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Book Reviews

John T. Vance

Robert E. Beck

Jay E. Buringrud

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BOOK REVIEWS

RED MAN'S LAND, WHITE MAN'S LAW, A STUDY OF THE PAST AND PRESENT STATUS OF THE AMERICAN INDIAN. By Wilcomb E. Washburn. New York: Charles Scribner & Sons, 1971. Pp. 280. \$7.95.

Myths die hard. Who today can distinguish fact from fancy in the legend of King Arthur who, at the end, leaned on his sword surrounded by 100,000 of his dead subjects? Where lies the truth in the song of Roland? No one knows, but we accept them as part of the body of literature of western civilization and in one form or another make them required reading.

The myth of the American Indian is of more recent creation, less than 500 years old. All through the five centuries of Indian-white relations there have been many who knew the truth but few who spoke or wrote it. There were more who participated in creating the myth which dies so hard today. It was carefully created by those intent upon destroying the Indian and his culture, knowingly implanted into the written and oral history of the American people by a school of professional historians more intent upon nurturing the jingoistic blather of an emerging nation's political and economic leaders than exposing factual events for discourse and analysis. Although the myth dies hard, still it does die and Wilcomb Washburn is in the vanguard of the myth killers.

DeTocqueville described the Indian as never "so wretched as not to retain under his hut of bark a lofty idea of his personal worth; he considers the cares of industry as degrading occupations; he compares the plowman to the ox that traces the furrow; and in each of our handicrafts he can see only the labor of slaves."¹ Contrasting the ferocity of the Spanish to the actions of the Americans in the United States he wrote:

The conduct of the Americans of the United States toward the aborigines is characterized . . . by a singular attachment to the formalities of law . . . they . . . do not possess themselves of their hunting grounds without a treaty of purchase; and if an Indian nation happens to be so encroached upon as to

1. 1 A. DE TOCQUEVILLE, DEMOCRACY IN AMERICA 440 (7th ed. 1882).

be unable to subsist upon their territory, they kindly take them by the hand and transport them to a grave far from the land of their fathers. The Spaniards were unable to exterminate the Indian race by those unparalleled atrocities which brand them with indelible shame, nor did they succeed even in wholly depriving it of its rights; but the Americans of the United States have accomplished this two-fold purpose with singular felicity, tranquilly, legally, philanthropically, without shedding blood, and without violating a single great principle of morality in the eyes of the world. It is impossible to destroy men with more respect for the law of humanity.²

DeToqueville wrote in 1831 and missed the mark on the ability of the Americans of the United States to shed blood. During the Civil War those Americans exterminated a half million or so of each other. Perhaps when, between 1868 and 1890, they exterminated a third of all the Indians left in the country in order to facilitate the movement of supplies and people along the iron rails which carried the railroads from one coast to the other it measured small against the gauge of the Civil War. In any event, this aspect of the myth has been struck down by Dee Brown in *Bury My Heart at Wounded Knee*.³ Wilcomb Washburn, on the other hand, has chosen to explore the "singular attachment to the formalities of the law" observed by DeTocqueville and the rationalizations of the western world in justifying, legally and morally, the dispossession of the American Indians.

"The American Indian," writes Washburn,

was vanquished but is still with us. The now dominant intruders from Europe supplanted him in power but did not destroy him or blend with him. The Indian remains in body and in spirit, on the land and in the minds of the white man, . . . a steady reminder of a relationship that remains a part of the American character.

Though the Indian was supplanted and defeated by the European intruder, it is not solely defeat that created the tradition of Indian subordination and inferiority in American society. The tradition was latent in the civilization of Europe, a heritage of her Christianity and her classical past.

In the first centuries after the birth of Christ, the christian message spoke for the weak and oppressed. Its message was one of peace and nonviolence. The New Testament message might have been understood and honored by the Indians of the Americas had it been preached as it was on the shores of Galilee. But by the time the American Indian came face to face with the doctrine of Christ it had hardened in a mould

2. *Id.* at 455-456.

3. D. BROWN, *BURY MY HEART AT WOUNDED KNEE: AN INDIAN HISTORY OF THE AMERICAN WEST* (1970).

of bigotry, intolerance, militancy and greed which made it the mortal enemy of the native American.⁴

If cause creates result Washburn finds little to distinguish between the pitiless lack of regard for the Indian of Andrew Jackson and timidity of Chief Justice John Marshall who found against the Cherokee Nation because he feared a fatal clash between the Court and the Executive.⁵ Neither can be choose between the greed of the white land grabbers nor the white reformers who secured the passage of the Dawes Severalty Act of 1887 which accomplished the reduction in 1933.

