Indian Self Rule

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CHAPTER SIX

What Indians Should Want:
Advice to the President

Joe De La Cruz, Philleo Nash, Suzan Shown Harjo,
Oren Lyons, Philip S. Deloria

Existing tribal income simply cannot maintain the standard of living
to adequately maintain our culture. What should we do? If a recom­
mendation is made to the president, it should ask for enough money for
each reservation to honestly provide a standard of living that will support
tribal sovereignty and self-rule. Then, we can proudly say, this is our cul­
ture and we are taking care of ourselves.

Benjamin Reifel, Sioux, former commissioner of
Indian affairs under President Gerald Ford

If a president wanted to do the right thing, he would set up a five or
ten member staff in the Office of Management and Budget. It would
coordinate all federal budgets insofar as they served, or failed to serve,
Indian communities. In addition, this staff would enforce responsibility on
all federal agencies to provide services to Indian communities. It would
review the actions of all federal agencies and propose legislation if they had
an impact on Indian tribes and on the federal tribal relationship.

I would recommend that the president implement a system where
individual tribes plan budgets with the federal government over a ten to
fifteen year span rather than the eighteen month projection that they now
have. Then, discussions of funding capital investments on reservations
would be in the context of when and not whether they take place.

Gary Orfield, Brookings Institution, professor of
political science, University of Chicago
We are suffering under cultural imperialism. In our schools, we have to use books that tell us how the Indians impeded progress, justice, and civilization. We are viewed as savages because we protected our country. I would like an entirely new curriculum developed for our schools, so our children would not have to read those kinds of things.

Edward C. Johnson, Northern Paiute, tribal historian for the Walker River Paiute Tribe

Looking back at the 1930s, I sometimes feel there is a legacy that comes from one of the major cultural events of that era. It is the Wizard’s response in the Wizard of Oz. When the cowardly lion needed courage, he got a medal. When the tin man needed a heart, he got a watch. When the scarecrow needed a brain, he was given a diploma. Recently, I heard a conversation by an Indian staff member in the House of Representatives. It was suggested that “What Indians need now is to build their own bureaucracy.” This is in the same vein as if Indians went to a Wizard of Oz known as the commissioner of Indian affairs and said, “We need our future.” He would say, “You do not need a future, you just need a budget.”

Indian people do have a future. With each new birth among us, we will have a child of promise. We must make certain that all of our children, born and unborn, fulfill their destiny.

Hank Adams, Assiniboine, activist, leader, and writer

JOE DE LA CRUZ

A few years ago, we asked for a meeting with former President James E. Carter. Indian people, with expertise in technical matters and federal Indian policy, had developed papers that we were going to carry to the president. Unfortunately, President Carter never showed up for this meeting, and it seemed that the people he sent in to represent him did not want to listen to us.

I doubt whether any president is interested in listening to the viewpoints of Indians. But Ronald Reagan recently has made an important statement regarding Indian affairs. One of the things he promised was to honor the concept of Indian self-determination. I believe that there are some things in Reagan’s statement that we can pursue to get a proper perspective on federal Indian policy. It is up to the Indian people to take this initiative.
For the last year and a half, as president of the National Congress of American Indians, I have been working with tribal leaders who are members of the National Tribal Chairmen’s Association. We have attempted to cooperate with this administration, and it has been very frustrating. At times, we have felt like fighting with all of our strength. It is very apparent that the president of the United States, even though he signs his name on policy statements, probably does not know that there are still Indians in America. It is very obvious that he does not know that there are Indians in Central America who are human beings.

It is my strong feeling that we have to establish a formal process where Indian people can develop an agenda that defines their relationship to the United States. These formal discussions would also enable us to see where we are going in the future. If President Reagan is truly interested in government-to-government relations, we will be able to make progress.

Not too long ago, people who resided on islands in the Pacific Ocean held talks aimed at redeveloping their relationship with the United States. They have managed to alter the paternalistic relationship that they once had with this country. These people are now in a commonwealth situation. We need to see if we want to go in that direction.

The Reagan administration has issued a statement on self-determination. We need to find out whether the federal agencies that deal with Indian affairs are following this policy. We also must ask Congress, “This is what the President has said; why are you not carrying it out?” Finally, Indians need to educate Congress and the American public about international conventions that focus on the rights of indigenous people.

Phileno Nash

I have advised presidents. Some of them took my advice and some did not. My principle advice to Harry Truman was that he should veto the Navajo-Hopi rehabilitation bill unless Congress took out section nine which would have put the Navajo and Hopi Indians under state jurisdiction in three states. President Truman agreed and he vetoed this bill. Congress later passed similar legislation without section nine.
In the 1960 election, a rather interesting thing happened. Both candidates were asked a series of penetrating questions about Indian affairs by both the National Congress of American Indians and by the Association on American Indian Affairs, and both candidates, in that year, committed themselves to improving federal Indian policy.

