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978-1-108-07207-6 - A Century of Dishonour: A Sketch of the United States Government's Dealings with Some of the North American Tribes

Helen Hunt Jackson

Excerpt

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## INTRODUCTION.

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THE present number of Indians in the United States does not exceed three hundred thousand, but is possibly as large now as when the Europeans began the settlement of the North American continent. Different tribes then existing have dwindled, and some have become extinct; but there is reason to believe that the vast territory now occupied by the United States, if not then a howling wilderness, was largely an unpeopled solitude. The roaming wild men who met the new discoverers were, however, numerous enough to make the Indian problem at the outset a serious one, while neither its gravity nor its difficulty yet shows signs of diminution.

The difficulty is not because the Indians are wild and savage men, for such men have in the past history of the human race been subdued and civilized in unnumbered instances, while the changes which in our time have been wrought among the cannibals of the South Sea and the barbarians of South Africa, and among the wildest and most savage of the North American Indians themselves, show abundantly that the agencies of civilization ready to our hand are neither wanting nor weak.

The great difficulty with the Indian problem is not with the Indian, but with the Government and people of the United States. Instead of a liberal and far-sighted policy looking to the education and civilization and possible citizenship of the Indian tribes, we have suffered these people to remain as savages, for whose future we have had no adequate care, and to the consideration of whose present state the Government has only been moved when pressed by some present danger. We have encroached upon their means of subsistence without furnishing them any proper return; we have shut them up on reservations often notoriously unfit for them, or, if fit, we have not hesitated to drive them off for

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our profit, without regard to theirs; we have treated them sometimes as foreign nations, with whom we have had treaties; sometimes as wards, who are entitled to no voice in the management of their affairs; and sometimes as subjects, from whom we have required obedience, but to whom we have recognized no obligations. That the Government of the United States, which has often plighted its faith to the Indian, and has broken it as often, and, while punishing him for his crimes, has given him no status in the courts except as a criminal, has been sadly derelict in its duty toward him, and has reaped the whirlwind only because it has sown the wind, is set forth in no exaggerated terms in the following pages, and ought to be acknowledged with shame by every American citizen.

It will be admitted now on every hand that the only solution of the Indian problem involves the entire change of these people from a savage to a civilized life. They are not likely to be exterminated. Unless we ourselves withdraw from all contact with them, and leave them to roam untrammled over their wilds, or until the power of a Christian civilization shall make them consciously one with us, they will not cease to vex us.

But how shall they become civilized? Civilization is in a most important sense a gift rather than an acquisition. Men do not gain it for themselves, except as stimulated thereto by some incentive from above themselves. The savage does not labor for the gratifications of civilized life, since he does not desire these. His labors and his desires are both dependent upon some spiritual gift, which, having kindled him, quickens his desires and calls forth his toil. Unless he has some help from without, some light and life from above to illumine and inspire him, the savage remains a savage, and without this all the blandishments of the civilization with which he might be brought into contact could no more win him into a better state than could all the light and warmth of the sun woo a desert into a fruitful field. When English missionaries went to the Indians in Canada, they took with them skilled laborers who should teach the Indians how to labor, and who, by providing them at first with comfortable houses, and clothing, and food, should awaken their desires and evoke their efforts to perpetuate and increase these comforts. But the Indian would not work, and preferred his wigwam, and skins, and raw flesh, and filth to the cleanliness and conveniences of a civilized home; and it was only as Christian influences taught him his inner need, and how this could be supplied, that he was led to wish and work for the improvement of his outer condition and habits

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of life. The same is true everywhere. Civilization does not reproduce itself. It must first be kindled, and can then only be kept alive by a power genuinely Christian.

