Indian Child Welfare Act: Bias, Media and Historical Context eLearning course

American Indian Historical Events

Benjamin Franklin Writes of the Iroquois Great Laws of Peace as an example to form a Union of Colonies (1751)

In 1751 Benjamin Franklin wrote to his printer colleague James Parker "It would be a strange thing of the Six Nations (Iroquois Confederacy) should be capable of forming a scheme of such a union...And be able to execute it in such a manner as that it has subsisted ages, and appears indissoluble."¹ The League of Hodenosaunee (or Iroquois Confederacy) includes the five tribes of Algonquin-speaking peoples: the Mohawks, Oneidas, Onondagas, Cayugas, and Senecas. The Tuscarora joined in 1722. Generations ago, prior to the coming of the Columbus, an unending cycle of raid and counter raid, death and revenge, began to run out of control among the five Hodenosaunee nations. The fabric of their civilization was on the verge of being torn apart by feuds and warfare. One year, a visionary Huron elder named Deganawida appeared to the Iroquois territory, preaching a powerful message of peace. In his travels, he met an Onondaga man named Hiawatha, who was himself caught in the violence of the time. The Peace Maker, as Deganawida was becoming known, conceived of thirteen laws by which people and nations could live in peace and unity - a democracy where the needs of all would be accommodated without violence and bloodshed. Each law included a moral structure (these laws are known as the Great Laws of Peace of the Iroquois Confederacy):

"In all your...acts, self-interest shall be cast away...Look and listen for the welfare of the whole people, and have always in view not only the present, but also the coming generations...the unborn of the future Nation."

Hiawatha became a supporter of the Peace Maker and his Great Law and, because of his strong oratorical skills was the principal spokesman, constructing, according the legend, the first wampum belt, a beaded system of coded information employed in reciting the Great Law.

The structure of the Hodenosaunee government, allowing different states to coexist under one rule of law, was a concept of democracy. The system worked. The confederacy envisioned by the peace Maker and Hiawatha, influenced enlightened seventeenth- and eighteenth-century philosophers and writers in the colonies and Europe who were seeking just ways for their own people to be governed. In 1754 Benjamin Franklin's *Albany Plan of Union for British Colonies* drew inspiration from the example of the Iroquois League and the Great Laws of Peace.²

² Josephy, Alvin M., Jr. (1994). *500 Nations an Illustrated History of North American Indians*. New York, New York: Alfred A, Knopf.





¹ <u>www.teachinghistory.org</u>. National History Education Clearinghouse, 2013

Trail of Tears – 1831

The **Trail of Tears** is a name given to the forced relocation and movement of Native American nations from southeastern parts of the United States following the Indian Removal Act of 1830. The removal included many members of the Cherokee, Muscogee (Creek), Seminole, Chickasaw, and Choctaw nations, among others in the United States, from their homelands to Indian Territory (eastern sections of the present-day state of Oklahoma). The phrase originated from a description of the removal of the Choctaw Nation in 1831.³ Many Native Americans suffered from exposure, disease and starvation en route to their destinations. Many died, including 4,000 of the 15,000 relocated Cherokee.⁴

Custer's Last Stand - June 25, 1876

What do you know about the Battle of Little Big Horn? You might know the story better as Custer's Last Stand. On the morning of June 25, 1876, Lieutenant Colonel George A. Custer and the 7th Cavalry charged into battle against Lakota Sioux and Northern Cheyenne Indians. Custer's orders were to wait for reinforcements at the mouth of the Little Big Horn River before attacking the Indians, but Chief Sitting Bull had been spotted nearby, and Custer was impatient to attack. Custer's troops charged the Indians from the north. Quickly encircled by their enemy, Custer and 265 of his soldiers were killed in less than an hour.

The Battle of Little Big Horn – 1876

What do you know about the Custer's Last Stand? You might know the story better as The Battle of Little Big Horn. This battle was an armed engagement between combined forces of Lakota, Northern Cheyenne and Arapaho tribes, against the 7th Cavalry Regiment of the United States Army. The battle, which occurred on June 25 and 26, 1876 near the Little Bighorn River in eastern Montana Territory, was the most prominent action of the Great Sioux War of 1876. It was an overwhelming victory for the Lakota, Northern Cheyenne, and Arapaho, led by several major war leaders, including Crazy Horse and Gall, inspired by the visions of Sitting Bull (Thatháŋka Íyotake). The US Seventh Cavalry, including the Custer Battalion, a force of 700 men led by George Armstrong Custer, suffered a severe defeat. Five of the Seventh Cavalry's companies were annihilated; Custer was killed, as were two of his brothers, a nephew, and a brother-in-law. The total US casualty count, including scouts, was 268 dead and 55 injured.⁵

⁵ Josephy, Alvin M., Jr. (1994). *500 Nations an Illustrated History of North American Indians*. New York, New York: Alfred A, Knopf.





