CHAPTER SIX

The IRA Record and John Collier

Philleo Nash, Wilcomb Washburn, Robert Burnette, Russell Jim, Earl Old Person, LaDonna Harris, Ted Katcheak

Collier's vision has been realized more than he or most others would have dreamed possible in 1934. Indian tribal governments, however artificial they may have seemed to the Indians who chose them or to the anthropologists who had studied pre-IRA Indian organizations, are now autonomous, functioning political organisms, capable of maintaining themselves against the power of their white neighbors as well as against the power of the states and federal government. In what period of the Indians' existence can the same statement be made . . .?

Wilcomb E. Washburn, Smithsonian Institution

The unique events of two generations, culminating in a crisis of political necessity, catapulted this man into a position of historic importance. He rode to office on the wings of those events. He stood on the shoulders of many who had gone before and made himself into a figure of national importance and influence. But John Collier betrayed us. His autocratic administration and repressive administration damned him before the Indians, creating that fault line in historic estimates of Collier and his works which finally cast him from his seat at the side of the white man's Jesus Christ, where some historians have mistakenly placed him.

Rupert Costo, Cahuilla, president of the American Indian Historical Society
In 1934, the year of the passage of the Indian Reorganization Act, I was in a student party doing research on Klamath Indian Reservation in southern Oregon. We were told by our teacher and leader, "Do not go near the Indian agency, because, if you do, the Indian people will not talk to you." This excited my curiosity. The following year I came back to see what the Klamath Agency was like.

During the first full year of the IRA, I was doing research around the agency and I attended tribal council sessions. The Klamath Agency at that time was small. Many of the old buildings were still in use. I was anxious to locate the tribal records that went back to the early days of the agency, in the 1870s. I found them in the hayloft of an old barn. I spent all of November and December 1935 sorting through the agency records. The archives of the United States had not yet been created, but I managed to get them into a vault. Wade Crawford was the first Indian superintendent. He was one of the very early Indian superintendents whom John Collier appointed on the principle that the Indian people ought to be looking after their own affairs. Crawford was violently opposed in later years and, I think, even then to the IRA.

I was a young anthropologist. Generally speaking, anthropologists have regarded themselves as friends of the Indians and enemies of the Bureau of Indian Affairs. When I became commissioner, Wade called on me, and he said, "I never thought I would ever see you behind that desk." It was clear that he thought that I had sold-out. I said, "Well, Wade, you know, as we get older, we all learn. I learned that this is a place where you can do some good, and I am very happy."

I also said, "Things were not always that good, Wade, when you were the first Indian superintendent at Klamath." I reminded him of those tribal council meetings where individual members voted on whether or not to relieve the timber company of its obligations under a cutting contract. At that time, there was bitterness and mild corruption on the Klamath Reservation.

Let me switch the scene. The Indian group nearest to my boyhood home was the Wisconsin band of the Winnebago tribe. They had never received a chance, as far as I know, to vote for the IRA. One of the first things that I did when I became commissioner was to see to it that they had an opportunity. It was not too late, even after thirty years. The
Winnebagos were desperately poor. These are the people who went to Nebraska with all sorts of promises in the 1870s, became disillusioned, and drifted back to Wisconsin where they became squatters in their own home territory.

Since 1930, when I first started attending Wisconsin Winnebago powwows, I have followed intimately the organization of the Wisconsin band of the Winnebago tribe. In the 1930s, they were unhappy, disorganized, and poor. Today, they are not too happy and are somewhat disorganized, but they have a tribal government, and it is a real government. They have elections, and they have different parties or groups. I am not going to use the word "factions." Although things are not perfect, the Winnebago have gained a sense of identity and organization. They feel that they have a future which is quite different from the pre-IRA days.

I do not agree with two observations made earlier about John Collier. He did not want to separate religion from economics and government. I knew Collier over a period of years: he was not abrasive; he was a soul of kindness and generosity and had a very forgiving nature. He had to push the IRA through a hostile Congress which was not committed to Indian reform. Abrasiveness is in the eye of the beholder; sometimes it is in the skin of the beholder. If you are scratched it hurts. It seems to me that Joseph Bruner, who liked fascism and joined the German-American Bund, received a rather gentle letter from Collier. I can assure you that when I got that kind of treatment, as commissioner, I was not anywhere near that polite.

