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# INDIAN AMERICA: Another Country?

By Richard P. Thornell

As I look back, the timing could not have been better. On a brilliant sunny morning in August of last year a group of us flew off on a mission to the Rosebud Sioux Indian Reservation, not far from the majestic Black Hills of South Dakota.

There were news reports about the wave of Sioux rejections of a Supreme Court decision concerning the Black Hills, a sacred shrine of the Sioux nation. The Court upheld the award of \$122 million previously sought by Sioux representatives as compensation from the United States government for its illegal appropriation of the Hills in the last century.<sup>1</sup> Sioux tribal leaders were now commencing litigation to recover the Hills plus monetary damages.

This case and a host of other disputes concerning the relationship between Indian and non-Indian America are indicative of a growing resurgence of Indian America's historic struggle to defend and enhance its ancient existence and rich culture.<sup>2</sup>

I had several years ago followed with keen interest another highly publicized dispute that was played out in Wounded Knee, South Dakota.<sup>3</sup> Just as the outcome of Wounded Knee did not open a constructive dialogue between Indian and non-Indian America, it is now clear that whatever the courts decide further in the Black Hills case is not likely to result in what is urgently needed: a constructive dialogue over the current and future relationship between Indian and non-Indian America.

Another visit to Pueblo communities in New Mexico was propitious in coming soon after the inauguration of President Ronald Reagan. A major topic was whether the Reagan administration would pursue — in timely and vigorous fashion — policies toward Indian America that were in accord with Indian aspirations and expectations. (Many Indians had supported him.)

From both visits to Indian country, and my readings and discussions in Washington, I have come to believe the central problem between Indian and non-Indian America seems to be the ethnocentric view

of non-Indian America in its dealings with Indians. To use a better term from philosophy, non-Indians are *solipsistic* in their view of reality when it comes to the interface with Indians. We non-Indians seem able to deal with Indians only in terms of *our* perception of the realities of America. Reality as perceived by Indians appears completely to elude non-Indians though most non-Indians are too myopic to recognize this point.<sup>4</sup>

Although there is no consensus, Indian Americans may be in the process of insisting on becoming another nation — separate and autonomous from the United States.

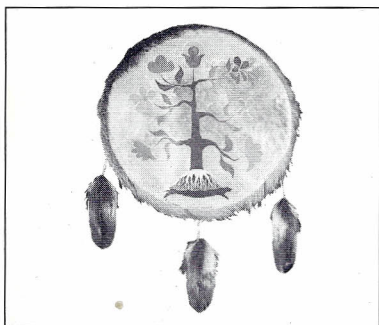
For example, Vine Deloria, a prominent Sioux lawyer, scholar, and former director of the National Congress of American Indians, has argued.

*If the United States can participate in the creation of Israel as a national homeland for the Jews in partial compensation for the genocide committed against them by Hitler during the Second World War, why is the United States incapable of recognizing the Sioux Nation as sovereign over its lands in South Dakota in partial compensation for the genocide committed against it at Wounded Knee and other massacres . . . ?*

*The proposal to restore the Indian tribes to a status of quasi-international independence with the United States acting as their protector strikes most Americans as either radical or ridiculous. In fact, it is neither. The standard objections raised by non-Indians to a fully sovereign status for tribes are generally based upon a misunderstanding of the concept of sovereignty in modern international law and practice, and on a misconception of Indian eligibility for this status because of their previous relationship with the United States government.<sup>5</sup>*

Regaining their land and a greater degree of actual sovereignty over it, as well as nurturing their traditional culture, seem to be more important to Indian leaders than the drive for assimilation or integration into





the "mainstream" of the United States in the fashion of other ethnic minorities.

Whatever may be the political goal around which the Indian struggle may coalesce, there is no question that substantially more autonomy is being demanded now.

As exemplified by the Black Hills case, the long history of exploitation and misrepresentation of Indians continues to haunt present day efforts to remedy past wrongs.<sup>6</sup>

The courts, which have been somewhat sympathetic in the last generation to Black America's and other minorities' struggles for justice, have become curiously unfriendly to Indian America's legal struggle — seemingly foreclosing what might otherwise have been a promising avenue for progress within the "system."

