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OUR INDIAN PROBLEM

I—THE DELUSION OF THE SENTIMENTALISTS

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ARE we doing our duty by our predecessors and wards in this fair land, the Red Man? An Indian Commissioner claims that the Indians are the most favored class of our people, for they are both our wards and our citizens. Many Indians are enjoying opulence from the proceeds of oil lands operated for them. Who would wish to plunge them back into a Stone Age civilization? The real and serious need is for less sentimentality and more information regarding the problem.

IF SOME sentimentalists had their way, Indians of the younger generation, products of our American education and civilization, would go back to their old picturesque dances and worships. Few of us have any notion of what the problem involves.

The average citizen of these United States, when he hears mention of the American Indian, experiences a vague feeling of mingled guilt and sympathy. These emotions, though he does not know it, are probably the result of a childhood reading of Helen Hunt Jackson's story of the woes of *Ramona*.

Dimly he imagines the once care-free savage, robbed of his ancestral heritage, pent upon a reservation,—which he envisages as a sort of stockade,—there to die in all his native nobility. The real story holds no such motion picture possibilities. It is quite as dramatic, but lacking in those crudities of dead black and spotless white with which we like our moral tales to be adorned. Instead of villain and saint, white man and red alike have been rather the instruments and victims of an irresistible movement of world population.

A hundred and ten millions have overspread the land where four hundred years ago some three hundred thousand natives scratched a scanty living from the soil, tramped about in search of wild berries and nuts, or tracked wild game. There must have been vast solitudes across our great country; for the moccasin leaves no wide track, and the horse was unknown until the coming of the European.

In a word, America was in the Stone Age when the Spaniard's flag was planted on the beach at San Salvador. But that Age vanished at his approach; the horsemen that to the wondering native seemed a single entity, the guns puffing magic, the mystery of shining sail and gleaming sword, were all symbols of the transformation of the world he must henceforth share with an alien folk. We, children of the white race that carried out the mandates of fate, and the Indian descendants of those who met its decrees with fear or with fighting, are today alike inheritors of the rich resources brought forth by the industry and invention of the dominant race from soil which the savage barely touched.

But there is a difference in the way of obtaining our inheritance. You and I, of the white race, must work for our share of America's riches. With the Indian, paternalism has long been the order of the day. Mrs. Jackson would find her *Century of Dishonor* supplemented by more than forty years of protecting care. Today she would find the Indian richer in money, and far better endowed with land, man for man, than the white; she would find him provided with educational opportunities of wider scope than the public generally; she would find a hundred evidences of his position as the favored child of the nation,—with both the advantages and disadvantages belonging to such a status.

The changes wrought in the past are irrevocable. Could we efface America's millions, restore the buffalo and the unbroken prairie, the deer in the trackless forest, the Indian of today would be the first to protest. Without horse or gun, without the use of metals or other than the rudest of implements, he would be helpless as any of his white brothers in such a case. If we have wronged the Indian by what we have taken from him, we can not right the wrong by taking from him what our civilization has given him.

Today we are wronging him, perhaps, in another way,—by mistaken kindness, by too enveloping a care. The Indian problem embraces a hundred deep and hard problems, which we would rather solve with an easy generosity and a warm sentimentality than by undertaking the really difficult task of judging that is necessary. The hundred different languages, the differences of original occupation and character and of contact with the white race,—these are all considerations which serve to complicate a matter that has never been simple at its best.

On your next transcontinental vacation turn aside into Oklahoma. Visit the North Fork of the Canadian and see the so-called "Mexican" Kickapoo trying to cling to his old wild life in his smoky wickiup of reed mats and saplings. See his near neighbors, the Sac and Fox, learning ways of peace and pleasantness, amidst broad fields of cotton and corn, neatly kept houses and fences testifying to their progress.

