

## Excerpts: Native American Testimony

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Combat between whites and Indians in North America falls into three major periods. The first saw the tribes resisting the rapacity of the Spanish, a sequence of hostilities that began shortly after the arrival of Columbus ... Overlapping this warfare in the Southwest was the incredibly complex period of incessant hostilities east of the Mississippi among the English, the French, and a multitude of Native American peoples, beginning with the Virginia uprising in 1622 and ending with the close of the War of 1812. Finally came the Indian efforts to hold off domination by the United States, starting with a series of wars in the 1790s and ending symbolically a century later with the tragic massacre at Wounded Knee in South Dakota.

...

During the Colonial era the British, French and Spanish used the new continent as a battleground for their Old World rivalries. Wise Indian leaders sensed the danger of being swept into this power struggle. "Why do not you and the French fight in the old country and the sea?" the Delaware chief Shingas asked the British in 1758. "Why do you come to fight on our land? This makes everybody believe you want to take the land from us by force and settle it." (The British later considered Shingas such a threat that in 1775 their General Braddock offered a 200-pound bounty for Shingas's scalp, along with five pounds for the scalp of an ordinary warrior.)

... Pontiac, an Ottawa chief from what is now the state of Michigan ...

Together with a Delaware Indian seer known as "the Enlightened," Pontiac formed the greatest alliance of fighting tribes since King Phillip's confederacy of Indians had fought the New England colonists in 1675. The war he started in 1763 spread like wildfire across the Ohio Valley, but when his followers learned that France and England had secretly concluded a peace treaty, Pontiac's conspiracy collapsed. ...

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During and after the Revolution, the United States took revenge against England's Indian allies. In August 1779, American troops launched a "scorched earth" campaign, burning to the ground forty Iroquois towns. Thereafter, among the Onondaga, Seneca, and Mohawk, George Washington was known as "the Town Destroyer." The tribes knew they were no longer warring to preserve political independence as had seemed to be the case in the 1760s. Now they were defending themselves against annihilation.

In 1789 the United States War Department was created, in part to handle all Indian matters. When a separate Bureau of Indian Affairs was established in 1824, it remained under War Department control. ...

The United States wars with the Indians concentrated on three major fronts: (1) 1790-1832, the northeast wars, where American forces subjugated the remaining nations who had befriended the British; (2) 1840-1887, the southwestern campaigns across Arizona, New Mexico, and northern Mexico to vanquish the Navajo and Apache; (3) 1849-1892, the western Indian wars, a series of desperate clashes from Texas north to the Canadian border and westward to the Pacific Ocean.

... in the latter half of the nineteenth century, repeating rifles, constant troop replacements, and the contributions of Indian scouts tipped the balance in favor of the American soldiers. ...

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... 1675 ... Led by King Philip, himself a Wampanoag, the tribes waged a six-month campaign against white settlers, a war that represented the first major Indian effort to mount a multitribal offensive.

...

On the military scoreboard the Indians enjoyed a few short-lived successes, including Opechancanough's 1622 rout of the Jamestown settlers; the 1680 crushing of the Spanish rule in the Southwest by the united Pueblo tribes; Little Turtle's crushing of General Arthur St. Clair's American troops in the Ohio valley in 1791; Little Crow's surprise attack on Minnesota pioneers in 1862; the victory of Red Cloud in 1868, when the use of the Bozeman Trail, which ran through Indian-held territory guaranteed by treaty, had to be abandoned; and the annihilation of General George A. Custer's command in 1876. But the Native American was never able to follow up on such successes; ... In the end the Indian was simply outnumbered as well as outarmed. Warfare against the whites was at best only a holding action. Native fighting prowess was judged finally by how long a tribe could prolong its retreat or delay its surrender. [1]

...

To the Indian the practise of drafting a written agreement to settle political and territorial disputes was alien and unfamiliar, and as a result, it was used against them to great advantage. As Red Cloud, the Ogalala Sioux leader, recalled, "In 1968 men came out and brought papers. We could not read them, and they did not tell us truly what was in them. ... When I reached Washington the Great Father explained to me what the treaty was, and showed me that the interpreter had deceived me."

