research Librarian at the University of Illinois, Dee Brown, wrote what he has termed "An Indian History of the American West" titled "Bury My Heart at Wounded Knee". Published less than 3 years ago, it has now gone through almost 40 printings. As a consequence, the book's title is familiar to many even though they may not have actually read this scholarly work. It is possible that only serious students of Western History recognized the significance of Stephen Vincent Benét's choice of Name in the final line and recognized its implication at the time it was written. Today, this certainly is not true because of recent happenings.

The timeliness of Brown's best seller was also to be shockingly emphasized when the recent events at Wounded Knee flashed in headlines and the public sat mesmerized as though the whole thing were a review of a John Ford western.

In the brief time we allot ourselves here in Kit Kat to explore subjects of the presenter's choice, I have chosen to hastily examine a few of the facts and a very meager portion of the available documentation which may explain why some anonymous Native American (most probably in poorly spoken English) referred to our Country's Capitol as "Washindone", and thus, the subject of my paper this evening. More specifically, why the events which began on February 27, 1973, and broke into the protracted nightmare of Wounded Knee, aroused the troubled half-sleep of America's conscience.

To understand why ... we first need to be reminded of, what to some may be mere school-boy history, those critical facts and the interpretations we Americans have allowed be placed on them in our present day economic and social order.

The American Indian has only been an "Indian" for less than 500 years. As Vine Deloria, Jr. has so aptly stated in the first of his prolific writings, "Custer Died for Your Sins"; "After Columbus 'Discovered' America, he brought back news of a great new world which he assumed to be India, and therefore, filled with Indians. Almost at once European folklore devised a complete explanation of the new land and its inhabitants. The absence of elephants apparently did not tip-off the explorers that they weren't in India!" By the time they realized their mistake, European knowledge of Indians had become a cherished tradition. Thus, white man's label for the first American.

From this time on white man has sought to "Americanize" the most American among us. As Deloria further relates, "The irony of white man's early treatment of the native, the missionaries solemnly declared that the inhabitants of the new continent were the Ten Lost Tribes of Israel. Their failure to measure up to Old Testament standards doomed them to a fall from grace and they were soon relegated to the status of a picturesque species of wildlife". Scalping, introduced prior to the French and Indian War by the English, as sanctioned by George II, further confirmed the suspicion that Indians were wild animals to be hunted and skinned. Bounties were set and an Indian scalp became more valuable than an animal pelt!

It was more than one hundred years later that American blacks were recognized as a species of human beings by amendments to the Constitution following the Civil War. Although these early Civil Rights Bills nebulously stated that other people shall have the same rights as "white people", indicating there were "other people"! Unfortunately, these same Civil Rights Bills systematically excluded the American natives - the Indians - as they had come to be known. They were America's captive people without any defined rights whatsoever.

Early in the 19th Century, it was suddenly realized that the Indians, with an estimated population of 250,000 to 300,000 essentially owned more than 135,000,000 acres of land. These lands were soon recognized by the settlers as good grazing lands, farms lands, mining lands, and much of it covered with valuable timber. As Deloria has caustically pointed out, it was then that the settlers discovered Indians were people and really not wild animals and might have the right to ownership and to sell their lands. Land was basically the means by which the Indian was recognized as a human being. Of course,

there were earlier isolated instances when the whites recognized the native American's ownership of land. Among them, the purchase of Manhattan Island by the Dutch in 1626. William Penn believed the native's land should be acquired by purchase and the French settlers, later to be followed by the English, during the early and mid-18th Century, attempted to "deal" with the native American Indians. In 1763, King George III proclaimed that settlers should remain east of the Appalachian Divide and identified the "Indian Country" or "reserved lands" not available for purchase from the Indians.