President John F. Kennedy was committed to appointing an Indian to head the Bureau of Indian Affairs. And he wanted to honor the provisions of Indian treaties. President Kennedy may have made some campaign promises that were inadvisable. He may have promised more than he could deliver, given the political reality of the country. Indian people do not want campaign promises. They want commitments that are obtainable.

We must recognize the symbolic importance of Indian treaties and the fact that they are part of organic law. Treaties are documents of great importance. They represent historical tradition and remind us of previous commitments. Presidents, Congress, and the courts are obliged to deal with the numerous and important organic acts in Indian affairs as serious documents.

President Kennedy did not give Congress a special message on Indian affairs. Instead, he had Secretary of the Interior Stewart Udall create a Task Force on Indian Affairs. I was a member of that task force. In our report, we recommended that termination should be ended. President Kennedy gave his stamp of approval to this recommendation, and subsequent presidents have not altered this policy.

I do not think that it is appropriate any longer for non-Indians to offer advice on behalf of Indians. But presidents that think they can get along without advice on Indian affairs will find out that they have made a serious mistake. It is a very important matter to listen to the viewpoints of other people. Presidents of the United States, for a long time, have been tested by where they stand on Indian affairs. It is an acid test, because other great moral and ethical issues are connected with the guilt that Americans feel about Indians. Indian people have traditionally looked to their "Great White Father." This is something that we can make fun of, especially when we watch western movies, but it had profound implications in the past, and it still does. I believe every president of the United States knows that.
I believe that there have been significant changes in Indian affairs in the last few years. The take-over of the Bureau of Indian Affairs was important. The politics of confrontation by what had been a docile and passive minority group was a considerable eye opener, shock, and awakening. Not long after the episode, the OEO began to strengthen its funding.

The American Indian Policy Review Commission's report was historic. It was similar to the Presidential Commission on Civil Rights set up by President Truman. The commission dealt with the issue of sovereignty directly and confrontationally. It resulted in a loss to Congress of both chairmen on the Interior Subcommittee on Indian Affairs.

It should not be too surprising, after the occupation of the BIA headquarters and the political aftermath of the commission report, that we do not have any chairman of the Interior Subcommittee on Indian Affairs. This committee goes back to the early days of the Congress. It has been a hard hitting committee that dealt with significant issues. Today, nobody wants to be chairman of the committee. This gives me an ominous feeling with regard to the future.

For better or for worse, I think the situation now exists where there could be the termination of the Indian Bureau. Historically, the commissioner of Indian affairs, the secretary of the interior, and the president have been instrumental in forming executive leadership in Indian affairs. Today we do not have a strong head of the BIA. We also lack the congressional leadership on Indian affairs committees that is necessary to formulate policy with the president and his staff. There is a floundering going on, and I do not see how it could be otherwise.

Indian tribes may be already a little further along than they think they are towards self-determination. This comes at a time when a weakened, demoralized, and nearly all Indian Bureau of Indian Affairs is more ineffectual and disappointing than it has ever been in its history. Indian people, their leaders, and their organizations must decide what to do about this situation. I wish you well. But I have a feeling of chaos, indecision, and fragmentation. I think 1986 is going to be a watershed year. I hope that you are successful.
The only president who has ever known me was James Carter. I gave him advice concerning the advisability of having a meeting with traditional Indian elders and leaders. Instead, we met with Vice-President Walter Mondale. I promised that this meeting would last one-hour-and-a-half. It lasted three-and-a-half hours, and that was the last advice I ever gave a president.

My advice to President Ronald Reagan is to get out of town quick and do not fire any of the dim bulbs on your one-watt administration. Otherwise, we might have some light rather than heat brought to Indian policy, and we do not want that to happen. I believe that it would be very helpful to end the war against poor people that is underway by this administration. The president should also stop the confrontational policy towards our neighbors to the south and the destructive activities in relation to the environment and should adopt a positive public policy toward women. Furthermore, Reagan should halt the campaign from his office to convert the nation to Christianity. The president should follow the advice of Mark Twain who asked the missionaries to “leave the heathens alone and convert the Christians to Christianity.”

President Reagan should also attend to other matters. He should adopt a conciliatory posture toward nuclear disarmament even though the reservations are not targets for annihilation. It would be nice for the president to set aside a day to honor Martin Luther King, especially as we approach the twentieth anniversary celebration of the poor peoples’ march on Washington. I hope that the president will become serious about his policy to consult with Indian governmental leaders. I would order his staff to implement the part of the Indian Reorganization Act that requires the secretary of interior to advise tribal governments about the budget. President Reagan should call a moratorium on the budget cuts that are being proposed for Indians. He should stop trying to force Indians into negotiations on resource issues that need not take place at this moment. Finally, the president should issue a proposed executive order on Indian religious freedom.