At first ... During the period of New World colonization, the warring European nations used treaties to bolster their forces with Indian auxiliaries. As the white population grew, however, and Indian power waned, the documents became thinly disguised bills of sale, transferring ancient tribal lands into white hands.

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The legal basis for making treaties with the Indians was established as early as the sixteenth century by lawyers for the Spanish court. Although vast portions of the New World were claimed by the conquistadores, Spain still felt the the Indians enjoyed some vague "aboriginal title" to the country. Ideally the king's envoys were to obtain the "voluntary consent" of Native Americans before usurping their lands. Other European and American legalists also granted the Indians a "right of occupancy." ... By the mid-eighteenth century, treaty making was standard operating procedure for getting what one wanted from the Indians.

The young United States government negotiated its first Indian treaty during the Revolutionary War, wringing from the Delawares a 1778 pledge to help in the resistance to the British. (... over the next century the Delawares signed a series of eighteen treaties that would leave them entirely powerless and dispersed from Canada to Oklohom.)

... between 1853 and 1857, Congress ratified fifty-two treaties by which tribes living in Idaho, Oregon, and Washington lost 157 million acres.

By this time, treaty making had degenerated into a hollow formality for inexpensively obtaining what would otherwise have cost a military expedition to seize, and for conveniently removing Indians to backwater reservations, where once confined, they could be schooled in the ways of white American civilization. The last of the 374 treaties with Native Americans was signed in 1868, forcing Chief Joseph and his Nez Perce followers to move from their beloved Wallowa Valley in Oregon because gold has been dicovered there. ...

On March 3, 1871, Congress formally ended what Andrew Jackson had dismissed as "the farce of treating with Indian tribes." In passing that year's Indian Appropriation Act, it tacked on the stipulation that from then on, "No Indian nation or tribe within the territory of the United States shall be acknowledged and recognized as an independent nation, tribe, or power with whom the United States may contract by treaty." ... Thereafter the United States government made "agreements" and passed laws - about five thousand by 1940 - for dealing with Indians.

... the treaties were transacted on the premise that both parties were equal, sovereign nations. The government wants to

avoid debating that premise and instead clear up all outstanding treaty disputes through its Indian Claims Commission and by means of cash settlements. A growing number of Native American nationalists are, however, highly critical of cash payoffs. And they want to preserve the unique, political status that distinguishes their tribal communities from other ethnic groups. ... "For as long as the grass grows and the rivers run." [2]

President Thomas Jefferson had argued that assimilation was the only moral course. But in 1803, the year the United States acquired the Louisiana Purchase from France, thus gaining that vast expanse of land stretching from the Mississippi River to the Rocky Mountains, even Jefferson suggested that perhaps the Indians might be "safer" if relocated in this new territory.

Over the next forty years ... policy of removal would reign. Of all the treaties signed with the Indians, none had such anguishing consequences as the seventy-six prescribing wholesale emigration as the final solution to the Indian problem. During the period of intensive removals - from 1816 to 1850 - over a hundred thousand Native Americans from twenty-eight tribes would be deported west of "the Great Waters" (the Mississippi). ... Warfare between them and the western Indians over shrinking food supplies broke out as early as 1816.

The southeastern removals began about 1811 when a trickle of Cherokee from Tennessee were persuaded to resettle. ... Cherokee, Choctaw, Chickasaw, and Creek - had responded to President Jefferson's earlier advise to assimilate. Proud of their recently drafted laws and constitutions, their trimly tilled fields, and well-bred herds, their slaves, grist mills, and missionary schools, they were successfully emulating white culture while giving it an unmistakably Indian cast. Yet no matter how well the Civilized Tribes blended white and Indian worlds, the federal government began caving in to state pressure to remove them all. ...

Shortly after his inauguration in 1829, President Andrew Jackson ... publicly refused to honor federal treaty obligations ... In the spring of 1830, Jackson's Indian Removal Act was finally passed by Congress. ...

