Indian Sign: Hegemony and Symbolism in Federal Indian Policy

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The study of the Native American peoples has long been a major focus of American anthropology, but until recently very few anthropologists have concerned themselves with analyzing the legal-political relationship between the United States government and these enslaved peoples or the federal policy mechanisms that have defined it. With a few exceptions, study of the formation and administration of federal Indian policy, so critical to the understanding of the lives of the reservation peoples and so little in their control, has been relegated by default to political scientists and historians, who have showed little more interest (some exceptions are Bee 1982; Kelly 1983; Hoxie 1984; and Philp 1986).

While Indian policy would logically seem a subset of broader national "ethnic" policy, in fact the quasi-autonomous system of "reservations" in the United States is a unique structural arrangement between the political state and this single group of peoples. Though frequently reflecting the broader currents of federal policy, particularly the omnipresent assimilation theme, Native American policy, especially since 1930, often seems anomalous, even opposed, to the general trends in ethnic matters. Accounting for this uniqueness, a policy enigma, is the primary focus of this essay.

As with any policy, understanding the sources and direction of ethnic policy is a complex problem amounting to a sociopolitical version of vector analysis. Most models of state-ethnic group relations involve a more or less rational analysis of costs, benefits, and balances between dominant and subordinate groups and forces in the state (Despres 1975; Hechter 1975; Convair 1984). A complete chart of the course of Indian policy would
require a summing of the various forces that have sought to influence it throughout its history, a task beyond the scope of a short paper. Instead I block out four broad areas that have seemed critical at a variety of turning points. I suggest that most of what has happened to the reservation peoples has had to do with (1) resource competition, (2) bureaucratic inertia, (3) reflexive policy, and (4) symbolic utility.

I explore each of these in turn, but, while giving due weight to the importance of the other factors, I concentrate on the uses of Indian policy to the state primarily in terms of maintaining "hegemony"; and that is largely a question of the fourth category, symbolic utility. The integrative task of establishing cultural hegemony and ethnic solidarity is a major problem for any plural society, and Indian policy has its major benefit, at least in modern times, in that arena. Hegemonic utility, I argue, is the key to the explanation of the seeming anomaly of Indian policy in the broader range of ethnic relations.

RESOURCE COMPETITION

The almost orthodox or standard explanation of Indian policy is simple resource competition, which pictures Indian policy as based on the exploitation of Native Americans' resources for the benefit of the dominant society. Commenting on federal Indian legislation, Felix Cohen observed that "to the cynic such legislation may frequently appear as a mechanism for the orderly plundering of the Indian" (1942:160). There have been and remain many such cynics, and resource competition-based, "neocolonial," models explain much in Indian affairs (Bee and Gingerich 1977; Jorgensen 1978; Ortiz 1984; Weiss 1984; Snipp 1986; Muga 1988). The benefits to the dominant elements in the society of the simple exploitation inherent in such a policy have a clear and obvious economic logic.

There can be no real question that the expropriation of Indians' resources—their land—is in fact the fundamental key to federal-Indian relations until approximately 1900. Where the Native Americans were once in sole possession of the entire 2.5 billion acres lying within the current U.S. boundaries, they were forced by federal policy actions onto reservations of only 155,632,312 acres by 1881. Prodigious as this confiscation was, the machinations of the General Allotment Act after 1881 reduced their resource base by a further 90 million acres, and of the approximately 60 million acres remaining to them at the end, most was not worth taking and by definition was unexploitable for economic development (Carlson 1981).

The "freeing" of land of its native inhabitants and the control of the sometimes violent resistance of the displaced created the reservation system and was unquestionably the dominant policy until 1900. A variety of other more altruistic "positive" and beneficial policy goals found frequent lip service in this era—Indians' protection, education, salvation, and civilization were frequently announced aims—but the results speak for themselves (Prucha 1976). While the land was successfully expropriated, the benevolent policies of education and civilization announced for the Native American peoples were either never pursued at all or pursued so weakly that they failed miserably.

The condition of the Indian peoples at the end of this process, as revealed by Lewis Merriam's report (1928), speaks as eloquently to the direction of federal policy as does their land loss. Their population had fallen to an all-time low of 250,000 from an estimated 10 million, and those who survived were without means of livelihood on the barren reserves. Stripped of resources, they had become the poorest of the poor with the worst life conditions of any people in America, including former slaves. Indians were ill-educated, ill-housed, in poor health, without work, and often without hope, as revealed by catastrophic alcoholism and suicide rates. Creating a dependent client population suspended in such misery can scarcely have been the intended object of the government's policy, but the reservation reality testifies to the policymakers' overwhelming interest in the Indians' land rather than in the Indians themselves.