With the advent of the New Deal, Harold Ickes and John Collier, the framers of the Wheeler Howard Act and the Indian Claims Commission Act, the country began to make the first small stirrings to reverse the course of history. But make no mistake, writes Washburn, the white land grabbers and the white reformers are still loose in the land as evidenced by the Indian Resources Development Act of 1967 (which fortunately for the Indian never reached the floor of the Senate or the House) and the various programs aimed at assimilating the native American.

The danger of the policy of assimilation, so fondly hoped for by the friends and enemies of the Indian alike, is that once conceded as a fundamental principle underlying the Indian-white relationship, it cuts the ground out from under the maintenance of any right, organizational structure, or value that is distinctively Indian. Assimilation is the ally of termination, whether its proponents realize it or not. The insistence upon assimilation—albeit for the Indian's benefit—undercuts the recognition of the distinct nature and distinct rights of the Indian as Indian. How can separate tribal governments, separate reservations, separate rights and obligations be countenanced among a population which is assimilated to the life, law, and values of the dominant power? It is hard to see how the Indian can retain his lands and culture once the validity of assimilation is conceded.⁶

No person or people escapes unscathed from an intimate experience with another and so today the Indian and white and black exist restlessly in delicate imbalance, strong elements in each urging, yet others disparaging, assimilation. In other times the white and the black tried to exterminate the Indian but the Indian with his

4. W. WASHBURN, *RED MAN'S LAND-WHITE MAN'S LAW* 3-4 (1971).

5. *Cherokee Nation v. Ga.*, 30 U.S. (5 Pet.) 1 (1831).

6. W. WASHBURN, *supra* note 4, at 240.

reverence for life and the land survived, although diminished in number. Washburn concludes:

All cultures change. No one can absolutely bar such change. But one can preserve values. This is what the Indian now seeks to do after passing through the valley of despair and hopelessness. . . . The shock of what was lost is a shock that will never be forgotten, but the retention of Indian values by the Indian young means that the Indian point of view will never be extinguished. Agencies of government are more than ever conscious of the rights due the American Indian. Whether it is in debate in Congress over the settlement of the Indian claims in Alaska, or in the adjudication of an ancient claim for damages in the Indian Claims Commission, the Indian can now claim the respect and attention hitherto denied him. In large measure that respect derives from and can be comprehended only by a study of the history of the relationship between the white man and the red.⁷

Wilcomb Washburn, Director of American Studies at the Smithsonian Institution, a historian whose versatility has brought him in touch with archeology, anthropology and the law, has written a fascinating and provocative book.

JOHN T. VANCE*

BURY MY HEART AT WOUNDED KNEE: AN INDIAN HISTORY OF THE AMERICAN WEST. By Dee Brown. New York: Holt, Rinehart & Winston, Inc., 1970. pp. 487. \$10.95.

Should Americans today be faced with a foreign army actually on our shores and in our midst, probably most would agree, changing only a few words, with the observation of Tecumseh, Chief of the Shawnee:

Where today are the Pequot? Where are the Narragansett, the Mohican, the Pokanoket, and many other once powerful tribes of our people? They have vanished before the avarice and the oppression of the White Man, as snow before a summer sun.

Will we let ourselves be destroyed in our turn without a struggle, give up our homes, our country bequeathed to us by the Great Spirit, the graves of our dead and everything that is dear and sacred to us? I know you will cry with me, "Never! Never!"¹

7. *Id.* at 243.

* L.L.B., George Washington University, 1950; Chairman, Indian Claims Commission.

1. D. BROWN, **BURY MY HEART AT WOUNDED KNEE: AN INDIAN HISTORY OF THE AMERICAN WEST** 1 (1970).

This book is in large part a history of the courage, valor and tenacity of an outnumbered Indian peoples (300,000 against 30,000,000)² in defending their homes, their homeland, their families, their burial grounds, and all things "dear and sacred" from the alien enemy. But it is in part also a study of the peacemakers, those Indians convinced that the odds against their victory were so overwhelming that it was pointless to struggle, and those defeated in battle struggling to get the best deal for their vanquished peoples. While the net result of these processes usually was a treaty, it was a treaty soon to be broken by the white man.