The Congress seems to have lost interest in responding to Indian aspirations. Tragically, these aspirations are being thwarted at every turn.<sup>7</sup> For in respect to almost every indicator of socio-economic well being, Indian America is falling farther and farther behind:

*Poverty and unemployment are staggering. Indian per capita income is only about one-third of the national average, and unemployment on the reservations is as high as 30 percent. (Black income is over one-half the national average.)*

*With respect to educational opportunity, Indian America trails far behind not only the national averages but also those of other oppressed minorities.<sup>8</sup>*

Nothing short of a mammoth and rapid Indian-directed effort at socio-economic development can remedy their present disadvantage. Even the discovery of considerable mineral wealth, especially energy resources, on Indian land has its problematic side because it might produce another round of land grabbing by non-Indian America.<sup>9</sup>

Why the ignorance of, distortion of, or resistance to such evidence of the low socio-economic status of Indian America?

The answer is simple: non-Indian America has felt the need to exploit and oppress these tenaciously proud people in order to advance its own society. At this juncture of our history, is there really any substantial reason (good or bad) to stand in the Indians' way? It is awfully hard to find one even for the sake of argument.

I was surprised to find, in Sioux Country, some people still echoing the self-serving rationales of non-Indian America that perhaps the Indians are largely responsible for their current disadvantage and are unprepared to assume full ownership rights to their land. For example, one top official of the Bureau of Indian Affairs (BIA) argued that the Indian people are not "ready" to exercise "responsibly" the right to dispose of their land without BIA supervision. "They'd sell all their land to the white folks."

The official had no answer when told that the tribe — if the government allowed it to be truly sovereign — could easily prevent such a result through restrictive legislation. That old "blaming-the-victim" syndrome seems as much alive with respect to Indian America as it is with respect to Black America.

I was also struck by the parallel between the now discredited constitutional doctrine of separate-but-equal that was used by the Supreme Court to validate the state-imposed caste system subjugating Blacks and the judicial doctrines of tribal sovereignty and federal trusteeship that have been used as ruses to preclude both real sovereignty for Indians and genuine protection of Indians by the federal government from exploitative state governments and whites.

Both sets of doctrines were artfully devised to legitimize the majority's contemptuous denial of freedom and equality for Indians and Blacks and to authorize the systematic exploitation of these peoples.

During my visits, I was moved by the occasional use of the so-called Black power handshake by some younger Indians. But the failure or resistance among Indians to draw a parallel between the ways in which this country has dealt with Indians and Blacks surprised me. One In-

dian leader commented that Blacks were assimilationists while Indians preferred to resist integration into the white society. This comment suggests a need for us to explore fully the similarities and differences in our struggles. Such a course would enable Black Americans to share with Indian America the debate over whether nationalism, integration or something in between should be our destiny as Afro-Americans.

But again, I may be missing the point: in an important sense, the Indian struggle is unique because Indian America may choose to be another country.

Maintenance and advancement of their culture requires, in the view of many Indians, political self-determination. Our hosts exposed us to the impressive evidence of the survival of their ancient cultures. We had the opportunity to witness the eighth annual commencement at the Sioux's Sinte Gleska College and also visit the Pueblo in Taos, an example of the first apartment-type dwelling. It was a moving experience to see and hear the age-old Sioux visual and musical pageantry within the context of a graduation ceremony, especially the ritual adorning of the graduates' heads with feathers.

In a way, I was envious that their connection with their cultural roots is so alive while I as an Afro-American still had to struggle to find and celebrate my particular African roots. I was moved by visiting with a Taos pueblo leader whose ancestors had lived in the same pueblo for over a millenium.

While we found differences of opinion on a number of issues (including political autonomy) among our Indian and non-Indian hosts, there was a consensus about the need to give high priority to meeting the massive needs for secondary and higher education to begin to reduce the outlandishly wide educational gap between Indian and non-Indian America.<sup>10</sup> (But the present obsession at the national level with federal budget cutting may lead to more inadequate financial support for Indian education and the closure of some promising institutions.)



Sinte Gleska is one of a woefully small number of Indian-controlled colleges in the United States. And the hopes of Indian America appear in large part to be pinned on the rapid growth and expansion of the kind of relevant educational opportunities provided by the Sinte Gleskas.

At an informal dinner, hosted by President Lionel Bordeaux of Sinte Gleska College, I had the privilege of presenting him with the history of Howard University by Rayford Logan, thus sharing a part of the Afro-American experience in education.

Overall, effective communication between Indian and non-Indian America sometimes becomes difficult because of conflicting usage of common terminology. For instance, when I met with some of the Sioux and observed that from what I had learned concerning the actual state of the law, Indian tribes presently did not have sovereignty as the term is usually understood, my remarks provoked some consternation. The reason, I later discovered, was this: there is no question in Indian minds that the Sioux Nation now, and always, has had sovereignty. The problem, as the Sioux see it, is that the white man does not recognize that sovereignty.

