The Indian Question

A Case for the Army

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THE INDIAN QUESTION: A CASE FOR THE ARMY

The Civil War, (1861-65) not only transformed the art of waging war, it changed the way men thought about war as well as the reasons they went to war, leaving in its wake the transformed nucleus of the modern United States Army. Most military strategy of the 1850s and 60s was of Mexican War vintage. Armies fought battles with massed columns, bayonet charges, and smooth bore muskets, using techniques such as concentration of force, “interior lines,” etc., striking the enemy at his most vulnerable point as prescribed by Jomini, the 19th Century architect of French military strategy. [1]

By the time Ulysses S. Grant’s moved east in the spring of 1864, many of the old ideas about waging war had already been surpassed by the firepower technology of the Industrial Revolution. Previously, the ravages of war were reserved for enemy combatants, now men were talking of things such as “total war.” Among the casualties of these changes were the colorful characters of chivalry and flamboyance. Men with flare such as J.E.B. Stuart, Nathan Bedford Forrest, and Thomas “Stonewall Jackson,” had outlived their time, and were now being replaced by a new breed of young professional officers like William Tecumseh Sherman and Philip H. Sheridan.

According to historian T. Harry Williams, the American Civil War was different from any war the world had theretofore experienced. It was the first modern war. It was modern because it was a war of ideas, with no limitations upon its objectives. In other words, the North was fighting to preserve the Union and the South was fighting for Independence, and there was no middle ground. [2] When the Civil War ended America turned its eyes away from internal conflict to the future and westward expansion, taking with it the new ideals of modern warfare. This would be a harbinger of things to come, as the Indian was now targeted as the ultimate loser in the next modern war of economic expansion. [3]

Part of the uniqueness of the Civil War was the emergence of "total war" as an acceptable tool for settling political conflict. To the advocate of such an approach, everyone, military and civilian alike was considered a cog in the enemy's war machine. For the first time, civilian resistance was recognized as important as military resistance, and civilian morale as important as military morale. Simply put, "total war" was not limited to an enemy's army, but was waged against his civilian population, economy, and political structure. As applied to Indians, with certain notable exceptions, "total war" was not so much waged against entire Indian populations, but was most often directed against food supplies shelter, clothing, and stock, leaving its Indian victims to choose between the fate of starvation or surrender.

But without question, part of the collateral damage of indiscriminately waging war against Indians was the incidental taking of the lives of women and children, or casting them without food or shelter into a hostile environment. This posed a dilemma to many men of conscience within the ranks who failed to see justice in such actions. [4] The proponents of waging total war against Indian populations often argued that the humanness of the swift decisive military action produced fast and decisive results as opposed to allowing an entire population of people to fall victim to the long term sufferings of a protracted siege. [5]

But by 1865, the practice of responding to Indian aggression by striking against the tribe harboring the aggressors had become common signaling an acceptance of two important concepts and related precedents as standard operating procedure. One of these was the use of "total war" against Indians and the other was the winter campaign. In northern climates of the American West, the prevalence of heavy snow and sub zero temperatures rendered the Indian highly vulnerable. It was the time of year he tended to remain stationary for long periods of time, was less alert to danger, and focused primarily upon conserving food and other supplies. But for a campaigning army, winters

in the West presented considerable command and logistical obstacles, which if overcome, could pay high dividends. Excellent examples were the campaigns against the Shoshoni and Navajos during the winter of 1863-64. [6]

As the new, professional army emerged from the Civil War, it had company in the form of an evolving civilian bureaucracy. Aggressive in nature, and fed on the patronage of the Civil War years, this self-perpetuating entity would rise to pose a threat to the army equal to that of the Indians. Soon a keen competition developed between this civilian bureaucracy and the army over who would manage Indian Policy. As a result, concurrent and complicating factors of the moral dilemma of total war, campaigning against Indians during the winter and the division of federal authority in Indian affairs soon rendered the hope of an effective Indian policy all but impossible.