Equally obvious is that by 1920 the Native Americans had been picked clean of most of their usable resources. There was little left to expropriate, and by then they were no longer a military threat to anyone. The principles of control and expropriation that guided policy until that point were no longer politically compelling, and the Native Americans fell into a policy limbo. Land was no longer a national issue; indeed, after John Collier's administration as commissioner of Indian affairs, most reservation land bases stabilized, and some even grew, though these small increases were not enough to break the prevailing pattern of poverty and underdevelopment.

The end to the prevailing pattern of expropriation just short of the elimination of the reservations is part of the anomaly of Indian policy that requires us to look beyond simple economic explanations. The legacy of straightforward economic neocolonialism would argue for the complete elimination of the reservations, and that remained the announced aim of policy until the 1930s, even if it was not actively pursued. Part of the answer is simply that the resources left after 1900 were not worth the cancle, a question of political economy of scale. The remaining lands
interested entrepreneurs in the Western states, but although such local claims continued to be supported by politicians in those states, these interests were no longer of the scale necessary to influence the policymaking interest of Congress as a whole.

Can federal Indian policy since 1900 be understood in terms of some other forms of economic exploitation of sufficient scale to justify the continued existence of the reservation system, the bureaucracy that administers it, and the sizable cost to the federal government? Many have suggested that oil, coal, and other mineral deposits belatedly discovered after the confiscatory policy period are still being expropriated, but now through the mechanism of federal control of leasing (Jorgensen 1978; Talbot 1981). There is no question that most of the remaining resources, poor as they are, are indeed in large part exploited by outsiders through a variety of such lease arrangements. On many reservations even the best farmlands are worked by outsiders through these leases, reducing the Indians to seasonal laborers on their own lands (Stern and Boggs 1971). These arrangements made by the Bureau of Indian Affairs (BIA) do often seem to have been made under terms of no great advantage to the Indian peoples. Generally they yield below-market rents and create little employment or infrastructural development.

There are limitations to the argument that this leasing pattern is the key to federal policy in sustaining the reservation system. If these resources are valuable enough to guide policy, then why not simply expropriate them as was done before 1900? The sums spent to maintain the reservation system, while not vast by federal standards, are substantial, and the yield to local Western interests who are the primary beneficiaries of these sweetheart leases is nowhere near the opportunity cost (Swimmer et al. 1984). The reservation system is a costly and inefficient Rube Goldberg device if its supposed aim is profitable exploitation of Indian resources by the larger society. The existence of these lease arrangements, on the contrary, appears to be an inadvertent function of the insignificance of Indian resources rather than a scheme based on their exploitation.

The recent hearings of the Senate Special Committee on Investigations of Indian Administration have found a clear pattern of low rates of return for reservation oil and mineral leases (FCNL 1989). But the hearings also indicate that the system is the result of bureaucratic ineptitude and mismanagement rather than any concerted scheme of intentional exploitation. The investigations suggest that all public domain land tends to have this characteristic low yield (FCNL 1989:2). The Native Americans suffer more than other Americans because a greater part of their economy is under inept federal management, but all Americans suffer similarly from the mismanage-

ment of public lands. These activities so important to the reservations are more matters of oversight than intention—not policy goals at all, but mere inevitable results of their status as federally administered communities.

I do not mean to argue that there is no continued utility to resource competition—based analysis. The economic model is still clearly useful in some areas. The Alaskan Native Settlement Act and the continuing debates over its modification have a clear economic basis, as does the ongoing wrangling over Winters doctrine water rights in the West (Berger 1985; Miklas and Shupe 1986). But in Indian affairs in general resource competition has become something of a red herring that distracts attention from other considerations. If we assume tentatively that the exploitation of Indian resources through expropriation or lease is not the principal motive for federal policy and administration of the reservations since 1900, we are freer to explore other lines of inquiry as to the origins of policy.

Symbolic, not economic, utility is the positive policy goal I will eventually offer as the most fruitful line to explore. But first I want to introduce the two other policy considerations that frequently function to obscure understanding of what happens in Indian affairs. These operate as "uncertainty principles" that limit the rational analysis of Indian policy.

BUREAUCRATIC INERTIA

I have already suggested that Indian lands now lack "scale," and I suggest a similar lack of scale for the Native Americans themselves, which tends to induce policy indifference, which in turn leads to bureaucratic inertia. Much of what happens, or more correctly doesn't happen, on the reservations is a function of the fact that in national politics no one cares very much one way or another.

Even in the early phases of American politics, when the Indian land question had some political weight, the Indians qua Indians had virtually none. The single phrase in the commerce clause of the Constitution reflects the limited notice taken of them at a time when they were at the height of their military and economic influence. In modern times Lyndon Baines Johnson, whose administration inaugurated the viral shift to "self-determination" policy, had not one word to say about Native Americans in his retrospective account of his presidency (Johnson 1971). Once their land was secured and their resistance subdued, Indians lost what little political clout they had.

