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CHAPTER ONE

*The Indian New Deal: An Overview*

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I plan to discuss the Indian New Deal in terms of four topics: origins, founding the New Deal, the Indian Reorganization Act, and the end of John Collier's career in the Bureau of Indian Affairs. Some of the things I will note will be in the form of questions rather than answers. A reason for our discussions here is to create a crucible of ideas where divergent interpretations may find a proper colloquy.

The Indian New Deal has become one of those contested areas in the interpretation of American history. The participants in our consideration of Indian self-rule will have heated discussions and even downright disagreements. But it is hoped, by those of us who were fortunate enough to help with the planning of this project, that we may also expect to shed some light. It is my personal hope that this work will not be known in the future as the dark and bloody ground of partisanship, but that fire may be struck and light indeed shed among scholars and friends.

In 1887, Congress passed the General Allotment or Dawes Severalty Act. This legislation made the allotment of land to individual Indians and the break up of tribal landholdings the official policy of the United States. That policy, which dominated the Indian world for the next half century, had disastrous consequences. The general public, however, was slow in realizing it. The policy was designed to assimilate the Indians into the general population and to make them into farmers. During that time, farming was still the largest single vocation within the United States.
To those of us who truly hate to farm, it is almost inconceivable how far the philosophy of Jeffersonian agrarianism had penetrated into the American psyche. The remnants of that psyche still exist in rural America even though the farming population has declined to significantly below three percent of the population. Many things were wrong with the Dawes Severalty Act. One was that the Indians had been moved to the most meager available lands and then simply told to farm these lands. Secondly, at the very moment that the United States was creating farms and insisting that Indians live upon them, there was already an agricultural crisis based on overproduction. Furthermore, that over-production was created by the most efficient and productive set of farmers in the world. They enjoyed, as well, the richest and best land the country offered. To expect that the Indian farmer could compete in such an economic world, above and beyond simply subsisting, was faulty and short sighted.

A more important factor than this, and the hardest one for those reforming Indian America to comprehend, was simply that most Indians did not want to farm. This was especially true on the Northern Plains and in the Far West where farming was considered undignified and confining. Many Indian people did endure, despite the folly of the Dawes Severalty Act. Their success at farming was a monument to their ability.

Another characteristic of the era that lasted from 1887 to 1934 was the presence of reformers. They were responsible, in part, for the passage of the Dawes Severalty Act. These doctrinaire and highly motivated reformers were prominent citizens from the East. They were invariably dedicated Christian folk.

Reformers who associated with the churches dominated American Indian affairs after the Civil War. The Grant peace policy, instituted in large part by the Quakers, employed honest Christian men as agents of the federal government among the Indians. These men were an interesting lot, although the experiment did not last a long time; but those who were looking for reform found the Indian Bureau to be a remarkably appropriate target. Helen Hunt Jackson's *A Century of Dishonor* was only one small incident in the long road of Indian reform that stretched from the Civil War to the time of the Indian Reorganization Act.
In 1882, an organized group of zealous, hard-working reformers founded the Indian Rights Association in Philadelphia. In certain instances, this association did defend and champion Indian rights. Nevertheless, it almost seems, when reading the correspondence of those remarkable people, that there was an inherent right of reformers that had to be taken into account by the federal government. By 1905, the commissioner of Indian affairs was one of this organization's own, Francis Leupp, which attests to how powerful and influential it had become.

There were a number of underlying suppositions held by the leaders of the Indian Rights Association. They were (1) that farming was superior to hunting, (2) that alcohol was evil, (3) that idleness was the ultimate evil, and (4) that Christianity was a magic elixir that would change people and, therefore, the Christian religion should take a very strong position in American Indian life and assume a strong proselytizing stance. Essential to this view of Christianity was the idea that the existence of tribes was evil. Therefore, only as individual men who loved property and sought it could Indians ever really be assimilated successfully into the general population. And, of course, assimilation was absolutely necessary.

Reformers also believed that education would magically bring Indians into the mainstream of civilization in the United States. As a result, during the period of the Dawes Severalty Act, there was a great expansion of the education establishment within the Bureau of Indian Affairs. Commissioners such as Thomas Jefferson Morgan made Indian education one of their leading policies and priorities.