³ Josephy, Alvin M., Jr. (1994). *500 Nations an Illustrated History of North American Indians*. New York, New York: Alfred A, Knopf.

⁴ Josephy, Alvin M., Jr. (1994). *500 Nations an Illustrated History of North American Indians*. New York, New York: Alfred A, Knopf.

Massacre at Wounded Knee – 1890

Wounded Knee, located on the Pine Ridge Indian Reservation in southwestern South Dakota, was the site of two conflicts between North American Indians and representatives of the US government. The first conflict occurred in 1890 and the second conflict occurred in 1973. Throughout 1890, the US government worried about the increasing influence at Pine Ridge of the Ghost Dance spiritual movement, which taught that Indians had been defeated and confined to reservations because they had angered their Ancestors by abandoning their traditional customs. Many Sioux believed that if they practiced the Ghost Dance and rejected the ways of the white man, the gods would create the world anew and destroy all non-believers, including non-Indians. On December 15, 1890, reservation police tried to arrest Sitting Bull, the famous Sioux chief, who they mistakenly believed was a Ghost Dancer, and killed him in the process, increasing the tensions at Pine Ridge. An 1890 massacre left some 150 Native Americans dead, in what was the final clash between federal troops and the Sioux. In 1973, members of the American Indian Movement occupied Wounded Knee for 71 days to protest conditions on the reservation.

On December 29, the US Army's 7th Cavalry surrounded a band of Ghost Dancers under Big Foot, a Lakota Sioux chief, near Wounded Knee Creek and demanded they surrender their weapons. As that was happening, a fight broke out between an Indian and a US soldier and a shot was fired, although it's unclear from which side. A brutal massacre followed, in which it's estimated 150 Indians were killed (some historians put this number at twice as high), nearly half of them women and children. The cavalry lost 25 men.⁶

Boarding School Era – late 1800s

The boarding school era began in the late 1800s and continued at its most oppressive through the 1920s, when the federal government forcibly placed tribal children in the harsh, military like institutions in an effort to assimilate them into the dominant culture.

All things Indian — dress, language and beliefs — were forbidden. Affection was rare, punishment often severe. Some students were raped, many tried to run away and unknown numbers died.

The schools, which slowly started to reform in the 1930s, were not just an American phenomenon. Australia and Canada operated similar institutions, also intended to indoctrinate and "civilize" their native peoples.⁷

These institutions were filled with Indian children who were removed (often forcibly) from their families and tribal homelands. While the US government had been encouraging and supporting the efforts of Christian missionary groups to run schools in Indian Country since the early 1800s, it was with the founding of off-reservation schools like the Carlisle Industrial Training School in Pennsylvania (1879), the Sherman Indian School in California (1902), and other that the most invasive actions to disrupt tribal life were undertaken.

⁷ Seattle Times: Tribes Confront Painful Legacy of Indian Boarding Schools, 2008.





⁶ Josephy, Alvin M., Jr. (1994). *500 Nations an Illustrated History of North American Indians*. New York, New York: Alfred A, Knopf.

Through this process Indian families lost parenting skills that had been passed down for many generations, and replaced them with a punitive system of corporal punishment designed to keep a child (actions and thoughts) in their place. Children raised in boarding schools had no parental role models. When it came time to parent, all they'd experienced and knew to pass on was a punitive system of corporal punishment.

American Indian Code Talkers - 1918-1945

American Indian Code Talkers were communication specialists. Their job was to send coded messages about troop movements, enemy positions, and other critical information on the battlefield during World War I and World War II. Hundreds of American Indians joined the United States Armed Forces and used words from their traditional tribal languages. "Code Talkers" as they became known after World War II, are twentieth century American Indian warriors and heroes who significantly aided the victories of the United States and its allies.

During World War I and World War II a variety of American Indian languages were used to send secret military messages. There were at least two code talkers from each tribe. During World War I the Cherokee, Cheyenne, Choctaw, Comanche, Osage, and Yankton Sioux languages were used. During World War II the Assiniboine, Cherokee, Chippewa/Oneida, Choctaw, Comanche, Hopi, Kiowa, Menominee, Muscogee/Creek and Seminole, Navajo, Pawnee, Sac and Fox, Sioux - Lakota and Dakota dialects were languages that aided the US Military efforts.⁸

Indian Adoption Project

Between 1958 and 1967, Child Welfare League of America (CWLA) cooperated with the Bureau of Indian Affairs, under a federal contract, to facilitate an experiment in which 395 Indian children were removed from their tribes and cultures for adoption by non-Indian families. This experiment began primarily in the New England states. CWLA channeled federal funds to its oldest and most established private agencies first, to arrange the adoptions, though public child welfare agencies were also involved toward the end of this period. Exactly 395 adoptions of Indian children were done and studied during this 10year period, with the numbers peaking in 1967.