We continually hear much about treaty obligations overseas and how we are being committed all over the world. But we do not hear much about treaty obligations here at home. A quick perusal of home treaties, however, should set all of our minds at ease; if the treaties with foreign governments abroad mean what most of the treaties here at home have meant, they are not worth the paper that they are written on, and we certainly do not have to be concerned about being bound to do anything.

While *Bury My Heart* is a history of other things too, it is a history of treaty breaches. And, of course, the breaches have not ended. In 1794 the United States government made a treaty which included the following language:

Now, the United States acknowledges all the land within the aforementioned boundaries, to be the property of the Seneka nation; and the United States will never claim the same, nor disturb the Seneka nation, nor any of the Six Nations, or of their Indian friends residing thereon and united with them, in the free use and enjoyment thereof; but it shall remain theirs, until they choose to sell the same to the people of the United States, who have the right to purchase.³

Now, the Tuscaroras constitute one of the Six Nations. In 1960 the United States Supreme Court permitted the Federal Power Commission or its licensee to condemn for reservoir purposes 1,383 acres of Tuscarora homeland or 22 per cent of their total reservation.⁴

That the treaty is breached through the machinations of six justices rather than the cavalry swooping down on women and children makes it no less offensive, perhaps more so. Justice Black did dissent in an opinion, concurred in by Chief Justice Warren and Justice Douglas, in which he observed:

I regret that this Court is to be the governmental agency

2. *Id.* at 9.

3. Treaty of November 11, 1794, 7 Stat. 44, art. III.

4. Federal Power Comm'n. v. Tuscarora Indian Nation, 362 U.S. 185 (1960).

that breaks faith with this dependent people. Great nations, like great men, should keep their word.⁵

We are still continuing to breach the home treaties, only our methods have changed.

Bury My Heart is about the old-fashioned breaches, the cavalry swooping down, the escaping Indians, the forced marches. A word about these forced marches. There seem to be similarities between the forced marches that the Indians were put to⁶ and those infamous marches forced by the Japanese on their American captives in World War II. Perhaps the Japanese had read some American history books.

By now it should be clear that *Bury My Heart* is an Indian history of the American West. The first chapter, only twelve pages long, sketches the developments to the beginning of the end of the west for the Indian—1860. Pages 13 through 445 carry through from 1860 until the struggle ended in 1890, with the massacre at Wounded Knee.

And since it began in 1860, Abraham Lincoln escapes from the responsibility of being the President under whose stewardship it began. But it was in 1864

[D]uring March the Long Walk of the Navahos to Fort Sumner and the Bosque Redondo was set in motion. The first contingent of 1,430 reached Fort Sumner on March 13; ten died in route; three children were kidnapped probably by Mexicans among the soldier escort.

Meanwhile a second group of 2,400 had left Fort Canby, their numbers already reduced by 126 who had died at the fort. The long caravan included 30 wagons, 3,000 sheep, and 473 horses. The Navahos had the fortitude to bear freezing weather, hunger, dysentery, jeers of the soldiers, and the hard three-hundred-mile journey, but they could not bear the homesickness, the loss of their land. They wept, and 197 of them died before they reached their cruel destination.⁷

In 1862 President Lincoln had issued the Emancipation Proclamation, and in 1863 he gave the Gettysburg Address.

In 1862 when the Santee Sioux complained about not getting the annuities pledged to them by treaty, so that they had nothing to buy food with and complained about not having pork and flour, they were not told "Let them eat cake." But trader Myrick did say: "[I]f they are hungry let them eat grass or their own dung."⁸ These dif-

5. *Id.* at 142.

6. See text *infra* at notes 7 & 9.

7. D. BROWN, *BURY MY HEART AT WOUNDED KNEE: AN INDIAN HISTORY OF THE AMERICAN WEST* 28 (1970).

8. *Id.* at 40.

facilities ended in 1863 with the placement of the Santee on a reservation on Crow Creek on the Missouri River. Many battles had intervened and on November 5, 1862

303 Santee had been sentenced to death, sixteen to long prison terms.

In the meantime Sibley decided to keep the remaining 1,700 Santees—mostly women and children—as prisoners, although they were accused of no crime other than having been born Indians. He ordered them transferred overland to Fort Snelling, and along the way they too were assaulted by angry white citizens. Many were stoned and clubbed; a child was snatched from its mother's arms and beaten to death. At Fort Snelling the four mile-long procession was shunted into a fenced enclosure on damp bottomland. There under soldier guard, housed in dilapidated shelters and fed on scanty rations, the remnants of the once proud woodland Sioux awaited their fate.⁹

To his credit, President Lincoln did review the convictions of the 303. He trimmed the execution list to 39. Only two were hung who were not listed among the 39.

