THE MOVEMENT FOR ASSIMILATION: A CRITICAL ANALYSIS OF THE RHETORIC OF CARL SCHURZ

by

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The purpose of this research has been to analyze the rhetoric of Carl Schurz, Secretary of the Interior from 1877 to 1881, as it applied to the advocacy of a federal policy of assimilation of American Indians. Schurz led an organized, institutionalized and collective effort to modify federal Indian policy within the Department of Interior. Schurz used persuasive strategies--strategies analogous to the descriptions of Ralph R. Smith and Russel R. Windes---to convince Congress to accept the innovation of general allotment. The allotment system or the severalty plan would change federal Indian policy from concentration and reservation to the innovation of assimilation. The policy of severalty called for allotment of Indian lands in fee simple to individual Indians who would be granted patents for specified sections of land.

Schurz's innovational movement for the adoption of general allotment focused its innovative persuasive strategies and rhetorical efforts on the members of the Congressional committees who held the

legitimate power to change policy. He denied the existence of conflict between severalty and the existing values of American society. He developed an argument which emphasized the weaknesses of traditional institutions--specifically the military and the Department of the Interior--and the strengths of traditional values. Finally, he created a dialectic between the innovational movement's scene and its purpose: the assimilation of American Indians into the white mainstream.

Schurz's strategy was designed to win votes in Congressional committees. The strategy was not intended to alienate Congressmen and Senators from their constituencies by publicly stirring up emotional reactions to volatile sectional issues. For these reasons, Schurz chose not to deliver traditional public speeches on the issue of Indian affairs until he left office in 1881. While in office Schurz used intra-bureaucratic documents and testimony before Congressional committees to persuade Congress to adopt allotment.

Schurz's persuasive strategy illustrated the adaptability of classical canons to persuasion in innovational movements. An analysis of Schurz's bureaucratic documents illustrated that Schurz created a prima facie case for change in established Indian policy.

Many of the provisions of Schurz's plan were adopted by the House of Representatives on May 28, 1880. Although no final action dealing with the allotment of Indian lands was taken by the Forty-fifth or Forty-sixth Congresses, the innovational movement for Indian reform was effective. The Dawes Severalty Act which became law on February 8, 1887 contained many of the same provisions that were presented to the House by Schurz back on January 27, 1879.

CHAPTER I

INTRODUCTION

The Purpose and Approach

The purpose of this research has been to analyze the rhetoric of Carl Schurz, United States Secretary of the Interior from 1877 to 1881, as it applied to advocacy of a federal policy of assimilation for American Indians. Schurz chose and applied particular rhetorical strategies while functioning as the symbolic and practical leader of an intra-institutional or innovational movement for radical change in American Indian policy. This innovational movement had as its aim the passage of Congressional legislation to: (1) minimize the functions of tribal institutions; (2) continuously strengthen the position of the government representative and subordinates; and (3) improve effectiveness of programs intended to break down traditional patterns within Indian communities.[1]

Schurz and other prominent reformers urged Congress to adopt various plans to end the reservation system and to transform Indians from members of culturally distinct traditional communities to individual landowners and farmers

having no allegiance to any tribal organization. The policy proposed by Schurz to Congress to achieve this transformation was known as the general allotment system or the severalty plan. It called for allotment of Indian lands in fee simple to individual Indians who would be granted patents for specified sections of land. Viewed in larger perspective, however, general allotment was but one component of an overall plan advocated by Schurz in his role as leader of the innovational movement for American Indian assimilation.

The movement was an organized, institutionalized, and collective effort by advocates of severalty within the Department of Interior. Ralph R. Smith and Russel R. Windes have developed a rhetorical theory that explains how a change in status quo can be accomplished by individuals acting in concert within the institutions they wish to modify.[2] The theory hypothesizes that spokesmen in innovational movements usually do not wish to change society's values, but rather endeavor to reinforce belief in existing values. The aggressor spokesmen of the innovational movement were usually members of the established order, and they usually hoped to avoid radical division rather than to foster it.

The innovational movement is a rhetorical movement in that its members attempt to satisfy a rhetorical exigence through persuasive discourse. The discourse is directed at a specific audience, and it usually centers on three

rhetorical strategies. First, speakers for the movement must deny the existence of conflict between their proposed innovation and the values of society. Second, the movement itself must demonstrate the weakness of traditional institutions and the strength of traditional values. Third, the movement must foster a dialectic between its scene and its purpose.[3]

The movement for American Indian assimilation differed from social movements with similar goals in the makeup of the audience to which the messages for change were directed. Social movements attacked Schurz's persuasive arguments from both extremes: A viable faction in the West opposed him on the grounds that he had gone too far in his philanthropy to American Indians, while a group in the East countered that he had not gone far enough toward promoting immediate citizenship for Indians. Simultaneously both social movements attempted to change American Indian management by gaining support at the grass roots; both were challenged by the establishment, but they actually gained strength because of the opposition of the legitimate power structure. The innovational movement often avoids controversy in the public arena and instead attempts to accomplish its persuasive goals by convincing the decision-making authorities within the bureaucracy that a change in policy is needed to bring about the common good.[4] Thus it was that Carl Schurz's

innovational movement for the adoption of general allotment focused its innovative persuasive strategies and rhetorical efforts on the members of the Congressional committees who held the legitimate power to change policy.

Schurz chose strategies analogous to the descriptions of Smith and Windes to convince Congress to accept the innovation of allotment. That is to say, he denied the existence of conflict between severalty and the existing values of American society. He developed an argument which emphasized the weaknesses of traditional institutions--specifically the military and the Department of the Interior--and the strengths of traditional values. Finally, he created a dialectic between the innovational movement's scene[5] and its purpose: the assimilation of American Indians into the white mainstream.

Schurz utilized these strategies relating to the future of American Indian management on the basis of reason rather than public opinion. His most persuasive argument advanced or defended the policy of severalty for the economic and social advantages to be realized from changing the nature of the Indians' relationship to the land and to one another.[6]

The persuasive discourse used by members of the innovational movement can be analyzed by objectively evaluating the choices selected by various speakers to satisfy the rhetorical exigence.[7] This criticism involves the description,

analysis, interpretation, and evaluation of persuasive discourse,[8] and the analysis of each argument involves the application of rhetorical canons of invention, arrangement, style, memory and delivery to the rhetorical transaction. The criteria used in speech criticism apply to persuasive discourse in any channel of communication, whether written or spoken.

An appropriate method for critically analyzing the writing and speaking of Carl Schurz's assimilationist thesis involves a blending of classical and modern theories of rhetorical criticism. Being the leader of an innovational movement for a change within the federal bureaucracy, Schurz needed to select a persuasive strategy capable of raising the probability of acceptance of that change. The tools he used to convince Congress of the efficacy of his plan for general allotment are essentially the same tools that Demosthenes used to convince the Athenian judges that Ctesiphon should be allowed to award him a golden crown. Schurz, like Demosthenes, used persuasive discourse in an attempt to achieve an intended end. His rhetorical choices may be studied by viewing Schurz's use of intellect to discover all the available means of persuasion in any given argument.[9]

The Significance of Carl Schurz's Persuasive Appeals to Convince Congress to Accept Allotment

Carl Schurz was a potent political force in the last half of the nineteenth century. He is best known for his political speaking in support of the abolition of slavery. His speeches, "The Irrepressible Conflict,"[10] "The Doom of Slavery,"[11] and "The Bill of Indictment"[12] are believed by some scholars[13] to have swayed the Northwest for Lincoln and, thus, to have been instrumental in getting Lincoln elected to the presidency. Schurz thought that such a claim was unsupportable, but he did admit that he had "contributed something toward raising the breeze that carried Lincoln into the presidential chair, and thereby shook slavery in its foundations."[14]

Schurz was also influential during reconstruction, and his Report of Carl Schurz on the States of South Carolina, Georgia, Alabama, Mississippi, and Louisiana is highly regarded by modern historians, even though it was poorly received by President Johnson in 1865.

Schurz served as the Chief-of-Staff to Major-General Slocum in Sherman's army. He was elected by the legislature of Missouri in 1868 to serve as Senator, and he was appointed by President Rutherford B. Hayes to serve as the Secretary of the Interior. During his long career he spoke purposefully

and consistently on such major issues as abolition, civil service reform, "sound money," anti-imperialism, the liberal Republican movement, and American Indian reform.

Although many articles, books, and dissertations have been written about Carl Schurz, still, not one deals directly with his speaking and writing on the issue of American Indian reform. Authors, such as Joseph Harr Mahaffey,[15] seem satisfied to mention Schurz's role in American Indian reform only in passing, and then move on to the more easily accessible subjects of abolition and reconstruction. Schurz's connection with reform may have been neglected because of the generally accepted notion that the westward movement of Americans was inevitable and that the fate of the American Indians had already been decided by the beginning of Schurz's tenure as the Secretary of the Interior. However, a great deal of historical data contradicts this thesis.[16] Schurz knew that his ability to persuade Congress to adopt a new and more humane policy toward Indians would determine their destiny. He stated shortly after leaving office as Secretary that "To civilize them [the Indians], which was once only a benevolent fancy, has now become an absolute necessity, if we mean to save them."[17] Schurz knew that the "stern alternative" that he often spoke and wrote about was not merely a figure of speech, but rather a choice between extermination or civilization.

This study is linguistically significant because Schurz used rhetorical principles that may be isolated and identified in his persuasive messages to Congress on the subject of Indian reform. He knew a great deal about rhetorical theory and was one of the nineteenth century's leading practitioners of the art of oratory. Concomitantly, the fact that he chose not to deliver traditional speeches to audiences on the subject of Indian affairs during his tenure as Secretary is of special significance to this study.

This study is also historically and sociologically significant because of Schurz's decision to pursue a persuasive strategy that was destined to change the course of American Indian management. Humans are not often faced with choosing between good and evil, but rather between two or more goods; in such spirit Schurz chose to discard his concentrationist view of American Indian management in lieu of a plan of a general allotment designed to accomplish Indian assimilation. Schurz could have more expediently backed either the Eastern reformers or the Western exterminationists, and he would have gained significantly in political power. Instead, he chose to stick to a position based upon a most revolutionary notion for this period of American history: that Indians were capable of learning. For although Schurz did consider American Indians to be savages, he nonetheless believed them to be savages capable of transcendence.[18] This notion had a

profound impact on the direction of federal American Indian policy; and to the extent that his pervasive strategies were carried out by written and spoken discourse, they are legitimately the domain of the rhetorical critic.

The Sources of the Study

There is certainly no lack of primary source material covering Carl Schurz's persuasive campaign to convince Congress to adopt severalty. First, and the most obvious in any rhetorical study, is the importance of the rhetor's manuscripts and notebooks. Schurz's method of speech preparation included writing out the entire text and then memorizing it for what he considered an "extemporary"[19] delivery (at any rate, one characterized by a lack of notes). This method of preparation insured the publicity of his speeches, for he almost always had a manuscript ready for newspaper reporters on the day of a speech. Additionally, his meticulous research for speaking and writing efforts included the collection of material from contemporary newspapers and pamphlets; thus, personal scrapbooks and collections of clippings to be found in his manuscript collections also serve as interesting primary material.

The single most important body of Schurz manuscripts is in the Library of Congress. This collection, known as The Papers of Carl Schurz, consists of 165 bound volumes and 214

unbound containers. The material includes literally thousands of individual items: numerous speeches on civil service reform, the South, the tariff issue, anti-imperialism, currency and financial issues, and Indian affairs. There are also clippings from newspaper editorial reaction to Schurz's speaking and to his writing on the subject of Indian affairs. Additionally, there are fragments of speeches, articles, letters, and intra-departmental communications in Schurz's handwriting. The bulk of the collection consists of letters to and from some of Schurz's political associates and personal friends.

There are other primary source materials as well: an open letter to Henry Dawes on the Killing of Big Snake; an open letter to John D. Long on the Removal of the Ponca Tribe; a footnote Address in Behalf of the Enlargement of Indian Education Facilities at Hampton entitled, "Education of Indian Children"; and the Ceremonial Speech on the Administration of Indian Affairs at the Hotel Vendome in Boston on March 21, 1881. There is also a good deal of less important, but equally interesting material; for instance, ten pages of drawings of Indians and horses and a report of a speech given by Chief Crazy Horse to Carl Schurz.

The second most important Schurz collection is in the State Historical Society of Wisconsin. The Division of Archives and Manuscripts of the Wisconsin State Historical

Society has, however, very few Carl Schurz letters covering the period 1876 to 1881. One interesting letter in the collection is an 1881 Schurz memorandum on various official matters directed to the newly appointed Secretary of the Interior, S. J. Kirkwood. By far the most important holding in the Wisconsin collection consists of 218 handwritten letters in the original German by Schurz to his family from 1841 to 1869. The letters have been translated and published by Joseph Schafer in Intimate Letters of Carl Schurz; together they are informative and serve as primary biographical data.[20]

Another important repository of Schurz materials is the Minnesota Historical Society. Materials there deal with correspondence between the Bishop Henry B. Whipple and Secretary Schurz. The material is to be found among the Henry B. Whipple Papers--many of which deal with Indian affairs. Schurz and Whipple corresponded regularly, the historical result being an informative documentary of the efforts of religious leaders to influence Schurz. One letter from Schurz to Whipple, dated April 5, 1880, dealt with the severalty plan and provided this author with much insight into the important relationship between Whipple and Schurz.

Since this study deals primarily with Schurz's persuasive campaign to convince Congress to adopt the severalty plan, it stands to reason that important primary data on

this subject would be found in government documents. The four volumes of the Report of the Secretary of the Interior to the Congress, 1877-1881, provide significant information concerning Indian policy during the Hayes administration. When viewed in concert with the four volumes of the Report of Commissioner of Indian Affairs to the Congress, 1877-1881, Schurz's annual reports to Congress constituted an integral part of his persuasive strategy. Additionally, because the 45th and 46th Congresses debated the policies suggested by Schurz concerning Indian reform, the Congressional Record covering those years (1878-1881) was an indispensable source of information concerning the Congressional debates over transference, severalty, and the Ponca removal.

Schurz spoke directly to Congress concerning Indian affairs on two occasions.[21] First, he addressed the Joint Committee appointed to take into consideration the expediency of transferring the Indian Bureau to the War Department. His testimony before this committee was important because of its strategic value in maintaining the authority of the civilian Department of the Interior over American Indian tribes. The testimony is found in Volume Eight of the Senate Miscellaneous Documents for the 45th Congress. The second time Schurz spoke directly to Congress on the issue of Indian affairs was to the Select Committee on the Removal of the Northern Cheyennes, instructed to ascertain and report

the circumstances of the removal of the Ponca Indians from their reservation. The importance of this testimony was that it gave Schurz an opportunity to defend his policy decisions against Senator Henry Dawes. The testimony may be found in Volume Six of the Senate Reports for the 46th Congress.

Schurz also wrote Congress in support of a report submitted by Commissioner of Indian Affairs, E. A. Hayt. The report is titled, Lands to Indians in Severalty to accompany bill H.R. 6268, and, together with Schurz's letter of endorsement, is significant as the first public support ever given to severalty by a Secretary of the Interior in the long movement for the adoption of general allotment. This message to Congress appears in Volume One of the Index to the Reports of Committees of the House of Representatives.

One of the most widely known sources of primary materials is Schurz's three-volume Reminiscences.[22] This collection of recollections from his early life was begun about 1890. Unfortunately, the work was cut short by Schurz's death in 1906, so it covers only the first forty years of his life. The second part of Volume III was completed by historians Frederick Bancroft and William A. Dunning, and some of their conclusions about Schurz's dealings with Congress on the issue of Indian management are interesting. The greatest value of Reminiscences, however, is the image

it conveys of the resolute character of the man. There is also a German edition of Schurz's autobiography called Lebenserinnerungen[23] containing almost two hundred of Schurz's private letters.

Shortly after Reminiscences was published in the United States and Germany, another body of primary source material, this entitled the Speeches, Correspondence, and Political Papers of Carl Schurz, was published on behalf of the Carl Schurz Memorial Committee.[24] Although the volume does not include either of the two speeches that Schurz delivered immediately after leaving office as Secretary of the Interior, it does include letters to and from Schurz concerning Indian affairs. Additionally, the anthology includes a copy of Schurz's "Present Aspects of the Indian Problem" published in The North American Review in July, 1881. Taken as whole, the six-volume anthology contains the most readily available and comprehensive collection of Schurz material in print.

Contemporary books, magazines, newspapers, and secondary works provide additional perspective. Newspapers have served as a particularly important primary source in this study because of their chronicle of Schurz's activities in office, including his speaking and writing. The New York Times is well indexed and served as an important tool for external criticism. It proved valuable in confirming the authenticity of letters, reports, and speeches by allowing

textual comparison with materials found in The Papers of Carl Schurz.

The numerous Schurz biographies all stress Schurz's historical importance in a number of controversies, yet almost all neglect his rhetorical significance. Chester Verne Easum's dissertation, The Americanization of Carl Schurz, is an outstanding biographical study of Schurz's first ten years in the United States.[25] It also examines Schurz's speaking until 1862 and does a passable treatment of Schurz's speaking in the campaign in 1860.[26]

Another useful biography of Schurz which examines his educational background and political accomplishments in some depth is Carl Schurz, Militant Liberal, written by Joseph Schafer.[27] Although this work does examine Schurz's speech making, its tone is clearly eulogistic.