It is interesting to look back upon that educational system. When I was a child growing up on an Indian reservation, the 1930s was considered, by comparison with earlier decades, a very good time to be in an Indian school. Beatings were less frequent, and children of tender years were not removed without their parents' consent to Indian schools at a far distance.

The word assimilation was not an abstract, remote concept. Rather, it was an active philosophy, with tremendous power to break up families and even to take the lives of children. For the death rate of Indian children was much higher than that of the general population. Whether you read the records of the Indian school at Fort Lewis, Colorado or
the Teller Institute at Grand Junction, Colorado or the Stewart Indian school at Carson City, Nevada or a great number of others, the sad stories of sending the children's bodies home are characteristics of the correspondence which have always left me depressed.

During these very difficult times of adjustment, the American Indians protested, but with very little success. So, most of the tribes turned inward and went back to their old ways of celebrating ceremonies and living as nearly as they could the communal life that they had known and loved. Many books have described this tragic era.

By the year 1920, the people of the United States had a change of heart about Indian life. This change was caused, in part, by a back-to-nature movement. The founding of national parks, where people could go to be alone and commune with nature, reminded many Americans of the lives that Indian people had been forced to give up.

When looking at the literature of the period, one is always struck at how often words such as wilderness, campfire, trail, and forest are used in late nineteenth century and early twentieth century America. The founding of the Boy Scouts and the Girl Scouts symbolized this new orientation. America had started to think of the West more as an area of beauty and opportunity, rather than as an awesome space to be seized and subdued.

At the beginning of the century the American Indian was considered the vanishing American. But after the founding of the Indian Health Service, it soon became apparent that the vanishing Americans were not vanishing; for those who administered Indian affairs noted increases in population. A burgeoning group of artistic and literary American romantics also began to see the Indian in a far more favorable light than a generation earlier. By 1920, there was a more modest view, a more moderate view, of the American Indian than there had been previous to this time. It was precisely in that year that a new man came onto the scene of American Indian affairs and life.

Before I deal with the career and the personality of John Collier, it should be noted that he appeared at a time when America itself was being transformed. The era from 1887 to 1920 could be characterized as a period of certitude. While there were political storms, both Theodore Roosevelt and Woodrow Wilson were progressives, both of the parties sought ends that were very similar. There seemed to be a
greater unanimity in what society wanted, needed, and honored. This was not true for the period following World War I. The nation turned its back on the sterner themes. Change was pervasive, but I leave this theme to Frederick Lewis Allen and to other historians who have described this era so very well.

But the progressivism of Theodore Roosevelt and of Woodrow Wilson did not die. It was only wounded. Some of the reformers even maintained a form of zeal. One of these reformers was John Collier. He was a dedicated man whose name and spirit will be honored and attacked, praised and villified in this book.

Most of the time, a leader sees a direction in history and aims for that direction. In a few instances, it is almost impossible to see the shape of history without the influence of one dynamic leader. Such a case in the modern world is Martin Luther. While Collier was no Luther, many of the changes affecting American Indians in the near past are hard to separate from his profound influence.

John Collier was an urban reformer with a much wider, more comprehensive view of the world than that held by most Americans involved in politics during his time. Furthermore, he had instincts for reform. His experiences while studying in France and Europe, at Columbia University, and in New York City, all led this Atlanta-born reformer to see the world a little differently than most of his contemporaries. Collier’s early professional life was beset with successes and failures that reflected his unique personality. He was a brilliant, impatient, caustic, and dedicated man.

In 1920, Collier made a famous trip to Taos Pueblo at the urging of Mabel Dodge Luhan. There, he discovered a utopian Red Atlantis. Collier had worked in the areas of the eastern slums, where he came to know the difficulty in establishing a community that was responsive, embracing, and functioning. He seemed to have found it all at Taos. And, furthermore, he had found it with a people who were remarkably peaceful, or at least he viewed them that way. Because of his career as a reformer in urban areas, Collier had a greater and deeper respect for human culture and ethnicity than most public figures of his time. At one point, he became involved in a famous fight over a congressional bill to quiet the title to lands non-Indians occupied within Pueblo Indian reservations. It was no accident that the secretary of the interior, Albert
Fall, was a New Mexican and that the bill had been introduced by his fellow New Mexican, Holm Bursum. Early in his career with the Indians, Collier took the posture that the integrity of Indian life and of Indian lands should be absolutely protected. His defense of the Indians' land might not have gotten him into trouble with United States officials and with other reformers, but his insistence that Indian culture and religion should be respected was an issue made of hotter metal. Collier was to find out just how searing such a notion could be.