Furthermore, the economic development programs had their births in the IRA. The chartered corporations and the $10 million revolving loan program were intended to get the tribes into business for themselves and to alleviate some of the terrible poverty. When I became commissioner in 1961, Congress had appropriated only $3 or $4 million for the IRA revolving credit fund. This is one of the reasons why Indian people have a very legitimate gripe against the way in which the United States government does things. Programs are started, and they do not receive adequate appropriations. This leads to frustration. You can lay it at the hands of an over-organized bureaucracy. All I can say is that it is like the old man who approached death. He said the alternative to getting old is much worse. The tribes were dying in 1932, in my opinion.
I would like to elaborate on the apparent contradiction between Collier’s approach to Indian culture and religion on the one hand and his approach to economics and politics on the other. There is no real contradiction. The alternative to involving tribes in the context of the American political system was not that they would remain independent nation-states. It was that they would be extinguished entirely. I do not think there would be a single Indian tribe in existence today if it had not been for John Collier and the Indian Reorganization Act. People like Rupert Costo and others seem to think that the alternative was some ideal form of independent sovereignty, which simply was not in the cards. John Collier knew this. He was trying to save the “grouphood” of the Indian tribes from extinction. The Indian today would be merely an individual in the body politic of the United States but for John Collier and the Indian Reorganization Act.

Most of the critiques of John Collier have simply overlooked this reality. They judge his work against an ideal standard, on the one hand, or against his character, on the other hand. Philleo Nash has contradicted the assumption that he was nasty to people. But even if he was abrasive, even if he was mean to his sons, and even if he was contemptuous with people who opposed him, that is irrelevant. If you judge what he did in terms of the Indian Reorganization Act, he saved the Indian tribes from extinction. There would not have been this turnabout in Indian affairs without Collier. The American Indians would have disappeared as separate tribal entities.

Robert Burnette

I remember John Collier coming to the Rosebud Indian Boarding School and exactly what he said there. I felt like we were being fooled. I was not allowed to speak my language at the Indian boarding school. If we did, we got a whipping. But I did learn one thing: it was how to be real feisty and persistent.

In 1946, I came home fresh out of the Marine Corps. The tribal council was not fully operative at that time. There was a credit committee that approved loans for selected individuals, if the superintendent
gave his approval. Once in a while, the tribal council would meet and the superintendent would record the proceedings. A big rancher by the name of Tom Arnold stood at the door after each council meeting. He paid off the councilmen. They each received three dollars to facilitate the exchange of tribal land.

In 1951, I became a councilman. Three years later, I was elected chairman of the Rosebud Sioux tribe. The Rosebud Fair was taking place, and we had only five Indian dancers that were costumed to dance, from all of the Sioux nation in that area. I wondered, Why are there only five Indian dancers? What was happening to our culture and our religion?

I went back up to the tribal council hall the next day and looked at our Rosebud Sioux tribal code, which comes from the Indian Reorganization Act. There was a law on the books which prohibited the Lakota Indian religion, and there was another law that prohibited peyote. Members of the tribe received a $360 fine or six months in jail for committing either offense. A short time after I became chairman, we were confronted with termination and Public Law 280. We fought tooth and nail to get rid of it. I realized that this all came from a little brown book. It had all the law on the Indian Reorganization Act, and our charter, constitution, and bylaws. I quickly found out what IRA was all about.

I soon discovered that there was another book called CFR—Title 25—Indians. That book really put the harness on us. Not one of the eighteen councilmen—and some of them had been on there since the beginning of it—knew about CFR. That is how well-informed the superintendent kept them.

I also found out there was an Indian affairs manual, and this manual contained the policy of the Bureau of Indian Affairs. It told the employees what they had to do. Being an ex-serviceman, who fought and almost died in World War II, it struck home that I was handcuffed. I could not get a loan from any bank because I was an Indian. It stirred me up something fantastic. So we started a battle that is still going on today.

The Indian people do not have any rights. None of us are able to enter a United States district court and settle our grievances against our own elected leadership. We spent nine years fighting for the Indian
Civil Rights Act. I do not think there is hardly an Indian leader today who realizes that Public Law 280 disappeared because of this act.

The Indian Reorganization Act was a suppressive kind of government. This so-called Self-Determination Act is a deadly weapon against the Indians. It is misleading practically every Indian leader in this country into believing that some day they are going to have an Indian utopia where Indians can make their own decisions. That is not true, my friends. We have endorsed self-determination, not realizing that if we ever attain it there will also be an end to the government’s trust responsibility; and that is something we need to think about.

Russell Jim

Today, the tribes are faced with annihilation and extinction—no different than they were in the days of John Collier. The Yakima nation did not believe Collier was the one that saved Indian country. He does not sit at the right hand of God. But the Yakima nation commemorated Collier because of his perceptiveness.

I fully agree about self-determination being one of the ruses brought on by the federal government. Each and every administration has contributed in one form or another toward the genocide of the indigenous people of this land. For instance, the Yakima nation and a few other timber tribes were lured, in 1977, to Billings, Montana. There, federal officials said, “Five million dollars will be divided among you if you will accept Public Law 93638 in its entirety.” The Yakima said, “We do not need reforestation, and there are only certain portions of P.L. 93638 which we will accept.” Within two weeks, that five million dollars mysteriously disappeared back into the United States treasury.