As you go on and on into the west, to the beautiful but barren country men call the desert, you will find the Pueblo or village Indian living in his communal houses, his life little changed since the days of the Spanish conquerors; then the Apache, restrained from his old life of thieving and marauding and not yet reconciled to industry and cleanliness; the Navaho, living a pastoral life whose keynote is the sheep the Spaniard brought them; the Pima, quietly farming a bare dry country in primitive fashion. So the picture changes from day to day, a new set of problems with each tribe. Desire to relieve the poverty of the Papago, contends with disgust at the havoc wrought by wealth among the Osage; pleasure in the communal life of the Hopi is diluted by the disappointment of seeing a husky young Plains Indian devour the rations issued to his destitute grandmother. Each impression gives a new light; the more we see, the less ready we are to pronounce with solemn finality a single decree to untangle so vast a network.

The great result of the public discussion aroused by Mrs. Jackson forty years ago was the Dawes Act, passed in 1887. This provided for allotment in severalty, by which is meant the division of the reservations upon which the Indians lived, assigning to each man, woman, and child, an individual portion. The size of these allotments varied; but of farming land the usual

quota was a hundred and sixty acres. An Indian family of even moderate size would thus find itself in possession of a considerable estate.

But individual ownership of land was a difficult concept for the Indian mind. He has readily made treaties to give away vast territories, because he had never appreciated them as an exclusive possession, nor fancied that the purchaser would take any such view. The right of occupancy was all he knew; and that a tribal rather than a personal perquisite. At this distance of observation the treaties between the Indians and the original settlers seem amazingly childlike on both sides; each reading into the compact his own idea of property rights, and neither having the slightest comprehension of the other's view.

So, for the purpose of developing the Indian's knowledge of private property, it was provided that he could not sell or mortgage his land for a period of twenty-five years. For a quarter of a century the United States would be his trustee, guarding his rights while he, it was hoped, would be learning to assume the responsibility for himself.

As a means of teaching him to take up responsibility, the Act provided that every Indian receiving an allotment should by that fact become a citizen of the United States and amenable to its laws and to the laws of his State or Territory. By helping as a citizen to govern others it was hoped he would learn to make wise disposition of his own affairs. The change was a real and vital one; and throughout the next eighteen years allotment proceeded vigorously.

An incidental effect of the new status brought about a change in public feeling on the matter. It had long been recognized that intoxicating liquors had a peculiarly devastating effect upon the red man; many a treaty and law had forbidden their sale to Indians or their introduction into Indian country. But what might be forbidden to the member of a tribe could not legally be withheld from a citizen of the United States. In 1905 the United States Supreme Court decided that there could be no restriction upon the sale of intoxicants to citizen Indians.

The consequent reaction of feeling brought about the passage, the following year, of the Burke Act, which bears the name of the present Commissioner of Indian Affairs, then and for some

years Chairman of the House Committee on Indian Affairs, and for forty years a dweller among the large Indian population of South Dakota. This Act was a recognition of the fact that feeling had raced ahead of actual conditions in the granting of complete citizenship. Once granted, that boon could not be rescinded; but for Indians allotted after the passage of the Burke Act it was provided that citizenship should be withheld during the trust period, to be granted with the patent in fee when events should prove the Indian's competency to exercise such rights.

In spite of this withdrawal, two-thirds of the Indians of the United States are now actual citizens. The list includes all those receiving allotments between 1887 and 1906; their children, born to citizenship; those receiving competency certificates under the Burke Act; and many made citizens by special acts, as in the case of the Osages and the Five Civilized Tribes,—Cherokee, Creek, Choctaw, Chickasaw, and Seminole. The wide-spread impression that the Indian is denied citizenship is true of only the minor portion; and true in their cases only through the desire to protect them from harm.

But just as your minor child, though a citizen, must have a guardian to represent him in business, so the Indian, courts have decided, may be both citizen and ward. And the United States Government represents him as guardian and trustee, as long as restrictions remain upon his land and his funds are held in trust.