After the Indian Adoption Project ended, the Adoption Resource Exchange of North America (ARENA) began in early 1968 as the successor to the BIA/CWLA to continue the effort of removing Indian children from their families and tribes and adopting them into non-Indian families. Counting the period before 1958 and some years after it, CWLA was partly responsible for approximately 650 children being taken from their tribes and placed in non-Indian homes. For some of you, this story is a part of your personal history.

⁸ National Museum of American Indians website: Codetalkers, 2013.





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Through this effort, BIA and CWLA actively encouraged states to continue and to expand the practice of "rescuing" Native children from their own culture, from their very families. Because of this legitimizing effect, the indirect results of this initiative cannot be measured by the numbers I have cited. Paternalism under the guise of child welfare is still alive in many locations today, as you well know.⁹

Apology from the CWLA

On Tuesday, April 24, 2000, Mr. Bilchik, President and CEO of the Child Welfare League of America gave an apology at the National Indian Child Welfare Association Conference. Here is an excerpt:

While adoption was not as wholesale as the infamous Indian schools, in terms of lost heritage, it was even more absolute. I deeply regret the fact that CWLA's active participation gave credibility to such a hurtful, biased, and disgraceful course of action. I also acknowledge that a CWLA representative testified against ICWA at least once, although fortunately, that testimony did not achieve its end.

As we look at these events with today's perspective, we see them as both catastrophic and unforgivable. Speaking for CWLA and its staff, I offer our sincere and deep regret for what preceded us. The people who make up CWLA today did not commit these wrongs, but we acknowledge that our organization did. They are a matter of record. We acknowledge this inheritance, this legacy of racism and arrogance. And we acknowledge that this legacy makes your work more difficult, every day. As we accept this legacy, we also accept the moral responsibility to move forward in an aggressive, proactive, and positive manner, as we pledge ourselves to see that nothing like what has happened ever happens again. And we can ask --- I do ask and hope --- for a chance to earn your respect and to work with you as partners, on the basis of truth, on the ground of our common commitment to the well-being of children and young people and the integrity of families and cultures.

We will begin by demonstrating our respect for you and your work, recognizing the authority of your governments, and taking seriously our position of influence with public and private child welfare agencies and the governments supporting them, to fully comply with the spirit and the letter of the Act.

Apology from the Bureau of Indian Affairs GOVER APOLOGIZES FOR BIA's MISDEEDS: Agency's 175th Anniversary Occasion for Reflection

In a powerful and moving speech at a ceremony commemorating the Bureau of Indian Affairs' I75th anniversary, Assistant Secretary-Indian Affairs Kevin Gover today apologized for the ethnic cleansing and cultural annihilation the BIA had wrought against American Indian and Alaska Native people in years past. Speaking before an estimated audience of 300 people, most of whom were BIA employees, he observed that the event was not an occasion for celebration, but a time for reflection and contrition.

"We desperately wish that we could change this history," Gover said, "but of course we cannot. On behalf of the Bureau of Indian Affairs, I extend this formal apology to Indian people for the historical conduct of this agency."

⁹ Child Welfare League of America, (2000) Apology at National Indian Child Welfare Association Conference





Gover pointed out that the agency's lengthy cultural assault on American Indians and Alaska Natives for most of its history, particularly on the children sent to BIA boarding schools and their parents, has yielded a trauma of shame, fear, and anger that has passed from generation to generation fueling the alcohol and drug abuse and domestic violence that continues to plague Indian country. "These wrongs," he said, "must be acknowledged if the healing is to begin." Gover noted a healing process is crucial to letting go of the past and laying the groundwork for the future. "The Bureau of Indian Affairs was born in 1824 in a time of war on Indian people," he said. "May it live in the year 2000 and beyond as an instrument of their prosperity."

Gover also presided at a ceremony dedicating the Assistant Secretary-Indian Affairs' corridor in the Department's headquarters as the "Hall of Tribal Nations" where tribal flags from across the country will be on permanent display.

Note to Editors: The full text of Assistant Secretary Gover's speech is on the BIA's web site.

See the full apology on Youtube at http://www.youtube.com/watch?v=zu52ig696L4