Finally, Claude Moore Fuess' Carl Schurz: Reformer features Schurz's role in social and innovational movements.[28] Civil Service Reform is the central issue of the work, but the author does devote considerable space to Schurz's role in the innovational movement for assimilation.

The Divisions of the Study

The introductory chapter establishes that the purpose of this study has been to analyze Carl Schurz's rhetoric as it pertains to federal adoption of an assimilationalist

policy during his years as Secretary of the Interior (1877-1881). Specifically, this thesis seeks to discover internal and external constraints that shaped Schurz's rhetorical choices.

To this end, Chapter Two deals with the background of the application of governmental control affecting American Indian tribes. It examines the influences that created the need for a change from the status quo of Indian management in the late 1870's, and it further attempts to establish the historical milieu in which Schurz lived.

Chapter Three deals with pertinent biographical background of Carl Schurz. It endeavors to establish what factors in Schurz's social and intellectual background may have influenced his intellectual shift away from concentration and toward assimilation. It also attempts to establish which contemporary rhetors may have shaped his image of American Indian reform.

The fourth chapter deals with the policy of American Indian assimilation ultimately developed by Schurz to deal with the Indian problem. Specifically, it examines the persuasive strategy Schurz created to convince Congress to adopt general allotment in lieu of a policy of concentration. The chapter also examines the channels of communication used by Schurz and the rationales for those channels.

Finally, Chapter Five deals with the major issues which

were most influential in shaping Schurz's tenure as Secretary of the Interior. It examines the external constraints that influenced decision-makers in Congress, and it confirms the impact of public reaction towards Schurz's persuasive strategy concerning policy decision.

Chapter Five proffers some generalizations about the effectiveness of Schurz's rhetorical choices as they pertained to innovational movement for the adoption of general allotment. Chapter Five also connects Schurz's successful campaign for assimilation with the eventual adoption of the Dawes Severalty Act of 1887.

Notes

[1]S. Lyman Tyler, A History of Indian Policy (Washington, D.C.: Government Printing Office, 1973), p. 90.

[2]"The Innovational Movement: A Rhetorical Theory," The Quarterly Journal of Speech, 61 (April, 1975): 143.

[3]Ibid.

[4]Ibid.

[5]The innovational movement must create a conflict between its purpose and some nonpersonal element in its scene. The kind of drama that gives impetus to the establishment-conflict movement may be created in the innovational movement by condemning impersonal scenic elements for eroding society's values. The scenic elements may be dramatized reality links which provide meaning, emotion, and motive for the participant in the rhetorical drama. For instance, Carl Schurz condemned the intrusion into American Indian lands by white miners, trappers, and settlers. The invasion of tribally held lands by whites contradicted the purpose of the innovational movement for general allotment. If the members of Congress could be persuaded to view the invasion of Indian lands through the innovational movement's vision, the dramatic imperative of the movement would be met. This strategy may be best understood by reference to Ernest Bormann's suggestion that rhetoric can be conceptualized as the creation of drama through the projection of a "rhetorical vision." Ernest G. Bormann, "Fantasy and Rhetorical Vision: The Rhetorical Criticism of Social Reality," The Quarterly Journal of Speech, 58 (December, 1972): 396-407; "The Eagleton Affair: A Fantasy Theme Analysis," The Quarterly Journal of Speech, 59 (April, 1973): 143-159; and "Fetching Good Out of Evil: A Rhetorical Use of Calamity," The Quarterly Journal of Speech, 63 (April, 1977): 130-139.

[6]Tyler, A History of Indian Policy, p. 70; also, see Frances Paul Prucha, Gen. ed., The Civilization of the American Indian Series (Norman: University of Oklahoma Press, 1973) Vol. 123, The Dawes Act and the Allotment of Indian Lands, by D.S. Otis, p. 4.

[7]Any exigence is an imperfection marked by urgency; it is a defect, an obstacle, something waiting to be done, a thing which is other than it should be. An exigence is rhetorical when it is capable of positive modification and when positive modification requires discourse or can be assisted by discourse. For instance, the Congress appointed a Joint

Commission to consider the expediency of transferring the Indian Bureau to the War Department on June 30, 1879. The committee included three senators and five congressmen: Alvin Saunders of Nebraska was appointed chairman of the Joint Commission; R.J. Oglesby of Illinois; Thomas C. McCreery of Kentucky; Alfred M. Scales of North Carolina; Andrew R. Boone of Kentucky; Charles E. Hooker of Mississippi; Nelson H. Van Vorhes of Ohio; and Jacob H. Steward of Minnesota. Alfred M. Scales also served as the chairman of the House Committee on Indian Affairs. He was the most outspoken proponent of transfer appointed to the Joint Commission. He argued that since the larger part of the Army was already stationed on the frontier and drawing pay there could be a saving of one million dollars to the taxpayers if the Army could become solely responsible for Indian management. This rhetorical situation invited a fitting response. Schurz testified before the Joint Commission on December 6, 1879, and argued for the maintenance of civilian control of the Indian Bureau. He argued that the military method of controlling Indians was "by a show or the application of force." The civilian method of Indian management was more humane, he stated, because it best served the interest of peace. For information on rhetorical exigence, see, Lloyd F. Bitzer, "The Rhetorical Situation," Philosophy and Rhetoric, 1 (1968): 1-14. For information on the transfer controversy, see, Donald J. D'Elia, "The Argument over Civilian or Military Control," The Historian, 24 (February, 1962): 215-225. Schurz's testimony before the Joint Commission is recorded in Number 1835 of the Serial Set: U.S., Congress, Senate, Testimony taken by the Joint Committee appointed to take into consideration the expediency of transferring the Indian Bureau to the War Department, Senate Mis. Doc. No. 53, 45th Cong., 3d Sess., Vol. 8, pp. 256-284.

[8]Ronald L. Applbaum and Roderick P. Hart, Gen. eds., Modules in Speech Communication Series (Chicago: Science Research Associates, Inc., 1976), Orientations to Speech Criticism, by Craig R. Smith, p. 1.

[9]Aristotle, The Rhetoric of Aristotle, R.C. Jebb, tr., intro. by J.E. Sandys (Cambridge, England: University Press, 1909), p. 1354; also, see Aristotle, Nicomachean Ethics, James E.C. Weldon, tr., intro. by Louise Ropes Loomis (Roslyn, New York: Walter J. Black, Inc., 1943), p. 112.

[10]Carl Schurz, "The Irrepressible Conflict," delivered at Mechanic's Hall, Chicago, Illinois, September 28, 1858, cited in Carl Schurz, Speeches of Carl Schurz, collected and revised by the author (Philadelphia: J.B. Lippincott and Co., 1865), pp. 9-37; and Chicago Press and Tribune, September 30, 1858. Seward's "Irrepressible Conflict" speech was

delivered at Corinthian Hall in Rochester, New York, on October 25, 1858. See Robert Tarbell Oliver, "William H. Seward on the Irrepressible Conflict," in J. Jeffrey Auer, ed., Anti-Slavery and Disunion, 1858-1861; Studies in the Rhetoric of Compromise and Conflict. Prepared under the auspices of the Speech Association of America (New York: Harper & Row Co., 1963), pp. 29-50; and, Robert Tarbell Oliver, "William Henry Seward: On the Verge of Greatness," in Oliver, History of Public Speaking in America (Boston: Allyn and Bacon, 1965), pp. 283-298.

[11]Carl Schurz, "The Doom of Slavery," delivered at Verandah Hall, St. Louis, Missouri, August 1, 1860, cited in Carl Schurz, Speeches of Carl Schurz, pp. 121-161; and, Carl Schurz, Speeches, Correspondence and Political Papers of Carl Schurz, Frederic Bancroft, ed., Vol. I. (New York: G.P. Putman's Sons, 1913), pp. 122-160.

[12]Carl Schurz, "The Bill of Indictment," delivered at Cooper Institute, New York, September 12, 1860, cited in Schurz, Speeches of Carl Schurz, pp. 162-221; and New York Tribune, September 14, 1860.

[13]Arthur C. Cole, The Era of the Civil War, 1848-1870 (The Centennial History of Illinois, Vol. 3, Springfield, 1919), pp. 341-342; see, also, William E Dodd, "The Fight for the Northwest, 1860," American Historical Review 16 (July, 1911): 774-788, and Donald V. Smith, "The Influence of the Foreign-Born of the Northwest in the Election of 1860," Mississippi Historical Review 17 (September, 1930): 212-219.

[14]Schurz to Theodore Petrasch, September 14, 1863, in Joseph Schafer, ed., Intimate Letters of Carl Schurz (Evansvill, Wisconsin: The Antes Press, 1929), p. 282.

[15]Joseph Harr Mahaffey, The Speaking and Speeches of Carl Schurz (Evansville, Wisconsin: Northwestern University Press, 1951), p. 88.

[16]Alvin M. Josephy, Jr., The Indian Heritage of America (New York: Bantam Books, Inc., 1968), p. 341; also, see Ralph K. Andrist, The Long Death: The Last Days of the Plains Indians (London: Collier-Macmillan Books, 1964), p. 252.

[17]Carl Schurz, "Present Aspects of the Indian Problem," North American Review (July, 1881), p. 7, as recorded in Carl Schurz, Speeches, Correspondence and Political Papers of Carl Schurz, Vol. 4, p. 120.

[18]Roy Harvey Pearce, The Savages of America: A Study of the Idea of Civilization (Baltimore: John Hopkins Press, 1965), p. 115.

[19]In using the word "extemporary," Schurz meant that the speech had been written out and memorized, for he spoke without notes. Schafer, Carl Schurz, Militant Liberal (Evansville: The Antes Press, 1930), pp. 107-108, and Mahaffey, The Speaking and Speeches of Carl Schurz, p. 255.

[20](Evansville, Wisconsin: The Antes Press, 1929).

[21]Perley Poore (Gen. ed.), Descriptive Catalogue of Government Publications of the United States, 1774-1881 (Washington, D.C.: Government Printing Office, 1885).

[22](New York: The McClure Company, 1907-1908).

[23](Berlin: Georg Reimer, 1912).

[24](New York: G.P. Putnam's Sons, 1913).

[25](Chicago: University of Chicago Press, 1929).

[26]Easum's biography is also in German translation: Carl Schurz: Vom deutschem Einwanderer zum amerikanischen staatsmann (Weimar: Verlag Hermann Bohlaus Nachf., 1937).

[27](Evansville, Wisconsin: The Antes Press, 1930).

[28](New York: Dodd, Mead and Company, 1932).

CHAPTER II

INDIAN-WHITE RELATIONS IN THE NINETEENTH CENTURY

The Historical Milieu

H. Wayne Morgan has written much to clarify "the stereotype of bloated dreams, foolish optimism, and grandiloquence that allegedly ruled the post-Civil War generation."[1] Although historians have sometimes generalized and simplified the complex forces that shaped the period which Mark Twain characterized as "The Gilded Age,"[2] a careful reevaluation of the literature led this researcher to portray a more vital image for the time. From the close of the Civil War to the turn of the century, it was a time of overwhelming industrial, sociological, and rhetorical activity.[3] Concurrent with the great changes in the vision and behavior of Americans from all sections of the country were the problems associated with such rapid change.

Economic issues weighed heavily on the minds of the populace. The depression of 1873 had aroused in the nation an apprehension focusing attention on the issue of sound money. Tariff and currency reform questions crossed party lines as political issues, and, according to Morgan, they "agitated the whole generation."[4]

Social problems were no less complicated during the period. Reconstruction was of central concern to Northerners as well as Southerners. The dominant fact of reconstruction was simply that Northern public opinion would not support continuing federal military presence in the South. Blacks had made comparatively little progress under token federal protection, and a large portion of public opinion was hostile to more sacrifices for full emancipation.[5]

Political questions received most attention of all during "The Gilded Age." Sectionalism was the one problem that had dominated all aspects of American life for years, and the disputed election of 1876 did little to quiet the dispute. In the words of one author, it simply "gave rise to serious doubts about the viability of the nation's political system and the stability of the Union itself."[6]

The Presidential election of 1876 was a meaningful symbol of the sectional split. The electoral count was so close that a few votes could have given the victory to either party.[7] There were 184 uncontested votes for Tilden and 165 for Hayes, with both the Democrats and the Republicans claiming to have won in the Southern states of Louisiana, South Carolina, and Florida. At that time all three states still were controlled by federal occupation troops as a Reconstruction measure; thus, protected by military forces, Republican canvassing boards turned in votes for

Hayes, while Democratic leadership insisted that its candidate had won. In Washington, after the two houses of Congress agreed to create an electoral commission to determine the winner, members voted along party lines to give Hayes the semblance of a legitimate victory.[8]

Another political issue which got much attention was cvil service reform. The reformers were labeled by the derisive term, "Mugwumps," and they maintained as principle of the "Mugwump Doctrine" that political "spoilsmanship" was inherently wrong. As mild as such a policy may sound, it caused considerable criticism of both President Hayes and his administration. The following editorial statement from the New York Sun is representative of the rhetoric opposing civil service reform: "What Hayes and Schurz and the rest of the fraudulent administration mean by civil service reform is to put their own political friends in office and foist them on their successors for life."[9]

Even though economic, political, and social problems plagued the nation during Carl Schurz's years in federal service, the period also can be viewed as a time of great growth. In the South, the "veil of slavery" described by William E. B. Dubois was gradually being lifted.[10] The Eastern section of the United States had already developed an industrial system which promoted the rhetoric of upward mobility. Never before in American history did more people

have access to so many goods.[11] The frontier West, probably more than any other region, was beginning to shape the image of American society for generations to come.[12] Frederick Jackson Turner aptly characterized the history of America as "the history of the colonization of the Great West";[13] and although critics of Turner's "Frontier Thesis" have preferred to view the West either as "a vast commercial empire" or as "an ambiguous naturalistic refuge," most critics agree that the westward expansion of nineteenth century America had a profound effect on American intellectual history.[14]

A reevaluation of the significance of the westward movement of nineteenth century American culture from the perspective of what Roger C. Owen has labeled "contact history" is also enlightening.[15] It is important to identify the dimensions of the cultural gap that existed between the dominant white culture and the smaller American Indian cultures. Specifically, what role the controversy concerning American Indian governmental policy played during this time is a question to be answered. Furthermore, the forces that produced the historical and rhetorical situation existing when Schurz took office as Secretary of the Interior in March of 1877 should be examined. And, finally, it is important to investigate American Indian policy prior to 1877.

The Clash of Cultures

Carl Schurz reflected most poignantly on the prospects of American Indian tribes in an article published in the North American Review in July of 1881. He reasoned that "the circumstances surrounding them place before the Indians this stern alternative: extermination or civilization."[16] Such an evaluation is as insightful as it is disturbing. Although he was correct in observing that the period from 1877 to 1881 was a crucial time in the evolution of both federal Indian policy and public opinion concerning the welfare of American Indian tribes, he was less than exact in assuming that the alternatives would be decided by the Indians themselves. Actually, the events that grew out of the continuous contact between white mainstream culture and the smaller American Indian cultures in the nineteenth century eliminated any possibility of American Indian tribes deciding their own destiny. The narrative of events which makes up the history of these contacts is primarily a narrative of the westward expansion and manifest destiny of a large, sophisticated, and industrialized nation at the expense of smaller, tribal societies.

The history of contact between American Indian tribes living in the Plains area of North America and the white culture living in the East was quite peaceful prior to the mid-ninteenth century. Until then, the entire region of the

Great Plains had been solemnly pledged to the Indian tribes to "have and hold forever."[17] However, various tribes occupying scattered areas in the East and South did feel the impact of the Louisiana Purchase on federal Indian policy. Specifically, administration efforts were designed to persuade Eastern and Southern tribes to trade their land for holdings west of the Mississippi. Historically, the impetus for this "swap" was the notion of the "Great American Desert," a geographical designation (though later shown to be anything but accurate) which at the time conveniently fit the needs of government policy makers. Because white, pioneering technology depended on the availability of wooded land to produce the cabins, barns, fences, and fuel necessary for conventional agriculture, "every educated person knew that the country west of the 95th meridian was a barren wasteland, forever useless."[18] Moreover, because many Americans operated from a moral absolute which contained an image of savage life being realms apart from civilized life, it was reasoned that what was good for the civilized person was not necessarily good for the savage.[19] By defining the grasslands area of the Louisiana Purchase as "Indian Territory," governmental policy makers in the early nineteenth century sought to exploit the purchase of millions of acres of what was generally considered to be useless land. The reasoning was that the Indian problem would be permanently solved if tribes

residing in the eastern section of the Louisiana Purchase were persuaded to move west, and if the remaining tribes residing east of the Mississippi were successfully transplanted.