Collier plunged into opposition to the Bursum Bill with great zeal. It was an opportunity for him to gain notoriety. His attendance at the November, 1922 meeting of the All Indian Pueblo Council assured his place at the center of the fray. He also joined artists and writers who signed a protest against the Bursum Bill. One of Collier's most important roles was that of propagandist, and he was good at his job. The older reformers in the Indian Rights Association were slower to respond, and a natural anxiety grew between the old group and the rambunctious Collier. That anxiety quickly generated distrust and later generated hatred. One should hasten to say that Collier was only a part of the opposition to the Bursum Bill, but he clamored to head the movement, which he found very much to his liking.

The defeat of the Bursum Bill was so consumingly a part of his life that Collier looked for a way to make the defense of Indians a part of his own career. This was accomplished in 1923 when Collier and his friends and supporters founded the American Indian Defense Association. Even though the organization had a rocky start, due partly to Collier's incessant scheming, it was soon a viable organization. The influence of that group was to be an irritant to the federal Indian establishment in the succeeding years.

In his position at AIDA, Collier may have found his most appropriate role. He was at home as an abrasive, captious critic. He displayed these qualities in articles contributed to the surviving journals of the Progressive Era such as Sunset magazine. He was also appointed to the Committee of 100, a committee to investigate Indian affairs. There, he did not distinguish himself, and for that matter, neither did anyone else. For a new order was needed and an old order held the line.

As the 1920s progressed, there was a competition, none too friendly, between the Indian Rights Association and the AIDA to become the
most important single voice in advising about Indian affairs. In terms of total power, the Indian Rights Association held the upper hand. In terms of moving in the direction that history was flowing, Collier and the AIDA were nearer to the path of reform that the nation would soon follow.

One of the issues where Collier was certainly more attuned to the mind of America and to the direction America was going than his rivals was in the area of Indian religious freedom. Lawrence Kelly's new book sheds light on this interesting theme. One might observe that the times were appropriate for the issue of religious freedom. The people of the United States had revolted from the churches and their control as never before. Sidney Ahlstrom wrote of this change in his religious history of the American people.

A greatly diminished hold on the country's intellectual and literary leadership was another important sign of change. This meant in turn that ministerial candidates were turning to other vocations. Nor were they dissuaded from this decision by the assorted hypocrites and boobs that marched through Sinclair Lewis's Elmer Gantry. Dr. Arrowsmith's vocation seemed a more effective means of saving Main Street from babbittry. Offended as much by the obscurantism of the Fundamentalists as by the cultural accommodations of the churches, intellectuals, young and old, were leaving the church—with H. L. Mencken piping the tune and providing the laughs.

In the era before 1920, the churches of America were very powerful, and in no other operation of the federal government was their presence felt more than in the Indian Bureau. All of those who have read American Indian history know of the churches' peace policy, their school contracts, and their ability to act as an unofficial arm of the federal government in Indian country. If one studies the details of maps of western Indian reservations, one sees that it was the Christian churches who first obtained patents to the land on Indian reservations, and in most cases they still own these spots.

If one looks at the rosters of the Indian Rights Association, the Lake Mohonk Conference, and other Indian service organizations, we find churchmen and churchwomen involved in these organizations in large numbers. As the Indian Rights Association gained power, even more church oriented people joined their ranks. These groups had a great say about who would be commissioner of Indian affairs and who would occupy a great number of other jobs as well. When it came to policy,
their hope of Christianizing and civilizing the Indians gave them a theological justification for their acts. But this assimilation policy was to clash with the more tolerant view of American Indian culture and religion that had been adopted by John Collier and his cohorts.