The fact that the military leaders never put together an effective Indian policy during the time when Indian management was in the War Department had much to do with the difficulty in defining exactly what kind of policy was needed. The War Department continually struggled dealing with people friendly at times, and hostile at others, a dilemma served only to illustrate the fact that the administration of Indian Policy was not exclusively military. At best, the Army had a task that was thankless, difficult, and wrought with ambiguity. “There are two classes of people” Sherman wrote, “one demanding the utter extinction of the Indians, and the other full of love for their conversion to civilization and Christianity. Unfortunately, the army stands between them and gets the cuff from both sides.[7]

In 1848 Treasury Secretary Robert Walker observed that some tribes had made limited progress understanding the principles of Christianity, and some were even showing an acceptance of the white man’s civilization, causing him to conclude that the future of Indian Policy was more peaceful in nature than warlike. As a result, Walker

detached the Indian Bureau, as well as other agencies not performing strictly military duties from the War Department and placed them in a new executive department, which became the Department of the Interior in 1849. This was the final act setting the stage for the development an escalating adversarial relationship between the army and the civilian bureaucracy, forcing the army, a primary player in Indian Policy since the adoption of the Constitution, to relinquish a power it had long considered an inalienable right. [8]

The bureaucratic haggling which followed revolved about how to deal with the nomadic tribes of the West, and whether the army or civilians were best qualified to manage the non-military aspects of Indian Policy. As the conflict and competition intensified between the two departments of government, officials in the field refused to work together, complicating the relations of each department with both the tribes and Congress upon which both depended for appropriations. [9]

Adding further complication to the situation, most army officers regarded Indian agents as corrupt and incompetent. The real rub was that the army had no control over Indian agents or the policies they adopted; yet it bore the primary burden for policy failures in the form of blood and blame. Those within the Indian Bureau held much the same opinions about the army and its leadership, pointing to the army's propensity for "total war" against what many regarded as defenseless men, women, and children, and arguing that most Indian conflicts had been the result of blunders by the army. [10]

By 1865 the animosity between the civilian bureaucracy and the army only widened and intensified during the sixteen years of civilian involvement in Indian Policy. Finally, the frustrations created by this divided authority prompted the military leadership to openly lobby for the transfer of the Indian Bureau back to the War Department. One of the more radical proposals on the table was to entirely restructure the government's

relationship with the tribes by reviewing all treaties, annuities, agents, and reservations, negotiated or established under civilian administration. [11]

Throughout the winter of 1866-67, the army and the Indian Bureau openly bickered over almost every issue imaginable, but the most heated debate centered upon whether licensed traders should be allowed to sell arms and ammunition to peaceful Indians. Secretary Orville Browning and Commissioner L.V. Bogy insisted this was necessary to enable the Indians to hunt, and therefore feed themselves during the harsh winter months, while the army countered that the Indians had successfully fed themselves with bows and arrows for generations. [12] Bringing the issue to a head, General Philip St. George Cooke banned arms sales in the Department of the Platt in July 1866, and General Winfield Hancock, backed up by Sherman and Grant, continued the practice in January 1867.

Both Browning and Bogy regarded these restrictions as the primary cause of Indian hostility, and considered the army's intervention in Indian administration unwarranted and even unlawful. In keeping with the agency's party line, Bogy even went so far as to attribute the December 1866 massacre of Capt. William Fetterman and his forth-nine infantrymen to the army's denial of arms to Red Clouds' people with which they lay in their winter's meat. [13]

As the bureaucratic haggling intensified, both parties used Indian management as a club with which to demonize the other. The army painted the proponents of peace as being impractical visionaries, while and the civilian bureaucrats in the Indian Bureau painted the army as overzealous buffoons. Through all of this, a primary champion for the return of Indian Policy to the War Department was John Pope, of Second Manassas ignominy, and the army's self-appointed expert on Indian policy. In the wake of Fetterman's massacre the time seemed right to bring the subject up once again. Ever the opportunist, Pope wrote an elaborate and eloquent argument supporting such a

move, and was joined by Col. Ely S. Parker, Grant's Seneca aide, who drafted and introduced a bill in the Senate on February 9, 1867. [14]

While Parker's bill passed the House, a significant number of Senators sympathetic to the peace movement blocked its passage using Sherman's own words about crushing the Sioux with "vindictive earnestness" to show that the army could not be trusted with Indian policy. At the same time, Secretary Browning persuaded President Johnson, and much of his cabinet, to approve a more conciliatory approach for dealing with the Indians, rather than the crude overbearing policies encouraged by Stanton and Grant. [15]

But as the debate extended into 1868, Congress became preoccupied with the impeachment of Andrew Johnson, and the legislation introduced in Congress by friends of the army to create a separate Indian Department and organize territorial governments for the two Great Plains reservations died in committee. One of those bills provided for the transfer of the Indian Bureau to the War Department. [16] On July 27, Congress did get around to appropriating half a million dollars to concentrate and feed the tribes effected by both the Medicine Lodge and Fort Laramie Treaties, which had been passed by Congress earlier in the session. Much of this money was to be used to concentrate the various Indian tribes on two large reservations, tribes of the southern plains in western Indian Territory, [17]and the tribes of the northern plains in South Dakota west of the Missouri River. [18]