In the process, however, little concern was given to the effect of displacing such agriculturally oriented tribes as the Sauk, Foxes, Miamis, Potawatomis, and others to an area inhospitable to their conventional, sedentary lifestyles.[20]

Although only about 12,000 Indians remained east of the Mississippi, while more than 90,000 had been transported to the "supposedly worthless grasslands" of the Great Plains, many problems developed from the proximity of Indian tribes to white traders, miners, and settlers.[21] The Removal Act of 1830 authorized the President "solemnly to assure the tribe or nation with which the exchange is made, that the United States will forever secure and guarantee . . . the country so exchanged with them."[22] Unfortunately, when the Removal Act of 1830 and the Indian Intercourse Act of 1834 were passed, little thought was given to the need for a corridor to the Pacific Coast. Josephy pointed out that "even as the tribes were being removed, white men were already across the Mississippi."[23] Reports made by the Lewis and Clark expedition of 1806 of rich beaver country had already convinced many Easterners to travel "up the Missouri River beyond the Mandans to the high plains and mountain hunting

grounds of the Blackfeet, Shoshones, and other Western tribes."[24]

However, the fur trade had minimal impact on American Indian tribes when compared to the discovery of gold, first on the Pacific Coast and later in the Rocky Mountains. Immigrants heading for the gold fields inevitably traveled over the Oregon and Santa Fe Trails, both of which began in the northern sections of Indian country and served as established thoroughfares after 1840.[25]

The great volume of traffic over the trails to the Pacific Northwest and California seriously threatened the viability of the notion of a secure Indian country. Many immigrants settled in areas, established communities, and ultimately even created states in what only a few years earlier had been Indian Territory: Louisiana (1812), Missouri (1821), Arkansas (1836), Iowa (1846), and Wisconsin (1848).[26] By 1850, the popular myth of an Indian Territory clearly had broken down; therefore, with the territorial organization of Kansas and Nebraska on May 30, 1854, even the old policy of maintaining a large, unorganized, and "permanent" Indian country came to an end.

Many of the tribes living on the Great Plains were nomadic or semi-nomadic and "needed a great deal of country, and resources it contained, to sustain their way of life."[27] Yet the development of white communities naturally diminished

the Indians' available food supply. Game and timber became scarce along the white man's roads and vanished altogether around the white man's settlements. A clear need existed for a governmental plan to replace the discarded policy of maintaining an Indian country. The first alternative, establishing reservations of relatively small geographical extent in the midst of the white culture's country, was initially tried in California, and it ultimately spread over the entire country.[28]

The development of this reservation system was a civilian policy, but the application of the policy was the responsibility of the United States' Army. Specifically, this obligation amounted to maintaining order and protecting frontier inhabitants and communication lines. According to Tyler, a kind of understanding between military and civilian agents existed during this period:

> Indians who did not go willingly to the reservations would be either driven there by force or exterminated in the process. Once on the reservation the Christian agents and teachers could help them assimilate the white man's culture.[29]

The war which resulted from the application of the reservation policy--and which marks the end of concentration policy--began in 1854 when thirty soldiers under the command of a young lieutenant named John L. Grattan attacked the camp of some Brule and Oglala Sioux. The entire attacking force was killed by the defending Indians, but revenge was a foregone

conclusion.[30] It came the following summer when Colonel William Harney and 1,300 troops marched into the Plains and happened on a band of Sioux who had had nothing to do with the previous engagement. Harney and his men killed eighty-six of the Indians and established a precedent which lasted the duration of the American Indian Plains Wars.[31]

By name this precedent was labeled "Collective Responsibility,"[32] and it meant that, if any band of Indians were responsible for a crime, then any Indian who came within reach of the Army would be punished for that crime. The policy registered its full impact shortly after June of 1876, when the Sioux defeated General George Armstrong Custer.[33]

American Indians and White Weltanschaung in the Nineteenth Century

Perhaps the most basic cause of the problems facing Secretary Schurz and other statesmen responsible for shaping American Indian policy in the 1870's was the difference in world view as perceived by American Indians and whites. American Indian Plains culture may be accurately described as a small society predicated upon development of cultural aspects exclusive of technology. While the cultural experience of whites "developed in individuals aggressive, outgoing energy and encouraged in them an unquestioning faith in their manifest destiny," the Indian experience "seemed to form individuals

who put the safety and welfare of the group above private ambition."[34] Among individuals in American Indian culture, the person who gained the most in status was the person who gave the most to his or her kinsmen and to his or her community. Nineteenth century white culture, on the other hand, viewed expansionism as a prime goal.

An auxiliary source of misunderstanding between representatives of white and Indian cultures resulted from their totally different attitudes toward the ownership of land.[35] To the white American, land was merchantable. Law and usage had developed a complicated system of privileges and obligations, all deriving from the notion of a transferrable fee title in land. Since Indians had no written language, there was no way for them to record title; and, according to white law, where there was no title, there was no ownership. In actuality, Indian tribes recognized surface areas and respected boundaries, and tribal use rights were all sustained; but nothing in Indian practices required that land be divided up and parceled out under a system of titles.[36] Nonetheless, white Americans were not interested in a prolonged investigation of the American Indian concept of communal land ownership; instead, they generalized from almost no information that Indians were beasts who merely ranged the land rather than legitimately occupied it.[37] The consequence of this continual encroachment of white culture on American Indian land

resulted, inevitably enough, in warfare.

Throughout the history of American Indian policy, the basic misunderstanding concerning ownership of land is continually reflected. The formal evolution of the cultural bias into governmental policy advanced in three stages: (1) removal and concentration of American Indian tribes; (2) reservation for American Indian tribes; and (3) allotments of land to individual Indians.

Removal and concentration of American Indian tribes west of the Mississippi was an idea apparently originating in 1803 when President Thomas Jefferson drafted a constitutional amendment allowing for the exchange of land held by eastern tribes for other lands west of the Mississippi.[38] Jefferson's philanthropic ideology concerning American Indian assimilation further required that Indians "abandon the hunter-warrior culture, the tribal order, and the communal ownership of land."[39] However, since American Indian culture was grounded in well-established--and contrary--customs which each tribesman began to absorb from birth, the assimilation of such a world view was virtually impossible.[40] Nonetheless, the policy of "removal and concentration" prevailed throughout the Jeffersonian Age, even if only as a "preservation of theoretical structure rather than any fundamental revision."[41]

However, because the area between the 95th meridian and the Rocky Mountains "was believed to be worthless" by

Easterners in the early nineteenth century, a convenient answer to the "Indian problem" was to exchange land west of the Mississippi for land owned by American Indian tribes in the East.[42] As summarized by D'Arcy McNickle, "the Indian removal treaties together with the Indian Intercourse Act of 1834, prohibited settlement west of a line starting at Fort Smith and running northward through the mouth of the Kansas River--a line roughly corresponding with the present Arkansas-Oklahoma and Missouri-Kansas boundaries."[43] With the advent of the Oregon and Santa Fe trails and the need for a direct transcontinental railroad route, the Indian tribes obstructed the path of the white culture's westward progress. So it was that removal of Indians from "civilized" areas as well as from their own concentration of "Indian Country" gradually gave way to a policy of placing them on reserved "islands" of land usually located within the same larger areas they once possessed.[44]

The idea of reservations for Indian tribes grew out of experiments with removal and concentration policy in California after the discovery of gold. There the situation of intermixing the two races in a reservation setting required a further policy for the establishment of "agency posts within fixed reserves for the accommodation of the agents and their employees . . . responsible for both the discipline and the instruction of the Indians."[45] As the westward movement

eventually carried whites into all regions of the United States, whites and Indians became further intermixed, and the reservation system became the accepted policy to meet the immediate problem.[46]

The idea of segregating American Indians from the mainstream of American culture did not meet with universal approval, however. As early as 1862, General John Pope urged government officials to move Indians nearer white communities "to enable more frequent contacts."[47] The Jeffersonian idea of "total transformation" for individual Indians still persisted at the height of the reservation system's application.[48] More obvious opposition to the reservation system stemmed from the practical viewpoint that valuable land should not be wasted on "indolent savages."[49] As the policies evolved between 1853-1856, 52 treaties were negotiated with American Indian tribes, and through those treaties some 174,000,000 acres of once-Indian lands were acquired by the United States.[50]

Many of the treaties negotiated with Indian tribes at this time also guaranteed appropriation of supplies. Oftentimes, however, the treaties, which were approved by Government representatives and the tribes, were not sanctioned by the Senate, as required by law. Of particular significance is an instance occurring in 1868, when the Cheyenne and Araphao left their reservation because "it was

futile to ask starving people to reside at agencies which had no means for their subsistence."[51] Nevertheless, the Army, which was responsible for carrying out civilian policy, declared that the Indians had violated the treaty of Medicine Lodge and decided that the "breach" of treaty was convenient justification for solving "the question of Indian hostilities in a single stroke."[52] General William T. Sherman proposed a strategy which won the approval of General Ulysses S. Grant. Simply stated, the plan established two districts into which the tribes must go, or else perish: one north of the Platte and west of the Missouri, and the other south of Arkansas and east of Fort Union. In both locations, however, tribes were forced by necessity to leave their reservations in order to hunt; yet the troops did not distinguish a friendly Indian from a hostile one. As a result of such mismanagemet, the United States was at war with nearly all the tribes on the southern plains after 1868.[53]

By that time two major viewpoints already had been clearly defined concerning the assimilation of American Indian tribes into the white mainstream. General William Tecumseh Sherman best represented the military assimilationist view. His thesis was most poignantly characterized by advocacy of the use of force to enforce governmental policy. As the hero of Atlanta and the already legendary "March to the Sea," Sherman was a logical spokesman for this policy,

which was in accord with his goal of establishing a military domain sweeping west from the Mississippi River to the crest of the Rocky Mountains.[54]

The second viewpoint prevalent during this period was best represented by the Board of Indian Commissioners, which, in 1869, advocated a policy of assimilation based on gradually acquainting tribes with the ramifications of "civilization" on reservations. This relatively humanitarian viewpoint provided for the use of Christian teachers as agents of control.

A third less widespread approach to the management of American Indian tribes during the period grew from racial prejudice. While Easterners differed on how best to assimilate the Indians, Westerners were often unanimous in their hatred of them. Frontiersmen approached the Indian "problem" characteristically on a bill considered by the Colorado House in 1881. H.B. 178 simply established rewards for "the Destruction of Indians and Skunks."[55]

Both the hatred of the Westerners and the sentimental claims of the Easterners caused serious rhetorical problems for anyone attempting to administer a policy to serve American Indians. In the long run, however, each of these alternatives for American Indian assimilation policy gave way to the policy of general allotment advocated by Carl Schurz.

The policy provided for the allotment of American

Indian lands in fee simple and established as a guideline the granting of patents for specified sections of land to individual Indians. The idea of general allotment did not originate with Carl Schurz. As early as 1816, Secretary of War Crawford had recommended apportionment of Indian holdings among tribal members;[56] and although years passed before any attempt was made to apply Crawford's suggestion, many experiments with severalty were tried during the 1840's and 1850's. Most, however, were failures. In fact, when a House committee investigated the history of land allotment in 1879, only two of 14 instances could be judged successful.[57]

Some of the problems with early severalty legislation were traceable to the absence of provisions to prevent the sale of allotted land. Other problems stemmed from the lack of arrangements for the disposal of surplus land. So when Carl Schurz's plan for general allotment was presented to Congress in March of 1879,[58] it had the advantage of over a half century's trial and error.

By 1880, Congress and the people of the United States seemed to have settled on the policy of general allotment as a panacea for the problems of the American Indian. In short, it was merely the application of the Jeffersonian ideal of "total transformation" of "the noble savage" into the American mainstream. And later to come was an extension of the provisions of the Homestead Act of 1862 to Indians--further indication that by that time in American history, the white

man was willing to admit that American savagedom was capable of transcendence when influenced by "the glory of Christian civilization."[59]

Still, policy makers in the United States government did not reach consensus on American Indian policy without significant difficulty. The question of which specific governmental programs should be adopted to accomplish incorporation of Indians into the American mainstream was a matter of extreme controversy throughout the 1870's. To reemphasize, the options were many and varied: rhetoric of forced assimilation, as proposed by the military; a rhetoric of Christian conversion, as preached by various religious organizations; a rhetoric of basic extermination, as espoused by a number of frontier communities; and, of course, a more eclectic rhetoric which ultimately defined general allotment. How land reform became the prime issue of federal Indian policy in the 1870's is a major focus of this study.

Notes

[1]H. Wayne Morgan, ed., "Toward National Unity," in The Gilded Age (New York: Syracuse University Press, 1970), p. 1.

[2]Samuel L. Clemens, The Writings of Mark Twain, Samuel L. Clemens [Mark Twain] and Charles Dudley Warner, Vol. 10: The Gilded Age: A Tale of Today (New York: Harper and Brothers, 1906), p. 90.

[3]H. Wayne Morgan, From Hayes to McKinley: National Party Politics, 1877-1896 (New York: Syracuse University Press, 1969), p. vi; also, see Dee Brown, The Year of the Century: 1876 (New York: Charles Scribner's Sons, 1966), p. 2-4; James D. Norris and Arthur H. Shaffer, Politics and Patronage in the Gilded Age: The Correspondence of James A. Garfield and Charles E. Henry (Madison: State Historical Society of Wisconsin, 1970), p. x; and, Chester A. Arthur, Proclamation of May 7, 1883, "Reform of the Federal Civil Service," in James D. Richardson, ed., Messages and Papers of the Presidents, Vol. 8 (n.p.: 1900), pp. 161-166.

[4]Morgan, From Hayes to McKinley, p. 48.

[5]August Meier, Negro Thought in America, 1880-1915 (Ann Arbor: University of Michigan Press, 1964), p. 21, as cited in Morgan, From Hayes to McKinley, p. 19.

[6]John M. Dobson, Politics in the Gilded Age: A New Perspective on Reform (New York: Praeger Pub., Inc., 1972), p. 48.

[7]Probably no state outside of the South did more to add to the controversy about the disputed election of 1876 than did Oregon. Rutherford B. Hayes explained the "Oregon fraud" in the following letter to Carl Schurz:

> This morning Isaih, our colored man, when he came in to build the fire, laid the State Journal on our bed. He lighted the gas and I read the telegraphic accounts, showing how Governor Grover of Oregon had refused to commission Watts, the Republic elector, an ex-post-master, and had given the certificate of election to Cronin, the highest Democratic elector, and how he, Cronin, had met as the college and elected two Republicans to fill the two vacancies created by the refusal of the Republicans, two of whom were commissioned, to act or meet with him; and how this college met and cast two votes for Hayes and Wheeler and one for

> Tilden and Hendricks, thus giving in the nation to Hayes and Wheeler one hundred and eighty-four electoral votes and to Tilden and Hendricks one hundred and eighty-five votes, and in this way electing the latter President and Vice President. The two regularly commissioned Republican electors met; Watts, the postmaster resigned, was re-elected, and this college gave Hayes and Wheeler the three votes of Oregon, making their aggregate one hundred and eighty-five, and thus electing them, if this vote is treated as the true one.

Rutherford B. Hayes to Carl Schurz, December 7, 1876, as recorded in Charles Richard Williams, ed., Diary and Letters of Rutherford Birchard Hayes, Vol. 3 (Columbus, Ohio: The Ohio State Archaeological and Historical Society, 1924), p. 388.

[8]Dobson, Politics in the Gilded Age, p. 48.

[9]New York Sun, 16 March 1877, as cited in Morgan, From Hayes to McKinley, p. 31

[10]John Hope Franklin, Gen. ed., Three Negro Classics (New York: Avon Books Div., 1965), The Souls of Black Folk, by William E.B. Dubois, p. 209.

[11]Morgan, "Toward National Unity," The Gilded Age, p. 3.

[12]Rush Welter, "The Frontier West as Image of American Society: 1776-1860," Pacific Northwest Quarterly, Vol. 52, (January, 1961): 1.

[13]Frederick Jackson Turner, The Frontier in American History, with a Foreword by Ray Allen Billington (New York: Holt, Rinehart, and Winston, 1920), p. 1; also, see Frederick Jackson Turner, Frontier and Section: Selected Essays of Frederick Jackson Turner, with an introduction by Ray Allen Billington (Englewood Cliffs, N.J.: Prentice-Hall, Inc., 1961), p. 37, and George Rogers Taylor, ed., The Turner Thesis: Concerning the Role of the Frontier in American History, Problems in American Civilization (Boston: D.C. Heath, 1956), p. 1

[14]Henry Nash Smith, Virgin Land: The American West as Symbol and Myth (Cambridge, Mass.: Harvard University Press, 1950), as cited in Welter, "The Frontier as Image of American Society: 1776-1880," p. 1.

[15]Encyclopedia of Indians of the Americas, 2nd ed., s.v. "Society and Culture," by Roger C. Owen. The concept of "contact history" may be defined as the changes produced in the cultures of peoples in continuous contact with each other. When the two groups differ in complexity, the simpler culture is likely to be more receptive than the other. Some of the important characteristics of American Indian societies were small size, relative homogeneity, technological inefficiency in subsistence, great reliance on oral communication, and absence of writing. For additional reading, see Robert H. Lowie, Indians of the Plains, with a foreword by Harry L. Shapiro (Garden City, New York: The Natural History Press, 1963), p. 219-223.

[16]Carl Schurz, "Present Aspects of the Indian Problem," North American Review, 33 (July, 1881): 1.