The book tells of the leaders of the foreign invasions and occupations: those of the military like General Philip Sheridan ("The only good Indians I ever saw were dead."¹⁰ "Let them kill, skin, and sell until the buffalo is exterminated, as it is the only way to bring lasting peace and allow *civilization* to advance.");¹¹ General William *Tecumseh*¹² Sherman ("My opinion is, if fifty Indians are allowed to remain between the Arkansas and the Platte we will have to guard every stage station, every train, and all railroad working parties. . . . Rather get them out as soon as possible and it makes little difference whether they be coaxed out by Indian Commissioners or killed.");¹³ General Samuel R. Curtis ("I want no peace till the Indians suffer more.");¹⁴ General Patrick E. Connor ("Indians north of the Platte 'must be hunted like wolves. . . .'"¹⁵ "Attack and kill every male Indian over twelve years of age.");¹⁶ Colonel Chivington ("'kill Cheyennes whenever and wherever found'"¹⁷ "I have come to kill Indians, and believe it is right and honorable to use any means under God's heaven to kill Indians.");¹⁸ and those

9. *Id.* at 60.

10. *Id.* at 170.

11. *Id.* at 265 (emphasis added).

12. Emphasis added.

13. D. BROWN, *BURY MY HEART AT WOUNDED KNEE: AN INDIAN HISTORY OF THE AMERICAN WEST* 158 (1970).

14. *Id.* at 79.

15. *Id.* at 104.

16. *Id.* at 105.

17. *Id.* at 73.

18. *Id.* at 87.

of the civil government like Governor Ramsey of Minnesota (" 'The Sioux Indians must be exterminated or driven forever beyond the borders of the state.' ");¹⁹ and Governor Evans of Colorado ("But what shall I do with the Third Colorado Regiment if I make peace? They have been raised to kill Indians, and they must kill Indians.")²⁰

It tells of the fate of the Navajo, Santee Sioux, Cheyenne, Teton Sioux, Arapahoe, Apache, Modoc, Kiowa, Comanche, Nez Perce, Ponca, and Ute nations.

It tells of the heroes and patriots defending their homeland against the foreign invaders: Manuelito, Little Crow, Black Kettle, Red Cloud, Cochise, Captain Jack, Satanta, Lone Wolf, Crazy Horse, Chief Joseph,²¹ Little Wolf, Dull Knife, Standing Bear, Big Snake, Nicaagat, Quinkent, Geronimo, Victorio, Sitting Bull, Wovoka, and Big Foot. This list is not exhaustive—these were better known leaders. But there were innumerable patriots who died defending their homeland. Many were the innocent victims.

The book tells of the women and children of the heroes and patriots, who died in massacres, for example: Sand Creek where 105 Indian women and children died, and Marias River where 90 women and 50 children were shot along with 33 men out of a total camp of 219 Piegan Blackfeet.

And it tells of those among the foreign invaders who dissented from the slaughter and treachery of the leaders: William Bent; Tom Jeffords; John Clum;²² Major Edward W. Wynkoop; Lt. Royal E. Whitman; and General George Crook who at first had been as steadfast an Indian fighter as anyone. It tells of how the dissenters were transferred, dismissed, demoted and-or never given a further promotion.

Chapter 15, Standing Bear Becomes A Person, tells much about the new General Crook and how he worked to upset an order that required the return of the Ponca Indians to Indian Territory. His activity resulted in the case of *Standing Bear v. Crook*²³ in which District Judge Dundy upheld the issuance of a writ of habeas corpus to Standing Bear and others since they were "persons" entitled thereto:

19. *Id.* at 54.

20. *Id.* at 79.

21. *Cf.* as to the role of Chief Joseph and his famous speech: Brown, *The Joseph Myth*, 22 MONTANA: THE MAGAZINE OF WESTERN HISTORY 2 (Winter, 1972).

22. His granddaughter has recently described his funeral in 1932:

In the huge, crowded chapel, flowers were massed around the walls to the ceiling. A minister orated, a governor's message was read, prayers given, and then to mournful waves of organ music, a long silent line of people began to shuffle past his bier. A young man in olive-drab uniform walked up to the coffin, raised his arms over it, and spoke a farewell in Apache.

