

### 3. Rupert Costo (Cahuilla) Condemns the Indian New Deal, 1986

... The IRA [Indian Reorganization Act of 1934] was the last great drive to assimilate the American Indian. It was also a program to colonialize the Indian tribes. All else had failed to liberate the Indians from their land: genocide, treaty-making and treaty-breaking, substandard education, disruption of Indian religion and culture, and the last and most oppressive of such measures, the Dawes Allotment Act. Assimilation into the dominant society, if by assimilation we mean the adoption of certain technologies and techniques, had already been underway for some hundred years. After all, the Indians were not and are not fools; we are always ready to improve our condition. But assimilation, meaning fading into the general society with a complete loss of our identity and our culture, was another thing entirely, and we had fought against this from the first coming of the white man.

This type of assimilation would be the foregone conclusion of the Indian Reorganization Act. Colonialization of the tribes was to be accomplished through communal enclaves subject to federal domination through the power of the secretary of the interior. Now this view of the IRA is now held by practically all of the historians who write the history of the IRA era.

The record shows otherwise. All one must do is to read and study the hearings held in the Congress, the testimony of Indian witnesses, the evidence of life itself, the statements of the Indian commissioner, and the practically identical tribal constitutions adopted by, or forced upon, the Indians under the IRA. In these constitutions the authority of the secretary of the interior is more powerful than it was before the so-called New Deal. No wonder the Indians called it the Indian Raw Deal.

The IRA did not allow the Indians their independence, which was guaranteed in treaties and agreements and confirmed in court decisions. It did not protect their sovereignty. Collier did not invent self-government: the right of Indians to make their own decisions, to make their own mistakes, to control their own destiny. The IRA had within it, in its wording and in its instruments, such as the tribal constitutions, the destruction of the treaties and of Indian self-government.

There are those who believe that most of the Indians who opposed the IRA were members of allotted tribes who had been economically successful with their allotments. This is a simplistic response, and one that displays a serious lack of

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Rupert Costo remarks in Kenneth Philp, editor, *Indian Self Rule: First Hand Accounts of Indian-White Relations from Roosevelt to Reagan*, 1986, 48-52. Reprinted by permission of Howe Brothers.

understanding of Indian affairs and history. Allotments certainly did not originate with the Dawes Act. They also were established in treaties. The Dawes Act did, however, force Indians into the allotment system, with a guarantee that they would have to sell their land, either through taxation or by sheer physical force. Those who survived created what they had always wanted, an estate for themselves and their children, a type of insurance against being moved again like cattle to other lands and the chance to make a decent living on their own land. . . .

On May 17, 1934, in hearings before the Senate, the great Yakima nation, in a statement signed by their chiefs and councilmen, said, "We feel that the best interests of the Indians can be preserved by the continuance of treaty laws and carried out in conformity with the treaty of 1855 entered into by the fathers of some of the undersigned chiefs and Governor Stevens of the territory of Washington." Now these are only a few examples of some of the testimony given by Indian witnesses and by most of the tribes. Many refused to even consider the IRA and rejected it outright.

But the commissioner of Indian affairs reported to the House of Representatives on May 7, 1934, that, "I do not think that any study of the subject with all of the supporting petitions, reports, and referendums could leave any doubt that the Indian opinion is strongly for the bill." He then proceeded with this outright falsification of the facts, saying, "In Oklahoma I would say quite overwhelmingly they favor the bill." Both Congressmen Roy Ayres of Montana and Theodore Werner of South Dakota disputed those statements. They showed that Collier was falsifying the facts.

During April 1934, the tribes that had bitterly opposed the IRA attended some of the ten meetings held by the commissioner of Indian affairs throughout the country. Here, as evidence shows, they were subjected to Collier's manipulations. In May, they came before the House of Representatives and completely reversed themselves. In fact, they gave a blanket endorsement to the Indian Reorganization Act. The congressmen, in shocked disbelief, prodded them again and again. Finally they asked, "If the proposed legislation is completely changed into an entirely different act would you then also endorse it?" The Indian delegates, according to many of their tribesmen and tribeswomen said, without any authority of their people, "Yes. Even then we would endorse it." In short, at least two of the tribal delegates gave a blanket endorsement of the IRA in advance of the final legislation. How did this happen? I can tell you how it happened. They received promises that were never kept. They received some special considerations and they felt the arm of the enforcer ordering them to accept or be destroyed. That was Collier's way, as I very well know.

In California, at Riverside, forty tribes were assembled. All but three voted against the proposed bill. Collier then reported that most of the California tribes were for the proposed bill. The historical record was falsified, and his falsification was swallowed whole by Kenneth Philip who also stated in his book that "several mission Indians, led by Rupert Costo, agreed with an unsigned three-page circular sent around the reservation which claimed Collier's ideas were 'communistic and socialistic.'" The implication is that this was a sneaky, underhanded job. The truth is that there was a complete cover letter with that circular, signed by me and my tribe. We were outraged at the provisions of the proposed bill.

It is a curious fact that, in all the ten meetings held with Indians over the country, in not one meeting was there a copy of the proposed legislation put before the

people. We were asked to vote on so-called explanations. The bill itself was withheld. We were told we need not vote but the meetings were only to discuss the Collier explanations. In the end, however, we were required to vote. And I suppose you would call this maneuvering self-rule. I call it fraud. The Hupa Indians of northern California had two petitions on this proposed bill. One was to be signed by those supporting it; the other, by those who opposed it. In neither case had anyone seen the actual bill, but they rejected it on a massive scale on the basis of explanations alone.

The Crow rejected the IRA and stated for the record in a letter to Senator Burton K. Wheeler, one of the sponsors of the bill, "That under the Collier-chartered community plan, which has been compared to a fifth-rate *poor farm* by newspapers in Indian country, the Indian is being led to believe that they, for the first time in history, would have self-government." But according to the bill, any plans the Indians might have for such self-government would have to be first submitted to the interior secretary or commissioner of Indian affairs for supervision and approval. Self-government to this extent was already accomplished through the tribal councils and tribal business committees, which, by the way, were organized and functioning long before Collier manifested his great interest in the Indians in general.

Now at these councils, Indians discuss matters they consider of vital interest and initiate measures for better management of their affairs, but no action may become effective without the approval of the commissioner of Indian affairs, or the secretary of the interior. Where is the advantage of an almost similar system bearing John Collier's name? Can we say that this power of the interior was forced upon the commissioner in the final proposed bill? No, not at all. His original bill contained not less than thirty-three references making it obligatory for the interior secretary to approve vital decisions of the tribes.

It is a matter of record that in California Indians were afraid to come to meetings for fear of losing their jobs if they showed disapproval of the Collier proposed bill. On the second day of the Riverside meeting, the Collier enforcers would not allow us to speak, and according to one report of an Indian organization, "they almost threw Rupert Costo out." Another element of the Collier enforcer policy is found in the warning to civil service employees in the BIA by Interior Secretary Ickes that they would be dismissed if they spoke out against Bureau policies on the proposed bill. . . .