From this has grown up the leasing system, with results both good and bad. To the credit of governmental supervision we may place the management of the oil properties that have poured wealth upon certain of the tribes. It is the Indian released from guardianship who has fallen a prey to grafters and exploiters. Many a red man personally unfitted for the simplest business matters is in receipt of an ample income through the diligence of some superintendent or clerk whose salary would scarcely keep the Indian ward supplied with gasoline for his Packard.

On the other side of the ledger we must place the leasing of farm lands from their Indian owners; so that instead of the races of farmers hoped for by some ardent friends of the Indian, we have instead tribes of landed proprietors, living upon the rental of their estates, free from the labor of farming and even from the trouble of managing their affairs. In the case of old and

ignorant Indians this management is a necessary charity; but for young and able-bodied men and women, educated and accustomed to contact with their white neighbors, it is a mistaken kindness; for it discourages the sense of responsibility we should most wish to develop. The Indian will not stand on his own feet so long as we are holding him up.

It is unfortunate that all the interest which has been aroused during the past few months should have been centered upon a situation so intricate and so unique as that of the Pueblo Indians. The legal status of any tribe is such as to puzzle the lay observer. The legal status of the Pueblos has puzzled even the Supreme Court of the United States. It goes without saying that those who have taken up the matter so vociferously have been blissfully unaware of the underlying factors and the real issues involved. A volume would not suffice to relate them. It is enough to say that the title of each Pueblo to its land rests on Spanish and Mexican grants antedating the authority of the United States; that this was for many years construed to mean absolute ownership by each Pueblo, free from wardship; that an early decision of the Supreme Court held that the Pueblos were not Indian tribes in the meaning of the usual laws applying to Indians; that the courts of New Mexico have uniformly held the Pueblos to be citizens; and that finally, eight or ten years ago, a Supreme Court decision in a liquor case declared Pueblo lands to be "Indian country," thus reversing previous decisions and throwing a cloud upon land transfers made by the Pueblo governors on the basis of their hitherto undisputed tribal ownership.

Add to these complications the fact that the surrounding population is a poor, untutored, non-English-speaking people loosely called "Mexicans," though American citizens for two or three generations, people who have lived beside the Indians believing in the right to possess what they or their grandfathers purchased, and you have the framework of a situation full of even yet unguessed potentiality for misunderstanding and confusion.

It was these difficulties that the Bursum Bill was designed to meet. The cloud of obloquy that enveloped that measure was out of all proportion to its errors and inadequacies. There was never a time when proper and well-considered amendments could not have been made to it; its main provisions were not at

all vicious, and there was every possibility of ironing out its mistakes and dangers.

But instead of judicious consideration there was hasty and emotional attack from all quarters. On the principle of the Donnybrook Fair, attackers took aim at every head in sight. The result, heralded as a vast victory, has been to make action impossible in one Congress and far more difficult for the next. Meanwhile the confused and vexing situation remains the same. Far from being "saved," the Pueblos are merely perplexed and prejudiced over a situation too deep and difficult for the Indian mind to grasp. The net result to the public has been a hysterical apprehension that some dark and sinister influence is at work to destroy the Indian. This is so mistaken as to be almost laughable; but it promises great hindrance to future attempts to apply intelligence instead of sentimentality to Indian questions.

While uniquely situated with respect to land and legal status, the Pueblo Indians have shared with all the other tribes the benefits of free education in the schools which the government has been developing throughout the past half century. There is open now to practically every Indian child who will avail himself of it, the opportunity to attend school until he has completed high school work, with the addition of instruction in some occupation or trade designed to make him self-supporting; and during all these years, to receive without charge not only instruction, but food, clothing, and shelter as well. To the white child from a poor home this would seem beneficent indeed. No Indian boy or girl is ever withdrawn from school because he must go to work to support himself or aid the family.

Life would seem to stretch out rather attractively before an Indian lad. The government physician or field matron has had a kindly eye upon him even before his baby steps have turned to the day school that gives him his first lessons in the white man's language and the white man's ways. A little later, the reservation boarding-school; still later, the big non-reservation school where he is fed and clothed and taught and prepared for a future usefulness; where in work and play he enjoys a range of opportunity such as falls to the lot of only the more favored white boy. And while he is thus cared for, his land and moneys are the special care of his guardian, the United States of America.