But it is idle to attempt to carry Christian influences to any one unless we are Christian. The first step, therefore, toward the desired transformation of the Indian is a transformed treatment of him by ourselves. In sober earnest, our Government needs, first of all, to be Christian, and to treat the Indian question as Christian principles require. This means at the outset that we should be honest, and not talk about maintaining our rights until we are willing to fulfil our obligations. It means that we should be kind, and quite as eager to give the Indian what is ours as to get what is his. It means that we should be wise, and patient, and persevering, abandoning all makeshifts and temporary expedients, and setting it before us as our fixed aim to act toward him as a brother, until he shall act as a brother toward us. There is no use to attempt to teach Christian duty to him in words till he has first seen it exemplified in our own deeds.

The true Christian principle of self-forgetful honesty and kindness, clearly and continuously exhibited, is the first requisite of true statesmanship in the treatment of the Indian question. This would not require, however, the immediate entrance of the Indian upon all the privileges of citizenship and self-direction. Christianized though he might be, he would need for a longer or shorter time guardianship like a child. A wise care for his own interests could not be expected of him at the outset, and the Government should care for him with wise forethought. Obedience to the law should be required of him, and the protection of the law afforded him. The jurisdiction of the courts and the presence of the Government should be felt in the Indian Territory and upon every Indian reservation as powerfully as in the most enlightened portions of the land. The court should go as early as the school, if not before, and is itself an educational agency of incalculable importance.

When the Indian, through wise and Christian treatment, becomes invested with all the rights and duties of citizenship, his special tribal relations will become extinct. This will not be easily nor rapidly done; but all our policy should be shaped toward the gradual loosening of the tribal bond, and the gradual absorption of the Indian families among the masses of our people. This would involve the bringing to an end of the whole system of Indian reservations, and would forbid the continued isolation

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of the Indian Territory. It is not wise statesmanship to create impassable barriers between any parts of our country or any portions of our people.

Very difficult questions demanding very careful treatment arise in reference to just this point. Certain Indian tribes now own certain Indian reservations and the Indian Territory, and this right of property ought to be most sacredly guarded. But it does not, therefore, follow that these Indians, in their present state, ought to control the present use of this property. They may need a long training before they are wise enough to manage rightfully what is nevertheless rightfully their own. This training, to which their property might fairly contribute means, should assiduously be given in established schools with required attendance.

If the results thus indicated shall gradually come to pass, the property now owned by the tribes should be ultimately divided and held in severalty by the individual members of the tribes. Such a division should not be immediately made, and, when made, it should be with great care and faithfulness; but the Indian himself should, as soon as may be, feel both the incentives and the restraints which an individual ownership of property is fitted to excite, and the Government, which is his guardian, having educated him for this ownership, should endow him with it. But until the Indian becomes as able as is the average white man to manage his property for himself, the Government should manage it for him, no matter whether he be willing or unwilling to have this done.

A difficulty arises in the cases—of which there are many—where treaties have been made by the Government of the United States with different Indian tribes, wherein the two parties have agreed to certain definitely named stipulations. Such treaties have proceeded upon the false view—false in principle, and equally false in fact—that an Indian tribe, roaming in the wilderness and living by hunting and plunder, is a nation. In order to be a nation, there must be a people with a code of laws which they practise, and a government which they maintain. No vague sense of some unwritten law, to which human nature, in its lowest stages, doubtless feels some obligation, and no regulations instinctively adopted for common defence, which the rudest people herded together will always follow, are enough to constitute a nation. These Indian tribes are not a nation, and nothing either in their history or their condition could properly invest them with a treaty-making power.

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And yet when exigencies have seemed to require, we have treated them as nations, and have pledged our own national faith in solemn covenant with them. It were the baldest truism to say that this faith and covenant should be fulfilled. Of course it should be fulfilled. It is to our own unspeakable disgrace that we have so often failed therein. But it becomes us wisely and honestly to inquire whether the spirit of these agreements might not be falsified by their letter, and whether, in order to give the Indian his real rights, it may not be necessary to set aside prerogatives to which he might technically and formally lay claim. If the Indian Territory and the Indian reservations have been given to certain tribes as their possession forever, the sacredness of this guarantee should not shut our eyes to the sacredness also of the real interests of the people in whose behalf the guarantee was given. We ought not to lose the substance in our efforts to retain the shadow; we ought not to insist upon the *summum jus*, when this would become the *summa injuria*.