The Revolutionary Government and the Continental Congress signed the first Indian Treaty with the Delaware Indian Nation in 1778. Unfortunately, like the 370 treaties made with the native American in the years to follow, this first treaty was broken within a few years. It was at this point a precedent was established which would be used by the United States to formulate Indian policy; that the Indian tribes were to be thought of as separate nations and dealt with by diplomatic relations according to precedents established by international law. As a separate nation, the internal affairs of an Indian tribe were the responsibility of the Tribal authorities and were not supposed to be tampered with by the United States. Further, since relations with Indian tribes were considered between nations, they were to be handled by the central government and not by the States.

From these high and laudible principles, the Continental Congress of 1775 established a Committee on Indian Affairs which was to attempt to assert a collective influence among the Indians. In the two decades which followed, the Congress stated again and again its authority to act on behalf of the Indians, but unfortunately these utterances were generally ignored by the settlers and land speculators. The Northwest Ordinance of July 13, 1787, stated;

"The utmost good faith shall always be observed towards the Indians, their lands, and property shall never be taken from them without their consent, and in their property, rights, and liberty, they shall never be invaded or disturbed, unless in just and lawful wars authorized by Congress; but laws founded in justice and humanity shall from time to time be made for preventing wrongs being done to them, and for preserving peace and friendship with them".

Henry Knox, Secretary in President Washington's cabinet, who by an Ordinance of August 7, 1786, was made responsible for Indian Affairs, in summarizing his feelings concerning the rights of the Indians in their lands, and the policy the Government should follow in acquiring title to Indian lands, stated: "The Indians being the prior occupants, possess the right of the soil. It cannot be taken from them unless by their free consent, or by the right of conquest in case of a just war. To dispossess them on any other principal would be a gross violation of the fundamental laws of nature and of that distributive justice which is the glory of a Nation."

This early, apparently laudable, attitude and concern for the Native American's rights to their lands was, as we all know, soon to change. The evolution of treaty making went through a series of different styles. During the intervening quarter century following the Northwest Ordinance and the War of 1812, the treaty agreements continued to recognize the Indians original title to the lands they occupied. In fact, they were recognized as Nations and by treaty not subject to taxation. Early statutes in the colonies exempted Indians from taxation in Massachusetts, Connecticut, and Virginia, and some of these still exist today. Each Thanksgiving the Virginia Indians

still take turkey, deer, clams and other treaty payments to the Governor's mansion to fulfill their part of the treaty. The State of Virginia has kept its part of the treaty also.

The Indian policy of the United States, following the War of 1812, unfortunately began to evolve action and attitudes which have not only persisted but worsened to the present. It is a careful and objective examination of these and subsequent developments which must be made to fully understand many of the present day Indian problems.

John C. Calhoun, Secretary of War under James Monroe, created in 1824 without authorization from Congress, what he called the Bureau of Indian Affairs within the War Department. It was not until 8 years later that a bill was passed in Congress to make the Bureau official. Seventeen years later the Office was transferred to the Department of the Interior. Shortly after establishing the Bureau of Indian Affairs, President Andrew Jackson brought about the infamous Indian Removal Act. In theory, this law, enacted in 1830, allowed the president to generously give lands west of the Mississippi to Indians whose homes lay east of the Mississippi, thus removing them from their ancestral homes. In fact, it paved the way for the Trail of Tears, an Indian death march in which the old, the weak, and the young perished by thousands.

The Indians evicted by this mandate were the five civilized tribes - Cherokees, Choctaws, Creeks, Chickasaws, and Seminoles - called "civilized" because of their remarkable adaptation to the white man's material and intellectual culture. The Cherokees, in fact, waged and won a battle in the U.S. Supreme Court against the State of Georgia, which had seized on the Indian Removal Act to evict the Cherokees from their lands.

Andy Jackson, "the man of the People", expressed the sentiments of the white frontiersman when he said, "John Marshall has rendered his decision; now let him enforce it!" Thus the executive branch of the government refused to recognize the decision of the judicial branch, and the Cherokees, who won the right to their land in court, lost it at gunpoint. The Georgia Militia threw them out of their homes with murder and rape, and in 1838, U.S. troops escorted them on a death march to Oklahoma after a handful of sold-out Cherokees agreed to sell the land they had already lost. It is estimated that a quarter of the tribe, about 4000 Indians, succumbed to the privations of the journey. Even worse, only 88 survived in a party of 1000 Choctaws. During these travails, President Jackson was not solely a disinterested patriot. He made a good deal of money selling Indian land for three dollars an acre after buying it for 40 cents.