After such exchanges, one cannot help but come away with greater appreciation for and more soulful support of the Indian thrust for self-determination. Suppose in the push for more political autonomy, Indian America should choose to go all the way and demand to be another country?<sup>11</sup> One wonders whether those non-Indian Americans who fight for social justice will be ready to be truly supportive. A short answer is: put present political realities aside and at least join in a constructive dialogue. This land was all theirs before the rest of us came.<sup>12</sup> □

*Richard Thornell is an associate professor of law at Howard University and a trustee of the Phelps Stokes Fund. This article reflects his personal views and is based in part on his visits to Sioux and Pueblo Indian reservations in South Dakota and New Mexico in August, 1980 and February, 1981 as a member of the Fund's Indian Affairs Task Force.*

## REFERENCE

1. *U.S. v. Sioux Nation of Indians*, 448 U.S. 371 (1980).

2. See *Custer Died for Your Sins: An Indian Manifesto* (1969), by Vine Deloria, Jr., *Red Power: The American Indians' Fight for Freedom* (1971), by M. Josephy, Jr.

3. The occupation of Wounded Knee by Indian activists and the siege by the government in 1973 was reminiscent, fortunately, with less dire results, of the Wounded Knee Massacre in 1890 carried out by the U.S. Cavalry in response to a feared Indian uprising. *Bury My Heart at Wounded Knee* (1970), by Dee Brown, pages 416-445 and *The Red Man in the New World Drama* (1971), by Vine Deloria, Jr. and Jennings C. Wise, pages 286-299. Also see Vine Deloria, Jr., *The Trail of Broken Treaties: An Indian Declaration of Independence* (1974) and *Indian Country: A Report of the League of Women Voters Educational Fund* (1976).

4. A good antidote for this affliction is reading the literature and publications of Indian Americans. One such periodical providing a continuing survey of key contemporary issues in Indian America is *The Exchange*, a Phelps Stokes Fund-sponsored journal.

5. V. Deloria, *The Trail of Broken Treaties*, op. cit., pp. 164-165, 161.

6. Exactly a century after Helen Hunt Jackson dramatized to the American public the shameful oppression and violence visited upon Indian America the apt words of its author are still substantially true. (See *A Century of Dishonor* (Torchbook Edition 1965) at page 338, originally published in 1881.)

7. This backlash against Indian America is analyzed in a recent U.S. Commission on Civil Rights report: *Indian Tribes: A Continuing Quest for Survival* (June, 1981), see pages 1-13.

8. The enormity of the trained manpower gap between Indian and non-Indian America is shown in the following table:

Population of United States: 218,000,000  
Indian Population: 1,000,000

Field of Specialization	Total Indians	Total U.S.	Needed for Parity
<b>Medicine</b>			
Medical Doctor (MD)	125	340,000	1,435
Dentist (DDS)	6	120,000	546
Nurse (RN)	644	750,000	2,796
Veterinarian (DVM)	1	30,000	137
Podiatrist (DPM)	2	7,120	31
Pharmacist	30	125,000	543
Speech Pathology	10	16,000	63
Optometrist	12	19,265	76
Psychiatrist	18	17,383	62
<b>Business</b>			
(All Fields)	75 (est)	(?)	(?)
<b>Engineering</b>			
(All Fields)			
Bachelor degree holders	140	1,115,000	4,975
Master's and Ph.D. holders	14	19,165	38
Ph.D. (All Fields)	40 (est)	600,000	2,712
Psychology	12	40,000	171
Attorney	150	450,000	1,960
Teacher (Public School)	3,534	1,995,057	5,618

(Source: South Dakota Indian Education Association.)

9. The value of energy resources on Indian lands is staggering. Estimates vary within the several trillion dollar range, according to Sandra E. Bergman's research, *Trillions of Dollars Worth of Energy: The Politics of Indian Energy Development* (May, 1981).

10. See reference 8, above.

11. That Indian America might insist on independence from the United States should not be surprising. (See U.S. Commission on Civil Rights, *Indian Tribes: A Continuing Quest for Survival* (June 1981).

12. The words, over a century ago, of a great Indian, Chief Seathe, should not be forgotten:

There was a time when our people covered the whole land as the waves of the wind-ruffled sea cover its shell-paved floor. But that time has long since passed away with the greatness of tribes now forgotten. (America's Fascinating Indian Heritage (*Reader's Digest* 1978), p. 11.