

**Federal Indian Policy on the Great Plains**  
**A review Essay by Brian Ham**

Deloria, Jr., Vine. *Custer Died for Your Sins: An Indian Manifesto*. New York: Macmillan Publishing Co., Inc., 1969.

Deloria, Jr., Vine. *The Nations Within: The past and Future of the American Indian Sovereignty*. New York: Pantheon Books, 1984.

Taylor, Graham D. *The New Deal and American Indian Tribalism: The Administration of the Indian Reorganization Act, 1934-1945*. Lincoln, Nebraska: University of Nebraska Press, 1980.

Tyler, S. Lyman. *A History of Indian Policy*. Washington, D.C.: United States Department of the Interior: Bureau of Indian Affairs, 1973.

Ostler, Jeffrey. *The Plains Sioux and U.S. Colonialism from Lewis and Clark to Wounded Knee*. Cambridge: Cambridge University Press, 2004.

Few people truly understand the turbulent relationship between the American Indian and the United States Government, and even those that are closely connected to the issue often find it difficult to clearly pinpoint the animosity between the groups. However, the source of this animosity can usually be brought down to one universal theme; tribal sovereignty. Sovereignty is defined as having supreme power over an area or group, free of external control. What the majority of Indians and Indian Tribes desire today is to go back to the state of affairs that their ancestors enjoyed where the individual tribes were the supreme commanders of their domain, free to live and govern however they chose. Historically, tribal sovereignty was the guiding force behind most of the decisions or actions that various Indian tribes had taken in their dealings with outsiders, including the United States Government, and it is what they are continuing to fight to regain from the government today.

This sovereignty theme can clearly be seen in Jeffrey Ostler's book, which deals with what he calls the colonialism of the Plains Sioux by the United States government, and although this book focuses on the Plains Sioux Indians, the author makes it clear that this story was repeated several times and with many different groups of Native Americans. In his book Ostler describes the history, relationship and negotiations of the Whites and Indians in great detail, of which he breaks down into three phases; conquest, colonialism, and anti-colonialism.

The first part of his book dealing with the conquest of the Sioux explains how the concept of Manifest Destiny was the guiding force for expansion on the North American continent, and how this desire first brought the two groups into contact with each other. Starting with his account of the meeting between the Sioux and Lewis and Clark's Corp of Discovery and continuing through subsequent years, Ostler describes how the White outsiders used their favorite weapon of intimidation to try to scare the natives into giving up their lands and abandoning their way of life freely. They informed the Indians that it was in their best interests to do what they were told so that they would not anger the "Great White Father", or President Of the United States. Ostler is quick to point out, however, that the Sioux were not easily intimidated into discarding their sovereignty and way of life, and the conquering of the Sioux and their lands was not an easy process. It was only after twenty years of conflict, several internal Sioux disputes largely created by Whites, and finally the death of the Great Sioux leader Crazy Horse in 1877 that Ostler claims the next phase of colonialism was ushered in.

Ostler defines colonialism as, “that expansion that almost always involves conquest, displacement, and rule over foreign groups,” and although Americans are often reluctant to look at their dealing with Native Americans in this context, it is almost certainly the case. In this phase Ostler continues to tell how the Sioux continued to fight for their sovereignty and way of life during the early years of allotment and reservation system, frequently meeting face to face with those who now held power over them. Initially many Native Americans believed that this new system would allow them to work out some sort of peaceful, symbiotic relationship, which would allow them to keep some of their land and culture. However, this was not to be the case, and Ostler explains how government and private officials, often with good intentions, used economic and social pressure, as well as the threat of force to take even more land, as well as to attempt to assimilate the Sioux into the mainstream society.

The third and final section of Ostler’s book, anti-colonialism, deals with the internal struggles of the Sioux Indians. As the pressure from the government and its officials increased, there was great division among the tribes as to the proper reaction. Some were inticed into relinquishing their Indian heritage or believed that assimilation was the only way to survive. Others thought that they had already conceded too much and advocated resistance, as well as taking stronger measures in order to preserve their way of life. This was primarily the Group that turned to the Ghost Dance as the solution to the current situation, and ultimately it was the Ghost Dance that convinced some members of the government that the Sioux had to be shown once and for all that Native American culture was not going to be accepted or tolerated. It was this

viewpoint that led to the tragic massacre of over three hundred Sioux at Wounded Knee that was to be the final chapter in the colonialism of the Sioux Indians.