Encouraged by people such as Herbert Welch of the Indian Rights Association, Commissioner Charles Burke moved during the 1920s toward crushing Indian dancing and other ceremonials. Collier and the AIDA made a concerted effort at thwarting these attempts to bully the Indians into giving up their ancient religion and ceremonial practices.

The Indian Rights Association claimed to have material that suggested that Indian ceremonials contained lewd, lascivious acts, as well as other acts of debauchery that would shock the American public. Welch and his associates should have investigated more closely before attacking these ceremonials as inappropriate for Indian America in the 1920s. Welch and his associates were uninformed; they also misinterpreted Indian ceremonies. Debauchery and licentiousness were not, as we know, at the center of these ceremonies.

In our examination of this religious struggle, we must consider as well the larger issue: did religious freedom exist in the United States? Absolute freedom of religion had not existed in the territories of the United States since the case of Reynolds vs. the United States, handed down in 1879, but in such areas under federal jurisdiction, how far could the federal government intervene in Indian religions without outraging the Constitution? Collier and his friends had long maintained that a literal interpretation of the Constitution was necessary and proper, and that Indian religion was to be considered religion in the same sense as Christianity and Judaism.

When I was growing up, I remember the horror tales about various agents who attempted to suppress Indian dances during the 1920s. The degree of heat and emotion generated in the Indian tribes by the federal government's posture was always surprising.

American Indian policy showed strain as the Coolidge administration left office. An investigation of American Indian life had produced the Meriam Report, which showed just how deplorable were the living standards of the Indian people. Its startling revelations prepared Herbert Hoover, the succeeding President, to seek better means of handling American Indian policy. Herbert Hoover, of course, was a
The very capable administrator. He looked to those on whom he could rely to implement changes that would quell the criticism of the government in its dealings with American Indians.

Hoover appointed Ray Lyman Wilbur, a former president of Stanford University, as the secretary of the interior. Charles Rhoads was named commissioner of Indian affairs. That Hoover chose men whom he knew and respected for these positions is worth noting. It was a high priority of Hoover, Wilbur, Rhoads, and his assistant, J. Henry Scattergood, to implement reforms that would improve the condition of Indians in the United States. The amount of money spent upon the Indians increased significantly during Hoover’s administration. But the Hoover administration was unable to change things substantially. Rhodes and Scattergood were both close associates of the hierarchy of the Indian Rights Association. In implementing the kind of reform that was needed, they were not dramatic enough. They merely laid the groundwork for more thoroughgoing reform under a new administration.

One should hasten to the Rhoads-Scattergood-Wilbur-Hoover group’s defense by saying that the new president, when he came to office in 1929, had only a short period of time in which to get his administration under way. The stock market crash and the ensuing depression soon made their roles extremely difficult ones to perform. In spite of the depression, they were able to get additional money for Indian affairs. And indeed, one might argue that, ironically, conditions in Indian America were better at the end of the Hoover administration than at the beginning.

Collier welcomed Hoover’s appointments and even indicated that he thought they could implement the needed reforms of the Indian Bureau, but the period of friendship between them did not last very long. Collier once again became an abrasive, attacking critic. The Hoover administration, like its predecessor, had to contend with a fractious, critical voice that was always aimed at the government and its Indian policy.

After Hoover lost the election in 1932, Franklin Roosevelt came to office with a candidate in mind for the commissioner of Indian affairs post. He was Harold L. Ickes, a Chicago man who also owned a home in Arizona and whose wife was a knowledgeable writer on Indian topics.
in the American Southwest. Ickes was an impressive man: he became the secretary of the interior. Ickes had known Collier for a long time, but it was not a chain reaction that made Collier the commissioner of Indian affairs designee in the Roosevelt administration. Rather, it was a series of communications to Roosevelt and later to Ickes asking that Collier be made commissioner that probably led to his appointment. Collier did not have difficulty getting the approval of the United States Senate for the appointment. He did have difficulty in getting his name approved by Franklin Roosevelt, because many people expressed support for other candidates.