I would like to comment on a point that has been made regarding the jurisdiction of the Indian Affairs Committee in Congress. For many years there were Congressional standing committees for Indian affairs.
Since the 1940s, the House Indian Affairs Subcommittee has handled these matters. In the early 1970s, serious problems arose because a chairman of the subcommittee had abused his position. Morris Udall, the chairman of the Interior Committee, talked to a number of us. He proposed a plan to handle Indian affairs within the committee as a whole rather than have an irresponsible subcommittee. Udall persuaded a number of people on the Interior Committee to floor manage individual bills, which relieved him of the burden of handling all Indian legislation.

For about ten years, I have advocated the idea of having a joint Senate and House committee that would not legislate but oversee Indian affairs. This would be successful only if there was a comparable jurisdictional set-up within the executive branch of government. As long as there is confusion in the executive branch, there will necessarily be jurisdictional confusion within Congress about how to handle Indian affairs. On the other hand, we do not want a committee that oversees Indian policy that is made up of people who do not really like Indians.

OREN LYONS

I am not afraid of a direct discussion of Indian affairs. Our traditional people have been giving advice to various presidents for sometime. We are concerned about the process of termination. Treaty rights have been ignored, and jurisdiction for Indian matters has moved down from the federal to state level. If this process is not stopped Indian tribes eventually will wind up as a municipality of some county government.

The Iroquois always talk about their treaties. There are 371 treaties. Today, we are faced with legislation that attempts to serve all the interests of these different entities. It is obvious that this approach does not work, because there is too much variety in tribal self-government.

There are serious problems today associated with economic development on Indian land. Many Indian nations look like Las Vegas. Why does Indian economic development have to revolve around gambling, bingo, and the sale of cigarettes and firecrackers? This kind of negative economic development results in twenty or thirty people fighting for a
piece of the pie. It is based on quick profit with no concern for the effect it will have on Indian communities. In my judgement, this kind of tribal economy has harmed the Seneca and other close relatives. People have become very angry. There are bitter discussions about who is to get money. This is the unfortunate reality today on Indian land.

President Reagan has proposed that we should welcome further economic development. From past experience, what he means is “Open up your door and we will step in. Then, we will show you how it is done.” Before long the house is empty, and the Indians are standing there wondering what happened.

The development of nuclear power threatens Indian people. In New Mexico and Arizona, where mining has taken place, Indian people are dying from exposure to radiation. My good friend, Larry Redshirt died of a broken heart and overwork when his wife aborted because she lived in an area where nuclear waste got on rabbits, the food, and everything else in the open pits. She twice delivered malformed children. That is another reality today on Indian land.

The Iroquois believe that a high level presidential commission should be created so Indians can sit down and really talk about a fair settlement of their land claims. The American people must understand that Indian people are not going to take money in lieu of lost lands. What Indians want is some of their land back.

Why are the American people so apprehensive when Indians talk about land claims? It is because they know they are all sitting on original Indian land. But would not everyone be happier if we resolved this issue? Given the international problems that we face, it would be much better to be allies than adversaries fighting on our home front.

Indian nations are intelligent. They can hold their own in any discussion of how to settle land claims. So, let us find a way to expand Indian territory. Indian nations would then be secure and their children would have a future. Our chiefs worry about what its going to happen when they are dead. They wonder, who is going to protect our children when we are gone?

The Iroquois want to continue as separate nations. We do not want to be like other Americans. We are proud of our culture and think that we can enhance your life. Indians and non-Indians can be friends and work together. We must talk to our congressmen. We have to tell the
president of the United States, “This is enough!” Let us clean up our own house before trying to save the world.

I am worried when President Reagan says, “Well, the devil made me do it.” We have faced this philosophy before. The pilgrims talked about the same thing. They said, “You Indians are devils!” So, when I hear a president calling the Russians “devils,” I ask what does that mean? We have had experience with that kind of rhetoric. It means trouble, and we must get beyond that kind of thinking. The future is in the hands of the American people.

**PHILIP S. DELORIA**

I would like to identify some issues that might be worthy of consideration by Ronald Reagan or any other president. From my brief experience in helping to found the World Council of Indigenous Peoples, I learned that a fundamental issue is the relationship between industrial societies and tribal peoples. All around the world, village and tribal people are seeking to hold on to their land and their identity, but they are being forced off the land and into cities because of the needs of industrial societies. The economic promises that are implicit in plans for world development simply do not have the arithmetic to back them up. There are not going to be enough jobs created in light industry to employ everybody in Rio de Janeiro, Mexico City, or other large cities that are absorbing tribal and village people. In many respects there is a time bomb that is ticking.