Of course the utmost caution is needed in the application of such a principle. To admit that a treaty with the Indians may be set aside without the consent of the Indians themselves, is to open the door again to the same frauds and falsehoods which have so darkly branded a "Century of Dishonor." But our great trouble has been that we have sought to exact justice from the Indian while exhibiting no justice to him; and when we shall manifest that all our procedure toward him is in truth and uprightness, we need have no fear but that both his conscience and his judgment will in the end approve.

JULIUS H. SEELYE.

AMHERST COLLEGE, December 10, 1880.

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### AUTHOR'S NOTE.

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ALL the quotations in this book, where the name of the authority is not cited, are from Official Reports of the War Department or the Department of the Interior.

The book gives, as its title indicates, only a sketch, and not a history.

To write in full the history of any one of these Indian communities, of its forced migrations, wars, and miseries, would fill a volume by itself.

The history of the missionary labors of the different churches among the Indians would make another volume. It is the one bright spot on the dark record.

All this I have been forced to leave untouched, in strict adherence to my object, which has been simply to show our causes for national shame in the matter of our treatment of the Indians. It is a shame which the American nation ought not to lie under, for the American people, as a people, are not at heart unjust.

If there be one thing which they believe in more than any other, and mean that every man on this continent shall have, it is "fair play." And as soon as they fairly understand how cruelly it has been denied to the Indian, they will rise up and demand it for him.

H. H.

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## A CENTURY OF DISHONOR.

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### CHAPTER I.

#### INTRODUCTORY.

THE question of the honorableness of the United States' dealings with the Indians turns largely on a much disputed and little understood point. What was the nature of the Indians' right to the country in which they were living when the continent of North America was discovered? Between the theory of some sentimentalists that the Indians were the real owners of the soil, and the theory of some politicians that they had no right of ownership whatever in it, there are innumerable grades and confusions of opinion. The only authority on the point must be the view and usage as accepted by the great discovering Powers at the time of discovery, and afterward in their disposition of the lands discovered.

Fortunately, an honest examination of these points leaves no doubt on the matter.

England, France, Spain, little Portugal—all quarrelling fiercely, and fighting with each other for the biggest share in the new continent—each claiming “sovereignty of the soil” by right of priority of discovery—all recognized the Indians' “right of occupancy” as a right; a right alienable in but two ways, either by purchase or by conquest.

All their discussions as to boundaries, from 1603 down to

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1776, recognized this right and this principle. They reiterated, firstly, that discoverers had the right of sovereignty—a right in so far absolute that the discoverer was empowered by it not only to take possession of, but to grant, sell, and convey lands still occupied by Indians—and that for any nation to attempt to take possession of, grant, sell, or convey any such Indian-occupied lands while said lands were claimed by other nations under the right of discovery, was an infringement of rights, and just occasion of war; secondly, that all this granting, selling, conveying was to be understood to be “subject to the Indians’ right of occupancy,” which remained to be extinguished either through further purchase or through conquest by the grantee or purchaser.

Peters, in his preface to the seventh volume of the “United States Statutes at Large,” says, “The history of America, from its discovery to the present day, proves the universal recognition of these principles.”

Each discovering Power might regulate the relations between herself and the Indians; but as to the existence of the Indians’ “right of occupancy,” there was absolute unanimity among them. That there should have been unanimity regarding any one thing between them, is remarkable. It is impossible for us to realize what a sudden invitation to greed and discord lay in this fair, beautiful, unclaimed continent—eight millions of square miles of land—more than twice the size of all Europe itself. What a lure to-day would such another new continent prove! The fighting over it would be as fierce now as the fighting was then, and the “right of occupancy” of the natives would stand small chance of such unanimous recognition as the four Great Powers then justly gave it.

Of the fairness of holding that ultimate sovereignty belonged to the civilized discoverer, as against the savage barbarian, there is no manner nor ground of doubt. To question this is feeble sentimentalism. But to affirm and uphold this