In retrospect, the existence of Indian tribes as distinct political communities in the area west of Arkansas and Missouri that was to become the State of Oklahoma, would prove to be almost as difficult as it had been in the southeastern States.

So long as the settlers moving westward could find ample fertile, accessible and unclaimed regions elsewhere, there was little pressure to open up the newly established Indian Territory for settlement. As we review history, however, and consider that removal was officially enunciated as Government policy in 1830, that Texas, California, and the Oregon country were being settled in the 1830's and 1840's, we see how temporary this effort really was.

When the settlers invaded the Plains States, the Wars with the Sioux and other neighboring tribes began. The movement, first for wagon roads, and then for a transcontinental railroad, followed the establishment

of States and territories in the Far West and on the Pacific Coast. It was necessary to cross the lands guaranteed by treaties with the various tribes to secure these routes.

In 1845, The Republic of Texas was annexed to the United States, in 1846 the Oregon Country became part of the national domain, and in 1848, the entire southwest was acquired as a result of the Mexican War and the Treaty of Guadalupe Hidalgo. In 1850, California became a state. In 1853, by the Gadsden Purchase, the contiguous boundaries of the Territory to be identified as the United States were rounded out.

Indians were encountered in the Southwest and California that had lived for more than 200 years under the Spanish Indian Program. The Indians of the Plains States, the Rocky Mountains, the Oregon Country, and the Spanish southwest, ranged in habits from the peaceful Pueblo Indians of New Mexico to the nomadic Apaches, the fierce Comanches, and the Blackfoot Indians who struck fear into the hearts of many a trapper and trader only a few years earlier.

Between 1829 and 1843, the liquidation of the remaining Indian holdings in the Old Northwest was largely accomplished. The mixed bands of Shawnee, Delaware, Wyandot, and others accepted new assignment of land in Indian territory west of Missouri. The Chippewa managed to retain limited territory on the south shore of Lake Superior. The Menominee were permanently assigned lands in Wisconsin.

The Indian Removal Act was the first general law passed giving authority to the executive branch to negotiate with the tribes to remove westward to avoid conflict with the advancing tide of white settlement. This law raises some real basic issues even today. Can it be regarded as a testing of tribal rights in the constitutional sense? Does it mean that once

removed, Indian tribes thus gain a new status on the basis of their negotiations which cannot be denied them by arbitrary acts of Congress?

If we consider the Indian Removal Act as a basic contract of reestablishment of Indian communities as politically defined communities, would it not seem that the act still contains many provisions by which contemporary problems can be resolved? Could not land exchanges be effected today under this act in comparable ways as was the original land exchanged? Would it not be possible for an Indian tribe to open negotiations today under the provisions of this act of at least using this basic philosophy? If so, could lands be exchanged for apartment buildings in cities, forests traded for factories, deserts swapped for river fronts? Time does not permit a detailed analysis of the law, but when one reads the 8 sections of the Act, many of these propositions appear to have positive support within the Act.

From the end of Van Buren's administration until the beginning of Grant's administration, a quarter of a century, there was practically no contribution to the betterment of Indian relations on the part of either the executive or legislative branches of government. Essentially, all attempts to formally organize an Indian Territory failed. Early in the brief tenure of Zachary Taylor, the Department of Interior was created and with it the Bureau of Indian Affairs was transferred from the supervision of the Secretary of War to that of the Interior Secretary. Immediately, much bureaucratic bickering ensued. For several years congress debated back and forth with great fervor, the advantages and disadvantages that would result if the BIA were transferred back to the War Department. Since Army officers were continued to be used as Indian agents, this Department felt it should