Parker, *John P. Clum: The Inside Story of an Inimitable Westerner*, 9 THE AMERICAN WEST 32, 37 (Jan. 1972).

23. *United States ex rel. Standing Bear v. Crook*, Fed. Cas. No. 14, 891, at 695 (Cir Ct. Neb. 1879).

I must hold, then, that Indians, and consequently the relations, are 'persons,' such as are described by and included within the laws before quoted. It is said, however, that this is the first instance on record in which an Indian has been permitted to sue out and maintain a writ of habeas corpus in a federal court, and therefore the court must be without jurisdiction in the premises. This is a non sequitur. I confess I do not know of another instance where this has been done, but I can also say that the occasion for it perhaps has never before been so great. It may be that the Indians think it wiser and better, in the end, to resort to this peaceful process than it would be to undertake the hopeless task of redressing their own alleged wrongs by force of arms. Returning reason, and the sad experience of others similarly situated, have taught them the folly and madness of the arbitrament of the sword. They can readily see that any serious resistance on their part would be the signal for their utter extermination. Have they not, then, chosen the wiser part by resorting to the very tribunal erected by those they claim have wronged and oppressed them? This, however, is not the tribunal of their own choice, but it is the only one into which they can lawfully go for deliverance.²⁴

This is the only court case mentioned in the book. And many may say that *Bury My Heart* is not a law book and wonder why it is reviewed here. But whether or not it is a law book, it gives a lot of background important to understanding the law. It really does tell us why it is necessary to have an Indian Claims Commission. It gives helpful background for understanding the claims before that Commission and other governmental bodies. It explains the existence of the various reservations which, in turn, give rise to many legal consequences, and so on.

Not to be overlooked, the book tells of Donehogawa, a Seneca, the first Indian Commissioner of Indian Affairs.

The book tells of how the treachery and onslaught that they all faced culminated in Wounded Knee, the final bell toll ringing down the curtain on Indian freedom in this vast land. One can read of the ancient tragedies, whether real or mythical, of Troy, Greece, Rome and other kingdoms, and of the tragic figures of Oedipus, Agamemnon, Caesar, and others. But the tragedy of Modoc, Sioux, and Ute is so near in the past and should be all the more vivid. Yet it may not be as well known. There is much to the way the story is told. Here it is told in such a way that the modern tragedy should be understood even more widely than the ancient tragedies. One can feel with the ancient tragedies that they were somehow earned. Here the tragedy occurred because a proud, free peoples sought to

24. *Id.* at 697.

retain their freedom and their self-determination and to protect and defend their homeland with all of the majesty and force that they could command against the invading foreign hordes. And what is frequently overlooked, it was the death knell for an awareness of nature, a harmony of existence between man and the environment in which he found himself. Perhaps that awareness is being reborn today, but much destruction has intervened.

If one begins to wonder, however, if the real heroes were not those Indians who viewing the odds faced the realism of the day that there was no way that they could ever beat the foreign hordes, he has only to think upon the recent ordeal of Raymond Yellow Thunder,²⁵ and others like him,²⁶ to conclude that perhaps the fighters and not the peacemakers were right: "Better dead than red" in a white man's world.

ROBERT E. BECK*

OF UTMOST GOOD FAITH. Edited by Vine Deloria, Jr. San Francisco: Straight Arrow Books, 1971. Pp. 262. \$10.00.

The United States is currently being subjected to numerous Indian demands. An indirect result of these demands is often a feeling of contempt toward the Indian. In order to reduce this possibility, it is necessary to become aware of the past treatment of the Indian and its resultant effect on the current philosophy underlying Indian demands.

Deloria has compiled an anthology which historically traces the encounters between the Indian and the United States, as experienced by the Indian. The reader is immediately introduced to the doctrine of discovery—used by the United States to justify its claim to land which was once solely under the control of the Indian. This doctrine, derived from concepts of international law, recognized the right of occupancy of the land by the Indian; however, an exclusive right to extinguish Indian title and assert ultimate dominion was recognized to be in the "discoverer." Deloria suggests that if the rationale of this doctrine (a superior economic system has the better right to land) is valid, then the United States should be consistent and acknowledge superior title to the Indian tribes who now

25. *Nebraska legislature orders sift into death of Indian.* Reads headline in Grand Forks Herald, Mar. 8, 1972, at 1, col. 4.

26. For example, George Whirlwind Soldier was recently arrested on assault charges in Grand Forks stemming from protests over alleged racial slurs.