In contrast to Ostler's book, which gives a very detailed and specific account of his topic, Tyler's book on Indian policy is quite different. His book is a summary of Indian policy from when the first Europeans came to North America until the 1970's, with a bit more emphasis on the last fifty or sixty years. Tyler's work was done on behalf of the Bureau of Indian Affairs and is meant to give the scholar or reader only a brief overview of the history of Indian Policy. Therefore, specific details are added only when the author deemed them to be essential.

This does not mean that work does not have value. Quite the contrary, it contains a vast amount of information, and it is an excellent place to start for anyone interested in Native American history. It acts as a reference book on the vast topic of Indian policy, and it also contains a great deal of information on the history of Native Americans in general. As a result, it acts as sort of an encyclopedia or dictionary that one can use to reference a particular topic and quickly gain the basic information necessary to gain a rough understanding. This was frustrating at times because it often leaves the reader with unanswered questions or with the desire to know more about a particular topic, but it is also understandable given the nature and purpose of the book itself.

Another one of the aspects of the book that is helpful for scholars was the section on the policies of the various European countries that first settled in North and South America. This section will help the reader to realize that the Indians were not seen in the same light in every country or culture, and this can be extremely useful and

interesting. For Example, the French at least seemed to be able to convince the Native Americans that they saw them as equals to themselves, while the British had the reputation of seeing the Indians as almost subhuman. This helps to explain to why the Indians sided with the French during the Seven Years war, and not the British.

In addition, the information about Indian policy prior to the formation of the United States and the first early years of the republic was quite informative. Tyler fills in many of the gaps in knowledge of this era of Indian policy, and as a result the reader gains a much clearer picture of this time period. One of the major issues discussed in this area was how much sovereignty did Indian Tribes have. The book points out that the Constitution and the Founders clearly thought of the Native American Tribes as separate legal entities containing some level of sovereignty, but that it was also not exactly clear how much sovereignty the Indian tribes did indeed have. They were thought of as a “nation within a nation,” and no one was quite sure what this meant legally. This level of Indian Tribal sovereignty was to be the question that subsequent presidents as well as Indian leaders would struggle to define in the decades to come. Although Tyler only provides basic facts and details in this area, his book was still useful in order to establish a basic working knowledge and understanding of the important terms, people and concepts of this process.

A significant blow to Tribal sovereignty was to come in the late eighteen hundreds with the passage of the Dawes Act. This law was passed with the intent of opening more Indian land to white settlement by eliminating the traditional tribal custom of owning land communally, and forcing Indians to distribute their lands equally in one hundred sixty acre segments. In addition, this would gradually help to

force the Native Americans to assimilate into American culture, which would settle the issue of Tribal sovereignty once and for all by eliminating the individual Indian Tribes themselves.

The Dawes act is the subject of the first part of Graham Taylor's book entitled, *The New Deal and American Indian Tribalism*. Graham discusses this federal law at some length as the precursor to his main topic of the Indian policies of the New Deal. In his book Taylor explains how it was the Dawes Act that went a long way towards creating many of the problems, especially the economic problems that later on the New Deal would attempt to address. In Taylor's opinion the Dawes Act was a disaster because it not only left the Native Americans living in horrible conditions on the reservations, but it also failed in its attempt at assimilation.

It was in the wake of this failure that a decision was made by the federal government to make a radical change in their Indian Policy, and this change is the main focus of Graham Taylor's book. Shortly after FDR's election in 1932, a new commissioner of Indian affairs was selected, John Collier, and it was Collier that was to take the federal Indian policy in a radical new direction that would attempt to undo the mistakes of the past. According to Taylor, the Indian New Deal, as it was called, "Marked the first time in the history of the Indians' relations with the government that a conscious attempt was made to take the Indian point of view into account and to shape a program to meet Indian needs rather than to reshape Indians." The major piece of legislation of the Indian New Deal was the Indian Reorganization Act, which restored to Native Americans the communal management of their assets, being mainly land, and also a return to local self-government on a tribal basis. In Taylor's opinion, however,

this attempt at restoring tribal sovereignty, while being genuinely good intentioned, was not a success because rather than creating unity, it instead develop numerous debates and rivalries amongst various tribes, as well as internally dividing the individual tribes themselves.

The discussion and critique of the Indian New Deal is continued in Vine Deloria's book, *Custer Died for Your Sins*. This book is written from the Native American perspective, and the first part of the book tries to explain many of the misconceptions that Deloria says people have about Native Americans. He talks about how religious groups and scholarly anthropologists have used the Indians for their own selfish purposes, and that much of the information that have made known to the American public does not paint an accurate picture. In addition, he also recaps several of the mistakes that in his mind the federal government has made in their dealings with Indian tribes, including the Indian New Deal.