have total authority. The protection of the rights and the persons of the Indians remained more an ideal than a reality. The pre-Civil War growing mass-movement of whites into the then established Indian territories and original domains, coupled with the lack of poor administrative and legislative direction from Washington, resulted in much compounding of the problem. The discovery of gold in California meant that only a few years since those lands west of the Mississippi which had been considered, "In utmost good faith" lands and property of the Native American and never to be taken from them without their consent, were being violated. It was during this same period that the Point Elliot Treaty of 1854, with the Indians in the present state of Washington promised, "The right of taking fish at usual and accustomed grounds and stations is further secured". The current status of that issue is familiar to all of us. The mass onslaught of immigrants into what is now California introduced a new element in the rights of the Indians of the area. Many had, until recently, been under Mexican rule, thus considered Mexican citizens. By the Treaty of Guadalupe Hidalgo, the U.S. purportedly recognized that citizenship. If they had in fact become U.S. citizens by treaty, some argued, they were not entitled to the protection of the United States as Indians. Often, in actual practice, they were denied not only the rights of citizens, but also failed to receive the special protection of the United States they were entitled to as Indians. Most of these Indians had been attached to missions which were secularized after the Mexican Revolution. This made thousands of Indians in California and the southwest, who had come to depend on missions for a way of life, free to settle throughout the countryside. Thus, both Indians and white became settlers!

The government appointed Indian Commissioners seized upon the idea of concentrating these Indians who had been exposed to mission control, on assigned lands. Thus, again the removal of native Americans from their native habitat areas and their concentration in an "Indian Country" gradually gave way to their placement on reserved "islands" of land usually within the larger areas they once possessed, to be known as Reservations. The establishment of reservations was to be followed obviously by a rash of treaties. In the brief period from 1853 to 1856, 52 treaties were negotiated, more than in any other like period. Some 174,000,000 acres of land were acquired from the tribes by the U.S. as a result of these treaties.

The following quarter century saw many debacles perpetrated under the weak direction of the BIA and the ruthless conduct of the military agency personnel. Treaty making and treaty violation became even more commonplace. Such was the violation of the Fort Laramie Treaty of 1851, in which the U.S. Government had formally recognized the Plains tribes as sovereign people on their own land. The discovery of gold in Montana led to the development of the Bozeman Trail, or as the Sioux called it, "The Thieves' Road." The resulting war lasted for more than 3 years and when it grew too expensive, the government ended the fighting by signing the Sioux Treaty of 1868, again defining the Indians' hunting ground and promising that the army would keep the whites out. This treaty gave the Sioux the Black Hills and recognized that a three-fourths majority vote of the tribesmen was necessary to change the treaty. This treaty immediately aroused concern in the Congress which proceeded three years later to pass legislation ending all treaty-making with Indians as sovereign nations. Henceforward, all covenants were to be called agreements.

The infamous events of the next 10 years are probably some of the best known but frequently incorrectly interpreted in our Nation's history to this time. Again, the lure of gold which was discovered in the sacred Black Hills of the Sioux and the insistence of the white prospector invaders to have military protection, the Government Commissioners offered to buy the Black Hills, the Sioux refused to sell, and the BIA, in its wrath, declared that anyone who didn't report to his assigned agency was officially an hostile. All of this again was a rank violation of the recently established Treaty of 1868. Quite naturally the Indians resisted and the army closed in with three invading forces in the biggest military operation since the Civil War. The major Indian coup was the June 25, 1876, demise of an Ohio native son, General George Armstrong Custer and all 215 members of the five companies under his command.