[17]S. Lyman Tyler, A History of Indian Policy (Washington, D.C.: Government Printing Office, 1973), p. 80.

[18]Ralph K. Andrist, The Long Death: The Last Days of the Plains Indians (London: Collier-Macmillan Books, 1964), p. 4.

[19]Roy Harvey Pearce, The Savages of America: A Study of the Indian and the Idea of Civilization (Baltimore: The John Hopkins Press, 1965), p. 103.

[20]Alvin M. Josephy, Jr., The Indian Heritage of America (New York: Bantam Books, Inc., 1968), p. 97.

[21]Ibid.

[22]T.R. Fehrenbach, Comanches: The Destruction of a People (New York: Alfred A. Knopf, Inc., 1974), p. 357; Andrist, The Long Death, p. 12; and D'Arcy McNickle, They Came Here First: The Epic of the American Indian (New York: Harper & Row, Pub., 1975), p. 201.

[23]Josephy, The Indian Heritage of America, p. 324.

[24]Ibid.

[25]McNickle, They Came Here First, p. 202.

[26]Tyler, A History of Indian Policy, p. 70.

[27]Louis Morton, Gen. ed., The Wars of the United States, 9 vols. (New York: Macmillan Pub. Co., Inc., 1973), Frontier Regulars: The United States Army and the Indian, 1866-1891, by Robert M. Utley, p. 3.

[28]Tyler, A History of Indian Policy p. 70.

[29]Ibid., p. 80.

[30]Andrist, The Long Death, p. 24.

[31]Ibid.

[32]Utley, Frontier Regulars, p. 4.

[33]Andrist, The Long Death, p. 298.

[34]Harold E. Fey and D'Arcy McNickle, Indians and Other Americans: Two Ways of Life Meet (New York: Harper and Row, Pub., 1970), p. 20.

[35]Ibid.

[36]Ibid., p. 21.

[37]Fey and McNickle, Indians and Other Americans, p. 50; also, see Josephy, The Indian Heritage of America, p. 333; Andrist, The Long Death, p. 69; and Robert Winston Mardock, The Reformers and the American Indian (Columbia: University of Missouri Press, 1971), p. 86.

[38]Tyler, A History of Indian Policy, p. 54.

[39]Bernard W. Sheehan, Seeds of Extinction: Jeffersonian Philanthropy and the American Indian, published for the Institute of Early American History and Culture at Williamsburg, Virginia (Chapel Hill: The University of North Carolina Press, 1973), p. 10.

[40]Paul Bohannan, "Rethinking Culture: A Project for Current Anthropologists," Current Anthropology, 14 (October, 1973): 357.

[41]Sheehan, Seeds of Extinction, p. 11.

[42]McNickle, They Came Here First, p. 201.

[43]Ibid., p. 202.

[44]Tyler, A History of Indian Policy, p. 73.

[45]Henry E. Fritz, The Movement for Indian Assimilation, 1860-1890 (Philadelphia: University of Pennsylvania, 1963) p. 19.

[46]Tyler, A History of Indian Policy, p. 73.

[47]Loring Benson Priest, Uncle Sam's Stepchildren: The Reformation of United States Indian Policy, 1865-1887 (New Brunswick, New Jersey: Rutgers University Press, 1942), p. 124.

[48]Sheehan, Seeds of Extinction, p. 10.

[49]Pearce, The Savages of America, p. 115.

[50]Tyler, A History of Indian Policy, p. 74.

[51]Fritz, The Movement for Indian Assimilation, 1860-1890, p. 69.

[52]Ibid.

[53]U.S., Congress, House, Resolutions of the Peace Commission, House Exec. Doc. No. 1, 40th Cong., 3rd Sess., Vol. 2, 831-832; as cited in Fritz, The Movement for Indian Assimilation, 1860-1890, p. 70.

[54]Utley, Frontier Regulars, p. 1.

[55]Priest, Uncle Sam's Stepchildren, p. 89.

[56]Ibid., p. 177.

[57]The two tribes which were deemed successful in the experiment of general allotment were the Brothertown band of Wisconsin and the Sioux of Flandreau from Dakota. The House Committee stated that the following twelve tribes had been unsuccessful in their attempts at severalty: Stockbridge tribe of Wisconsin, Ottawas and Chippewas of Michigan, the Chippewas of Saginaw from Michigan, the Wyandotts from Kansas, the Ottawas of Blanchard's Fork from Kansas, Peorias of Kansas, Pottawatomies of Kansas, the Kickapoos of Kansas, Delawares of Kansas, Miamies of Kansas, Miamies of Indiana, and the Winnebagoes of Minnesota. The House Committee concluded that by 1879, an aggregate of 13,653 individual Indians had participated in allotment programs. Of the total number, 1,226 were judged successful while 12,427 were cases of failure. U.S., Congress, House, The Organization of the Territory of Oklahoma, House Report 188, 45th Cong., 3rd Sess., 1879. Index to the Reports of Committees of the House of Representatives 2: 27; for further reading on experimentation with general allotment, see Dan C. McCurry and Richard E. Rubenstein, Gen. eds., American Farmers and

the Rise of Agribusiness: Seeds of Struggle (Baltimore: Johns Hopkins Press, 1937), A Continent Lost--A Civilization Won, by J.P. Kinney, p. 206-209.

[58]U.S., Congress, House, Lands to Indians in Severalty to accompany bill H.R. 6268. House Report 165, 45th Cong., 3rd Sess., 1878-1879. Index to the Reports of Committees of the House of Representatives, 1: 1-3.

[59]Priest, Uncle Sam's Stepchildren, p. 66; J.P. Kinney, A Continent Lost--A Civilization Won, p. 206-209; and Pearce, The Savages of America, p. 115.

CHAPTER III

SOCIAL AND INTELLECTUAL DEVELOPMENTS THAT INFLUENCED CARL SCHURZ'S ASSIMILATIONIST PERSPECTIVE

> Carl Schurz, the efficient Secretary of the Interior, is making a vigorous fight against the old Indian Ring. It has long been believed that Indian affairs have been badly and corruptly managed, and that the immense amount of money received from members of the Indian Ring, as a political corruption fund, has prevented the party in power from trying to improve the management of the Indian Bureau, or from even inquiring why complaints so loud and persistent were made. Carl Schurz, ignoring party customs, seeks to secure an honest public service, and finding something wrong in the management of Indian affairs, proceeds to right that wrong. Of course the corrupt party leaders, and their echoes, the cheap party editors, denounce Carl Schurz as a "fraud," as an impracticable [sic] theorist, who ought to be kicked out of the Cabinet, and not be permitted to expose the rottenness and corruption that long usage has made a party custom. Not being able to buy or frighten Carl Schurz, the party men seek to injure him with the people by calling him a "sham reformer," or a "visionary theorist with no practical ideas." But we are pleased to note that Mr. Schurz, having begun the work of purifying the Indian service, is not disposed to listen to the assaults of enemies, but will continue the fight until his purpose is accomplished. It is perhaps superfluous to add that in the war against dishonest practices now going on, the Granger "fights mit [sic] Carl Schurz."[1]

The purpose of this chapter is to interpret the intentions and motivations of Carl Schurz in his campaign to persuade Congress to adopt the policy of general allotment of American Indian lands. As the above excerpt from a

newspaper of the times indicates, Schurz received mixed public reactions from proponents of various plans to solve the "Indian problem." Some of the problems that the nation was forced to deal with after the Civil War stemmed from the continual westward movement of white settlers, miners, and trappers. This westward expansion into territory occupied by aboriginal peoples having no intention of being removed from their traditional lands caused significant controversy in the public arena.

Carl Schurz knew "almost nothing about Indians and their problems" when he took office in 1877 as the Secretary of the Interior.[2] Still, as the aforementioned news item from The Papers of Carl Schurz indicates, his dedication to the issues became so wholehearted that he was willing to accept political setbacks from rhetorical attacks by individuals who had stake in American federal Indian policy.

As the highest ranking federal officer with jurisdiction over American Indian tribes, Schurz was thrust into responsibility for the behavior of 250,000 people spread over the entire nation and its territories. Schurz realized that an exigence for change existed in the federal Indian bureaucracy, and he realized that it was due, at least in part, to the westward movement of white settlers. Even at that early point in his federal career, he may have known that by becoming the symbolic and practical leader of the innovational

movement for change in Indian service, he would sacrifice his political career. And, in fact, after leaving the office of the Secretary of the Interior in 1881, he never held another political office.

Of course Schurz could have joined the bandwagon of a number of social movements which would have increased his popularity with various segments of the population, and he surely knew that the Indian Territory and other lands owned by American Indians would eventually fall into the hands of white settlers anyway. He stated that belief in 1881:

> No intelligent man will to-day for a moment entertain the belief that there is still a nook or corner of this country that has the least agricultural or mineral value in it, beyond the reach of progressive civilization. Districts which seemed to be remote wildernesses but a few years ago have been or are now being penetrated by railroads: Montana, Washington Territory, Idaho, and New Mexico are now more easily accessible than Ohio and Indiana were at the beginning of this century, and the same progress which resulted in crowding the Indians out of these States has begun and is rapidly going on in those Territories.[3]

Yet even though Schurz foresaw that American Indians would lose a great percentage of their lands, he was not willing to join the white supremacists who maintained that it was the natural order for "civilization to crush savagery." On the contrary, Schurz expressed the belief that American Indians would eventually take their place in the mainstream of American culture, and that "the time will come when we will speak no more of Sioux and Apaches, but of good and

orderly citizens of Indian descent."[4] Maintaining a moderate position, however, he opposed the social movement that called for the immediate granting of citizenship to all American Indians. He reasoned as follows:

> In this respect, some sincere philanthropists seem inclined to run into a serious error in insisting that first of all things it is necessary to give to the Indian the rights and privileges of American citizenship, to treat him in all respects as a citizen, and to relieve him of all restraints to which other American citizens are not subject. I do not intend to go here into a disquisition on the legal status of the Indian, on which elaborate treaties have been written, and learned judicial decisions rendered, without raising it above dispute. The end to be reached is unquestionably the gradual absorption of the Indians in the great body of American citizenship. When that is accomplished, then, and only then, the legal status of the Indian will be clearly and finally fixed. But we should not indulge in the delusion that the problem can be solved by merely conferring upon them rights they do not yet appreciate, and duties they do not yet understand. Those who advocate this seem to think that the Indians are yearning for American citizenship, eager to take it if we will only give it to them. No mistake could be greater.[5]

His decision not to support the rationale for immediate citizenship brought severe criticism, one critic going so far as to single out Schurz as "the chief obstacle . . . in the way of American Indian reform."[6]

Why Schurz chose to support the innovation of general allotment of American Indian lands, when advocacy caused him political and personal criticism, can be logically hypothesized only by a complete biographical investigation. Three questions need to be answered: (1) What elements in Schurz's

personal background influenced his intellectual shift from concentration to an assimilationist view? (2) Which contemporary rhetors influenced his view of American Indian policy? and (3) What situational developments in the 1870's accounted for the specific tenets of his proposed innovational plan?

Biographical Influences on Carl Schurz

The most obvious, and perhaps one of the most pertinent factors in determining which elements in Schurz's personal background may have influenced his formulation of an assimilationist perspective, is Schurz's own assimilation into the American mainstream. Whereas he once commented, "I was born in a castle," the castle was by no means his own, but rather the ancestral estate of Count Wolf Metternich. It was located in the small community of Liblar, near the east bank of the Rhine and about fourteen miles southwest of the city of Cologne. Christian and Marianna Jussen Schurz, Carl's parents, lived on the grounds of the Metternich castle where Marianna's father was a tenant farmer. Christian Schurz was a teacher in the community of Liblar, and he encouraged Carl to read the works of Schiller, Goethe, Wieland, Korner, Tasso, and Shakespeare.[7]

From an early age the young Schurz was influenced by the sophisticated knowledge of his father and grandfather,

who "took an active interest in all that happened in the outer world, and discussed, if not with thorough knowledge, at least with eager interest and sympathy the events that moved humanity at large."[8]

Members of the Schurz family were all profoundly interested in the United States, and Schurz recounted in his autobiography that he thought of America as "that young republic where the people were free, without kings, without counts, without military service, and, as was believed in Liblar, without taxes."[9] Apparently this simplistic image of America was accepted by the entire family, for both of Schurz's parents followed him to the United States and lived to see him become famous. His father died in 1876, and his mother a year later. So, at least in small part, the myths concerning the "golden opportunities" of America that the Schurzes had internalized "when neighboring families started out for Cologne to sail to America" came true for Carl and his parents.[10]

Schurz's success in the United States cannot be attributed solely to the training he received from his family, however, for he also received a superb education in Germany. Chester Verne Easum commented on the influence of this education relative to Schurz's character and competency as a military officer and politician. It was a case, Easum noted metaphorically, of the melting pot of America being unable

to reforge Schurz's already developed intellect.[11]

Schurz attended the Gymnasium at Cologne from 1839 to 1846 and pursued the doctorate in history at the University of Bonn during the year of 1847. Then, in 1848, he joined the German revolutionary movement, an interruption which concluded his formal education.

While at the University of Bonn, Schurz was profoundly influenced by Professor Gottfried Kinkel. Bonn was one of the leading German universities of the time, and it boasted some of the greatest scholars in the Rhineland.[12] Gottfried Kinkel, a lecturer in the history of art and an instructor in public speaking, believed that because of the rule of Frederick William IV "only through violent measures could his [Kinkel's] ideals be accomplished." Kinkel was not just looking forward to the revolution; he was already publicly advocating it by the time Schurz first met him. Kinkel also had a reputation of some strength in the field of literature; yet even in this genre, political freedom and unity of the "Fatherland" were his major issues. Schurz enrolled in one of Kinkel's speech courses and was often invited to the Professor's home, where he took part in discussions of political issues with members of the leading student society, the Burschenschaft Franconia.[13] An outgrowth of the traditional Burschenschaft, this newer organization provided a forum for Schurz's political liberalism.

When the news of the proclamation of the Second French Republic came on February 24, 1848, Germany was thrown into political upheaval. Riots in Berlin forced Frederick William to issue a proclamation guaranteeing that the constitution of the German Confederation would be revised and that Germany would become an unified nation.[14] Meanwhile Schurz and Kinkel were working in the University of Bonn to organize "democratic clubs"; the main result of their efforts was organization of the "universal union of associated students."[15]

In the summer of 1848, Schurz traveled to Cologne and heard a speech by Karl Marx which favorably impressed him; and by spring of 1849 he had so thoroughly internalized the revolutionary perspective that he joined the army of attack under the command of Fritz Anneke of Cologne.

The attack, however, was a failure; and the fate of the entire Revolution was no more of a success. The entire movement lacked one fundamental ingredient: the development of a well-organized replacement for the status quo.

Kinkel was arrested, and Schurz was forced to escape to Switzerland. Yet his experiences in the abortive revolution were destined to initiate a political reputation in America.[16]

In part, as a result of the failure of his political aspirations in Germany, Schurz came to America in 1852. He was twenty-three years old at the time and his wife was eighteen. Upon arriving in New York, he immediately left for

Philadelphia in order to associate with co-workers in the revolution of 1848.

At the time of his arrival in America, neither Schurz nor his wife could speak English. Necessity is a good teacher, however, and within six months Schurz developed a serviceable knowledge of the language. His continuing fastidiousness enabled him not only to read literature and journalism in English, but also to develop a thorough enough understanding of the language to extend his practice of public speaking to his second tongue.

Schurz left Philadelphia in March 1855 to purchase a small farm in Watertown, Wisconsin, where an uncle's family had settled. There he became involved in what he considered the major issue of the day, the anti-slavery controversy. An interesting footnote to this concern is that Schurz's early commitment to the abolition of slavery separated him from most of the constituency in Watertown, largely a Democratic stronghold.

Schurz was immediately drawn to the philosophy of the Republican party, and he gave numerous speeches in favor of the election of John C. Fremont. Fremont had gained public notoriety by crossing the Rocky Mountains and establishing a trail to the Sacramento Valley in 1844. In the election of 1856 Fremont adopted the campaign motto of "Free labor, free speech, free men, free Kansas, and Fremont!"[17] Schurz

was primarily interested in Fremont's anti-slavery stand, but when his candidate was soundly defeated by Democratic opponent James Buchanan of Pennsylvania, Schurz reacted strongly. He later said, "It took me some time to recover from my bewilderment and to recognize the fact that this was only the first battle in a long campaign, a campaign of many years.[18]

The German vote in Watertown was still Democratic in 1856, but because of Schurz's nominal success in persuading some of that vote to shift allegiance, he was nominated by the Republican party on September 3, 1857, to run for the lieutenant-governorship of Wisconsin. He campaigned in English for the first time in this election, and his oratorical skills became widely recognized. The impetus of Schurz's campaign rhetoric was directed against the Democratic attitude toward slavery. Schurz asked Democrats to break with party discipline and elect a Republican anti-slavery ticket. He was defeated in the election, as was the rest of the Republican ticket; nonetheless, his reputation had been established as a force in American politics.