The clueless political status of Native Americans becomes clearer when set in contrast to the scale of other ethnic groups. Among the features of an ethnic group that give it political weight and mold ethnic policy are
concerns with the control of the labor of these populations and political control of their voting behavior. Persuasive arguments, for example, have been made that the various shifts in civil rights policy related to blacks have had much to do with their role as "reserve labor" in controlling wages and the shifting and increasing demographic weight of their vote (Piven and Cloward 1977; Blauner 1982).

It is difficult to make a similar argument about Indian policy. Indian labor has never been a numerically significant resource. While policy in other Latin American nations has always been guided by a concern for harnessing the large, settled native population as peasants, in the United States the prevailing policy sought land uncumbered by Indians (Spicer 1967). The critical difference is the size of the Native American populations. The ratio of Europeans to Native Americans in North America was only briefly small enough to engender the abortive attempts to harness Indian labor. But the native populations, not large to begin with, fell rapidly by depopulation through disease and the flight of the survivors to the refuge of open frontiers. European indentured servants and African chattel slaves were rapidly substituted, and the proportion of Native Americans in the labor force fell to insignificance (Nash 1974). Europeans numbered 4 million by 1790 and 31 million by 1860, and continued increasing, while the Native Americans dropped to a low point of approximately 250,000 (Merriam 1928).

Ethnic groups such as the African Americans today have considerable clout and weight in American politics because there are some 30 million of them, largely concentrated in major industrial cities. Native Americans, by the most generous estimate based on their remarkable increase by "recruitment" in the last census, number only 1,532,000—less than 1 percent of the U.S. population (Passel and Berman 1986). The reservation populations that are the primary focus of Indian policy are less than half this number (631,574) and are isolated and widely dispersed on 278 reservations (Swimmer et al. 1984). Indian labor has been insignificant since the 1700s, and, given their numbers, Indians have never been worth counting as a voting bloc. The Native Americans lack clout because they lack scale.

The result of this, as I have already suggested, is policy indifference, which results in bureaucratic inertia. In politics as in physics, "a body at rest tends to stay at rest" unless force is applied to move it; in this case political force, of which the Native Americans have virtually none. Robert Bee explores the Weberian bureaucratic implications of a similar hypothesis at greater length elsewhere in this volume. Here I want only to suggest that once the reservation system came into being, there was, after 1900, no sufficient economic or demographic interest at stake to do anything—positive or negative—further about it.

Given the lack of any directional political force, the BIA bureaucracy has by default largely been left undisturbed as a caretaker mechanism, holding the reservation peoples frozen in perpetual dependency in their administered communities. Lacking any congressional mandate for change, and charged with "trust" responsibility, the safest course of action for the BIA bureaucrat who is not interested in working himself out of a job is to do as little as possible. The result of this is that much of what happens on reservations has no further explanation than that offered by the Tiv to Laura Bohannan: "That is the way that it is done, so that is how we do it" (1968:482). The BIA's relentless pursuit of the status quo is thus a considerable factor in understanding Native American policy.

REFLECTIVE POLICY

Things do change in Indian policy, and new mandates are periodically given to the bureaucrats. When we examine the critical turning points of such occurrences—the policies of greatest impact and significance to the reservation peoples—we tend to find that they are simply the reflections of larger events. In fact, the single greatest factor governing events on the reservations may be policies formulated entirely without direct reference to the reservations; policy applied to Indians, but not Indian policy.

Since the Indians themselves lack scale and the BIA seeks status, the only possible source of force to create policy action is external to the reservations themselves. Action on the reservations is the result of motivations of greater scale, of social momentum built up elsewhere and then applied as an afterthought to the reservations. This tends to lend a "deus ex machina" quality to reservation life because the often great impact of such policies is unanticipated and largely accidental. While the lack of scale explains to some extent why things don't happen, why the reservation system persists in a kind of status, to understand what does happen we need to look off the reservations entirely.

For example, the turning away from forced assimilation and the tentative moves toward self-government and economic development during the Indian Reorganization Act (IRA) era under the Collier administration are debatably among the most critical events in recent reservation history (W. H. Kelly 1954). Yet this was scarcely the work of the Indians themselves, as Collier tended to claim, nor was it really the result of the interest in Indian affairs of a handful of Eastern intellectual romantics such as Collier.
himself, inspired by the quest for the "community" of Prince Kropotkin (L. C. Kelly 1983).