By 1880, active warfare had ceased, the U.S. having engaged in thirty-seven Indian wars, most of which were insighted by Treaty breaking. A time for healing the wounds inflicted on the Indian by the Nation hopefully had arrived. Unfortunately, throughout the mid-19th Century years, there were but few truly dedicated defenders of the rights of the Native Americans. They were particularly scarce in government and politics. Possibly one of the most vociferous was Secretary of Interior, and later, Senator Henry M. Teller of Colorado. General George Crook was an exceptional military officer because of his honest efforts in behalf of the Indian. Dr. Charles Eastman was a strong and effective Indian activist of this early period also. Another important and effective citizen advocate of the Indian rights was Helen Hunt Jackson, who in 1881 published her book "A Century of Dishonor". In the brief period of 4 years prior to her death in 1885, she did much to rouse the

the country to the Indian's plight. Mrs. Jackson, born Helen Maria Fiske, was the childhood friend of Emily Dickinson. She turned to writing in order to earn a livelihood, due to a series of personal tragedies which had left her widowed and the loss of her two children. Her early writings were published under the pseudonyms "H. H." and "Saxe Holm". It was not until she wrote "A Century of Dishonor" and later "Ramona" that she openly used her full name. Ralph Waldo Emerson, in the preface to his anthology, "Parnassus" called her the "greatest American woman poet". Her second marriage to William Sharpless Jackson, a wealthy banker who became president of the Denver, Rio Grand Western Railroad, lead to her travels in the West and exposure to the Indian and the treatment they were suffering from, at the hands of the military and the settlers. In 1879, she attended a lecture, in Boston, by the great Ponca Chieftain Standing Bear, that was to become the turning point in her writing career. Standing Bear had brought his small protest delegation east when the public was first beginning to show concern over Indian matters. He was asking that the Poncas be allowed to return to their ancestral lands in Dakota's Black Hills from Nebraska, where the federal government had moved them in the dead of winter. His journeys to various cities of the East was to solicit money with which to aid the starving, miserable Poncas. His case was to make Indian history. Mrs. Jackson became involved in the cause and helped form the Boston Indian Citizenship Association.

The time for such a crusade was generally favorable and Mrs. Jackson vowed to write a book that would expose the entire story of the government maltreatment of the Indians. She thoroughly researched the original government documents of the War and Interior Departments. A major thesis of "A Century of Dishonor" was that the U.S. had followed an

outrageous Indian policy in defiance of the basic principles of justice and of the laws of all nations. She found it startlingly easy to unearth a succession of broken treaties and many examples of inhuman treatment of the Nation's 300,000 Indians. She sent a copy of her book to each member of the Congress of 1880. Printed in red on the cover were the words quoted from Benjamin Franklin, "Look upon your hands! They are stained with the blood of your relations".

As a result of the furor created by Mrs. Jackson's book, in July, 1883, President Chester Arthur appointed her an Assistant Commissioner of Indian Affairs. She was given the assignment to visit and report upon the condition of California's Mission Indians.

During 1884, the last full year of her life, she drove herself unstintingly on behalf of the Indian cause. She had come to believe that her efforts in favor of California's natives had been depressingly unsuccessful. Despite her "A Century of Dishonor" the mission Indians continued to be abused and even despised, not to speak of neglected. So she returned to fiction in order to indict the treachery of the whites and their government, thus her novel, "Ramona" was written. In 1886, after her death, the "North American Review" called this book "unquestionably the best novel yet produced by an American woman", ranking it with Harriet Beecher Stowe's Uncle Tom's Cabin as one of the two great ethnical novels of the Century.

Naturally, Mrs. Jackson had many critics, both at the time of publication and since. Perhaps the historian biographer, Allen Nevins, has summed it up most fairly when he said, "We can point to her as eloquent evidence that at one period of our history a large body of Americans began to care, a large body began to be ashamed. And, if her writings lacked constructive

qualities, they were not devoid of vision".