Schurz next campaigned in Illinois in 1858 at the request of the Republican Party. The object of his efforts was to have Lincoln elected senator over Douglas, and, his most powerful assist was undoubtedly rendered via his now-famous speech, "The Irrepressible Conflict." Delivered in

Chicago in the fall of 1858, the speech attacked the logical inconsistency between the institutions of slavery and democracy. Schurz's reasoning proceeded on the assumption that unless slavery was confined to the slave states, there would be "inevitable and far-reaching conflicts which the existence of slavery in a democratic republic was bound to produce."[19] In the course of his campaign stumping, Schurz won wide public acclaim for speaking both in German and English, and he also met Abraham Lincoln for the first time.

Schurz returned to Wisconsin prior to the election of 1860, where he continued to speak on the slavery issue as well as to serve as chairman for the Wisconsin delegation to the Republican National Convention; although the delegation originally supported Seward for the Presidential nomination, it finally decided upon Lincoln. Subsequent to the nomination, Schurz launched his most extensive political campaign; he spoke in Wisconsin, Illinois, Indiana, Ohio, Pennsylvania, and New York. According to Joseph Harr Mahaffey, Schurz's two greatest speeches were delivered during this campaigning: "The Doom of Slavery" and "The Bill of Indictment."[20] Some scholars even maintain that Schurz's pro-Republican influence on the German voting block swayed the Northwest to Lincoln.[21]

As a reward for his support in the election of 1860, Schurz was sent to Spain to serve as the American minister.

He arrived in Madrid in July of 1861, and there he argued the anti-slavery cause with other American representatives in Europe. It is interesting to note that Schurz accepted such a clearly political appointment, though, according to his Reminiscences, he had become a civil service reformer after visiting Washington, D.C., in 1854.[22] Whatever his reasons for accepting the post as Minister to Spain, the reason for his return to the United States in January 1862 was clear. He believed that the government should establish a strong anti-slavery position without regard to public opinion. Lincoln did not agree, but he encouraged Schurz to speak publicly on the issue, and he even proofread Schurz's famous Cooper Union speech in March, 1862.[23] The connection between his obvious disregard for public opinion and his later disregard for public sentiment on the issue of American Indian assimilation reflects Schurz's approach to politics. No one can read The Papers of Carl Schurz, not to mention the many other personal documents that he left to posterity, without becoming aware of his commitment to his ideals rather than to political popularity or expediency for himself or even his followers.[24] In fact, Schurz resigned as Minister to Spain in 1862 despite Seward's request that he stay on. This decision initiated a deteriorating relationship between the Secretary of State and Schurz in times that followed.

Lincoln then appointed Schurz as a brigadier-general in the volunteers in April of 1862. Mahaffey argued that Schurz accepted the appointment with the intention of using the military service for the improvement of his political prospects.[25] He notes a letter Schurz wrote to his Mother in May of 1862 in which he said that "a footing in the army" would be advantageous for his political career after the Civil War.[26] Actually, Schurz took a significant risk in choosing the military appointment. For example, during the second battle of Bull Run, which was fought less than six months after his appointment on August 30, 1862, Schurz's division was soundly defeated. And at Chancellorsville the results were the same. Schurz's division crumbled under the attack of General Jackson's troops and "retired in disorder before the overwhelming Confederate onrush."[27] The New York Times responded with a criticism of the abilities of Schurz and all German troops, and it went so far as to charge Schurz with cowardice.[28] Schurz subsequently resigned his command and was placed in authority over a recruiting station near Nashville. Needless to say, the transition constituted a significant demotion.

Schurz's oratorical skills, however, again earned him a position of military authority. Lincoln asked Schurz to speak on his behalf in the re-election campaign of 1864. At the Academy of Music, in Brooklyn, New York, Schurz delivered

his most famous speech, "The Treason of Slavery," on October 7, 1864. Like speeches he made later, its thesis was that no compromise should be made with the South, and that the War should be continued until concluded without compromise or conciliation. The political campaign in Lincoln's behalf was successful, and Schurz was assigned to the position of chief-of-staff to Major-General Henry W. Slocum in General William T. Sherman's army; it was a position Schurz maintained until Lee surrendered.

If Schurz's popularity suffered from public attacks in the press relating to his military failures, it sunk even lower when he was asked by President Johnson to visit the Southern states and report upon the effects of the Reconstruction program. Schurz traveled from July to September 1865, and on December 19, 1865, he delivered to the Senate his Report of Carl Schurz on the States of South Carolina, Georgia, Alabama, Mississippi, and Louisiana.[29] This document is of value to modern historians, but because it recommends the extension of the franchise to Blacks as a prerequisite to readmission of the Confederate states, the report was not even acknowledged by President Johnson.[30]

Schurz retired to the role of private citizen from 1865 until 1869, at which time he accepted the nomination of the Republican Party for the United States Senate from Missouri. The question of how Schurz--a Wisconsin resident--could be

drafted for nomination in Missouri has caused some confusion. The answer is that Schurz accepted the job of Washington correspondent for the New York Tribune in 1865. He resigned this position in the Spring of 1866, however, to become editor-in-chief of the Detroit Post, a newspaper which had been established by a number of leading Michigan Republicans. After one year with the Detroit Post, Schurz moved to Missouri to become joint editor with Emil Preetorius of the St. Louis Westliche Post.[31] In 1868 he served as a delegate to the Republican National Convention which nominated Grant for the presidency; he also gave the keynote address. Schurz spoke in favor of the election of Grant, and, more than incidentally, was nominated for the Senate from Missouri by the Republicans in that state; since the legislature decided upon the candidates, he was elected by the legislature of Missouri in 1868.

On March 4, 1869, two days after his fortieth birthday, Schurz took office as a Senator. It was an office he held for only one term, for he almost never followed the party line; instead, he allied himself with the group of anti-Grant senators. He argued against imperialism and for the establishment of civil service reform. This latter issue insured Schurz's place in the history of federal bureaucracy reform, but it also added to his unpopularity.

On December 20, 1869, Schurz introduced a bill to create

a permanent civil service merit system in the federal government. The movement for reform of the "spoils system" was greeted by Congress much as was the later innovational movement for reform of the American Indian service. Schurz asked Congress to accept his merit system in 1869, yet the resulting Pendelton Act was not finally passed until 14 years later. Likewise, Schurz proposed his eight-part plan for reform of the Indian service to Congress in 1878, yet it was not accepted as law until the Dawes Severalty Act of 1887.

Of a variety of issues addressed from 1869 to 1871, by far the most important and unpopular political one was his advocacy and organization of the "liberal Republican bolt of 1872." By the beginning of the campaign of 1872, Schurz's divergence from the Republican party had become so great that he became the chairman of the maverick Cincinnati convention of 1872.[32] Its presidential nominee was Horace Greeley, a man whose candidacy Schurz did not wholeheartedly support. Yet so thoroughly did Schurz distrust Grant that he spoke out against the President in the campaign. The Democrats regained control of state government as a result of the split in the Republican party and Schurz lost his senate seat. Consequently, in 1875 Schurz again turned to lecturing and journalism to make a living.

Political suicide in 1872, however, changed to political

expediency in 1876. Schurz disregarded the liberal Republican party he had helped form and supported the regular Republican Presidential candidate, Rutherford B. Hayes. Schurz liked Hayes because he was convinced that, if elected, Hayes would restore the South and promote civil service reform. When Hayes was elected, he asked Schurz to join his cabinet as Secretary of the Interior. Schurz became a part of the cabinet on March 4, 1877.

A number of hypotheses exist to explain Schurz's departure in thinking from the generally accepted notion of American Indian policy--a policy which called for concentration of tribes on reservations. Less well known, and certainly more unpopular, was his endorsement of a policy of general allotment of American Indian lands. Yet his autobiography clearly illustrates one consistent generalization about the psychology of this rhetor: he believed logical proof to be the most important ingredient of persuasive discourse. To this end, he exhaustively researched the issues he spoke and wrote about before establishing a stance; but once he had developed a stasis on an issue, he rarely allowed public opinion or political expediency to sway it. Schurz believed that speechmaking "should be characterized by seriousness of design and cogency of argument," and he applied the test of reason to his own development of argument.[33]

The common logic that surrounded contemporary

understanding of the condition of Indian affairs at the beginning of Schurz's tenure as Secretary of the Interior was that the westward movement of Americans was inevitable and that the fate of the American Indian had already been decided. Americans may have made significant technological advances in the 1870's, but it hardly followed that American Indians were willing to step aside and give up their hereditary lands without significant struggle. The federal government could not merely force tribes to gather on reservations and, thus, "solve" the Indian problem. Schurz realized that Indians were on the edge of extinction because of continuing American Indian Wars on the Great Plains, and because of the common attitudes of frontiersmen who believed the old maxim that "the only good Indian is a dead Indian." So when Schurz talked about the "stern alternative" facing the Indians, he was not being melodramatic; he was describing factually the situation confronting both the Indian and Indian administrators. Certainly he did not want to be the last Secretary of the Interior to have any live American Indians under his control.

Schurz once admitted that he had never made an extensive study of the problems of the American Indians prior to his appointment as the Secretary of the Interior. Once he found himself in office, however, he spent considerable time studying both Indian culture and the history of federal Indian

policy. He originally supported concentration of Indians on reservation land because it seemed reasonable to him that they should be separated from the less savory influences of western culture, such as disease and alcohol. After his extensive investigation, however, he modified his views, realizing that Indians would never become secure in their lands if they did not hold a title to them in fee simple. He reasoned that as long as Indians could be continually moved from one place to another without their consent, they would never become farmers and herders, and, thus, would never integrate into the mainstream of American life. In expressing this viewpoint, he wrote Edward Atkinson and cautioned that Indians dare not be thrust into American life without the necessary preparation of "education, active work, settlement in severalty, fixed homes, [and] property well secured to the individual."[34]

In other words, Schurz believed that American Indians should be made ready for American citizenship in much the same way that he, himself, had been prepared. Schurz reminded Helen Hunt Jackson in January of 1880 that no progress could be made for Indians until they had learned the basic tenet of American land ownership. In private correspondence he argued that severalty must precede citizenship:

> For this reason I attach much more importance to the passage of legislation providing for the settlement of the Indians in severalty and giving them

> individual title in fee-simple, the residue of their lands not occupied by them to be disposed of for their benefit, than to all the efforts, however well intended, to procure judicial decisions which, as I have shown, cannot be had. I am glad to say that the conversations I have had with Senators and Representatives in Congress on the policy of settling the Indians in severalty have greatly encouraged my hope of the success of the "severalty bill" during the present session.[35]

The question remains how Schurz came to shift from the generally accepted view of concentration of Indians on Indian Territory to the policy of general allotment. Clues for this intellectual shift may be traced to his educational and social background, but there are other forces as well that shaped his thinking on reform.

The Influence of Contemporary Rhetors

Contemporary rhetors may have influenced Schurz's view of American Indian policy through their writing and/or speaking, although methodological problems plague the establishment of cause-effect relationships, especially when the agents have been dead for seventy years. But it seems reasonable to investigate who among Schurz's contemporaries thought that general allotment was a good idea in March of 1877, when Schurz took office as Secretary of the Interior. Two contemporary rhetors in particular spoke about Indian reform in language restated in the speaking and writing of Carl Schurz: Bishop Henry B. Whipple, the Episcopalian

Bishop of Minnesota; and William Welsh, the first President of the Board of Indian Commissioners.

Henry B. Whipple, the Episcopalian Bishop of Minnesota, was an influential leader in the creation of President Grant's "peace policy," particularly during the 1860's and 1870's, when the need for drastic reform was most dramatic. Whipple carried on an extensive correspondence with government officials and people concerned with Indian welfare.[36] As documented in The Henry B. Whipple Papers, Whipple was primarily concerned with the following issues: reform of the Indian service, appointment of Indian agents, allegations of dishonesty among agents and other government employees on the reservations, the removal of the Sioux and other Indians, treaty provisions, land and timber sales, the whiskey trade as it related to Indians, plans to "civilize" Indians and teach them agriculture and industrial skills, missionary work among various tribes, attempts to obtain investigations of treaty violations, and efforts to lobby in Congress on behalf of Indians' possessory right to their land and timber.[37] Although Schurz clearly preferred civilian agents to the use of agents chosen from religious organizations, many of Whipple's positions on these other issues are echoed in Schurz's speaking and writing.

Whipple corresponded with William Welsh, Herbert Welsh, and other members of the Board of Indian Commissioners and

the Indian Rights Association; but his most important correspondence was with government officials in a position to influence Indian policy. He exchanged communication regularly with Secretaries of the Interior (including Schurz), Commissioners of Indian Affairs (including Edward Hayt), and Congressmen; on several occasions he even appealed to the President of the United States.

In 1877-1878 Whipple opposed the transfer of the Office of Indian Affairs from the Department of the Interior to the War Department because he feared that placing Indians under the jurisdiction of a military department would be tantamount to maintaining a state of perpetual war, and that it would preclude any attempt at effective Indian assimilation and education. He also supported Schurz's establishment of vocational and industrial schools, and he went so far as to institute Indian education in Minnesota during the 1870's. Additionally, he exchanged letters with Captain R. H. Pratt, superintendent of the United States Indian School at Carlisle, Pennsylvania, which Schurz had helped to form. Along with William Welsh, Whipple was influential in the passage of the Indian Inspection Law of 1873, a preliminary step in changing the corrupt policies of the Indian service.[38]

At the time of his appointment to the Secretaryship, Schurz is reported to have held the view "that the Indian could never be civilized and that the only possible solution

was to confine him under strict military supervision."[39] Whipple subsequently reasoned to Schurz that the Indian administration should be reformed, and he advised that the Interior Department devise means to assimilate the tribes in order to eliminate both waste and fraud from the business of providing the Indians with subsistence.[40] Whipple recorded in his autobiography the text of an influential paper that he delivered at the Episcopalian Church Congress in 1877; it is entitled, Lights and Shadows of a Long Episcopate: Being Reminiscences and Recollections of the Right Reverent Henry Benjamin Whipple, D.D., LL.D., Bishop of Minnesota. This paper includes a plan for bringing about peace with American Indian tribes, and it is in many ways similar to Schurz's own Annual Report of the Secretary of the Interior to the Congress for the year ending 1878. In his paper, Whipple records the following observations regarding needed Indian reforms:

> First, the Indian Department must be in an independent position with a responsible head.
>
> Second, the Indians must be located in a country where civilization is possible. Hitherto neither our sense of justice nor our fear of God has preserved for the Indians any country which white men covet. The Indian Territory was solemnly set apart to atone for one of the darkest crimes in our history. Its possession is guaranteed by everything which is sacred in a nation's honor. We fear that plans are already made to repeat in darker shades the story of Ahab and Naboth's vineyard.
>
> Third, the individual Indian must have title to his land, and that title be made inalienable. The certificates of occupancy which are now given are not

> worth, as titles, the paper upon which they are printed. The best incentive to labor is the guarantee of the rewards of labor.
>
> Fourth, the influence of the Government must be on the side of civilization. A Christian nation must cease to send paint and scalping-knives and implements of death to Indians. All government bounty should be a premium for industry. No rations should be issued--those for the sick and aged excepted--unless in payment for work.
>
> Fifth, there must be government to protect persons, property, and life. The laws must be few and simple. The agent must be a man fitted for his trust. Such a man may be made United States Commissioner, with authority to try civil cases and petty crimes. Felony and murder may be tried by the nearest United States judge.
>
> Sixth, all traders, employees, and agents must be lawfully married, and the law must provide that an Indian woman living with a white man as his wife is legally married, and that the children of such marriages are legitimate.[41]

The similarities between Whipple's six-part assimilationist plan and Schurz's eight-part plan are numerous. Certainly the former's notions of allotment of Indian lands and the exchange of rewards for appropriate work are almost exactly the same as the latter's recommendations in his Annual Report of 1878:

> (1) The permanent location of the Indians on a smaller number of reservations containing a fair proportion of arable and pasture lands.
> (2) Encouragement of agricultural and pastoral pursuits by the furnishing of agricultural implements and domestic animals, and proper instruction by practical farmers.
> (3) The gradual allotment of small tracts of land to the heads of families, to be held in severalty under proper restrictions.
> (4) The discouragement of hunting, proper restrictions as to possession of arms and ammunition by Indians, and a gradual exchange of ponies for cattle.