The social engineering and restructuring undertaken on the reservations during Collier's administration as BIA commissioner occurred only because similar efforts on a vastly greater scale were being undertaken throughout the disunited United States. The Native American's economic pump was primed only because the FDR administration was priming the national pump. Innovative conservation and education programs came about only because the administration was conducting a broad-spectrum social struggle against the social disruptions of the Great Depression. The Indians, long poor and powerless, got help only when "one third of a nation" found itself in similar straits and, as in the Navaho stock-reduction program, often got it in forms ill-designed for the reservations themselves (Taylor 1980).

FDR's social programs lost momentum during World War II, and the relative importance of those directed to Indian affairs was graphically illustrated when the BIA was moved from Washington, D.C., to Chicago to make room for more significant matters. The economic woes of the general society were increasingly in hand at this point, and the new deal for Indians ended with the New Deal programs for everyone else, although reservation poverty had by no means been eliminated. These programs, however, meant only as temporary and small-scale emergency measures in the general society, had unanticipated and lasting effects on the reservations. Whatever the FDR policymakers had in mind for the nation, the era, among other things, created new and stronger social structure on the reservations. The BIA tribal governments for the first time began to give the Native American peoples some potentially powerful mechanisms for self-administration.

One could argue similarly that the greatest threats to the survival of the Indian peoples have also had the quality of policy afterthought. Lawrence Kelly noted of Secretary of the Interior Albert Fall, "Foiled in his efforts to develop the public domain for private gain, Fall sought new areas of exploitation. . . He found those in the Indian reservations" (1983:159). Similarly, when the Republicans returned to power in the 1950s they made aim at the "excesses" of the New Deal and Fair Deal social spending. The Hoover Commission, which examined federal spending, had recommended in 1949 a wide range of program cuts, and elimination of the BIA and the reservations was only a minor one of the many recommendations. Many have tended to interpret the resulting "termination" policy as a resurgence of the assimilationist philosophy, but while the policymakers did make use of that rhetoric, the policy source was clearly not this ethic philosophy but the reflexive application of pressure paring (Felix Cohen 1953; Burt 1982; Fixico 1986).

The most recent and perhaps most hopeful policy of all, the commitment to tribal self-determination—or at least self-administration—is also regrettably among these inadvertent policies. Self-administration as a policy seems to be a direct offshoot of the Office of Economic Opportunity's (OEO) "Community Action" program and its doctrine of "maximum feasible participation of the poor" (Castile 1974). The program was designed for non-Indian poverty constituencies and was applied on the reservations only as an afterthought. The OEO program quickly stalled because it was an affront to existing political balances in its efforts to "empower" the poor. But while it failed everywhere else, it succeeded on the reservations. The program provided a vehicle to revitalize Indian self-government through its system of locally administered direct federal grants and was met with enthusiasm by Indian leaders (Philp 1986).

Such successes in a morass of Great Society failures elsewhere, and the unpopularity of the Vietnam War, presumably underlay LBJ's endorsement of the trend through his announcement of the new policy of self-determination in his "Forgotten American" message (Johnson 1968). In the following administration, Richard M. Nixon, while dismantling what was left of the Great Society, also endorsed the policy of self-determination—in this case because it was consistent with the decentralizing tendencies of his own New Federalism (Strickland and Gregory 1970; Forbes 1981). Although it was a failure everywhere else, the Community Action program, like the New Deal, left a considerable if unintended legacy to the Native Americans.

It does not take such large-scale swings in general social policy at the New Deal and the Great Society to affect Indian affairs. Being of small political "mass," the reservations are more easily moved than the society at large or even the larger ethnic groups. Recent Indian policy has tended to be reflexively influenced by the relatively small political forces swirling around environmental and ecological issues. Reservations find themselves in a position analogous to those of Third World countries, inasmuch as both find themselves facing developed-world demands for stringent protection of the environment amounting to a prohibition on their own development (Reno 1981). While powerful political and economic forces make such preservationist notions difficult to implement in the already developed sector, reservation resources are in large part directly administered by the federal government, so even such politically weak forces are easily heeded.

Although the rhetoric suggests otherwise, it is generally not Indian
interests that are the principal motivation in efforts ostensibly aimed at preserving reservation life. The preservationists, as one group's name proclaims, are interested in "Earth First." Their energy policy focus is on wilderness, water, fish, even alligators, not the Native Americans per se. The recent federal disposal of the Phoenix Indian school involved a trade of resources once dedicated to Indian uses for resources necessary for alligators—valuable Phoenix land for Florida wetlands. To the extent that Indians themselves are a consideration, it is as a sort of human equivalent of the snail darter, with reservations as ethnographic wilderness zones. This conservationist "Indian as natural resource" view was expressed by one of Collier's zealots, who said of Native Americans that they were a "National Asset, having something of the value of the big trees of California, and the geysers and buffaloes of Yellowstone." (L. C. Kelly 1983:308).