At the time the appropriation received final approval, charges of corruption against the Indian Bureau raised doubts as to whether it could be entrusted with that much money to be spent on behalf of the Indians. In an effort to guard against the prospect of mismanagement, Congress specified that the money was to be spent under the direction of General Sherman. [19] By placing control of the money in Sherman's hands, Congress had basically handed over control of the Indians on the plains to the

army, without officially disrupting the bureaucratic organization of the Indian administration. Without controlling the power to distribute rations and other humanitarian goods, Indian agents lacked the power to concentrate the Indians, or exercise much authority over them once concentrated. [20]

The election of Ulysses S. Grant to the Presidency in 1868 gave new life to the army, considering Grant had always supported Sherman and the other generals advocating of a forceful Indian policy. In addition, he had been an able defender against charges by civilian authorities of atrocities committed by the army against the Indians. By 1868 the friction between the civilian Indian Bureau and the army had reached a new level of intensity. That, coupled with a new found confidence by the election of Grant, the army soon became increasingly militant, while at the same the ever-increasing number of humanitarian groups horrified by Indian bloodshed was becoming even more vocal in their demands of reform. The civilian bureaucrats charged the army with usurping civilian authority, as well as mistreating the Indians, provoking unnecessary wars, and failing to discriminate between peaceful and hostile Indians. On the other hand, army officers blamed their problems with the Indians on the ignorance, incompetence, corruption, and mismanagement, as well as the constant turnover in personnel within the Indian Bureau. In short, the arguments by both sides carried enough substance to suggest credibility and enough exaggeration and falsities to worsen the controversy. [21]

But Grant turned out to be a much different President than he was a general, introducing a series of new initiatives dealing with Indian management, soon labeled "Grant's Peace Policy." These new initiatives were most disturbing to the army, as most clearly favored civilian supremacy in guiding Indian affairs. Of these new initiatives, one proposed the nomination of agents and superintendents through religious groups. Another called for the creation of a Board of Indian Commissioners comprised of

philanthropists willing to serve without pay to oversee the disbursement of Indian appropriations. Yet another called for an end to a treaty system, which viewed Indian tribes as "domestic dependent nations" with which the United States must negotiate. Under the plan, all Indians were to be re-settled on reservations, where they would be educated, converted to Christianity, and educated in agricultural self-support. [22] While Grant's new Peace Policy appeared to create a kinder gentler phase of Indian Policy in the hands of the civilian bureau, there were still many aspects of the policy firmly in the hands of the army. First of all, only a handful of Superintendencies, effecting only a few Plains tribes were run by church nominated officials, all Quakers. Virtually all remaining superintendents and agents were army officers, simply detailed to the Indian Bureau. [23]

While the long debated transfer of Indian responsibility to the civilian authority did not die with the initiation of the Peace Policy, many of its initiatives had changed the contentious rivalry between the army and its civilian counterparts. In the words of Commissioner Eli Parker, the army and Indian Bureau had reached a "perfect understanding" in their respective roles. During the summer of 1869 Indian agents and military commanders were instructed that the Indian Bureau had "exclusive control and jurisdiction" of all reservation Indians, and the army all non-reservation Indians. The army could not interfere with any Indians on their reservations, absent the invitation from the Indian agents, and the army would treat all non-reservation Indians as hostile. [24]

However, although appearing to adequately divide and define areas of responsibility, many basic policy questions were left unanswered. First of all, how was this new policy to be applied to the Apaches in Arizona, which had no reservation system? Also, in those instances where Indian agents requested intervention by the army on a reservation, who was in charge, the agent or the military commander? Also, how could the Indians be prevented from using the reservation as a sanctuary from where they could raid nearby white settlements?

Before any of these questions could be addressed Grant's new Peace Policy underwent a fundamental change. On January 23, 1870 Major Eugene Baker and two squadrons of the Second Cavalry attacked and massacred a Piegan village on the Marias River in Montana. Peace advocates labeled the incident a deliberate and unprovoked massacre of peaceful Indians, women and children, as well as men. Both Sherman and Sheridan defended Baker arguing that these Piegan Indians were guilty of past attacks against white settlers, and not only that, the numbers killed (173) and wounded (120) hardly rose to the level of a massacre.