(5) The extension of the laws of the United States over Indian reservations, to be enforced by proper tribunals, and the organization of an Indian police.
(6) The labor of white men on Indian reservations as much as possible to be dispensed with, and proper discrimination to be made in the distribution of supplies and annuity goods and the granting of favors between Indians who work and those who live as idle vagabonds.
(7) The establishment of schools for the instruction of Indian children in the English language, the elementary branches of knowledge, and especially in practical work.
(8) Sufficient provision for the wants of the Indians until they become self-supporting.[42]

Direct evidence of influence appeared in Schurz's correspondence with Henry Whipple. Schurz is known to have thanked Whipple for information concerning Indian affairs and to have stated, "I shall always be very glad to have your [Whipple's] counsel and advice."[43] Again, in Schurz's North American Review article, "Present Aspects of the Indian Problem," he states that "the government must hold its protecting hand over the Indians until they are fully qualified for the duties and responsibilities of citizenship."[44] The parallel in language to a note written in April of 1880 by the Secretary to Whipple is unavoidable: "I fully concur with you in the opinion that the government must hold its protecting hand over the Indians until they are fully qualified for the duties and responsibilities of citizenship."[45] In the same letter, Schurz makes the following observations:

> The plan of settling them [the Indians] in severalty and of eventually giving them the

> rights of citizens is one capable of only gradual execution, and it is so intended. I believe that if wisely managed, the next five years will witness an astonishing progress with several of the most important tribes. I feel very much encouraged by the information I receive from several of the reservations; especially the Sioux are doing surprisingly well, and we may hope for the best results there. Be assured that as long as I am in the place which I now hold no effort on my part will be spared to promote the best interests of a race that has been grievously wronged, and is entitled at the hands of the American people to tender care.[46]

Even with all the similarities in the two rhetors' assimilationist plans, however, there are some significant differences in their rhetorical stances. Schurz agreed with Whipple that religious organizations had established more honest Indian agents, but he declared that the situation was "by no means perfect." He felt that a further "element of stability" was needed, and that it best could be achieved by "an arrangement enabling the department to assign an officer upon his entrance into the service to a place of minor importance and then to promote him in grade of duty and pay according to merit."[47] Consequently, during Schurz's tenure many of the Indian agents who had been appointed by Grant, and who represented various religious denominations, were systematically replaced by civilian officers.

In another major area of Indian policy reform, however, there was no such conflict. Whipple was instrumental in convincing Schurz of the righteousness of abandoning a concentrationist view of Indian affairs in lieu of an assimilationist

perspective providing for general allotment as a plan of action. However, an equally great influence on Schurz in dictating this intellectual and philosophical shift was the writing and speaking of the President of the Board of Indian Commissioners, William Welsh. Welsh was a man who, according to Loring Benson Priest, was "generally recognized as the leading champion of the Indian."[48]

The Board of Indian Commissioners was originally created in 1869 to help control the activities of the Bureau of Indian Affairs. It was composed of religious and secular leaders who led the fight in Congress and the national press to bring about reform in Indian policy.[49] S. Lyman Tyler stated that the Board was created because of "the distrust of the Congress in the administration of Indian affairs."[50] William Welsh used the position of President of the Board as a platform to persuade the Congress, Executive branch, and the military to "aid the religious bodies charged with bringing Christian civilization to bear upon [the Indians] them."[51]

Schurz was indeed influenced by William Welsh and his reform campaign. According to Dunning and Bancroft, Schurz learned from Welsh "how much of hope and of achievement was bound up in the peace policy, and he became the supporter and the efficient leader of those who wished to maintain the old system."[52] Schurz supported Welsh's notions that Indians could be educated, and he supported the position that the

government should supply the Indians with rewards for services done. Although Schurz incorporated these ideas in his plan for Indian assimilation, he recognized that a system encouraging American Indians to "become dependent upon Congressional charity for a life of idleness on reservations did not further the ends of assimilation." Henry E. Fritz noted that during Grant's "peace policy" only a small portion of Indian-occupied lands were either grazed or cultivated, and that in many instances the appropriations for vocational education were wasted because they were insufficient or misapplied.[53]

Some of Welsh's ideas on Indian affairs which were incorporated in the Grant administration were used by Schurz during the Hayes administration. Most important among these was a conviction that "the great hope of the red race lay in the education of Indian children."[54]

As for implying a causal link between Schurz's initial advocacy of an Indian policy of concentration and his conversion just a year later to an assimilationist perspective, it is only logical that, if such a link does indeed exist, the rhetoric of Whipple and Welsh is significant.

Historical Influences on Schurz's Assimilationist Perspective

Historical developments of the 1870's also influenced Schurz's strategy for a general allotment policy and promoted

advocacy of an innovation to insure the division of American Indian lands. During the 1870's, Indians faced overwhelming historical forces: (1) The transcontinental railroad was completed in 1869, thus signaling the beginning of the end of the buffalo; (2) gold was discovered first on the Pacific Coast and then in the Rocky Mountains--one consequence being increased "demands to reduce Indian land holdings, [and] to move Indian reservations out of the path of westward settlement";[55] and (3) the redoubled efforts of the United States Army to clear the Plains of American Indians following the defeat of the Seventh Cavalry in 1876.

The historical milieu of the 1870's prompted Schurz to say that if nothing was done to change American Indian policy, "it would finally result . . . in the destruction . . . of the innocent with the guilty, at a great sacrifice, on our part, of blood and treasure."[56] The Secretary acknowledged that the westward progress of the nation was inevitable, and he also may have believed that such progress was useful; but he was not naive in his interpretation of what the future would be like for American Indians if the status quo of Indian policy were not replaced by the innovation of general allotment. He discussed his concern in his paper, "Present Aspects of the Indian Problem":

> Imagine, now, the Government were to proclaim that, from the many millions of acres at present covered

> by Indian reservations, white men should be forever excluded, and that the national power should be exerted to that end, what would be the consequence? For some time the Government might succeed in enforcing such a resolution. How long, would depend upon the rapidity with which the Western country is occupied by settlers. As the settlements crowd upon the reservations, the population thickens, and the demand for larger fields of agriculture and mining enterprise becomes more pressing, the Government may still remain true to its purpose. But will those who are hungry for the Indian lands sit still? It will be easy for the rough and reckless frontiersmen to pick quarrels with the Indians. The speculators, who have their eyes upon every opportunity for gain, will urge them on. The watchfulness of the Government will, in the long run, be unavailing to prevent collisions. The Indians will retaliate. Settlers' cabins will be burned and blood will flow. The conflict once brought on, the white man and the red man will stand against one another, and, in spite of all its good intentions and its sense of justice, the forces of Government will find themselves engaged on the side of the white man. The Indians will be hunted down at whatever cost. It will simply be a repetition of the old story, and that old story will be eventually repeated whenever there is a large and valuable Indian reservation surrounded by white settlements. Unjust, disgraceful, as this may be, it is not only probable, but almost inevitable. The extension of our railroad system will only accelerate the catastrophe.[57]

Schurz wanted very much to develop a program that would insure Indians' retention of at least some of their hereditary lands when the "inevitable" advancement of American culture would overrun their territory. To this end he advocated that Indians (1) be taught to work by making work profitable and attractive to them; (2) be educated, especially the youth of both sexes; and (3) be individualized in the possession of property by settlement in severalty with fee simple title.

(Lands not in use would be disposed of for general settlement and enterprise without danger, and with profit, to the Indians.)[58]

Schurz was undoubtedly aware that his plan for assimilation was not likely to meet with approval from any of the major groups involved in Indian affairs--notably frontiersmen, Bostonian philanthropists, and Indians themselves. Still, he aimed his persuasive appeals directly at Congress without concern for political repercussions. He attempted to convince Congressmen through reasonable appeals based upon the Annual Reports of the Secretary of the Interior, and the Annual Reports of the Commissioner of Indian Affairs. His strategy obviously worked, for in 1880 Congress accepted general allotment, and the Senate followed suit, though its approval took another seven years to come.

After serving as Secretary of the Interior, Schurz, not so surprisingly, never again held a public office. He had supported unpopular issues while in political office. He had been influential in causing the "liberal Republican split" of 1872, and many Republicans never forgave such a breach of party doctrine. Also, he had made powerful enemies by supporting civil service reform: "Mugwump" was a public label he had to live with. Senators Roscoe Conkling and Henry L. Dawes believed that partisanship and party fidelity were original American virtues; for them, therefore, Schurz

must have seemed a strange, foreign influence in the government. Such nativist sentiments were strong during the "Gilded Age"; and although politicians needed the German vote to win elections, anyone with a foreign accent became suspect between elections.

Needless to say, Schurz's reddish beard, gold-rimmed glasses, and deeply ingrained German accent made him especially open to such suspicion. "The Flying Dutchman of American politics," one foe said in reference to him; "the Dutch viper" and "Mephistopheles with Whiskers," another remarked. To simpler folks who disliked his dangerous party irregularity, Schurz was simply "that Krout-eating Greeleyite."[59] His slender frame punctuated with spindly legs and bristling beard encouraged Harpers in 1872 to picture Schurz as "a Teutonic Don Quixote tilting indiscriminately at both Windmills and Giants."[60]

Nonetheless, for all of the adversity he had to endure, Schurz left his mark on American bureaucracy by convincing Congress to accept his notions of reform both in civil service and American Indian policy. Had public opinion been the deciding factor, neither of these innovational movements would have been accepted in the "Gilded Age." The politically expedient position in the area of civil service was to maintain a foothold on the profitable "spoils system"; and insomuch as Indian reform policy was concerned, the "acceptable"

alternatives were two in number: (1) immediate citizenship for American Indians, or (2) protection of the frontier via whatever policies the military endorsed to "solve" the Indian problem.

Schurz did not retire immediately from public life after leaving the Cabinet, however. From 1881 to 1883 he worked for Henry Villard as a writer for the New York Evening Post and Nation; but, because of editorial differences between himself and Edwin L. Godkin, he was criticized for being more oratorical than journalistic, and he resigned his post in 1883.[61] Even then he continued to give public speeches on many of the same issues he had supported in government and in the press, and for years he served as President of the National Civil-Service Reform League as well as of the Civil-Service Reform Association.

Schurz remained throughout his life consistent in his beliefs, and although he had a great many personal friends who respected him for his convictions, he often had to pay dearly for those convictions in the court of public opinion.

Carl Schurz died on May 14, 1906; but, like his parents, he had lived to see many of his dreams come true in his "promised land." Civil-Service reform and the merit system became established within his lifetime; and although the innovation of general allotment for American Indians was less

effective in preventing the loss of Indian lands than Schurz had anticipated, still the framework of his plan was accepted by Congress, and it helped to prevent subsequent wars which could have caused the extermination of more than 250,000 Americans.

Notes

[1]Untitled and undated newspaper clipping, The Papers of Carl Schurz, Vol. 211, p. 37.

[2]Claude Moore Feuss, Carl Schurz: Reformer (New York: Dodd, Mead & Co., 1932), p. 252.

[3]Carl Schurz, "Present Aspects of the Indian Problem," North American Review, 33 (July, 1881): 3.

[4]Carl Schurz, "Footnote Address on the Enlargement of Indian Education Facilities at Hampton entitled 'Education of Indian Children,'" The Papers of Carl Schurz, Vol. 184., p. 571, and also cited in the New York Times, 20 March 1881.

[5]Schurz, "Present Aspects of the Indian Problem," p. 7-8.

[6]Helen Hunt Jackson to Edward Abbot, 23 April 1881, as cited in Robert Winston Mardock, The Reformers and the American Indian (Columbia: University of Missouri Press, 1971), p. 188. Edward Abbot, a relatively minor figure, was a member of the Christian Union. The Christian Union was an organization which enthusiastically supported the social movement for immediate Indian citizenship and severalty. Helen Hunt Jackson was the most influential of the Bostonian Indian reformers. Jackson's book, A Century of Dishonor, immediately became the classic of the eastern Indian reform social movement with its publication in 1881. For further reading on the Christian Union, see Loring Benson Priest, Uncle Sam's Stepchildren: The Reformation of United States Indian Policy, 1865-1887 (New York: Octagon Books, 1972), p. 235. For additional reading on the Bostonian social movement for Indian reform, see Helen Hunt Jackson, A Century of Dishonor: A Sketch of the United States Government's Dealings with Some of the Indian Tribes (Boston: Roberts Brothers, 1888), and Henry E. Fritz, The Movement for Indian Assimilation, 1860-1890 (Philadelphia: University of Pennsylvania Press, 1963), p. 201.

[7]Carl Schurz, The Reminiscences of Carl Schurz, Frederick Bancroft and William Dunning, eds., Vol. I. (New York: McClure Co., 1907-1908), p. 5.

[8]Ibid., p. 27.

[9]Ibid., p. 29.

[10]Joseph Harr Mahaffey, "The Speaking and Speeches of Carl Schurz" (Evanston: Northwestern University Press, 1951), p. 22.

[11]Chester Verne Easum, "The Americanization of Carl Schurz" (Chicago: University of Chicago Press, 1929), p. 3.

[12]Joseph Schafer, Carl Schurz: Militant Liberal (Evansville: The Antes Press, 1930), pp. 19-21.

[13]Mahaffey, "The Speaking and Speeches of Carl Schurz," p. 22.

[14]Schafer, Carl Schurz: Militant Liberal, pp. 19-21.

[15]Mahaffey, "The Speaking and Speeches of Carl Schurz," p. 38.

[16]Schurz's activities in the revolution of 1848 earned him his first political opportunities in America. He campaigned in Wisconsin for the Republican party during the presidential race in 1856. The German-American vote in Wisconsin was predominantly Democratic prior to 1856. Schurz attempted to persuade German-Americans that the new Republican party would better represent them. All of his speeches in this campaign were made in the German language to German-American audiences. The audiences' perception of Schurz's credibility was enhanced by his role in the revolution of 1848. The Milwaukee Sentinel commented:

> The ascendancy of the Republican party in this state may be said to date from the time when the Germans began to cut adrift from the Democratic party . . . The first wedge in the partition of the German vote was doubtless due to the influence of the political exiles who have come to be known as the Forty-eighters. One of the most influential of these revolutionists of '48 was Carl Schurz. His influence in turning the drift of German sentiment toward the Republican party has never been fully admitted. Milwaukee Sentinel, 1 April, 1900.

[17]Charles A. Beard and Mary R. Beard, A Basic History of the United States (New York: Doubleday, Doran & Co., 1944), p. 263.

[18]Schurz, The Reminiscences of Carl Schurz, Vol. II, p. 72.

[19]Ibid., p. 89.

[20]Mahaffey, "The Speaking and Speeches of Carl Schurz," p. 79.

[21]Arthur C. Cole, The Era of the Civil War, 1848-1870 (The Centennial History of Illinois, Vol. 3, Springfield, 1919), pp. 341-342; also, see William E. Dodd, "The Fight for the Northwest, 1860," American Historical Review, 16 (July, 1911): 774-788, and Donald V. Smith, "The Influence of the Foreign-Born of the Northwest in the Election of 1860," Mississippi Historical Review, 17 (September, 1930): 212-229.

[22]Schurz, The Reminiscences of Carl Schurz, Vol. II., p. 28.

[23]Schurz argued against slavery at the initial meeting of the "Emancipation Society" at Cooper Institute, New York, March 6, 1862. The speech was titled "Reconciliation by Emancipation." The thesis of the speech was that restoration of the Union was impossible without the permanent abolition of slavery. This speech has been referred to as the "Cooper Union" speech. It is important to note that Schurz delivered an earlier speech at Cooper Institute on September 12, 1860. This speech was titled "The Bill of Indictment." At least one anthology of Schurz's speeches contains an incorrect date for "Reconciliation by Emancipation." It stated that the speech was delivered a year later than it actually was. Schurz, Speeches of Carl Schurz (Philadelphia: J.B. Lippincott & C., 1865), p. 240. A number of sources confirm that the speech was given on March 6, 1862. Dumas Malone, Gen. ed., Dictionary of American Biography, Vol. 16 (New York: Charles Scribner's Sons, 1935), p. 467; Mahaffey, "The Speaking and Speeches of Carl Schurz," p. 177; and Schurz, The Reminiscences of Carl Schurz, Vol. II, pp. 320-327. Report of speech in New York.

[24]Schurz was involved in a number of unpopular movements during his political career. He helped to lead the Liberal Republican bolt of 1872. Through the Interior post, he wished to help Indians, reform land laws, and reform the civil service. Schurz, The Papers of Carl Schurz, Vol. 211, pp. 25-27; also, see Schurz, The Papers of Carl Schurz, Vol. 184, pp. 491-492; and Schurz, Speeches, Correspondence, and Political Papers of Carl Schurz, Frederick Bancroft, ed., Vol. III (New York: G.P. Putnam's Sons, 1913), pp. 501-502. For an analysis of Schurz's commitment to unpopular movements, see H. Wayne Morgan, From Hayes to McKinley: National Party Politics, 1877-1896 (New York: Syracuse University Press, 1969), p. 14

[25]Mahaffey, "The Speaking and Speeches of Carl Schurz," p. 82.

[26]Carl Schurz to Marianna Jussen Schurz, 5 May, 1862, as recorded in, Joseph Schafer, ed., Intimate Letters of Carl Schurz (Evansville, Wisconsin: The Antes Press, 1929), pp. 270-272.

[27]Malone, Dictionary of American Biography, p. 468.

[28]The New York Times, May 6, 1863.

[29]U.S., Congress, Senate, Report of Carl Schurz on the States of South Carolina, Georgia, Alabama, Mississippi, and Louisiana, Senate Executive Documents No. 2, 39th Cong., 1st Sess., Serial No. 1231, pp. 2-105, also cited in Schurz, Speeches, Correspondence and Political Papers of Carl Schurz, Vol. I, pp. 279-374.