It may be a blessing that Mrs. Jackson did not live to know of one of the most infamous Indian massacres in the history of the American West - Wounded Knee! She had detailed the atrocity of the Sand Creek Massacre, which occurred near present day Estes Park in Colorado and resulted in the Cheyennes and Arapohoes being driven forever from Colorado. This massacre and the debachle at Wounded Knee possibly may well be blacker marks on the pages of American history than anything that has occurred since, even including My Lai. We need not detail the Wounded Knee massacre save to recall that it resulted in the wanton death of the last of the great Sioux warriors, Sitting Bull, who was killed in cold blood,

In 1887, Congress had enacted the Dawes Severalty Act, better known as the Indian Allotment Act. The act was pushed through by the time honored methods established in the signing of the previous 371 treaties and countless agreements. Accessible leaders were bribed or flattered; sympathetic eastern whites were lied to, and the Dawes Severalty Act was promulgated as a master plan to bring Indians into the mainstream of American Society. When Sitting Bull vehemently opposed the Act, the agent at Standing Rock where he was imprisoned, saw to it that he was not invited to the signing. The same agent later figured in his murder. Less than 10 percent of the tribe, instead of the three-fourths majority required by treaty provision, signed the Act, but Congress passed it anyway.

The Allotment Act was billed as giving the Indians the right to own land individually so that they could become small farmers. That most of the land to be allotted was not suited for dry farming, and that the Indians had no capital to start farms nor any interest in agriculture, did

not concern the men who framed the Act. The philosophy behind the Allotment Act also violated the traditional Indian attitude toward the land. To the Indian, the land was something no man could possess, anymore than he could possess the air. Land was seen as sacred, an intrinsic part of the Almighty's ~~cosmic design~~ of life, and spoken of as Mother Earth, because it was mother of all living creatures. To the whites, this was pagan as well as communistic and had to be eradicated. This moral urge to reform the Indian coincided nicely with a chance to give the rest of the Indian's land to whites. When the Allotment Act was passed, the Indian land base of the U.S. amounted to approximately 156,000,000 acres. Between 1887 and 1934, 60 percent of this land passed into the hands of whites. Some 60,000,000 acres were lost through sale as "surplus" and the rest was sold to individuals. By 1900, the Indian land holdings had shrunk to approximately 78,000,000 acres. In the face of this land grab, some still purported to believe that the program would result in the rapid civilization of the Indian, make him a self-supporting citizen and bring a rapid conclusion to the Indian problem. Despite their treatment, the Indians rushed forward to volunteer for service in World War I, although they were not subject to the draft, and demonstrated the courage displayed in earlier Indian wars that had once led white generals to call them the "best light cavalry in the world". Their reward for this patriotic fervor came when the U.S. issued forced patent-in-fee title to their land allotments. This meant that the Indians now owned their lands free and clear of all government restrictions and would pay taxes like all other citizens. Of course, most Indians did not realize this until their land was sold by tax deed to pay state and local taxes. More than a million acres passed out of Indian ownership as the States enriched themselves with the sale of more Indian land.

We could continue recounting similar situations and unfair treatment. For example, during World War II, while thousands of Indians were rushing to enlist, a similar stab in the back struck the Oglala Sioux of the Pine Ridge Reservation. In 1942, the War Department teamed up with the BIA and took five hundred square miles from them for use as a practice bombing range. The Indian owners were given anywhere from eight days to a month to evacuate and were told that if they stayed around they would either be bombed or killed by "the Japs", who were said to be just over the next hill!

From the turn of the century until almost the beginning of the past decade, little was accomplished to recognize the true rights of the Indians. Congress conferred citizenship on all Indians in the Indian Territory in 1901, but not to all Indians until 1924. Indians did not gain the right to vote in all States, however, until 1948. During this period, the BIA was becoming larger and more powerful because it was being increasingly funded due to the usual bureaucratic expansion, however, it was receiving very little surveillance or concern from Congress since its services produced essentially no voter commitments.

Lay organizations were developing to plead the Indian's "cause". One such group founded in 1911, The Society of American Indians, held a national conference here in Columbus of that year. An examination of the papers delivered at that conference is most extraordinary and exasperating in that the problems discussed are essentially the very problems which still exist today in a much more aggravated form. Other groups were soon to form such as the Indian Rights Association and The Friends of the Indians ... such authors as John Collier, Stewart Edward White, James Willard Schultz, Mary Austin and others, often used strong language in pointing out the weaknesses