The New Deal for the American Indians began before the passage of the Indian Reorganization Act. Indian persons were employed to improve reservation lands that had been eroded and to work on deforested areas. Much of the work was coordinated by the Emergency Conservation Work Agency. That agency was more commonly known as the Indian C.C.C. It became a truly large program. Over 25,000 people were recruited from the Indian tribes and were employed principally in conservation work. They worked in nearly seventy-five camps in fifteen western states.

The same good things could be said for the C.C.C. and its contribution to Indian families that could be said about the C.C.C. and non-Indian families. It reduced radically the number of young men who would be forced into vagabondage in those desperate times. Although American Indian men did not take up a life as tramps and wandering hoboes as often as non-Indians, these were still desperate times for them. They found employment in the C.C.C. much to their liking.

Soon after his appointment, Secretary Ickes issued an order that ended the sale of allotments and the issuance of fee patents. Collier, true to his attitudes about a multi-cultural society in America, issued an order terminating the federal program of Americanization for Indians. Collier directed that the cultural history of Indians was to be considered, in all respects, equal to that of any non-Indian group and declared that it was desirable that Indians be bilingual. But his commitment to the idea of maintaining and nourishing American Indian culture went even further when he claimed that Indian arts should be prized, nourished,
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and honored. His own administration reflected this, for he was able to implement programs to aid Indian art.

In another action taken by Collier, many Indian students were transferred from boarding schools to community day schools. These boarding schools often contained a residue of the Christianizing assimilationist philosophy. The commissioner also forbade the officers of the federal government to require Indian students to attend Christian worship service at these schools. With his concept of cultural pluralism firmly in mind, he asked Congress to discontinue the appropriations to suppress traffic in peyote. Congress obliged him.

It is interesting, too, that the 1934 Johnson-O’Malley Act was a major feature of his administration. The Johnson-O’Malley Act, like the Indian Reorganization Act, is still very much with us as operative American law. Under the terms of the Johnson-O’Malley Act, the federal government could contract with states and territories to provide education to Indians who were under federal supervision. The Bureau also could contract for medical and social welfare services.

The Indian Reorganization Act of 1934 allowed Congress to spend $250,000 annually for the expenses involved in organizing chartered corporations on Indian reservations. Operated by tribal councils that had established a constitution and by-laws, these corporations could employ legal counsel, prevent the leasing or sale of land without tribal consent, and negotiate with federal or state governments for public services. The IRA also created a $10 million revolving credit fund that was used to promote tribal economic development. Collier thought of the IRA as temporary legislation, yet it is now in its fiftieth year.

As John Collier and his staff began implementing the Indian Reorganization Act, they ran into many more troubles than they expected. One of the difficulties was that the Bureau staff had been built up over the past half century. These people, in the main, were firmly dedicated to the idea of assimilation. Collier’s orders forbidding the assimilationist posture confused and angered many within the Bureau of Indian Affairs.

There was an additional problem. Some American Indians had espoused the idea of being progressive men and women, as they often called themselves. Among them was the chairman of the Navajo tribe. Collier ran into great difficulties on the Navajo reservation. He found
it impossible to get the Navajos to enroll under the aegis of the Indian Reorganization Act. Today they still are not organized under the law passed in 1934.

Collier and his men had a difficult time enrolling many of the tribes under the IRA. Many Indians were fearful that the establishment of an IRA tribal council would be detrimental to their interest because it would be controlled by the federal government. A large number of people had taken up farming, adopted white ways, and were well on the road to assimilation. They felt that this was a step backwards. Indian Bureau statistics said that 181 tribes voted for the IRA, while 77 tribes rejected it. The number of tribes, however, does not tell the whole story. While those who voted for the IRA had an aggregate population of 130,000 Indian people, those who rejected it had an aggregate population of somewhere between 85,000 and 90,000 persons.

The ratification process was fraught with great fear and difficulty. There were struggles between mixed-bloods and full-bloods. There was a great deal of lobbying by the BIA and Collier's men for adoption; there also was a great deal of covert lobbying against it by the older Bureau employees who feared they might lose their jobs. A great number of the churches and the older reform groups such as the Indian Rights Association also worked against it. The lobbying back and forth caused this to be a very confusing time. Some of the confusion has been reduced by a new book by Graham D. Taylor, *The New Deal and American Indian Tribalism*.

