T-2215

NATIVE AMERICA
IN THE TWENTIETH CENTURY

An Encyclopedia

Edited by
Mary B. Davis

Assistant Editors
Joan Berman
Mary E. Graham
Lisa A. Mitten

Garland Publishing, Inc.
New York & London
1996

During the early period of United States-Indian relations, Native criteria regarding membership in their various societies continued to prevail In none of the many treaties the United States negotiated with indigenous nations prior to 1871, did the government attempt to limit by blood or any other measure the constituency embodied by the other parties to such agreements It was not until Indians were militarily subdued that the United States felt free to undertake such unilateral presumption This new federal policy was first evidenced in coherent fashion in the General Allotment or Dawes Act of 1887, through which the government set out to assign each Indian it chose to recognize as such an individual deed to a parcel of land within existing reservation boundaries Once all recognized Indians had received their 160-acre tracts, all remaining reservation property was declared surplus and opened to non-Indian utilization The standard for the federal recognition of "Indianness" entitling applicants to receive deeds was that they be, not members/citizens of their respective nations, but "of one-half or more Indian blood "

Needless to say, there were far more 160-acre parcels available within the reservations than there were individuals meeting federal criteria to claim them Consequently, of the approximately 150 million acres of reservation land inside the United States in 1890, nearly 100 million had passed from Native ownership by the time allotment had run its course in the early 1930s By then, the government had come to appreciate the extent to which the "blood quantum" method of Indian identification could be utilized to its advantage, not only in controlling Native land and resources, but in constraining its financial obligations in areas such as education Moreover, the method could be employed—by the simple expedient of raising or lowering quantum requirements—as a mechanism to manipulate indigenous polities and demographies, virtually at will Thus, blood quantum identification standards have been maintained, despite recent official adoption of a rhetoric of sovereignty and self-determination for Indians, as an integral aspect of federal Indian policy through the present day

There have been numerous ill effects of this for Native people The nature of these effects is exemplified by the fact that, while the 1990 United States Census formally acknowledges the presence of fewer than 2 million Indians in the country, more realistic appraisals indicate an additional 14 million who are unrecognized as being who they are, categorized instead as "white," "hispanic," or "Black " Such circumstances fuel a sharp and ever-increasing divisiveness within Native communities as to "who's Indian " In the arena of art, this has been exacerbated by the passage of the Indian Arts and Crafts Act of 1990 (PL 101-644), which makes it a crime for individuals lacking enrollment certification to publicly identify as American Indians when selling art, or for a gallery to exhibit their art as "Indian "

The system in place also lends credence to contentions that the blood quantum system—which has been described as a "eugenics code comparable to those deployed by such blatantly racist countries as nazi Germany and South Africa"—adds up to a form of "statistical extermination" of Native Americans As the noted Western historian Patricia Nelson Limerick has observed, "Set the blood quantum [standard], hold to it as a rigid definition of Indians, let intermarriage proceed as it had for centuries, and eventually Indians will be defined out of existence When that happens, the federal government will be freed of its persistent 'Indian problem '"

M.A. Jaimes

***See also* Allotment; Chicanos as Indians; Government Policy; Migrants and Refugees; Race Relations; Red-Black Indians**

Further Reading

Forbes, Jack D *Black Africans and Native Americans Color, Evolution and Class in the Evolution of Red-Black Peoples* Oxford, England Basil Blackwell Publishers, 1988

Franklin, John Hope *Color and Race* Boston, MA Beacon Press, 1968

Jaimes, M Annette "Federal Indian Identification Policy A Usurpation of Indigenous Sovereignty in North America " *The State of Native America Genocide, Colonization, and Resistance* Ed M Annette Jaimes Boston, MA South End Press, 1992 123-38

Limerick, Patricia Nelson *The Legacy of Conquest The Unbroken Past of the American West* New York, NY W W Norton, 1987

Reuter, Edward B *Race Mixture Studies in Intermarriage and Miscegenation* New York, NY McGraw-Hill, 1931

Thornton, Russell *American Indian Holocaust and Survival A Population History Since 1492* Norman University of Oklahoma Press, 1987

INDIAN MUSEUMS

See Tribal Museums

INDIAN OFFICE

See Bureau of Indian Affairs

INDIAN REORGANIZATION ACT

The Indian Reorganization Act (IRA), signed into law by President Franklin D Roosevelt on June 18, 1934, is the most important and far-reaching piece of legislation affecting Native Americans in the twentieth century It is also one of the most controversial To some Native Americans, such as the Oneida Nation of Indians of Wisconsin, who had been dispossessed of almost all of their 65,000-acre reservation under the allotment provisions of the Dawes Act of 1887 (also known as the General Allotment Act), the IRA provided hope for the future as well as the mechanism for beginning tribal economic restoration, political reform, and meaningful self-government For others, such as many Lakota, the act contributed to increased discord between traditional tribal leadership and leaders under the new systems of tribal

government created under the IRA, in some ways, this added tension is viewed as leading to the take-over at Wounded Knee in February of 1973