ANOMALOUS POLICY?

Thus far I have suggested that much of what has happened on reservations was a function of simple exploitation, much that did not happen was the result of simple political indifference, and the rest amounted to accidents that reflected larger policy currents. But this is too facile. Even in the early resource-grabbing period there were aspects of Indian affairs that do not seem to fit such explanations. Why couldn't Secretary Albert Fall pass his Bursum bill? Why couldn't Congress complete termination? Why can't Senator Slade Gorton pass his Steelhead Trout Protection Act? Questions remain about these and other policies that seem anomalous because they are not consistent with simple economic exploitation and not only do not reflect broader trends but run directly counter to them. The recognition of Native American "sovereignty" and the related policy of self-determination are the most perplexing questions of all.

In the history of the United States one clear and unequivocal political theme is an intolerance for any form of separatism, be it regional, ethnic, or religious. The War Between the States is the most dramatic regional illustration of federal intolerance. Separatist religious movements such as the Mormon kingdom of Deseret received no greater tolerance, and all such movements have been suppressed in their territorial aspirations. More modern movements of ethnic separatism such as the various black "nationalist" groups seeking to create autonomous homelands have not been dealt with so overtly, but neither have they been granted any political legitimacy.

Yet, in Indian law, a central theme since the decisions of Justice Marshall announcing the "dependent domestic nations" doctrine is at least a limited endorsement of some degree of tribal sovereignty (Geches et al. 1970: xviii). Marshall, of course, thought this condition was "contemplated to be temporary," and policy in general has tended toward this assumption of eventual extinguishment of tribal sovereignty. Still, unique among ethnic groups or any other constituency, some degree of tribal sovereignty has been conceded even if in actual practice the extent to which federal policy actually respected it has never been great.

In the 1930s this largely theoretical political autonomy began to take on some substance with the IRA governments—puppet governments initially, but potential mechanisms for self-administration nonetheless. An even more profound turn toward actual self-government was the codification of Lyndon Johnson's self-determination theme by Richard Nixon in Public Law 638. From this point on, the condition of tribal sovereignty has appeared "contemplated to be permanent," and the threat of eventual termination has been removed.

Why would federal policymakers tolerate—and in modern times even encourage—a kind of political autonomy for this one ethnic group that they will tolerate for no other, particularly when it is a group with little or no political clout? It is disingenuous to say that the Native Americans were granted this status simply because they are the "native" or aboriginal Americans. This begs the question as to why "aboriginality" ought to grant recognition of politically unique ethnic status. Aboriginality is a matter of degree, and other groups could be arranged on a scale of aboriginality. Partial aboriginals—mesizos and Mestizos—could assert similar claims. Hispanic activists have in fact made such claims to aboriginal priority to "Aztlán," the Southwestern United States, but no claims but those of the Native North Americans have been heeded.

If the key, as Justice Marshall decided and the courts have maintained, is simply based in unextinguished residual sovereignty, then there is a similar problem with other competing claims. Spanish, French, Dutch, Swedish, Mexican, Russian, Mormon, and other "national" entities all had prior sovereign title to some part of what became the national territory of the United States. Yet all of these prior sovereignties have been completely and absolutely extinguished, leaving no residues. With all of them—except the Native Americans—we have insisted on total political integration and tolerated no forms of autonomy whatever. The search for some answer to this policy enigma moves us away from the economic and into the realm of the symbolic.
HEGEMONY

The United States is a plural society in which the Native Americans form only one very small element in the ethnic mosaic. As in all such plural states, there are inevitable political and policy problems in maintaining the cohesion of the larger state and restraining the centrifugal tendencies of the plural ethnic elements. Theorists of the plural society such as J. S. Furnivall and M. G. Smith have generally tended toward a view of such ethnically diverse states that stresses the social control of the dominant elements dependent on the coercive exercise of state power (Furnivall 1948; Smith 1968). The Marxists, perhaps because their starting point was an extreme version of the coercive model, have generated some useful theory in reaction to this view. Notable among them is Antonio Gramsci, who contrasted such coercive “domination” with “hegemony” (Adamson 1980; Gramsci 1987). The concept of hegemony suggests that the solidarity of the state is achieved primarily through securing the “consent of the governed.” Hegemony is the “spontaneous consent given by the great masses of the population to the general direction imposed on social life by the dominant fundamental group” (Gramsci 1987:12). In the Gramscian usage this is not simple acquiescence to democratic or other political processes. The governed are brought to agree with the “ruling ideas” of the state—not to grudgingly give in to these ideas but to share them. According to one interpreter of Gramsci, “The ruling ideology molds desires, values and expectations in a way that stabilizes an egalitarian system” (Femia 1987:45). The hegemony model suggests that in the plural society such manipulation of ideas and symbols brings ethnic groups as well as classes and other diverse interest groups to endorse the legitimacy of the state and to reject aspirations of separatism. Gramsci thought that in the United States the “need to fuse together in a single national crucible with a unitary culture the different forms of culture imported by immigrants of differing national origins”—in short, ethnic solidarity—was the key problem in achieving hegemony (1987:26).