In his book Deloria agrees with Graham Taylor that Collier was legitimately trying to doing something in the best interest of the Indian tribes with the passage of the Indian Reorganization Act, but that he ultimately failed to give Native Americans what they truly needed, which is self-determination and tribal sovereignty. Furthermore, Deloria contends that although Collier was trying to be of assistance to Indians, other bureaucrats or leaders have not always been so inclined. The example of this that he discusses most in the book is the congressional policy of Indian Termination advanced in 1954 and pushed vigorously for the next decade, which was intended to be the elusive answer to the Indian problem.<sup>1</sup> The termination policy was designed to cease federal aid to Native Americans by disbanding Indian tribes, and Deloria believed this

to be the single biggest problem facing Native Americans in his time. Deloria contends that Native American tribes were seen as sovereign and independent nations when the first treaties were signed, and tribes need to return to that status because only the individual tribes could possibly know what is best for their own people. In addition, Indian tribal sovereignty is also the only safe way that Native Americans can protect themselves from further negative policies or actions of the federal government and its leaders, and it is the best hope for the further betterment of Indians in the future.

Vine Deloria's book, *The Nations Within*, also addresses many of the same issues. Deloria's first book was written during the turbulent nineteen sixties, but his second book was written during the nineteen eighties and was much less inflammatory. In Deloria's first book even the very name gives off a certain angry persona, while the second title give the perception of a more thoughtful, scholarly tone. *The Nations Within* is primarily a more studious account of the work of John Collier and his New Deal Indian efforts. In particular it focuses on the ideas behind the Indian Reorganization Act, and the detailed process of getting the bill signed into law. Whether the shift in Deloria's work is due to the differing time periods or due to the author's own maturity is difficult to say for sure, but there is no doubt that there is at the very least a difference in the author's approach to his subject.

This, however, does not mean that Deloria has changed his basic beliefs about the past failures of Indian policy or on what he thinks is best for the future of Native Americans. He still maintains that only through legitimate self-government can the Native American people address the problems that continue to face them, and therefore flourish. Tribal sovereignty would allow Indians to create governmental institutions

that would permit a continuity between the past and present, thereby solidifying their legitimacy. In addition, it would also help to bring about a lasting cultural revival that would assist in giving Indians an identity in today's world, which is essential if young people are to happily embrace their Indian heritage. Furthermore, he believes self-government would allow economic stability and financial independence to come to the reservations and allow the residents to experience true sovereignty. Finally, Deloria goes on to say that the current relationship that exists between native tribes and the federal government needs to change. If nothing changes in this regard, it will only lead to the kind of frustration that resulted in the occupation of Wounded Knee by the American Indian Movement in 1973. In his mind until tribalism is truly allowed to take place and tribal governments are seen as equal entities, no real progress will take place.<sup>2</sup>

From the beginning of the relationship between the Native Americans and the first settlers here in North America, it is clear that for the vast majority of it, few people concerned themselves as to what was best for the Indians. Although the Indians usually befriended the newcomers and often times saved them from certain disaster, in the back of the minds of most who came to the "New World" was the idea that these were inferior people that were to be conquered. Even though in the beginning the various Indian Tribes were often treated as sovereign nations, one has a sense that this was only a temporary arrangement, one that could easily be discarded when the moment was appropriate. You can see this idea in the books in the list above. In each of them this story is repeated, at least in some degree, time and time again.

This review has been a short summary of the history of the federal government's

Indian policy, and its many shortcomings, as well as an attempt to express that the general theme of the books is that the future of Native American tribes rests in their ability to establish tribal sovereignty. By recognizing the legitimacy of tribal governments, we would be acknowledging that differences exist between the two different cultures, and that the best course of action is not to attempt to extinguish one of them. Rather it would be to celebrate those differences by allowing these once sovereign nations to regain their independent status on a level that makes sense for both of the parties involved. If we could accomplish this, then we might be on the way to seeing a renewed sense of respect and admiration for both cultures, which in turn would allow us to advance as a nation and as a people.

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<sup>1</sup> Deloria, Jr., Vine. *Custer Died for Your Sins: An Indian Manifesto*. (New York: Macmillan Publishing Co., Inc., 1969) 54-55.

<sup>2</sup> Deloria, Jr., Vine. *The Nations Within: The past and Future of the American Indian Sovereignty*. (New York: Pantheon Books, 1984) 244-246.