Digging in against removal, the Cherokee quarrel with the state of Georgia went all the way to the United States Supreme Court. In 1831 the tribe finally won an unequivocal acknowledgement of their status as an independent sovereign nation. In the historic opinion of Chief Justice John Marshall, the "acts of Georgia are repugnant to the Constitution ... They are in direct hostility with treaties ..."

The Cherokee resistance to removal was tirelessly led by a part-Cherokee named John Ross. Ross and his followers refused in 1835 to sign the illegal Treaty of New Echota, in which a

fraction of the tribe agreed to go west. The debate over removal caused bloody disputes within the Cherokee community. ...

The Choctaw were the first to make the hard journey. Leaving their Mississippi farms in the winter of 1831 ... many of the Choctaw were barefoot and starving, one blanket being allotted to each family. The Creek began leaving Alabama in 1836 - ... - many of them in chains. A rotting, overloaded steamboat bearing one group sank, drowning 311 men, women and children. Nearly half the Creek nation died en route or during their first year in the harsh, unfamiliar climate of Oklahoma. In 1837, the first of the Cherokee began their nation's two year long removal, a time the Cherokee still refer to as "the drive away".

Traveling west in three separate parties, the Cherokee lost an estimated quarter of their tribe to sickness and exposure through the removal ordeal. As many as thirty thousand Native Americans perished either on these tragic journeys or shortly thereafter during the lawless period of readjustment in Indian Territory where the surviving members of more than sixty dislocated tribes eventually came to live.

Still another series of removals occurred in the Ohio Valley ...  
[3]

... By 1870 President Grant was advised that it would "be cheaper to feed every adult Indian now living to sleepy surfeiting during his natural life, while their children are educated to self-support by agriculture, than it would be to carry on a general Indian war for a single year."

... Warfare cost as much as removal; some estimated that the U.S. government paid a million dollars for every Indian it has slain. ...

From the Indian perspective, of course, they had a massive "White Problem". For tribes just recovering from traumatic relocations to Indian Territory, the Civil War only worsened their plights. The removal debates of the 1830s had pitted family against family, weakening tribal solidarity; now the Cherokee, Choctaw, and others were compelled to choose up sides once again. ... During the hostilities, Indian Territory was pillaged by irregular raiders from North and South, burning Indian homesteads and killing cattle. After the fighting, Confederate and Union Indians suffered equally through the so-called Reconstruction treaties, which requisitioned additional Indian land for railroad right-of-ways and ranches.

... Especially in the Plains and Southwest, armed resistance flared up through the 1860s and 1870s. ...

Defiance also took religious form ...

Feelings of helplessness overwhelmed others as they faced the depressing realities of reservation life. ...

In the vast refugee camp that was Indian Territory, tribal distinctions remained intact despite new religions (peyotism) and a new political sensibility. ...

... many Indians lay low to avoid the white man's meddling. On the surface, they seemed to comply with government programs; underneath they were poor, hungry, ill-housed, defenseless against disease ...

Older Plains warriors sometimes balked at tilling the soil, and quietly slipped into the wilderness to fast and pray. Northwest Coast tribes still held "potlatch" ceremonies in secret, defying the Canadian government's ban. Hopis hid their children in corncribs rather than send them to school. Descendants of Cherokee who slipped into the Great Smoky Mountains rather than remove to Oklahoma lied to census takers who visited their log cabins. [4]

In spring 1865 ... Sand Creek in Colorado Territory ...

Leading the assault was Colonel J.M.Chivington, whose reputed cry - "kill and scalp all, big and little, nits make lice" - expressed how many white westerners felt toward Indians. To other citizens back East ... Their alternative was compulsory assimilation into white society.

The Yankton Sioux described corrupt Indian agents and vicious U.S. soldiers. The Santee Sioux at Crow Creek told of starving women and children beaten for scavenging the leftover heads and entrails of butchered cattle. The Winnebago of Dakota City talked of young and old alike dying from government-issue soups boiled from rotten beef liver.

... reform the Bureau of Indian Affairs and assimilate Native Americans into white society attracted many former opponents of slavery. They dreamt of transforming tribespeople into idealized white women and men. ...