I have argued the economic and political insignificance of the Native Americans in federal Indian policy. I now want to suggest that in modern times, and to some extent in the past as well, the “use” of Indian policy, its rational benefit to the state, can be best understood in this context of its contribution to the securing of ethnic hegemony. Even in this symbolic task of supporting hegemony, however, the key to understanding is not the pursuit of the “consent” of the Native Americans themselves but rather the contribution of federal Indian policy to hegemony in the wider ethnic arena.

INDIAN SIGN

The symbolic “image” of the Native Americans has always been largely divorced from the reality of their lives and subject to expropriation and manipulation in political and literary form (Black and Weidmann 1976). John Collier battled on behalf of Native Americans’ political rights using images of them as members of a “red Atlantis” and heirs to the “world’s oldest democracy” while his opponents used images of savage practitioners of “obscenities and barbarisms,” with neither much troubling to consult with Indian reality (L. C. Kelly 1983, chap. 9). For those who seek to make use of such dream images of Indians as savages, sages, or solons, Indian reality is irrelevant. One of the special symbolic advantages of the Indian is that few in the national audience are aware of the contrast between these images and reality. Many know what slums really look like, which limits slums’ symbolic malleability; but given the general lack of knowledge, all sides are considerably freer to invent their own “Indian.”

This protean unreal quality permits a unique treatment of the Native Americans among ethnic groups. There is little unusual about the exploitation of positive Indian stereotypes in naming vehicles “Comanche” and the like to imply their suitability for warriors. But while Aunt Jemima and Uncle Ben no longer shuffle about on food packages, befuddled Indian “chiefs” and “princesses” abound. While there are no ball clubs called the Boston Slaves, there are the Braves, the Redskins, the Chiefs, ad nauseam (ICN 1988). This blatant lack of sensitivity in the treatment of Native Americans is partly because of their lack of political weight, but also because of the almost complete substitution of imagination for reality in the public mind.

These commercial and popular symbolic uses of the Indian, which constitute the ultimate expropriation—the expropriation of identity itself—deserve a good deal more exploration, but in this essay I am primarily concerned with the manipulation of Indian images as it relates to federal policy. Rather than their commercial appearances we are concerned with their casting in the theater of Congress and the federal courts, where images of Native Americans have major roles. Gramsci suggested that while all organs of the state contribute to hegemony, “lapses in the administration of justice make an especially disastrous impression on the public: the hegemonic apparatus is more sensitive in this area” (Gramsci 1937:246).

Felix Cohen observed of the symbolic role of the Indian, “Like the miner’s canary the Indian marks the shifts from fresh air to poison gas in our political atmosphere; and our treatment of Indians, even more that our
treatment of other minorities, reflects the rise and fall of our democratic faith” (1953:192). Less elegantly, the symbolism could be compared with Yanamamo wife beating, of which Napoleon Chagnon observed, “Apparently the important thing in wife beating is that the man has displayed his presumed potential for violence, and the intended message is that other men ought to treat him with circumspection, caution and even deference” (Chagnon 1983:16). The point in both comparison is the same: the message sent by Indian policy finds its significance in audiences other than the Indians themselves.

Policymaking factions within the Congress who find themselves unable to carry out their aims in the larger society sometimes turn to the small-scale reservations directly under federal administrative control to “demonstrate” their policies. For example, abolitionist programs aimed at the assimilation of blacks in the South during Reconstruction were largely stalled by the 1870s. Frederick Hoxie observed that “by 1879 Republicans felt the need to affirm their ‘principled’ approach to politics... . Indian affairs raised again the possibility that the government could ‘deliver’ an embattled minority from tyrannical rule.” “Assimilated natives would be proof positive that America was an open society where obedience and accommodation to the wishes of the majority would be rewarded with social equality.” What could not be done elsewhere could at least be symbolically accomplished by a demonstration on the reservations, and the “Indian assimilation campaign promised to be popular, safe and therapeutic” (1984:32, 34, 35).

Although in this instance there was a nice coincidence of idealistic demonstration and continuing resource expropriation, the same principle of symbolic demonstration continued after the resource base had largely vanished. Federal policy on the reservations often seems to be explicable as such a demonstration to “keep the faith,” not for the Indians themselves but for larger ethnic constituencies who cannot be more directly aided. Indian policy is thus tied to “civil rights” policy, but often in oblique ways. There have been several key thematic areas in which Native Americans seem to have had such symbolic demonstration potential.