So he emerges upon manhood, well cared for and well trained. If he wishes to work in the towns of the white man, his placement in industry is a matter of government concern. If he wishes to go back to farm his allotment, there will be government farmers to aid and encourage him. Or he may, alas, succumb to the lure of idleness and live indolently upon his lease moneys. The danger to the young Indian of today is not the old bugaboo of "going back to the blanket," but the danger that surrounds any boy whose circumstances are just a little too easy to supply the necessary incentive to effort.

But such a picture is not the sort of thing we have been led to expect by recent heart-rending pleas to save the Indian. These vague but vociferous denunciations make thrilling newspaper reading, but, sifted out, pay very small dividends of fact. From reel to reel the relentless villain pursues the beautiful maiden; she is ground beneath the iron heel of bureaucracy; she is rent by the cruel fangs of rapacious officials; the dogs of the slave-trader are close upon her. Finally in the last reel appears the handsome hero, in the guise of the paid publicity agent of a committee of well-meaning but ill-advised ladies. With a commanding gesture he turns back the pursuers, clasps the maiden to his manly bosom, and all is well. The enraptured audience breaks into mad applause, and again is celebrated the triumph of sentimentalism over intelligence.

Joking aside, any one who would compare Indian conditions with those of the Belgian Congo, as has been done in the course of this fervid controversy, is indulging in the maddest of misrepresentations. No one denies that wrongs have been done to the Indian; still less is it denied that errors of judgment have been many and lamentable. But such violent overstatement as this throws doubt less upon the motives of the person attacked than upon the sanity of the attacker.

The real and serious need is for less sentimentality and more information. If we really wish to help the Indian we must know something about him. We need not play medicine man, shrieking incantations into the ear of the patient and maddening him with the din of our tom-toms. The wise physician prefers intelligent inquiry, careful diagnosis, and the prescription of well-tested remedies. We should use our brains instead of our lungs.

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II—THE FOLLY OF THE OFFICIALS

MARY AUSTIN

A DISTINGUISHED author who has devoted years of study to the Indian claims that our Indian Bureau is a shameful record of bureaucratic inefficiency. The whole tendency of Indian Education as now practiced is to destroy the essential quality of the Indian and to make him of rather less social and economic account than what we are getting in shoals at Ellis Island. The Indian culture that gave us corn and an original architectural type must not be destroyed.

THE Indian problem is of world dimensions. It is the problem of Canada and of every South American State, it is the chief internal problem of Mexico, it is the problem of Turkey in Armenia, of Japan in Korea, of England in Egypt and Palestine, of all European powers in Africa. Why should not our country, rich and at peace and crammed full of executive talent, work out a solution of that problem, which we can hold up to the perplexed other nations as a model? It is the growing disposition to turn inward and attack our own problem before we project ourselves into European affairs, much more than it is a disposition to criticise the Indian Bureau that is behind this movement.

To any one at all familiar with the Indian Problem, Mrs. Seymour's discussion of it is of itself a clear exposition of the reason why it has finally become a problem of national importance engaging the acute attention of the more intelligent citizens, and particularly of the three or four million women making up the Federated Women's Clubs. For the first thing that appears in Mrs. Seymour's statement is that she is totally uninformed as to the relation of the thinking citizen to the Indian question, and only shallowly acquainted with the Indian himself.

She begins by assuming that the average citizen derives his information and his accusing attitude toward the Indian Bureau from the reading of *Ramona* written forty years ago by Helen Hunt Jackson. Miss Jackson's publishers could also have told her of another book by the same author, called *A Century of Dishonor*, one of the most shameful records of Bureaucratic inefficiency ever made in this country or any other, and so authoritative that Mrs. Seymour does not even attempt to deny it, being