When Dolittle's report finally appeared in 1867, its Indian testimonies were buried in an appendix. ... When Dolittle accused the military of brutality and reservation agents of greed, he accepted the "Vanishing American" theory of his day, which assumed that Indians were becoming extinct due to warfare, disease, liquor, prostitution, and what he called "the natural effect of one race replacing another." ...

In 1865 few would disagree with General William T. Sherman's sarcastic definition of an Indian reservation: "a parcel of land set aside for Indians, surrounded by thieves." ...

A political appointee, the Indian agent clothed and fed "his" Indians ... Far from Washington's eye, he wielded absolute power. ... As buffalo and fur-bearing animals thinned out, reservation Indians became utterly dependent upon their agents.

The situation was ripe for skulduggery. Politicians and bureaucrats who dispensed agent jobs as part of the patronage system skimmed off federal funds before they ever reached the reservation, then demanded kickbacks from agents they favored. ...

Agents sold off reservation resources ... Goods intended for Indians were stolen outright or replaced with shoddy substitutes manufactured expressly for the Indian market. ...

To police their own people the agent put selected Indians into uniform. Reservations created a new climate of surveillance and subservience ...

In 1869, when Ulysses S. Grant became president, he, like Lincoln, pledged reform of the Bureau of Indian Affairs. By and large the humanitarian "friends of the Indian" behind him were ignorant about the inner workings of Native American societies. They did not want Indians to continue to live as Indians, but they believed that as God's children they had every right to live as white people. ...

At this stage Indians were not asked what they thought about this program. ...

... the reformers were insistent about changing Indians for their own good. ...

On the Indian question President Grant thus faced a divided nation. At first he sided with the reformers ... To recruit honest agents he looked to religious organizations, such as the Society of Friends. By 1872 the Grant administration had installed men from thirteen separate religious groups oversee seventy-three Indian agencies across the country.

Heeding Dolittle's advice, Grant also named ten volunteer philanthropists to a new Board of Indian Commissioners. ... [5]

... In 1871 the U.S. Congress forbade any more treaty making with Indians. ... The Supreme Court resolved the *Ex Parte Crow Dog* case ... in 1883 ... Congress rushed through laws assuring the government absolute authority over capital offenses - ... - committed by Indians.

... in 1886, the *U.S. v. Kagema* case saw the Court demoting Indian tribes still further, as "wards of the nation" and "communities dependent upon the United States." [7]

Congress made the momentous decision in February 1887; the General Allotment Act passed by a unanimous voice vote. Throughout Indian country it was known as the Dawes Act, for its sponsor, Senator Henry L. Dawes of Massachusetts. Now the President could impose 160-acre deeds on Indian families; if they refused, the local agent accepted for them. ... Surplus land went on the auction block. ... [8]

As the specter of land redistribution reached these so called Five Civilized Tribes in present-day Oklohoma, Indians braced themselves. Representatives of some twenty tribes met to form an all-Indian state. Congress responded with the Curtis Act of 1898, abolishing with one stroke their tribal governments and leaving Indians no legal say in the matter. ... [9]

## **References:**

- [1] "A forest of time", "American Indian ways of history", Peter Nabokov, , page 90-94
- [2] "A forest of time", "American Indian ways of history", Peter Nabokov, , chapter The Treaty Trail, page 117-
- [3] "A forest of time", "American Indian ways of history", Peter Nabokov, , chapter Exiles in their own Land, page 146
- [4] "A forest of time", "American Indian ways of history", Peter Nabokov, , chapter The Nation's Hoop is Broken and Scattered, page 170
- [5] "A forest of time", "American Indian ways of history", Peter Nabokov, , chapter The very small islands, page 187
- [6] "A forest of time", "American Indian ways of history", Peter Nabokov, , chapter The Nation's Hoop is Broken and Scattered, page 170
- [7] "A forest of time", "American Indian ways of history", Peter Nabokov, , page 236
- [8] "A forest of time", "American Indian ways of history", Peter Nabokov, , page 237
- [9] "A forest of time", "American Indian ways of history", Peter Nabokov, , page 257