Notwithstanding the excuses, a flood of outrage in the eastern newspapers finally overwhelmed the army. Baker was condemned as a barbarian, and the incident doomed any reasonable prospect the army had of playing a significant role in the execution of the amended Peace Policy. The first political casualty of Baker's escapade was the death of the transfer measure, which had been incorporated into the army appropriation bill which, at the time, was close to passage in Congress. The second were the army officers then serving as Indian agents, as the final appropriation contained a section expressly prohibiting army officers from holding civilian posts. While the Baker incident provided an excellent excuse for banning this practice, the true motive behind the prohibition was rooted in a rivalry between the legislative and executive branches of government, and the prevailing practice of political patronage.[25]

By the middle of the 1880s there were 187 reservations embracing 181,000 square miles of territory and 243,000 Indians. Consequently, the Indian Bureau had grown from fewer than 300 officials in 1850, to a far-flung bureaucracy numbering more than 2,500 civil servants, literally possessing life and death control over all Indians in the United States. Lending credence to its detractors, the agency had become racked with patronage, politics, and corruption. By this time the Indian Bureau had achieved the seediest reputation of all government agencies. Spread throughout the nation, it

provided hundreds of government jobs within the most extreme environment of political patronage, ultimately casting the harshest of consequences upon the people least able to resist. According to the governor of one western state, the agency was an ideal fit for “party hacks fit for nothing else.”

As it was structured, the Indian Bureau offered many special opportunities for fraud, waste and abuse. Annual appropriations usually were about $7 million, most of which went for the purchase of food, clothing, and other goods to be issued to the Indians. From the factory to the agency warehouse, corruption enriched government bureaucrats as well as suppliers, at the expense of the people they were employed to benefit in the form of quality and quantity of available goods. [26]

As the reservation system grew agents developed large and more specialized staffs, i.e., clerks, teachers, farmers, herders, blacksmiths, carpenters and others. Farmers were employed to teach the Indians to farm like white men on arid land, and teachers were hired to open schools that Indian children refused to attend. Although they were not on the official payroll, missionaries and traders exercised enormous influence on the reservation preaching the white man’s God, and providing a number of useful items not issued by the government, also some not so useful, namely whiskey. [27]

Ever since the implementation of Grant’s Peace Policy, the army had played a well-defined role in the Indian reservation program, making war on all Indians not on reservations, and putting down disorders occurring upon the reservations. In fact, most of the significant military operations of the 1870s were mounted against reservation Indians forcefully resisting or fleeing the reservation process. As a matter of fact, the Modoc, Nez Perce, Paiute, Bannock, and Ute wars all grew out of reservation problems. Even the Red River War of 1874-75 and the Sioux War of 1876-81 were waged against a relatively small number if Indians who had never been on a reservation. [28]

Time and again, army officers had argued for the involvement of the army prior to the eruption of hostilities on the reservation. In their view, being called into a conflict after it had begun made their job more difficult than had they been offered the opportunity at prevention. While the catastrophe at Little Big Horn in 1876 signaled the official end of Grant's Peace Policy, the substance of the policy, in the form of the reservation system endured throughout succeeding administrations, both Democratic as well as Republican.

During this period, the reservation system was intended to serve two purposes; to control the Indian preventing him from disturbing white settlers, and to indoctrinate him in the white man's civilization, while providing for his needs and teaching him how to provide for himself. The army's basic mission also remained unchanged. However, as the reservation system became more effective in managing Indian Policy the army's Indian service now focused less upon chasing Indians off the reservation, and more on guarding the reservation. [29]

The Indian Bureau had consistently argued that military blunders or outright brutality had caused most Indian hostilities. Indeed they could point to the massacre at Sand Creek in the spring of 1864, and the massacre of Black Kettle during the Battle of the Washita in November 1868 as good illustrations of their point. [30] But life for the Indian under the administration of the Indian Bureau was little better.

A perfect example of this point was the concentration of the Apaches in Arizona and New Mexico by the Indian Bureau in 1875 after General Crook had been transferred to Sioux country. Accordingly, all Apaches west of the Rio Grande River were required to move to the San Carlos Reservation, which was a hot, barren malarial infested flatland on the Gila River in Arizona. Those who went were greeted that summer with malaria, and ants so large and carnivorous they could devour babies. While most of the Apaches went reluctantly, part of the Chiricahuas and most of the Warm Springs

Apaches refused. Thus, the final decade of Apache warfare 1876-86 is the story of the resistance of these two closely allied groups of Apaches. [31] Thus, a significant Indian War was generated which lasted a decade, the cause of, which had nothing to do with the army, or any of its heavy handed Indian policies. [32]

While one can argue either pro or con as to whether the army or the civilian Indian Bureau was to blame for this bungled Indian Policy, there can scarcely be any argument over the identity of the victim. In fact, the real villain was neither the army nor the Indian Bureau, but poor leadership at both the executive and legislative levels of government which allowed a division of authority to persist creating havoc in the administration of Indian Policy. One can argue over the total war mindset of the army, or the corruption and incompetence of the Indian Bureau. The real problem was both, but it was also failed leadership at the top.

