

Documents
OF
*United States
Indian Policy*



Second Edition, Expanded

EDITED BY

Francis Paul Prucha

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Preface

These documents illustrate the history of the relations between the United States government and the American Indians from the founding of the nation to the present time. My intention has been to provide a collection of official and quasi-official records that will serve a purpose similar to that served by Henry Steele Commager's *Documents of American History* for United States history as a whole. Like Commager, I have interpreted the term *document* in a very narrow sense. This collection, therefore, is not a well-rounded history of Indian-white relations, told by means of assembled primary sources. It is not a selection of documentary material gathered to show Indian contributions to American society, to indicate wrongs and injustices done to the Indians, or to make some other particular point. Nor is it intended as a source for research by students in primary materials, as a more extensive collection might be.

This volume contains the essential documents which marked significant formulations of policy in the conduct of Indian affairs by the United States government, which (by legislative enactment, administrative decree, or judicial decision) were the vehicles for changes in the course of events, or which indicated fundamental reaction to

such policies or actions. Students and teachers have here a convenient reference work, supplying in easily available form the text of the documents they need to know when dealing with the public history of Indian affairs. The collection is, therefore, partial and, even within the norms established, selective. Because of limitations of space many important documents had to be omitted and others had to be severely cut. For some classifications, such as treaties, only representative samples could be included. The documents have been reprinted exactly as they appear in the sources cited, with all the variations of spelling, punctuation, and capitalization. Occasional shifts have been made in placement of headings, however, and obvious typographical errors have been corrected.

Students are urged to extend their study beyond this small volume, to read the full documents from which extracts are taken, to investigate more thoroughly the legislative and administrative history which form the context of the documents, and to study the effect of the policies upon the Indian groups. A selected bibliography, which points out reference works and important books and articles, is included at the end of the volume.

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Preface to the Second Edition

The selection of documents to include in this updated edition was difficult because of the increasing number of laws, court decisions, and administrative reports dealing with Indian affairs. The 1970s and 1980s were extremely active times, and the movement toward self-determination of Indian tribes has been rapid. All that could be done here is to offer a sampling of the extensive sources, with the hope that all really key documents have been included, with enough others to give a broad view to correspond with and carry through the various elements of policy and policy-making represented in the original edition.

Another problem was extracting pertinent and representative sections from the full documents, for as the documents have grown in number, so too have they grown in size. The Dawes General Allotment Act of 1887, perhaps the most important Indian law of the nineteenth century, covers less than four pages in the *Statutes at Large*, and the Indian

Reorganization Act of 1934, which reversed the policy of the Dawes Act, covers less than five pages. Compare those key documents with the Indian Self-Determination and Education Assistance Act of 1975 and the Indian Health Care Improvement Act of 1976, each of which runs for more than fourteen pages in the *Statutes*. Fortunately, many laws now have preliminary statements of findings and of policy, which indicate the reasons for the legislation. These statements have generally been included, even though it has been necessary to cut drastically the substantive elements of the laws. Students are urged again to examine the full documents from which the extracts are taken, and are reminded that the book is intended as a teaching tool, not as a source for research.

The selected bibliography has been brought up to date, and the new index includes references to the documents added for the second edition.

F.P.P.

“Francis Paul Prucha has made a real contribution to American Indian historiography by providing this selection of ‘essential documents which marked significant formulations of policy in the conduct of Indian affairs by the United States government. The 161 selections from George Washington’s letter to James Duane in 1783 through the Menominee Restoration Act of 1973 include treaties, legislative enactments, judicial decisions, executive statements, and extracts from official commissions and committees which ‘illustrate the history of the relations between the United States government and the American Indian from the founding of the nation to the present time. Each entry is prefaced with an introductory paragraph explaining the document and is included in a very detailed index. A valuable selective bibliography concludes the volume.’”—*American Indian Quarterly* review of the first edition (1975).

This expanded edition adds 38 new documents, dated 1972 to 1988 and covering a period of great activity and rapid movement toward Indian self-determination. Among the topics dealt with are fishing rights, economic development, the American Indian Policy Review Commission, education, health and welfare, self-determination, legal jurisdiction, water rights, and archaeological resources, as well as major claims cases like those of the Sioux and the Maine Indian groups.

Francis Paul Prucha, S.J., is an emeritus professor of history at Marquette University. His many publications include *The Great Father: The United States Government and the American Indians* (1984), winner of the Ray Allen Billington Award, and *Handbook for Research in American History* (1987), both published by the University of Nebraska Press.

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