[30]President Andrew Johnson may have realized that Schurz's report could strengthen the hand of the opposition in Congress. When Schurz called on the President in mid-October, 1865, after returning from his seventy-nine day tour in the South, he met a cold reception. When Schurz mentioned his intention to file a full report on his tour, Johnson "looked up and said that I need not go to the trouble of writing out such a general report on his account. I [Schurz] replied that it would be no trouble at all, but that I considered it a duty. The President did not answer." Schurz, The Reminiscences of Carl Schurz, Vol. III, p. 202. Schurz reflected on the impact of his report in January, 1866, by writing "My report has had great success among the Congressmen. Sumner moved in the Senate for the publication of a hundred thousand copies. The House also has demanded it. The President expressed himself as follows to a Senator: 'The only great mistake I have made yet was to send Schurz to the South.' I believe it!" Schurz to Margarethe Schurz, 23 January 1866, as recorded in Schafer, Intimate Letters of Carl Schurz, pp. 358-359.

[31]For further information about Schurz's tenure as joint editor of the St. Louis Westliche Post, and Schurz's relationship with Joseph Pulitzer, see Harvey Saalberg, "The Westliche Post of St. Louis: German-Language Daily, 1857-1938," Journalism Quarterly, 45 (Autumn, 1968): 452-456.

[32]Malone, Dictionary of American Biography, p. 468, and, Charles A. Beard and Mary R. Beard, A Basic History of the United States, p. 328.

[33]J. Jeffrey Auer, Gen. Ed., Doctoral Dissertations in Speech: Work in Progress, 1952, Vol. 19. Speech Monographs No. 2. Published by the Speech Association of America (June, 1952), p. 126, Joseph Harr Mahaffey, "The Speaking and Speeches of Carl Schurz" (Ph.D. dissertation, Northwestern University, 1951), abstracted by Joseph Harr Mahaffey.

[34]Schurz to Edward Atkinson, 28 November, 1879, as recorded in Schurz, Speeches, Correspondence and Political Papers of Carl Schurz, Vol. III, p. 484.

[35]Schurz to Helen Hunt Jackson, 17 January, 1880, as recorded in Schurz, Speeches, Correspondence and Political Papers of Carl Schurz, Vol. III, p. 499.

[36]Henry E. Fritz, The Movement for Indian Assimilation, 1860-1890 (Philadelphia: University of Pennsylvania, 1963), p. 49.

[37]The Henry B. Whipple Papers, Archives and Manuscript Division (St. Paul, Minnesota: The Minnesota State Historical Society), p. 18.

[38]Fritz, The Movement for Indian Assimilation, 1860-1890, p. 49.

[39]This observation belonged to the editors of Schurz's autobiography, William A. Dunning and Frederick Bancroft. The autobiography only extended through the Civil War period in the author's own hand. The years 1865-1906 were completed by the editors. Schurz, The Reminiscences of Carl Schurz, Vol. III, p. 277.

[40]Fritz, The Movement for Indian Assimilation, 1860-1890, p. 57

[41]Henry B. Whipple, A True Policy Toward the Indian Tribes, A Paper Read at the Church Congress, 1877," as recorded in Henry E. Whipple, Lights and Shadows of a Long Episcopate being Reminiscences and Recollections of the Right Reverend Henry Benjamin Whipple (New York: The Macmillan Co., 1902), pp. 549-559.

[42]U.S., Department of the Interior, Annual Report of the Secretary of the Interior to the Congress, for the year ending 1878, p. III.

[43]Schurz to Whipple, 24 June 1880, as recorded in The Henry B. Whipple Papers (St. Paul, Minnesota: The Minnesota State Historical Society), p. 18.

[44]Schurz, "Present Aspects of the Indian Problem," p. 1.

[45]Schurz to Whipple, 5 April 1880, as recorded in The Henry B. Whipple Papers.

[46]Ibid.

[47]Schurz cited in Fritz, The Movement for Indian Assimilation, 1860-1890, p. 155.

[48]Loring Benson Priest, Uncle Sam's Stepchildren: The Reformation of United States Indian Policy, 1865-1887 (New Brunswick, New Jersey: Rutgers University Press, 1942), p. 23.

[49]S. Lyman Tyler, A History of Indian Policy (Washington, D.C.: Government Printing Office, 1973), p. 76.

[50]Ibid.

[51]Fritz, The Movement for Indian Assimilation, 1860-1890, p. 82.

[52]Schurz, The Reminiscences of Carl Schurz, Vol. III, p. 385.

[53]Fritz, The Movement for Indian Assimilation, 1860-1890, p. 162.

[54]Schurz, The Reminiscences of Carl Schurz, Vol. III, p. 386. Doubt existed in the 1870's about the American Indians' ability to benefit from education. Western Congressmen seemed convinced that Indians were incapable of progress. William Welsh lobbied Congressmen to appropriate funds to carry out the program of education envisaged by the Board of Indian Commissioners. William Welsh to Henry B. Whipple, 23 February, 1871, as recorded in The Henry B. Whipple Papers; Fritz, The Movement for Indian Assimilation, 1860-1890, p. 179; and Fuess, Carl Schurz: Reformer, p. 253.

[55]Alvin M. Josephy, Jr., The Indian Heritage of America (New York: Bantam Books, Inc., 1968), p. 341; also, see Harold E. Fey and D'Arcy McNickle, Indians and Other Americans: Two Ways of Life Meet (New York: Harper and Row, Pub., 1970), p. 81.

[56]Schurz, "Present Aspects of the Indian Problem," p. 21.

[57]Ibid., p. 5.

[58]Ibid., p. 9.

[59]H. Wayne Morgan, From Hayes to McKinley: National Party Politics, 1877-1896 (New York: Syracuse University Press, 1969), p. 8.

[60]Harpers (April, 1872), p. 382.

[61]Malone, Dictionary of American Biography, p. 469.

CHAPTER IV

THE SPEAKING AND WRITING OF CARL SCHURZ TO PERSUADE THE CONGRESS TO ACCEPT ALLOTMENT

The most pertinent rhetorical theory applicable to the study of the intra-institutional movement for a change in the status quo of control of American Indian tribes in the 1870's is presented by Ralph R. Smith and Russel R. Windes in their article, "The Innovational Movement: A Rhetorical Theory."[1] The article's concern with the recent tendency of speech-communication scholars to approach the notion of rhetorical or social movements only in terms of "actions directed toward radical change in the social order" by agitational forces which "cannot be accommodated within the normal movement of the status quo" speaks to a central concern of this author and is a focus of this study.[2]

Though critics have taken note of agitational forces for change by such extra-establishment figures as Helen Hunt Jackson and other Boston reformers, little attention has been paid to the intra-institutional movement for change in Indian policy which occurred when Congress passed a bill for allotment during the administration of Schurz in 1880, and subsequently accepted the Dawes Severalty Act seven years later.

Smith and Windes suggest that the "innovational movement," or what will be referred to in this study as the intra-institutional movement, usually utilizes persuasive strategies that fulfill the rhetorical requirements for classification as movement. First, to qualify as innovational, movements must have leaders who deny the existence of conflict between their proposed innovation and the values of society. In the movement for Indian reform, Schurz attempted to convince members of Congress that the acceptance of the new policy of general allotment was really just an extension of the notion of pride in ownership which had long been a basic tenet of English common law, that also had the endorsement of the founding fathers, and which had been extended to its extreme limits through the passage of the Homestead Act of 1862.

Second, to qualify as innovational, the movement must emphasize the weaknesses of traditional institutions and the strengths of traditional values. In speaking and writing on the issue of Indian reform, Schurz readily admitted that both the War Department and the Department of the Interior had had serious problems in controlling American Indian tribes. Schurz did not feel that the problems were the result of any real reluctance on the part of individuals within the federal bureaucracy, who really wanted to instill American values in the minds of their Indian wards; rather, he

contended that the problems reflected an inability of existing policy to accomplish the goal of "civilizing" the Indians.

Finally, to qualify as innovational, the movement must create a dialectic between its scene and its purpose. Unlike the control-agitation conflict that usually occurs within movements when their status quo is challenged by forces outside their structure (thus focusing attention on the need for a change in the holders of power), innovational movements create their own conflict by condemning elements of the situation as "devil terms,"[3] or aggressors, which must be overthrown.

One significant element of Schurz's innovational rhetoric regarding Indian administration in the federal bureaucracy does not directly fit the notions of Windes and Smith: "The innovational movement cannot appear to be in conflict with the dominant groups in society, those which must be persuaded to approve the proposed innovation and to work for its general acceptance."[4] This requirement, however, did not fit into the strategy designed by Schurz to win approval of Congress for his policy of Indian reform. He may have known that the demography of the American public included groups which could never be convinced that American Indians were capable of being educated or eventually becoming American citizens. He also may have surmised, however, that these same groups would not be involved in actual

decision-making regarding his policy; rather, Congress would be responsible for any decision. Consequently, in his speeches before Congress, Schurz adopted a type of ethical appeal geared to persuade legislators to ignore the wishes of their constituencies and lobby groups representing the lumber and railroad industries, and, instead, to decide which policy should be followed on the relative merits of the plans under consideration.

Schurz asked Congressmen to base their decision on reason, with his most pervasive appeal based upon the economic and social advantages of changing the nature of Indians' relationship to the land and to one another. He urged Congressmen to vote their own minds rather than to reflect the wishes of their constituencies. This was a difficult request because lobbyists were powerful in the 1870's.[5]

Therefore, Schurz's strategies were based predominantly upon reason rather than on emotional appeals or racial prejudice towards Indians; and this refreshing aspect of American history lends credence to the view that Schurz had in mind the best interests of his 250,000 Indian wards. His appeal to reason was coupled with the corresponding implicit notion that the new policy of general allotment would really be nothing more than a conservative return to traditional values of individual land ownership and traditional education.

One of the variables that has caused so much confusion

in modern movement scholarship is the discrepancy between the terms "movement" and "social movement." Add to this the confusion among "innovational movements," "rhetorical movements," and "intra-institutional movements," and the need for specific definition becomes apparent. In the field of speech communication, scholars have naturally been persuaded by the Aristotelian tendency to categorize social and political phenomena, even when the meaning and significance of such phenomena are not completely clear. Such is the case with the standard notion of the rhetorical movement; in this particular case, to change or modify the status quo in American life in some period of historical development.

For instance, the movement for civil service reform is one of the most important intra-institutional or innovational movements of the late nineteenth century, and one which attracted much of the attention of Carl Schurz. It was organized both within and without the government via the Civil Service Reform League, of which Schurz was the President for many of his later years. Still, however, the issue of civil service reform and the institution of the merit system in government was eventually decided by those officials having the legitimate political power to make reward and punishment decisions within the establishment framework. Consequently, the argument over the issue of whether or not civil service reform qualifies as a "social movement" or merely as a

"movement" is moot, and is not the subject of this study.

Still, there are some instructive elements missing in the civil service reform movement that would lead some researchers to conclude that it was a "non-movement." Since the movement did attempt to bring about action within the bureaucracy intended to change the societal norms of the late nineteenth century, and since the results were accomplished for the most part through persuasive strategies that occurred within the federal bureaucracy rather than through extraneous conflict-oriented agitation, it must be classified as an "innovational or intra-institutional movement" rather than a "social movement."

The important or instructive element in this discussion is that both these types of movements rely heavily on the tool of persuasion to bring about change in the status quo. All that changes is the arena in which the persuasion takes place and the somewhat complicated necessity of the "intra-institutional" movement to form a dialectic between its scene and its purpose. What makes the movement for civil service reform even more complicated--perhaps especially as it relates to American Indian reform--is the development of significant counter movements which evolved in both cases at least in part as a result of the speaking and writing of Carl Schurz. One such counter movement--that, if we hold to traditional categories, must be considered clearly social--

argued for the continuance of the spoils system; another, however, argued for the extermination of American Indians. Both counter-movements are truly social because they were unorganized, for the most part uninstitutionalized, and were countered to some extent by the established power structure. Paradoxically, however, the "spoils system" was for much of the nineteenth century the established order, so it is often difficult to distinguish between a negative or conservative "social movement" and its progressive and institutional rhetorical counterpart.

If the categorization of the civil service reform movement seems confusing, then the problem of identifying the agents in the American Indian reform movement is even more complex. For instance, Schurz and other advocate reformers working for congressional adoption of the division of American Indian lands in severalty were actually attempting to change a societal norm or value which had previously been accepted by most of the individuals dealing with American Indian problems. Most people in the area of Indian control in the late nineteenth century were convinced that Indian tribes were best off on reservations located far away from the negative, exploitative, and otherwise socially destructive influences of less savory characters in white society. A great deal of legislation, although rarely enforced, was drawn up by Congress and local governments of individual

states and territories to achieve this separation of the races (religious training excepted). Still, Schurz and his major supporter, President Rutherford B. Hayes, believed that Indians ultimately must profit from contact with the white population in order to be able to participate fully in the democratic processes of American life. In this context, therefore, Schurz was part of a "movement" that was organized, institutionalized, and actually a part of the institution that this "innovational movement" wanted to change.

There were other "social movements" at about the same time which had goals similar to those endorsed by Schurz, but those movements had quite different motives. C. C. Carpenter also wanted to break up the concentration of American Indians, especially in Oklahoma, but hardly to incorporate American Indians into the mainstream.[6] Rather than having assimilation as an objective, Carpenter's movement--one often identified with the agitational group known as "Boomers"--represented an organized, uninstitutionalized attempt to invade Indian Territory. As a result, it incurred the wrath of the legitimate power structure in general, and its Secretary of the Interior, Carl Schurz, in particular.

What becomes increasingly clear is that, whether movements occur in the social domain or in the institutional domain, it is difficult to predict whether movements will bring about good; the only certainty is that they all must

be persuasive and utilize rhetorical strategies to accomplish their goals. The variable in each of these rhetorical situations is the audience that such movements attempt to persuade. The social movement generally attempts to change the status quo by gaining support at the grass roots level of society, and, although often challenged by the establishment, the social movement actually gains strength because of the opposition of the legitimate power structure. In some cases, counter social movements grow to oppose social movements, and those too attempt to win the support of the general public. The institutional movement, on the other hand, attempts to persuade the decision-making authorities within the establishment bureaucracy to accomplish its persuasive goals. These goals may or may not be agreed upon by public opinion.

It would be interesting to study the interaction between these institutional and social movements, and this study does deal to some extent with that problem; but the central purpose of the study is to analyze the speaking and writing of Carl Schurz as it applied to the movement within the federal bureaucracy to persuade decision-makers in the Congress to accept his ideas for a change in the status quo of American Indian administration. The study examines persuasive strategies, persuasive tactics, and the bureaucratic documents that are used by Schurz and his administration to change the minds

--and, in some cases, reinforce the attitudes--of the members of particular congressional committees.

Schurz led an "institutional movement," not a "social movement." Besides this interest in the workings of the federal bureaucracy in the nineteenth century, the major reason for focus on this issue in here, is that Schurz did not try to appease or confront the forces that opposed his intra-institutional movement--namely, social movements in Boston and in the western states. He did have C. C. Carpenter arrested because of the intentions of the Boomers to invade Indian Territory, but the arrest did not hold up in Court. Carpenter's ulterior intention of causing the military to be brought into Indian Territory to protect white settlers did concern Schurz because he believed that the Indians should have their land secured in private ownership prior to the eventual and unavoidable white intrusion of Indian Territory. On the whole, however, the western advocates of Indian extermination--who supported a military solution as the only practical solution to the "Indian problem"--had little significant effect upon Schurz, except to force him to establish policies that he thought might help to insulate Indians for a limited time from western miners, settlers, and traders.

The eastern social movement, which is rightly identified with its leader, Helen Hunt Jackson, did, however, cause Schurz a good deal of public embarrassment, and it was an

obvious factor in the seven-year gap between the acceptance of his policies by the House and the Senate. Nonetheless, Schurz chose not to speak directly to this group until he had left office in 1881, at which time he had already made significant headway in getting his ideas approved by the legislative branch of government.

The thesis of this study does not deal, then, with the concept of grassroots social movements as defined by John Wilson in his Introduction to Social Movements: "a conscious, collective, organized attempt to bring about or resist large-scale change in the social order by noninstitutional means."[7] What this study does deal with is the movement within the federal bureaucracy in the 1870's to persuade the Congress of the United States to pass legislation designed to move the policy of the government away from the accepted notions of reservation and concentration in favor of the idea of the severalty of American Indian lands and the ultimate break-up of American Indian tribes.

The persuasive appeals used to convince Congress to accept this policy change were developed by Secretary of the Interior, Carl Schurz.[8] From 1877 to 1881, Schurz attempted to use bureaucratic documents, testimony before Congressional committees, and other rhetorical--though not necessarily public--means to persuade his Congressional audience to accept his policy. Schurz's bureaucratic documents are a

significant aid to the student of public address, for they demonstrate much about the use of persuasive techniques in bureaucratic writing and speaking; and they may also lead the researcher to some inferences about how decisions are made in Congressional committees. More pertinent here, however, is that through examination of the reasoning and the lines of argument utilized by Carl Schurz in this issue, we can add to our knowledge of this exceptional rhetor. First, this chapter will set the rhetorical situation within the federal bureaucracy, examine the audience (Congress), and note the impact that the constituencies of various Congressmen may have had on their decision-making capacity in this case. Finally, the speaking and writing of Carl Schurz will be analyzed insofar as it relates to the persuasion of Congress to accept the policy of severalty of American Indian lands.