INTERPOSITION

Reconstruction ended with the Compromise of 1877, when the federal government abandoned its commitment to intervene in the South on behalf of the civil rights of blacks when these were violated by local legislative and judicial disruption. The government did not actively resume that role until after World War II—judicially when it intervened in striking down the “separate but equal doctrine” in 1954, and legislatively with the Civil Rights Act of 1957. Explaining these policy shifts is not so simple here, but persuasive arguments have been made that both the hiatus and the resumption were not a sudden recollection of somehow mislaid idealism but a reflection of the shifting importance of blacks in American political and economic life (Piven and Cloward 1977). Whatever its origin, there has, in fact, been a renewed commitment since the 1950s to interpose federal power in the protection of minority rights.

The courts have long recognized that the Native Americans themselves are threatened by such local and state forces. In United States v. Kagama (1886), the Supreme Court noted, “Because of local ill feeling, the peoples of the states where they are found are often their deadliest enemies. From their weakness and helplessness, so largely due to the course of dealing of the Federal Government... there arises the duty of protection and with it the power” (Washburn 1973:2692). The extent to which such protection by federal interposition has been offered has been highly variable, but unlike the African-American situation, the variation is not explicable by shifts in the political economy of the Native Americans themselves.

The fulfillment of the dreams raised by the civil rights movement, as with those of the Reconstruction period, has often faltered. Achieving political and economic equality has turned out to be a lengthy process, in part because much of it has been left in the sometimes reluctant hands of the states. In the interim the federal government has had to maintain its hegemony and legitimacy in the eyes of the ethnic minorities even when it was unable to satisfy their aroused hopes. As the abolitionists turned to the Native Americans, so too have modern-day reformers in this latter-day quest for credibility. The modern drama over Indian affairs finds political significance and utility as a continuing affirmation of eventual federal good faith in the prolonged civil rights struggle.

One illustration of this is the struggle in the federal courts over Indian fishing rights. The state of Washington, under Attorney General Gladys Gorton, carried on an astonishing assault of Indian fishing rights in the 1950s, continued into the present by now Senator Gorton (Fay Cohen 1986). The state was thwarted only by determined federal interposition. The intensity of the conflict and its analogy with the civil rights struggle were made explicit in an observation by the Ninth Circuit Court of Appeals: “Except for some desegregation cases, the district court has faced the most concerted official and private efforts to frustrate a decree of a federal court witnessed in this century” (Getches et al. 1979:649). Such protection is
this and other Indian cases acts as a dramatic affirmation of federal good faith in the protection of even the most powerless minorities from powerful local majorities. The actual resources of the Native Americans in question, such as game fish in Washington, are often not nationally economically significant, but the symbolism of their protection is a reassurance to all minority groups that the faith will be kept.

INJUSTICE

Perhaps even more important than the "justice seen to be done" in interposition and other demonstrations is the avoidance of the appearance of injustice. It is often symbolically not so important that you "do right" by the Indians, but that you are not seen to do wrong. Particularly in times of ethnic upheaval, the miner's canary is watched more closely, and open or blatant violation of Native American rights is politically visible and damaging to hegemony.

The success of Collier's positive policy can to some extent be understood as a function of the inappropriateness of the continuance of open expropriation and forced assimilation in a time of almost revolutionary loss of confidence in government. The Great Depression left large numbers of Americans disadvantaged, without hope, and ready to turn to radical solutions. During such times, continuing policies such as those of Secretary Fall on the reservations would only have served as a reminder to the public of governmental failure writ large. Reverse the normal state of hegemony in such troubled times required not only positive acts but the avoidance of even unimportant negative acts for symbolic reasons.

An even more compelling illustration is the halting and reversal of the termination policy of the 1950s. Beginning as an offshoot of a conservative social policy era, it ran very quickly into another time of social upheaval, the rise of the civil rights movement. Terminating the cultural existence of Indian peoples as a federal policy became visibly and embarrassingly inconsistent with the affirmative spirit of that movement. In particular, the Menomines' dramatic campaign to reverse their termination using the confrontational politics of protest served to link the struggle of the Indian peoples against termination to the larger civil rights protest in the public and federal minds (Peroff 1982). The policy of termination was not only halted by this linkage during the 1960s, it was reversed through the creation of the Federal Acknowledgment Pardon process (FAP) in 1978 (Roessel 1989). The FAP process has also been more symbolic than substance (only a few petitions have been approved), but it does at least constitute another symbolic commitment to the continued existence of tribal peoples.