* Professor of Law and Director, Agricultural Law Research Program, University of North Dakota School of Law. LL.B. University of Minnesota; LL.M. New York University.

claim land under a higher economic priority, e.g., Alcatraz—claimed for use as an ecological study center.

An overview is then presented of the concept of the “Indian tribe.” Deloria focuses on the problem that even though the Indian tribe has been described as a dependent domestic nation,¹ Congress has constantly manipulated the tribe. The Indian has been forced to move in order to avoid conflict with the advancing tide of settlers, has been encouraged to dismember the tribe, and has been subjected to the loss of rights vested by treaty.

Relative to the concept of the Indian tribe is the status of the Indian. The usual treaty with the Indian tribe evidences a policy calculated to entice the Indian to leave the tribe and secure citizenship. However, this policy—to encourage the Indian to “better himself”—was continuously subverted in actual practice. Deloria shows that even where the Indian did everything required by the treaty to become a citizen, this “esteemed” status was denied until 1924.² Along with this calculated policy to destroy *Indian* citizenship the Indian also experienced encroachment upon the civil rights inherent in Indian custom and heritage. In original treaties the Indian was given free and undisturbed use of his land. This meant, among other things, that the United States could not interfere with the domestic relations of the tribe when practiced according to tribal law, which includes tribal custom.³ However, due to the inability to understand concepts of Indian justice, the United States has slowly exercised greater jurisdiction over *Indian* civil rights and thus imposed a foreign standard of justice. Deloria questions the wisdom of this intrusion because it invades Indian sovereignty and displaces the Indian concept of compensation with a “higher” concept of retribution.

Not content with merely tracing the maltreatment of the Indian by the United States, Deloria subjects the reader to the Indian history of reparations, claims, and counterclaims. From the Indian Depredations Act,⁴ which allowed the Indian tribe to be sued for treaty violations, to the Indian Claims Commission Act,⁵ which gave the Indian tribe standing to sue the United States for its violations, Deloria weaves a continuous thread of immorality in the treatment of the Indian. His selections show a consistent lack of good faith by the United States. Topics covered include the Iroquois lands in New York, the Sioux lands in South Dakota, and the infamous massacres for which Indian demands for reparation have gone un-

1. *Cherokee Nation v. Ga.*, 30 U.S. (5 Pet.) 1 (1931).

2. Act of June 2, 1924, ch. 233, 43 Stat. 253, 8 U.S.C. 3.

3. *Ex Parte Crow Dog*, 109 U.S. 556 (1883).

4. 26 Stat. 851 (1861).

5. 25 U.S.C. § 70 (1970).

heeded—even though liability has been admitted, *e.g.*, Wounded Knee.

This thread of immorality is not confined to the treatment of Indian claims and counterclaims but extends throughout all dealings with the Indian. One court actually held that the Pueblo Indians were not "Indians" but American citizens.⁶ Thus, protection normally received from the federal government concerning alienation of Indian land was not extended to the Pueblos, making it easier for white settlers to acquire Indian land. Deloria shows that this immorality continued even when the Indian was placed upon the reservation. His selections evidence a policy intended to break the spirit of the Indian. Techniques used to accomplish this policy have ranged from severely restricting the rations available to the Indian to constantly interfering with the economic well-being of the Indian tribe which has obtained some degree of self-sufficiency. However, Deloria suggests that this policy may not be intentional, but due to a lack of understanding of the Indian.

Recognition is given to those non-Indian people—few though they are—who sacrificed immediate popularity in order to take a stand on the side of the Indian. Although their speeches concerned allotment and termination issues, their pleas on behalf of the Indian are not dated. They sought to have the United States protect the Indian tribe, deal with the Indian in a manner which was not degrading, and preserve the Indian way of life. A policy toward the Indian was suggested which aimed to benefit the Indian with regard to his character, understanding, and sensibilities. It was intended to gratify the wishes of the Indian more, and those of the United States less, than was done in the past.

This book is not only interesting—it is enlightening. Deloria has documented an Indian history which is not known to most people. Once there is an awareness of the past treatment of the Indian, there can be an understanding as to why current demands are made. Knowledge of the maltreatment of the Indian will also lead to an awareness of the treatment of other minority groups. This is necessary in order to comprehend their demands and counteract the feeling of divisiveness which is pervading the United States.

JAY E. BURINGRUD*

6. *United States v. Locero*, 1 N.M. 422 (1869).

* Third year student, University of North Dakota School of Law.