The Yakima nation had a society that was like a government. We had unwritten rules and regulations. The formulation of Yakima self-government was not easily achieved. Self-government such as the IRA is government proposed by the main stem of society. In our society everything was linked together, and it came from the laws of the Creator. Our unwritten laws are passed from heart-to-heart, generation-to-generation. Whatever the IRA or P.L. 93-638 attempted to do, they were intended to assimilate us into the mainstream of society.
I came on board as a Blackfeet tribal leader in 1954, but I have also acted as an interpreter for the Indian people on my reservation. I cannot go along with the idea that someone such as John Collier came along and saved us. We have had very strong, dedicated leaders who were determined to help our people keep and to hang on to their land. These far-sighted leaders also were determined to preserve our beliefs.

I think the Indian Reorganization Act gave a little more power to the government. According to the old-timers, it was brought to the people with a promise of self-government and the right to administer their own affairs. This sounded awful good to some of our people. But the full-blood people fought against the IRA. They were skeptical because of the many things that had taken place in the past.

Many of my people referred to this law as the Wheel-law. And they said, “We are afraid of that wheel.” Today they talk about this as a wheel that is rolling the opposite way. Those old leaders often confronted Burton K. Wheeler. They said, “What about this law? We do not see how it is working for us, even though it might be working for a few people.” The response often was “I thought that it was going to work for the Indian people, but it has been administered in a wrong way.”

The Blackfeet old-timers have often talked about the vote to accept the IRA. They said that it happened when the majority of people were not there because of bad weather. Once it existed on the reservation, they accepted it. They said, “All right, we are going to have to see what it is going to do for us.” They were informed that after ten years they could either do away with it or change it. The Blackfeet did make amendments after ten years, but the people were still against it. We may have had tribal self-government, but I do not see where it changed in any significant way the previous governments that we had.

Many of my people have wanted to do away with the IRA. But government officials told them, “You must come up with a program or something that will replace the IRA.” They also said that “Other tribes are using it, and we can not do away with it because it is not working right for you.”
We can see that we were not really given self-government. Back in the early 1950s, we wanted to sell a small sawmill. We went to our Bureau people, and they said, "You can not do it." The Blackfeet people responded, "No, we are going to go elsewhere for help." And so, we began to make our turn toward meaningful self-determination.

**LaDonna Harris**

Economic development is not working under IRA because our instruments of government are inappropriate. We could spend lots of money, and it still would not work. We do not have the institutional structure to make it work. In reviewing what happened, I would like to think that John Collier's idea was great, but when it came to being implemented, somebody in the Bureau said, "Okay, what is constitutional government?" And just like they used to do with the old lease agreements, someone pulled out an old constitution and passed it around the country. The Comanche and other tribes adopted it because the Bureau said that is what you should do in order to function. Nobody, including the Bureau, understood how it was actually going to work.

As we became more enlightened and more sophisticated, we realized that this document was not working. We have become mere extensions of a federal government in order to carry out federal programs. We are not governing ourselves in any sense of the word that governance means. Right now, everybody is in turmoil. Those first IRA instruments of government that we adopted never fit to begin with. They did not fit the uniqueness of each of the cultures, and they did not work. This is my perception of what happened to the Comanche. The Comanche said, "Well, we are going to pass this constitution to get white people off our back. Who needs it? We will not use it anyway."

**Ted Katcheak**

I am going to explain how we view IRA in Alaska. In the past our village had a traditional council with no written charter. Decisions were made by word of mouth. The people got together in a place called Passigook. In the evening, when it cooled down, they sat around and talked about the events of the year. They also talked with certain people that had made trouble with the village.
My village has a charter and bylaws under the 1936 Alaska Reorganization Act. Because of that, I am here representing my village. I am also the co-chairman of the United Tribes of Alaska, which was formed last May. How I interpret the IRA or Alaska Reorganization Act in my village is different from the people here in the lower forty-eight.

The Alaska Reorganization Act is the only thing that is left in the village that can speak for the people and protect their land. We really do not have a right to our land now, because the Alaska Native Settlement Act extinguished our aboriginal rights and claims. We have some people living in my village who have been past ARA council members. They still want this act to be in the villages. It is the only tool that can work for the people.

Perhaps there should be an alternative to the IRA. In some areas of Alaska, it does not work. It does not do what it is supposed to accomplish. The people have a lot of different problems. If you can find a meaningful alternative to IRA, I could be happy with some other form of self-government.