Being required to make an argument in favor of one over the other, I must come down on the side of the army. The West was hardly secured from Indian attack throughout much of the two decades following the Civil War. The attempt by the civilian bureaucracy to impose its control over Indian Policy when serious security issues had not been resolved was foolhardy and counterproductive. Simply put, the most practical approach would have been the implementation and supervision of all Indian Policy through the War Department, and all functions of any civilian employee of the Indian Bureau coordinated through the military commander in the field.

While it is clear that not all aspects of Indian Policy were military, there are several good examples in American History, howbeit occurring during and after later wars, which offer good illustrations of military commanders efficiently administering civilian programs, or civilian programs being administered as part of military policy. Probably the best contemporary example of the pitfalls of repeating history is the current war in Iraq. I thought it interesting how Treasury Secretary Robert Walker came to the

conclusion in 1848 that the future of Indian Policy had more to do with peace than war. Then, the United States Government set about fighting Indians for the next four decades. The correlation is startling when comparing this statement made 156 years ago to that of the current administration's proclamation in May 2002 that the combat phase of the War in Iraq was over. Both are excellent examples of the consequences of politics in policy implementation.

Almost immediately after the surrender of Nazi Germany, American Secretary of State General George C. Marshall proposed that the economic reconstruction of Europe be pursued within a single program, and not on a country by country basis. As implemented, the "Marshall Plan" was a broad program of economic aid, which were part of the Truman Doctrine [33] as well as part of the larger American policy of containment. The "Marshall Plan" combined the resources of Europe with American aid within a four-year recovery period requiring a commitment of $16 billion from the United States.[34]

Although the "Marshall Plan" was a civilian program of economic recovery, the overall American policy of containment had a strong military component. First and foremost it was a defensive measure. While the Hitler Regime was defeated and in ruins, the Soviet Union had not demobilized, maintaining a post-war army of over four million men. Thus, American policy shifted from defeating Hitler to containing the Soviets. This required that civilian policies for the reconstruction of Europe be administered within the framework of military policy so that sufficient strength and balance to discourage any Soviet or Soviet-supported military aggression could be deterred, giving the civilian policies a chance to work. [35] One can only imagine if control of the "Marshall Plan" had been stripped away from the military at this tenuous moment and placed in the hands of a civilian bureaucracy. Simply put, the reconstruction of Europe was not a mutually exclusive competition between the military and the civilian bureaucracy. Had it been approached in that manner, it would likely have failed.

Another good illustration of American ingenuity in the management of civilian objectives through a military commander was in post World War II Japan by American General Douglas MacArthur. At the time of its surrender in 1945, most of the natural leaders of the Empire of Japan were dead. Over 1,270,000 Japanese had been killed in action, just between the years of 1941 thru 1945, and another 670,000 civilians had been killed in the bombings. [36]

In January 1946, MacArthur sent a report to Washington detailing the progress of the American military occupation. In his report he dealt with such things as foreign policy, urban traffic problems, school textbooks, civil servants, the rights of prisoners, a tenfold increase in the number of magazines in circulation, and the debuts of three new Tokyo radio programs. [37] By the middle February 1946 MacArthur had crafted what he termed "undoubtedly the most liberal constitution in history, having borrowed the best from the constitutions of many countries." The form of government he created was a blend of American and British democracies, vesting supreme power were vested in a newly constructed Diet and three separate branches of government. This became know throughout Japan as the "MacArthur Constitution."[38]

It was amazing how MacArthur found a military justification for his ever-broadening political agenda. But most germane to the issue at hand, during those years, Congress approved his goals and gave him a free rein. [39] By mid 1947, under MacArthur's supervision, the Japanese had held a free elections and had thoroughly revised the nation's constitution transforming Japan into a constitutional democracy with the emperor's role limited to that of a constitutional monarch. The way was now open for the ultimate restoration of Japan's sovereignty. All of this accomplished under the administration of an American military officer. [40]

The thesis of this essay is that while there was room for civilian input in Indian Policy, there was no room for competition between military and civilian bureaucrats who

viewed their role in policy implementation mutually exclusive to the other. How we became so intelligent and insightful in the 1940s, then regressed back to the mentality of the 1860s and 1870s when it came to executing policy in Iraq is amazing. In short, the underlying problem of not having Indian hostilities under control made it almost impossible for civilian policies to work but competition between the military and civilians in the Indian Bureau all but guaranteed failure.

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