

Book Note

*Our Brother's Keeper:
The Indian in White America*

Edgar Cahn, Editor
World, \$5.95

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by Vine Deloria

Vine Deloria is author of *Custer Died for Your Sins*, former director of the National Congress of American Indians and a member of the Standing Rock Sioux tribe.

Our Brother's Keeper purports to be the story of the Bureau of Indian Affairs. It is not. It is the story of the Bureau as the Citizen's Advocate Center wishes you to see it. It is a series of unrelated incidents and events that make a gruesome tale when strung together on a theory-of-colonialist-oppression clothesline. Yet the deliberate structuring of these incidents—so as to support an abstract interpretation of a government agency and its role in the lives of its constituent service group—pre-empts the contemporary Indian dilemma as surely as if every Indian were struck dumb and unable to speak at all.

The upshot of the report is that whites are very, very bad and Indians are very, very helpless and that something should be done; but the authors would not presume to offer any suggestions. It is just as well that Cahn and company do not, since if their solution were as bizarre as their presentation, it would truly be the most tragic thing ever to happen to Indian people.

For nearly a generation Indian leadership of all stripes—conservative, liberal, militant, inert, traditional and progressive, Christian and native religion—have wanted a study that would outline the forces which combine to deprive Indian tribes, communities, and individuals of their rights to self-government. Even preliminary research into treaties, statutes and case law would indicate a planned erosion of Indian rights and a subsequent assumption of power over Indian people by non-Indians. Thus, when Cahn and company announced their desire to reveal the nature of the contemporary Indian dilemma, many Indians, including this writer, were wildly enthusiastic. People realized that the national Indian community was short on research talents and long on problems. Hopefully, these problems would be documented by this study.

For the better part of last summer Cahn and his handpicked “Task Force” of Indians stewed over the report and how to present it. Few Indians saw the report in any form, and many people who would have been able to verify the correct interpretation of certain incidents were forbidden by Cahn, acting in his role as Great White Father and Protector of the Downtrodden, from seeing the report which they had assumed they were helping to write. While there appeared to be plenty of travel funds to bring the Task Force together to publicize the book, there has been a noted lack of funds available to implement the report in areas where corrections could be made.

The net result of the report has been that certain movie actresses, bored with Civil Rights and banned from Panther activity, have made the pilgrimage to Alcatraz to wail mightily on behalf of their Indian brothers and that certain Indians on the Task Force have the uncomfortable feeling that they have been taken in again. The tragedy is that every Indian on the Task Force participated, to the extent that he was allowed, in good faith.

Aside from its sentimentality and paternalism, the report lacks a number of highly important balancing viewpoints that a thoroughgoing report on the contemporary Indian scene must have. For example, these conditions did not get this way overnight. Indian reservations did not originally have the same facilities that the average white community in the rural area enjoyed. The reservations started as desolate desert locations. The mere fact that there are buildings at all is a testimony to the fact that there has been some progress. From the tenting days through the log cabin days until the early Depression days, it was a continuous journey downhill in health, self-government and protection of rights. Since the Depression and the passage of the Indian Reorganization Act, it has been a steady trip uphill.

If you view today’s scene from the perspective of a lifetime acquaintance with reservation conditions, you know that things are better now than they have ever been, that we have made one helluva jump forward in every category, and that many of the incidents related in the report are ancient history now. We have fought and won as many battles as we have lost in the last decade. We are developing faster than any comparable minority group in the nation. And we are far from America’s prisoners of war.

What has totally handicapped us for the better part of a century has been the Supreme Court decision of *Lone Wolf v. Hitchcock*, 187 U. S. 553 (1903), in which the Court decided that the power of Congress over Indian reservations is, in practice, limited only by its own sense of justice in dealing with a weaker and dependent people. Legally, the Indian community is at a stage comparable to that of the black community before *Brown v. Board of Education*. Until we are able to limit the power of Congress over our lives, or until Congress limits its own power over Indians, it is useless to pretend that the symptom, the Bureau of Indian Affairs, is more dangerous than the cause—Congress.

We have cried enough over our own in the last century. We do not need to have other people cry for us. We still need a report which will document what has been happening to Indian people. We need a report we can take to court as documentation so that we can win. We do not need a report that inspires movie actresses to speak for their red brothers who have been persecuted these many moons.

The Citizen’s Advocate Center offers to work with a “representative” Indian organization to solve problems. We have several established organizations, particularly the National Congress of American Indians, which were fighting the fight long before Edgar Cahn and his heartbroken staff came on the scene. Yet the Citizen’s Advocate Center has deliberately chosen not to work with our organizations. It wants to use its own Indians to solve a problem created by its own viewpoint. We have seen this kind of paternalism since 1492, and it hasn’t worked yet. Now that the crying is subsiding, Indians are learning that it still doesn’t work.

New from Yale

Calabresi

The Costs of Accidents *A Legal and Economic Analysis* by Guido Calabresi

"Calabresi's book is most significant for its first-rate combination of modern economic analysis and legal policy. The methodology and underlying principles extend far beyond the particular subject matter of accident law to many other legal areas that could benefit from economic analysis. In turn, some economic analyses may become the richer for the discussion in this book. It is truly one of those rare important volumes."—Gerald M. Meier. \$10.00

Wellington

Labor and the Legal Process by Harry H. Wellington

"Professor Wellington has written an excellent book. It deals in a constructive and provocative way with some of the most significant problems affecting labor relations today. . . . He rightly points to the impact of major strikes and the inflationary effects of bargaining settlements on national economic policy as the most pressing of these problems. . . . He demonstrates that one can write meaningfully on such complex subjects without wasting words and without resort to the jargon and rhetoric developed over the years by spokesmen for the interested parties."—William J. Curtin, *The Villanova Law Review*. cloth \$10.00; paper \$3.45

Goldstein

The Insanity Defense by Abraham S. Goldstein

"An important contribution to the literature. . . . Goldstein has written, with clarity and precision, an uncommonly sensible book about the problems of the insanity defense. . . . [He] has made a fresh and provocative reappraisal of the M'Naghten and the 'irresistible impulse' tests. . . . [His] penetrating discussion of . . . post trial disposition and release . . . is one of the highlights of his book."—Abe Krash, *Harvard Law Review*. "Of the literature I have encountered on the subject, this book comes the closest to a rapprochement between the sometimes immiscible bases of law and psychiatry."—Walter Bromberg, M.D., *Medical Opinion Review*. cloth \$6.50; paper \$2.25

Urban Studies

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edited by Stephan Thernstrom and Richard Sennett

Relating sociological theory to historical materials, the authors explore the dimensions of mobility and stability in social structure of nineteenth-century cities in America, Canada, England, France, and Colombia. Urban patterns of class stratification, relations between political control and social class, differences in opportunities for various ethnic groups, and the relationship between family structure and city life are examined in the attempt to define the "new urban history." cloth \$12.50; paper \$4.95

The Environment

The Environmental Crisis edited by Harold Hellrich, Jr.

A distinguished group of experts in science, law, regional planning, economics, and government recently came together at Yale to talk about man's survival in the face of the rapid deterioration of his natural surroundings. The results are set forth in this significant and timely volume by LaMont C. Cole, Ian McHarg, David Gates, Paul R. Ehrlich, Georg Borgstrom, James G. Horsfall, Joseph L. Sax, Emilio Q. Daddario, Clarence C. Glacken, William A. Niering, Kenneth E. Boulding and Charles R. Ross.

" . . . straightforward and often brilliant talking on the 'Russian roulette' we are playing . . ."
Publishers' Weekly

Cloth \$7.50; Paper \$1.95



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