Much of the commentary on the IRA has ignored a central fact that it was largely an administrative reorganization following a century of mismanagement and mistaken policies that had seriously depleted Indian resources and reduced the Indian population to subsistence Much of the reorganization was an in-house effort that involved changes in attitudes and perceptions, reallocations of administrative powers and responsibilities, and revision of ad-hoc rules and regulations that had accumulated over the preceding century It was clearly time to clean house, but it is ironic that the government bureau responsible for the situation both sponsored the remedial legislation and was charged with carrying out the reforms This dual role of the Bureau of Indian Affairs (BIA) is a major reason why many Indians look at the IRA with both admiration and suspicion

Between the passage of the Dawes Act and the IRA, the Indian land base had shrunk by over 90 million acres Even worse, some reservations were still being allotted, although almost every policy-maker knew that allotment was a discredited policy In 1933, Indians retained approximately 48 million acres of land, much of it arid, unusable, and nonproductive The Great Dust Bowl conditions made substantially more land unliveable Moreover, 49 percent of the Indians on allotted reservations were landless Even before the onset of the Great Depression, 96 percent of all Indians earned less than $200 per year Much of this income was derived from leasing their allotments to whites, who could afford to invest in the necessary equipment to farm When these farmers went broke, the leases were cancelled, and the Indians were returned their badly eroded lands without any income to make the land productive

With the election of Franklin Delano Roosevelt and his appointment of Harold Ickes as secretary of the interior, the New Deal became a reality for Indians Ickes recommended John Collier as commissioner of Indian affairs, a well-known critic of the Indian Bureau Along with Collier came two attorneys who made significant contributions to reform FelixS Cohen and Nathan Margold Together, they provided the legal talent needed to orient the massive bureaucracy toward reform When the second year of Congress during the New Deal began in 1934, this interior team submitted a massive forty-eight-page bill, originally introduced into Congress by Senator Burton K Wheeler of Montana and Representative Edgar Howard of Nebraska

Collier's originally drafted bill proposed to stop allotments, form tribal governments, create a court of Indian Affairs, and establish radical changes in land tenure Congress substantially altered Collier's proposal, eliminating the four-title bill and substituting a new bill which contained several provisions not germane to self-government, but vital for congressional passage The final version provided for the establishment of tribal elections to accept or reject the provisions of the legislation and of tribal constitutions and corporations It established a revolving loan fund to assist organized tribes in community development, and by waiving civil service requirements, it offered preference to Indians who sought employment in the BIA The act also created an educational loan program for Indian students seeking a vocational, high school, or college education Perhaps most important, the act ended the land allotment policies of the Dawes Act for those tribes accepting the new provisions, and provided for the purchase of new lands for Indians Unallotted surplus lands were authorized to be returned to tribal governments Conservation efforts were encouraged by the establishment of Indian forestry units and by herd reduction on arid land to protect range deterioration This later program cost Collier the support of the Navajo, because it meant a radical reduction of their sheep herds

A total of 258 tribal referenda were held on whether to accept or reject the act Native Americans in Oklahoma and Alaska were excluded from the IRA, special enabling legislation—the Oklahoma Indian Welfare Act (1936) and the Alaska Reorganization Act (1936)—later brought the Native Americans of these two areas into the fold More than two-thirds of eligible Indian nations voted to accept the IRA, although only 40 percent of votes cast in all the referenda held was favorable to the legislation Under the provisions of the IRA, 36 percent of all Indian nations, 92 in number, wrote new tribal constitutions, 28 percent of all Indian nations, 72 in number, drafted charters of incorporation for business purposes

The IRA achieved some noteworthy initial successes It helped some tribes increase their tribal land base, and, especially when contrasted with the allotment period, helped some gain better control of tribal property Yet even in these areas it was limited According to the American Indian Policy Review Commission (1977), in the first forty years after passage of the IRA, only 595,157 acres were purchased for tribal use, while government agencies condemned 1,811,010 acres of Indian land for other purposes The blame, of course, rests with subsequent Congresses and administrations which failed to provide funds for land purchase, not with the originators of the land purchase program Yet it is noteworthy that both Indians and policy-makers alike look back to the Indian Reorganization Act of 1934 as the foundation upon which to make these judgments—as if the mere passage of the act guaranteed the actions and attitudes of subsequent generations of Indians and congressmen Moreover, even those American Indian nations who benefited from the IRA have been burdened because the structures created under the act are virtually impossible to change since the amendment process is so rigid

