

*Indian Land
Under the Dawes Act
of 1887*

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The end of the treaties meant the end of treating tribes as sovereign nations. Attempts were made to undermine the power of the tribal leaders and the tribal justice systems. Tribal bonds were viewed as an obstacle to federal attempts to assimilate the Indian into white society. Assimilation of the American Indians would become the basis for much of the government policy toward the Native American from the 1880s to the 1930s.

"It has become the settled policy of the Government to break up reservations, destroy tribal relations, settle Indians upon their own homesteads, incorporate them into the national life, and deal with them not as nations or tribes or bands, but as individual citizens." — Commissioner of Indian Affairs Thomas J. Morgan, 1890.

This set the stage for the passage by Congress of the General Allotment Act (the Dawes Severalty Act) of 1887.

Congressman Henry Dawes had great faith in the civilizing power of private property. He said that to be civilized was to "wear civilized clothes ... cultivate the ground, live in houses, ride in Studebaker wagons, send children to school, drink whiskey [and] own property." This act was designed to turn Indians into farmers, in the hopes they would become more like mainstream America.

The federal government divided communal tribal lands into 160-acre parcels — known as allotments — and gave them to individual tribal members. The U.S. Government would then hold the land allotted to individual Indians in trust for a period of 25 years, so that the Indian would not sell the land and return to the reservation and/or be swindled out of it by scheming white men. The Act went on to offer Indians the benefits of U.S. citizenship — if they took an allotment, lived separate from the tribe and became "civilized."

"And every Indian born within the territorial limits of the United States to whom allotments shall have been made under the provisions of this act, or under any law or treaty, and every Indian born within the territorial limits of the United States who has voluntarily taken up, within said limits, his residence separate and apart from any tribe of Indians therein, and has adopted the habits of civilized life, is hereby declared to be a citizen of the United States, and is entitled to all the rights, privileges and immunities of such citizens..." — Language from the Dawes Act.

The Dawes Act would be the most important method of acquiring citizenship for the Indians prior to 1924. The Dawes Act tied Indian citizenship to the ultimate proof of civilization — individual ownership of property. The American Indian became an American citizen as soon as he received his allotment. The Act also declared that Indians could become citizens if they had separated from their tribes and adopted the ways of civilized life, without ending their rights to tribal or other property. In a sense, the American Indian could maintain dual citizenship tribal and American.

President Theodore Roosevelt described this important law in his message to Congress of December 3, 1901 as "a mighty pulverizing engine to break up the tribal mass."

The supporters of the Dawes Act not only wanted to destroy the Indian tribal loyalties and the reservation system but also to open up the reservation lands to white settlement. Hundreds of thousands of acres of land remained after the individual 160-acre allotments had been made. These parcels were then sold at bargain prices to land-hungry whites.

Funds from the sale of so-called surplus land were used to establish Indian schools. The idea was that Indian children could be educated and taught the social habits of white Americans, thus completing the process of assimilation.

The allotment system turned out to be a monumental disaster for the Indians. In addition to losing their "surplus" tribal land, many Native American families also lost their allotted land despite the government's 24-year period of trusteeship. The poorest of the poor were landless and the majority of Indians still resisted assimilation. Native Americans reached their lowest population numbers shortly after the turn of the 20th Century.

By 1932, the sale of unclaimed land and allotted land resulted in the loss of two-thirds of the more than 100-million acres Native Americans had held prior to the Dawes Act.

Because special treaties guaranteed them self-government, the tribes in the Indian Territory had been excluded from the Dawes Act. But, the pressures of white settlers and railroads wanting to acquire Indian land soon resulted in President Harrison declaring in 1889 that lands in the Oklahoma area were open to settlement. The various tribes in the Indian Territory were pressured into signing agreements to allot their lands. By 1901, the Native Americans of the Indian Territory were declared U.S. citizens. In 1907, Oklahoma became a State in the Union, and the tribes of Oklahoma had lost their sovereignty and their lands.