Overall, the generally increased importance of Native Americans in federal policy since the 1960s is largely explicable by the increasing importance of ethnic and civil rights. The civil rights movement itself is readily understandable in terms of the increasing economic and political power of the larger ethnic groups in the United States. Its relation to Indian affairs can perhaps be understood in terms of political sympathetic vibration, in which a degree of sympathy clout is at the disposal of the Native Americans as proxies or surrogates for the more important minorities. "Red power," which, on the face of it, is a contradiction in terms, has had a certain reality since the 1960s (Deloria 1974). The power is not that of the Indians themselves, but the sympathetic political magic which makes an offense against Indian rights a symbolic offense against all ethnic rights.

The down side of this symbolic power is that while much rhetorical attention has been paid to Indian activism and overt offense has been avoided, there has been little practical benefit. The poverty and life conditions on the isolated reservations are not all that much improved because they are not politically visible. Although policymakers are constrained from negative actions by the sympathy clout, there is little pressure to actually do much substantial and positive. In the realm of the imaginary Indian, rhetoric and formal gestures meet the symbolic needs, and so images are manufactured, but not the underlying realities. The last thorough look at the reservations found them, as always, among the poorest of the poor (Swimmer et al. 1984).

REVERSE SPIN?

Which brings us back to the most perplexing of all messages to decode— the policy of self-determination. Since any degree of political autonomy is categorically denied to all other ethnic groups, this can scarcely be interpreted as a spin-off of larger policy, nor as an instance of a demonstration of keeping the faith—symbolically promising an eventual similar outcome to other minorities. The initial political stimulus to modern Indian self-determination policy was indeed an offshoot of the OEO Community Action efforts, but that larger movement was itself abortive. The principal political lesson of the Community Action program was yet another reaffirmation of the consistent denial of political autonomy for the other poverty-stricken constituencies it briefly attempted to empower. So what does it mean?
In fact, what we have here is reverse spin; the policy of Indian self-determination conveys a message to larger audiences which means very nearly the opposite of what it appears to mean. At one level, the granting of symbolic autonomy to Native Americans can be likened to the function of ritual acts of license such as those associated with the Roman festival of Saturnalia. The dramatic role reversals and sexual license of the festival weren't an encouragement for general debauchery but a limiting statement—"only here and now is this permitted." The fundamental message was negative, a dramatization of forbidden behavior. Similarly, the message of Indian self-determination to potentially separate ethnic groups is that only Native Americans can hope to aspire to this autonomy, and "no Irish need apply."

This and other aspects of the publicly pronounced "special relationship" allowed to Native Americans and no others has yet another three-cushion effect—not on the ethnic minorities but on the dominant majority population. The federal reiteration of the special relationship inherent in Indian treaty rights (e.g., the fishing rights crisis in Washington State) inevitably touches off protests against special "privilege"; the hegemonic effect could be called "revulsion unto brotherhood." Affronted that Native Americans can catch fish when they cannot, the masses of weekend sports fishermen cry out for equality under the law and brotherhood with all minority groups (Williams and Neubeck 1976). The apparent encouragement of centrifugal tendencies functions, in fact, toward centrifugal movement from both minority and majority poles.

These affirmations of self-determination are, of course, often more symbolic than real. The special access to resources is strongly federally supported for hunting and fishing, which are not economically significant, and very much hedged when it comes to matters like water rights. The autonomy implied in self-administration remains only a potential contingent on the withering away of the BIA administration and its replacement by Indian self-government, a condition now further from fruition than the demise of the dictatorship of the proletariat. Limited public and largely symbolic affirmations of self-determination suffice for the hegemonic purposes; the Ark need never actually arrive so long as it is seen to be moving toward Zion.

Their role as the miner's canary has, however, had practical benefits for the Indian peoples. It has, I think, guaranteed that threats of the complete termination of the government-to-government relationship are a thing of the past. After having elevated the relationship to an important symbol of ethnic good faith, the political costs of its betrayal would be high indeed in

the great game of hegemony. In the absence of a constitutional amendment protecting the Indians' position, Congress continues to possess the power, the plenary authority, to unilaterally end the relationship, but that power has itself become more symbolic than real.

There are more benefits beyond mere political survival. Once we understand that Indian policy has little to do with the resources of the reservations or with the Indian peoples themselves, then we are in a better position to locate the actual causal vectors. For the leadership of the Native American communities, some such understanding raises the hope of being able to manipulate their symbolic position in ways that grant them a political leverage far greater than their numbers justify. By keeping a sharp eye on the political waves of ethnicity, which they cannot raise themselves, shrewd timing will allow them to ride those waves and maximize their impact in positive ways. This ability to "get something for the people" through insightful reading and understanding of federal policy trends has become the indispensable skill for tribal chairmen (Bee 1979).

REFERENCES