The act itself and the way it was "sold" explain in part why many Indian nations and individual Indians voted it down Instead of true self-rule, the act actu

ally increased the secretary of the interior's supervisory authority Moreover, Section 18, which provided for the tribal referenda, proclaimed that a majority of adult Indians had to vote *against* the act, to prevent its going into effect, this provision was seen by many Indians as another Indian Bureau scheme, since many Indians show their displeasure by boycotting elections

Nor did the Indian Bureau build trust in winning tribal approval It attempted to manipulate congressional hearings, looking more favorably on requests for travel funds from supporters than from opponents of the IRA Moreover, as early as 1938, the FBI was directed to trail dissidents In addition, despite the major structural changes that the act achieved, it failed to correct a sore point in Indian-federal relations the everyday abuses of authority and the corruption of BIA reservation superintendents

Tribal business committees and councils fared little better than individual Indian leaders under the IRA Despite a sincere commitment by some of these new organizations for economic, educational, and political development, many Indians labeled these committees as tools of the BIA It is little wonder that by the 1970s, these "IRA councils" became the focus of Red Power militancy that sought to "restore" traditional government to some reservations

The road to Wounded Knee in 1973 was blazed by the paradoxes and inconsistencies of the Indian Reorganization Act Although today's critics of the act should remember that self-government was a radical policy for the 1930s, there is no question that the IRA was and is a seriously flawed piece of legislation

Laurence M Hauptman

See also **American Indian Policy Review Commission; Government Policy: Indian New Deal; Wounded Knee II**

Further Reading

Deloria, Vine, Jr , and Clifford Lytle *The Nation Within The Past and Future of American Indian Sovereignty* New York, NY Pantheon Books, 1984

Hauptman, Laurence M "The Indian Reorganization Act " *The Aggressions of Civilization Federal Indian Policy Since the 1880s* Eds Sandra L Cadwalader and Vine Deloria, Jr Philadelphia, PA Temple University Press, 1984 131–48

Kelly, Lawrence C "The Indian Reorganization Act The Dream and the Reality " *Pacific Historical Review* 44 (August 1975) 291–312

Philp, Kenneth R , ed *Indian Self-Rule First-Hand Accounts of Indian-White Relations from Roosevelt to Reagan* Salt Lake City, UT Howe Brothers, 1986

Washburn, Wilcomb E "Fifty-Year Perspectives on the Indian Reorganization Act " *American Anthropologist* 86 (June 1984) 279–89

INDIAN RIGHTS ASSOCIATION

The Indian Rights Association, now inactive, entered the twentieth century as the most respected organization to champion the rights of American Indians Herbert Welsh founded the Association in December, 1882, after visiting Sioux reservations in Dakota territory earlier that year He visited at the invitation of Episcopalian Bishop William Hare, and maintained close ties to the Episcopal Church The organization he founded, however, had an inter-denominational membership of influential philanthropists The central offices remained in Philadelphia, although Welsh established numerous branches in other Eastern cities. Welsh aligned the Association with Amelia S Quinton and her Women's National Indian Association, as well as the Board of Indian Commissioners He also sought counsel from assimilationist Richard H Pratt of the Carlisle Indian School and Hampton Institute's General S C Armstrong The Assocation reflected the views of many reform groups of the 1870s and 1880s who sought to protect Indians until they assimilated into mainstream American society It called for land allotments in severalty, education, a legal system, and Christianity

The Indian Rights Association differed from other reform groups in several features It employed a full-time agent in Washington to represent its interests The agent testified at hearings, kept the leadership informed on the progress of important legislation, and, as in the case of the Indian Citizenship Act of 1924, actually drafted legislation Secondly, the Association benefited from a remarkable continuity in its leadership Welsh served as executive secretary for forty-five years until 1927 (although he was less active after 1904) Matthew K Sniffen held key positions for fifty-five years until 1939 Samuel M Brosius filled the post of Washington agent for thirty-five years until 1933 Finally, the leadership routinely traveled widely on fact-finding tours These unique features made the Association a powerful and credible voice in Indian affairs until the 1950s

Early in the twentieth century, the slow pace of assimilation disappointed reformers They recognized that Indians needed longer than one or two generations to be assimilated During the first two decades, the Association position shifted somewhat to include protecting Indian rights to property held in common, such as Indian water rights, and called for more Indian participation in decision making in such matters as the leasing of tribal lands Breaking down tribalism remained a goal, however The Association believed that Indians should be citizens of states and subject to state laws It made full citizenship for Indians a top priority, asserting that uncertainty about their legal and tax status, and the status of their allotments, hindered assimilation It consistently opposed the use of peyote by Indians in religious ceremonies

Welsh clung to the increasingly anachronistic philosophy of assimilation amid a growing belief in cultural pluralism espoused by reformers led by John Collier and his American Indian Defense Association Financing and membership from the liberal Eastern establishment dwindled as older members died In 1922 income did not cover expenses for the first time