I lived on an Indian reservation during the 1930s. Even though I was a child, I vividly remember the struggle over whether to adopt the IRA. When I questioned my father concerning it, he simply explained that there was a New Deal for non-Indians and a New Deal for Indians. This answer, from today's vantage point, appears too simplistic.

S. L. Tyler in his *History of Indian Policy* has listed some of the criticisms of the Indian Reorganization Act. It was put into effect too rapidly. Neither the Congress nor the Indians were adequately informed concerning it nor prepared for it. Bureau personnel needed better training for application of provisions contained in IRA, some of which were quite foreign to their past experience and to their personal philosophy concerning the Indians. . . . The philosophy of the IRA itself was
violated in that the Indians did not play a truly significant part in preparing [tribal constitutions]. As a result the meaning of these instruments of government was often quite foreign to them.

Many good tribal governments were replaced by less capable ones.

Indian Service administrators conceived of the Indian Reorganization Act as for the good of the Indians. They failed to realize that the community life patterns of some Indian tribes were not compatible with its principles. Successful programming had to be done at the community level with Indian participation. Probably because of administrative difficulties some of the education features of the IRA were not practiced, such as a tribal review of Bureau budgets. Promise and performance, plans and achievements, tended to be very different.

There were other problems. The funding level of the IRA was never very high. It was hoped that democratic government would relieve some of the political struggles within Indian communities; in many cases it simply exacerbated them. I am always astounded when I deal with writings about Indian factionalism, because fighting in Washington, D.C., between political factions, is called politics, but fighting over some of the same issues on Indian reservations is called factionalism. Perhaps there is more than a smidge of racism inherent in our lexicon as we deal with the Indians.

The Indian Reorganization Act cannot be separated from its chief proponent, John Collier. The commissioner was capable of using forceful administrative methods that he deplored in other people. For example, he coerced some tribes into ratifying the IRA. A long list of Collier's indiscretions could be cited.

But we should not stop until we have had a moment to evaluate some of the good things the Indian Reorganization Act accomplished. One of the good things that it accomplished was the physical conservation of Indian land, soil, water, and vegetation. The conservation of Indian resources left a salutary legacy for the present. There was an overall endeavor to help the Indians go to work. The halting of Indian land losses and the reabsorption of certain lands into the reservations (even though these have been called submarginal lands, I notice that oil and other valuable things are taken from them now) were important to Indian reservations then and still will be in the future.
Under the leadership of both W. Carson Ryan and Willard Beatty, the two principal educators who worked under Collier, Indian education improved. Although some argued that moving Indian students out of the old Indian boarding schools and into the public schools was harmful, by and large, an increased devotion to the idea of education resulted.

It is interesting to observe, as I look back over those years, the kind of heat that Collier created on the reservations. Those teachers, who had worked for their churches and taught at the Indian boarding schools, despised Collier almost beyond belief. I had never heard anyone accused of being in league with the devil until I heard a school teacher claim that Collier was. She was challenged by the son of a tribal council member. This student said that his father believed that Collier was a good friend of the American Indian. This confrontation seemed to send our teacher into a tizzy.

Those teachers were incredible. I remember one of the hymns we were required to sing in the school. It was from an old Protestant hymnal, and maybe you will recognize the words. The Indian children at the Fort Duchesne School were required to sing it, too. It went:

Let the Indian and the Negro,
Let the rude barbarian hear,
Of the glories of the kingdom . . .

These lyrics did not wash with the Indian students. When they would not sing those words, the teacher would become incensed. It was one of my first experiences in watching the politics of acculturation at work. It was then, and still is, fascinating.

At this point I should note something. Collier was attacked more on issues affecting the establishment and maintenance of an advantaged Christian group on reservations than on any other subject. To those historians who have attacked Collier for his too rapid change I would urge them to modesty. The freedom of religion issue was still very much alive in Collier's time. One need only look at the frenzied opposition to Indian dances less than a decade before the advent of the Indian Reorganization Act to see the power of these Christian churches and the Christianization issue that seemed to be inherent in his opposition. It is small wonder, that, in 1968, when I was doing a long series of oral interviews with reservation people, that I was told by one of the Ute
elders to never trust Christians, because they wanted the minds of Indian children, were inquisitive about Indian sex habits, and did not answer to anybody.