in our Indian program and the failure of the Indian Office to protect Indians against local politicians, land grabbers, bankers, businessmen, judges, and others. In 1923, Hubert Work, who replaced Albert B. Fall as the Secretary of the Interior, appointed a non-professional Committee of 100 to investigate the Indian problems. The American Indian Defense Association was formed in 1924 and was responsible for an upsurge of public sentiment which culminated in the Curtis Act granting citizenship to all American Indians not yet enfranchised. The rationale offered for this privilege was the excellent record established by the Indians during World War I. Although numerous surveys were undertaken by various BIA Commissioners during the '20s, purportedly to examine the problems of the Indians, little progress was made because of the low quality of personnel in the BIA, particularly its field administrators. It was said during this period that the Indians were dying of legislatively induced anemia.

The Howard-Wheeler Act, signed by F.D.R. in June of 1934, otherwise known as the Indian Reorganization Act, was possibly the most significant development during this entire period. Of its many provisions, that which has had the most lasting effect was the establishment of tribal governments by Charter.

World War II left Indian legislation at a standstill. However, the war years had a profound effect upon the Indians, uprooting many of them as it did other Americans. Many enlisted and many more left reservations for war industry jobs or frequently, became migrant farm workers. The effect was to expose a large segment of the tribal populations to acculturation. Also, for the Indian, perhaps the most significant fringe benefit acquired during these years was that of leadership training.

In 1944, the first all-Indian Nation organization, The National Congress of American Indians, was founded. It chose as its task the dissemination of Indian viewpoints in Washington, and registered as a lobby. These efforts encouraged possibly the most significant piece of legislation in the past quarter century, the establishment of the Indian Claims Commission in 1946. The Commission is, in a sense, an insult to the Indians, as it forced them to sue the government to receive payment for damages rather than to rely on the 370 treaties which had gone before. Ironically, one of the first claims settled was the Sioux Pony claim in which Indians had turned over their ponies to the Army in 1876 and for which they were finally paid. There were three claimants alive at the time of settlement! Many similar cases can be documented, but more important to the Indians is the tremendous legal costs which have been paid by the various tribes to hire expert witnesses and legal council to testify against the government.

It is, I believe, quite apparent why many Native Americans today have assumed a stance, which to some may seem a bit radical. All of this has brought us somewhat full-circle to Wounded Knee. It has been only a little more than two years since a group of Indian activists organized a march on Washington, most appropriately called, "The Trail of Broken Treaties". As is frequently the case, this effort was organized and executed by a more radical element which is attempting today, through an organized effort, to command the attention and cooperation of the country's governmental officials to recognize the many wrongs which have been perpetrated in the name of Washington officialdom and more specifically by the BIA. The march culminated in the take-over by force of the Federal offices of the BIA, by members of AIM, The American Indian Movement. It was unfortunate that these actions

occurred, but it was inevitable. Other minority groups had been forced to resort to such tactics in the early 60's, consequently, in their total frustration and lack of respect for, and confidence in the BIA, such action was not surprising. The demonstration, fortunately, did not become violent, but still it failed to receive the objective consideration promised the leaders if they would quell the marchers. Consequently, the scene of action was moved; and with good reason, at least from the Indian point of view, to Pine Ridge, the seat of the tribal government of the Oglala Reservation in South Dakota. This Reservation is also the site of the village of Wounded Knee where 85 years ago this month, the U.S. Cavalry massacred more than 300 Sioux men, women, and children.

Among the events which followed early 1973, in South Dakota, included the beginning of the 71 days seige of the Oglala Reservation. This occurred because the corrupt and ineffective tribal leadership of this reservation had made a mockery of the traditional Sundance Ritual and had failed to assume a proper stance with the BIA. In the context of the unrest of the moment, these factors provided a most appropriate cause celebre. The details of what occurred have been objectively documented by Robert Burnette, Tribal Chairman of the Rosebud Sioux, in his recent book, "The Road to Wounded Knee".