That leads to some fundamental issues that have to be clarified for American society. In America, as I see it, the conflict has never really been between cultures. Those clashes have been only surface manifestations of a deeper problem. The real issue in this country has been over the control of land and natural resources and the relationship of Indians to the economy.

Historically, Indian policy has been largely bipartisan. For example, both termination and self-determination received bipartisan support. It is not going to be enough for both candidates in the next election, or the election after that, to make the same kind of campaign promises about self-determination and respect for treaties.
From recent Supreme Court opinions, it appears that the fundamental view of this society is that Indians do not belong in this economic system and their resources should be used and developed by somebody else. The Supreme Court has now invented the notion that federal agencies have a trust responsibility to their constituent groups that is comparable in the law to the federal trust responsibility for Indians. This is an astounding and drastic judicial viewpoint. It deserves a great public outcry.

The tools for the solution to many Indian problems already exist. The will and the spirit of Indian tribes must be harnessed to bring about political and economic advancement. And Indian communities have to realize that they are the only ones that can decide how to do this. The federal government also has the tools to coordinate the federal resources available to tribes, in order to achieve economic results. But the bipartisan will to do this has been lacking. Neither political party has had its feet held to the fire. They still think that Indians are willing to settle for platitudes.

The Carter administration, in my experience, was constantly in a state of public embarrassment. Whatever it did with respect to Indians simply added more embarrassment to an already humiliating four years. The Reagan administration seems to lack the capacity for embarrassment. This indifference to criticism greatly effects our strategies for changing the policies of this administration.

I agree that we should ask President Reagan to stop his war on poor people. But he did not stumble into that war and the poor people did not attack him. Officials in the Reagan administration made a calculated decision to follow this course of action, and they are not embarrassed about it. Until there is a strong public consensus in this country which says that the nation will no longer tolerate such a public policy, Indians will continue to pay the price of poverty for continuing to be Indians. Reorganizing the Bureau of Indian Affairs is not going to have the slightest effect on ending this war.

The basic issue that Indians face is are we going to use our own resources, or is somebody else going to use them? The answer, for the last two hundred years, has been very clear. Somebody else is going to use our resources. I do not see the slightest indication that there is any
demand for this process to change except from Indians and a few of our friends.

We showed, in response to the termination policy, that we can lobby very effectively against something. Our record since that time of demonstrating that we could lobby effectively for something has been less dramatic. There is an apparent absence of a will in the American political community to find a solution to our problems. So we must define the answers ourselves and keep pushing until something begins to happen. But we still will need public support. I am not ready to say what Indians want in specific details. But, in general, it is clear that Indians do not want to be poor anymore. The economic and political issues involved in the control of our resources are paramount and are most often ignored in the federal policies. There are still vast resources in the government to help us, but they are not being mobilized and targeted by federal officials.

Since the early 1970s, tribes have begun to face the need to act as governments that regulate and tax. In the process, we have created a set of issues with respect to federal, state, and municipal governments that were beyond the wildest imagination of people twenty years ago. A whole new set of issues has to be confronted. It involves the development of institutions and the implementation of political philosophies in a very short time. That is an almost impossible task, but we are going to have to do it. In order to be successful, we must stave off attempts to interfere with and abolish our governments.

Nobody went in and abolished the city of Cleveland when it almost went bankrupt under the direction of a youthful mayor. But tribes are constantly faced with the reminder, that in the view of much of the society, we are transitional governments. This makes it very difficult for us, over the long haul, to implement plans. We can not make even one percent of the false starts and the mistakes that every other government in this country is entitled to, as a matter or right, because they have a permanent existence.

Most people are not aware of the enormous growth and power of the Office of Management and Budget in the federal government. It no longer just deals with management issues or adding up numbers and giving them to the president. The OMB is a major policy-making force in America. Every person that works for OMB, in theory, speaks for
the president. The levels at which Indian policy questions are decided in the OMB are so low that no one who is appointed by the president even knows they take place, unless they are very major issues.

The OMB is an unaccountable bureaucracy that essentially has the freedom to impose its policy preferences on Indians. There is no due process or access to policy formulation on the part of Indians. This situation happens in every administration.

We must find a way to break through that bureaucratic barrier and establish the permanency of Indian societies and governments in this system. This must not be done at the price of our continued poverty. We have to discover how to work our way out of poverty and still be permanent. That involves a conceptual framework that simply has not been developed, and we have to do it very quickly.