One should try, as an analyst, to remove that Christian element from the opposition to Collier to see how much of it would have been left on other than religious grounds. Perhaps this would help us attain a better and more moderate interpretation of Collier and his period. During the 1920s, Collier took the opposite point of view to that of the Bureau, its leaders, and the Indian Rights Association. In the 1930s, they took the opposite role and delighted in attacking him in a way that indicates an element of revenge. Neither side looks very pure.

The Indian Reorganization Act should be looked at in another way. The Indians of the United States needed a system that had more integrity and validity in the eyes of the federal government. One need not search very far in the letters in the National Archives from Indian people in 1925 and 1945 to see that there was far more familiarity between the Indians in the field and the bureaucrats in Washington in 1945 than in 1925. We should search to see if the Bureau had a less paternalistic attitude toward the Indians over whom they held great control.

In recent years there have been complaints that the Indian Reorganization Act was defective. It did not give the Indian enough individual freedom. The secretary of the interior and the commissioner of Indian affairs also had ultimate control over policy. This has been viewed as an unrealistic invasion of Indian rights and liberties. These criticisms should not prevent us from carefully defining what we mean by the idea of a dependent domestic nation. If that idea describes a relationship to the federal government, does it not imply that the federal government has a responsibility? If wardship continues, what does wardship mean?

If this presentation sounds a little too much like I am defending John Collier, I am not. There would have been reform whether there was a Collier or not, because the policy of allotment and assimilation had failed. Furthermore, those who had influenced Indian affairs from without—the reformers—and those who saw the Indian as their special concern became less and less credible as American society changed and they did not.
Collier could be petty. Let me read you a line or two from a letter written to Rupert Costo, who was the official representative of the Cahuilla Tribe. This was part of Collier’s answer to Costo, who had filed for expenses:

Since you were not authorized in advance by the Commissioner of Indian Affairs as a delegate, and such requirement is absolutely necessary under existing legislation, before you can be compensated and further, since your tribe has no tribal funds to its credit from which such allowance can be made, the office is not in a position to consider any claim you may file for such allowance.

In other words, if you were working toward adoption of New Deal programs you got Bureau money. If you were not, you had to pay your own way.

Scholars have long pointed toward the use of politics to get the IRA adopted on Indian reservations, but they had not paid the same amount of attention to the opposition and how it came about. Who sponsored it? Who financed it? That, to me, would be as interesting a topic as the other, and while it has been partly dealt with by several scholars, it certainly has not been covered to the point of my satisfaction. Church records must be examined carefully. We must remember the advice of the Ute elder to never trust a Christian.

World War II had a very heavy impact upon the Indian Reorganization Act and the administration of Collier. Furthermore, in the last four years of his administration, he lost credibility as his abrasive personality alienated more and more people. By the end of his administration, congressional leaders had abandoned him and his programs.

The role of Indians in World War II indicated to some congressmen that the Indians could be integrated into society. As this new view of assimilation grew, the old enemies of Collier worked harder against his programs. In truth, his programs looked jerry-built and were inappropriate to the thinking of the moment. Indian poverty continued. Only when Indians migrated to urban areas did their economic status greatly improve.

In recent times there has been an orgy of criticism of the Indian Reorganization Act. Some of this criticism has used remarkable amounts of presentism. This is both unfair to the participants and bad history. Perhaps the New Deal era, Collier, and his men deserve better than
they have received. For instance, who has researched the evolution of American Indian law in those few years when Felix Cohen worked intimately with John Collier? Furthermore, there has been no great groundswell in the various tribes of the United States to replace the Indian Reorganization Act. Historians, anthropologists, sociologists, lawyers, and others have complained about the IRA, in recent years, in a way that would have been considered nonsensical in 1940. And, in spite of all that criticism, we are examining the first fifty years of the administration of the IRA. With such survival in evidence, we ought to reexamine the strident criticisms while we reconsider this historic period.