To most non-Indian Americans, the Indian occupation and destruction of the Bureau of Indian Affairs Building in Washington, and the succeeding dramatic events at Wounded Knee, the kidnapping of the City's Mayor and shoot-out in Gallup, New Mexico, the burning of the courthouse at Custer, S.D., the rash of similar violent confrontations between Indians and white in different parts of the country have been shockers. However, far more shocking and even

more unfortunate, have been the murders, essentially all in cold blood, of at least five Indians - Hank Adams, a courageous Assinboin Sioux; Raymond Yellow Thunder, an elderly Sioux; Leroy Shenadoah, an Onondaga, and recent veteran of the Green Berets; Richard Oakes, a Mohawk; and Wesley Bad Heart Bull, a Sioux. Each a victim for attempting to establish the true rights of the present day Native American. And in each case, the due process of law has been poorly served because they were Indians.

But no recent U.S. President has listened to the Indians until, in July of 1970, when President Nixon sent a special message to Congress, announcing a new national attitude toward the Indians, on the part of his administration. He advocated giving the Indians the self-determination they were asking for, making them self-governed on their reservations. At the same time, he proposed that the Federal Government would continue to act as trustee for the Indians, protecting the land and resources they owned. Unfortunately, the Indians' hopes were soon dashed when Congress failed to pass the enabling legislation sought by the Administration. In spite of this lack of support, Nixon did shake up the BIA and appointed Louis Bruce the new Commissioner of BIA. Bruce, the son of a Mohawk and a Sioux, was highly sympathetic to the Indian cause. He attempted to reorganize the Bureau to be a service rather than a managing agency. Further demonstration of positive action was given by a turn-over of full management of the affairs of two tribes, the Zuni's in New Mexico and the Miccosukees in Florida.

With the continued support and interest of both the President and Vice President, the Indians tried to maintain their optimism. Then - why did "The Trail of Broken Treaties" and the ensuing events of Wounded Knee occur? The President had not only failed to receive the support of the Congress, but

he also met with opposition to the policy he was attempting to enunciate by top officials in the Department of the Interior, as well as by certain members of the powerful and important House and Senate Committees on Interior and Insular Affairs, who are responsible in Congress for Indian Legislation. Unfortunately, the matter can well be summed up by the statement which has often been made, and with considerable truth, that there is big money in "Indian Business". The pressures for the natural resources and the extensive water rights associated with reservation lands by non-Indian users, whose pressures and tactics are often questionable, if not outright fraudulent, have brought them into serious conflict with the Indians. These factors together with the subsequent distractions with which the Executive Branch became embroiled, once again left the all too brief bright hope of the Indians grow dim. Thus, the recent actions, some of which we have just recounted, grew from these frustrations.

Less than 2 months ago, the federal trial of the two accused leaders of these events was dismissed by the Federal District Court Judge, who had been hearing the case for more than 8 months, in St. Paul. Judge Nichol dismissed all remaining charges against the defendants because his, "deepest hope and expectation had been dashed by the conduct of the Federal Government". He charged the FBI with concealing an affidavit, and intentionally misleading the Court. He closed his hour long rebuke to the chief Federal prosecutor, the FBI, and the Justice Department by saying, "It's been a bad year for justice."

I am certain Judge Nichol had far more in mind than the case he had just heard when he made this statement. However, I believe the importance of what I have attempted to relate here this evening is that we must make an honest effort to make it possible for the Native American of today, the Indians, and now with recent development in Alaska, the Eskimos, have confidence in their government. It is not an easy undertaking.

In the current issue of Saturday Review, Maurice Strong, Secretary-General of the U.N. Conference on the Human Environment, in a most thought provoking article titled, "The Case for Optimism" sums up, what hopefully can be the resolution of the problem I have reviewed here this evening. In closing, I would like to quote his concluding statement; "We must believe that it is possible to build a new foundation of political will based on the combination of man's higher moral precepts and enlightened awareness of his larger self-interest. If the task is monumental, the stakes are even more so. At risk is the human future. I believe we still have the capacity to shape that future. But I am equally convinced that it will be determined largely by what we decide or fail to decide in the next decade."