Schurz advocated allotment because "the enjoyment and pride of individual ownership of property [was] one of the most effective civilizing agencies."[9] The measure of effective policy dealing with American Indian tribes remained consistent throughout much of the history of Indian-white contact. Expediency almost always shaped the actions of governmental dealings with aboriginal peoples of colonial lands. Generically, "good" policy can be defined in this context as a course of action deemed by the policy-setter to be

advantageous or advisable under particular circumstances.[10] Rarely in nineteenth century American history has a policy been devised by the American government that attempted to strike a balance between political or economic advantage and the welfare of American Indian tribes. S. Lyman Tyler noted that one major trend in governmental policy making during the latter nineteenth century was a tendency to minimize the function of tribal leaders and tribal institutions in favor of continually strengthening the position of the government representative as a means of breaking down traditional patterns within Indian communities.[11]

With the passage of the Indian Appropriation Act of 1871, the last governmental roadblock to educating the Indian to the concept of landholding based on a system of private tenure was removed. Through its various branches, the government set forth on a program designed to break up tribal units and assimilate individual American Indians into the mainstream of American life. Still, there existed a general lack of agreement within the government as well as within the private sector as to which plan would best serve this end.

What was painfully clear to politicians and laymen alike in the mid-1870's was that the management of Indian tribes by the United States government was woefully inadequate. An expensive and somewhat embarrassing American Indian War, which was approximately twenty years old by 1877, continued on the

Great Plains. With varying degrees of success the federal government applied various programs in an attempt to control the American Indian tribes. The policy of concentration, which is sometimes associated with President Andrew Jackson's "Removal Program" of 1830, lost much of its practicality with the advent of dry land farming techniques in the 1850's. Additionally, the notion of maintaining a large, unorganized, and "permanent" Indian country suffered a serious setback with the territorial organization of Kansas and Nebraska on May 30, 1854.[12] The policy, earmarked to replace concentration, amounted to the establishment of reservations of relatively small geographical extent in the midst of the ever-growing and continually westward-moving white population. Concentration yielded to the application of the policy of reservation only because of the significant pressure placed on the Indian Territory by white settlers, miners, and traders. This concept of "reservation," which is often associated with the administration of President Ulysses S. Grant, received a significant amount of criticism however; for though it was promoted as the "peace policy," it was in practical terms nothing more than a feeding policy.

Nonetheless, by the time President Hayes assumed office in March of 1877, both concentration and reservation policies were being applied simultaneously. Neither, however, could be termed anything more than a limited success, for both were

relatively disorganized strategies. Add to this general disorganization the defeat of the Seventh Cavalry, and it becomes obvious that a clear exigence for change existed in 1877.

Major Questions Concerning Indian Affairs in the 1870's

The problems created by this exigence centered on four major questions: (1) What should the military's role be in determining American Indian administration? (2) How should the Indian service be reorganized so as to overcome charges of dishonesty and inefficiency? (3) What should be the government's policy toward the maintenance of Indian Territory? and (4) What would be the best technique for individualizing and controlling American Indians? Arguments about these questions caused serious discord in all areas of public and private domain in 1877. Public opinion divided because almost every major interest group in the United States stood either to gain or lose from the specific policy the federal government chose.

The military establishment in the mid-1870-s argued that the Department of War could more economically manage the American Indian tribes. The military was responsible for maintaining order and for protecting frontier inhabitants and communication lines. Proponents of military control for the Bureau of Indian Affairs argued that the use

of force to gather Indians on reservations would solve the "Indian problem." Church organizations favored the continuance of President Grant's "peace policy" because it utilized Christian agents and teachers in a system designed to accomplish a very gradual program of Indian assimilation. Because of the widely divergent interests Congressmen represented, the House of Representatives and the Senate divided widely on the question of Indian affairs both from house to house and, ofttimes, within each body. Because of alleged outrages on the frontier, western Congressmen often promoted a rhetoric which called for immediate military action and sometimes even extermination of all "hostile Indians." Eastern Congressmen, on the other hand, reflected a constituency far removed from the everyday problems of frontier life; thus, they often promoted the rhetoric of immediate and unconditional citizenship for American Indians.

However much public opinion divided on the specifics of Indian reform in 1877, few individuals or groups failed to recognize a real and urgent need for a change in policy. Military disasters such as the defeat of the Seventh Cavalry at the Little Big Horn in 1876, and public revelations of graft and corruption in the Indian service during the Grant administration, convinced many observers that a new and revolutionary policy should be adopted.

The rhetor who was best suited, and logically situated, to satisfy this exigence was the newly appointed Secretary of

the Interior, Carl Schurz. Even though Schurz had been a supporter of the generally accepted notion of a sound Indian Territory, he recognized the shortsightedness both of concentration and reservation shortly after assuming office. Schurz believed that individual ownership of land for adult male Indians and the extensive education of Indian women and children were the best policies the federal government could apply in an effort to solve the "Indian problem."

In a speech given on the behalf of the enlargement of Indian education facilities on March 19, 1881, he elaborated on the importance of Indian education:

> Congress ought to be liberal to educate the Indians. Hampton is not a Government institution. Instead of two schools we ought to have fifteen in various parts of other states. We want particularly to enable General Armstrong to erect a building for the education of Indian girls. Indian women have always been only beasts of burden. No human society can be good where woman is not recognized as an equal. Women make the atmosphere and must make the attraction of the human home. If we want the Indians to respect their women we must teach the women to respect themselves.[13]

Schurz believed that when Indians had gained the agricultural skills necessary to farm their own land, they would become "peaceable and conservative." This notion borrowed from the Jeffersonian belief in the American Indians' capacity for "total transformation," and it also embodied a widely known theory of cultural evolution, which hypothesized that mankind's progress upward naturally evolved from hunting, to herding,

and finally to farming.[14] Schurz made it clear that if Indians were to become "civilized," then they must be discouraged from hunting, and, instead, should be encouraged to exchange gradually their ponies for cattle.[15] Via such logic, the Indians would accomplish the first step toward becoming yeomen farmers by following a plan to educate them to the white man's standard of land value.

Schurz carried out as much of this plan as was possible without the necessary legislation and action of Congress to make it law. Although Indian policy in the nineteenth century was influenced by all three branches of Government, in the long run Congress prevailed because it had both the technical and official power to effect policy changes through the drafting of law. The Executive branch, of which the Secretary of Interior's office was part, influenced policy through the President's constitutional obligation to "give to the Congress information on the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient. . . ."[15] Nonetheless, Schurz's role as Secretary of Interior was a role of limited power. Understanding the superior congressional role clearly bears on the rhetorical analysis of Schurz's assimilationist perspective. Congress allotted the necessary funds and the funds determined the time and energy that various branches and sub-branches of government spent on particular programs.

In other words, Congress dictated priorities. Thus in this rhetorical situation the audience that Schurz had to reach was Congress itself.

In essence, then, Schurz could develop and support programs designed to "civilize" American Indian tribes, but he could not put the programs into action. Expressed in the classical divisions of the speaking situation, the relationships were as follows: the speaker was Carl Schurz, whose purpose was to convince the audience that his program for Indian assimilation should be adopted and adequately funded by his audience, the Congress of the United States; for it was only Congress that could have significant effect upon the decision either to follow the plan of severalty of American Indian lands, or else to continue to pursue the reservation policy of earlier administrations. Finally, the speeches were the bureaucratic messages delivered by Schurz and his followers to Congress in a variety of forms and channels. Numbered among these messages to the Congress are the following: the four Annual Reports of the Secretary of the Interior to the Congress; the four Annual Reports of the Commissioner of Indian Affairs to the Congress; the Report written by the Commissioner of Indian Affairs with an adjoining letter by the Secretary of the Interior in support of House Report 6268; and testimony given by Schurz to the Joint Committee appointed to take into consideration the

expediency of transferring the Indian Bureau to the War Department and to the Select Committee appointed to investigate the Removal of the Northern Cheyennes.

Establishing the Congress of the United States as the audience to whom Schurz directed his persuasive appeals in favor of the adoption of American Indian assimilation gives the reader clear insight into the purpose of Schurz's rhetorical tactics. His was a strategy designed to win votes in Congressional committee; it was obviously not intended to alienate Congressmen and Senators from their constituencies by publicly stirring up emotional reactions to obviously volatile sectional issues. It is this rationale, then, which should explain to students of public address why a speaker as accomplished as Carl Schurz chose not to speak publicly on the issue of Indian affairs until he left office in 1881.

A review of the Carl Schurz Papers makes it apparent that the prolific speaking career of Schurz experienced an unexpected lull during his tenure as Secretary. This is reasonable, however, when noting the purpose of Schurz's administration as Secretary. Though the two great issues that distinguish his administration are civil service reform and American Indian assimilation, he spoke very little publicly on either issue during his four year tenure. Instead he chose to advocate that both programs of social reform be adopted by Congress. He set out to convince Congressmen of

his ideas by quiet and gently persuasive means.

This approach is especially apparent when examining the history of Schurz's speaking on the subject of civil service reform. For Schurz, "the spoils system" was the one greatest injustice he had encountered in America. He wrote about his first impression of the spoils system in his Reminiscences and stated that when visiting Washington, D.C., in 1852, he was so shocked at the abuse of patronage that he "became then and there, unconsciously to be sure, a civil service reformer."[17] Schurz chose the topic of civil service reform for his first speech in the Senate on December 20, 1869.[18] Still, Frederic Bancroft does not list a single speech on the subject of civil service reform between 1877 and 1881.[19] Even the topic of sound money, which received much of Schurz's attention while he was a Senator, was hardly mentioned in the public arena--at least by Schurz--during his tenure as Secretary.

This lack of public speech by Schurz, a man credited by some to have helped to make Lincoln president by virtue of his oratorical skills, is surprising and provocative.[20] Still, three logical reasons exist that help to explain Schurz's choice of non-traditional means to persuade the audience to change his policy ideas from fancy to legislation. That is, three reasons exist to explain why Schurz chose to direct his persuasive appeals exclusively to Congress. The

first is grounded in the common attitudes of the constituencies of the Congressmen who Schurz was trying to convince to accept his revolutionary ideas concerning Indian assimilation. In the Eastern section of the country were the Bostonians, who saw themselves as representatives of the liberal center of the nation, and who agitated for immediate emancipation of the "noble savage." In the Western states were the frontiersmen, who characterized Indians more along the lines of "bloodthirsty savages" worthy only of forceable containment or worse.

Such divergent sentiments--even in Congress--were hardly conducive to reasonable voting on the issue of Indian reform. Consequently, it was Schurz's intention to lessen the amount of pressure that the Congressmen, who in reality had the ultimate power to decide the fate of the tribes, felt from their respective constituencies. He wanted Congress to make its decisions based on data he would, and could, supply to substantiate his claims, and on his personal ethos as a well-known civil service reformer who had "let his new broom sweep the Indian Department clean." Least of all what he wanted was for Congressmen to vote a policy that would head American Indian tribes towards extinction. This singleness of purpose may also explain why, on the assimilation issue, Schurz consistently appealed to the "common sense and philanthropy" of the Congressmen rather than to the wishes of their constituencies.[21]

A second possible motivation for Schurz's rhetorical strategy was that he realized the vast difference between the educated governors of the bureaucracy, and the uneducated governed of the electorate during the "Gilded Age." It was a time in the nation's history when illiteracy still far exceeded the number of citizens who had attained even the simplest skills in communication.[22] It was a time when there was a great division between the poor and the rich, the exploited and the exploiters. Samuel Morison and Henry Commager noted that during the Gilded Age "wealth raised the standard of living in some quarters and introduced new luxuries, partly compensating for the greater variety and savor of life in an earlier generation; but while national wealth increased, the distribution of it was uneven, and the extremes of wealth and poverty were wider than ever before."[23] Schurz may have had good reason not to trust public sentiment on the issue of American Indians' management. Distrust of the western sector of the white population was noted in his Annual Report of 1878:

> The citizens of Western States and Territories must be made to understand that, if the Indians are to cease to be troublesome paupers and vagabonds, and are to become orderly and self-supporting they must have lands fit for agriculture and pasturage; that on such lands they must be permitted to remain and establish permanent homes, and that such a result cannot be attained if the white people insist upon taking from them, by force or trickery, every acre of ground that is good for anything.[24]

The juxtaposition of "paupers and vagabonds" on one hand, with "orderly and self-supporting" on the other, illustrates Schurz's image of the American Indian. If his distrust was only of the knowledge and the sagacity of the Western population, his lack of public speech-making would be difficult to explain; but Schurz was equally wary of educated Eastern reformers. It was the Easterners, such as Helen Hunt Jackson, who caused Schurz the most embarrassment while he was in office. He voiced this distrust of their common sense in his testimony to the Select Committee on the Removal of the Northern Cheyenne. In response to a question by Senator Dawes asking him [Schurz] if his policy might well alienate a "great many very good people in support of his policy of keeping the Indian Territory intact?" Schurz answered that although he did "sympathize with what may be called a Boston sentiment on Indian matters very sincerely," he was faced with what amounted to an impossible dilemma:

> On the one hand we are confronted by a border sentiment, demanding in a majority of cases, the expulsion or extermination of the Indians. And on the other hand, we are confronted by an ideal conception of the Indian, and by abstract views which, although right in general theory, are difficult of general application, for the reason that the ideal Indian does not in reality exist.[25]

So it seems increasingly probable that Schurz chose not to direct his persuasive appeals to the American public because of a division he interpreted between reasoned and realistic opinions on the subject of Indian affairs and unrealistic

and impractical attitudes of various sectors of the American public.

Schurz's educational and social background influenced his attitudes. He was to be sure an intellectual. He studied in a doctoral program at the University of Bonn in the 1840's. He took part in the ill-fated Revolution of 1848 in Germany. His advanced education and somewhat elitist background may help to explain Schurz's distrust of public sentiment concerning American Indians. At least insofar as Western sentiment was concerned, Schurz certainly could not accept the proposition that American Indians could never be assimilated. After all, he was himself an immigrant and, as such, had a personal stake in the notion of the ability of American society to assimilate all sorts of foreigners into the "great melting pot" of society. He knew that language and custom would serve as roadblocks to the assimilation of Indians, but these were problems that he had overcome himself. Conversely, the eastern conception of the "downtrodden Indian"--one given to the thesis that the rights of American citizenship would immediately catapult the noble savage into the best part of the mainstream of western civilization--must have seemed equally outlandish to a person such as Schurz, a man who put so much stake in the pragmatic application of educational training as a device to achieve upward mobility.

The third, and perhaps most pervasive, rationale for Schurz directing his persuasive appeals to Congress rather than to the populace as a whole is to be found in the relationship between the executive branch and the Congress during the 1870's. Schurz and the entire Republican administration relied heavily upon the leaders in Congress for direction. Senators such as Conkling, Platt, Cameron, Ferry, Chandler, Boutwells, and Edmunds commanded inordinate power during this period; and they also commanded respect because of the important business interests they represented. The government depended upon such interests for investment in, and cooperation with, government programs. According to Samuel Eliot Morison and Henry Steele Commager, "business ran politics, and politics was a branch of business."[26] And although Rutherford B. Hayes was an honest and able President, during this period he still needed to live with the political realities of his day. This is illustrated by the manner in which he handled the "Great Strike" of 1877. Simply, he solved the labor problem by sending federal troops to put down the strikers.

Although the Hayes administration made great strides in the area of reconstruction--the appointment of ex-Confederate David M. Key to the Cabinet being an important symbolic action in advancing Southern participation in government--it did little to end railroad malpractices. And although the

same administration made great strides in civil-service reform--due largely to the appointment of Carl Schurz, the leading proponent of the merit system--it did little to end trusts or to stop land frauds. The Hayes administration steered away from political issues that could affect business interests controlled by such powers as Carnegies, Rockefellers, Morgans, and the Goulds.

Schurz, therefore, needed to convince Congress that to change the pattern of Indian management would not only be morally right, but also that it would not be economically disasterous.

Perhaps the role of business in government during the 1870's explains why C. A. and Mary Beard concluded that "between 1865 and 1897 there were put upon the federal law books not more than two or three acts which need long detain the citizen concerned only with those manifestations of political power that produce essential readjustments in human relations."[27] If this statement is to be accepted, then the movement for the general allotment of Indian lands becomes even more significant, for the Dawes Severalty Act of 1887 changed the relationship between American Indian tribes and the United States government for the following forty five years.

In the long run, however, Schurz needed to base his

arguments to Congress more on moral grounds than on economic feasibility. Thus, his arguments emphasized that acceptance of his Indian policy should be decided by appeals aimed "more than to the practical sense, [but] to the moral impulses of men, making of them the fighting force." Clearly he needed to balance his arguments between appeals based upon the character of individual Congressmen and those based upon the common logic of important business interests. Ultimately what he wanted was for Congressmen to vote their moral convictions rather than in terms of mere economic expediency on the issue of reform. He needed to devise a strategy that would not breach Senatorial courtesy and the decorum of the House of Representatives, and also would not appear so radical as to alienate Congressional supporters and economic backers.

In addition to the reasons already noted for Schurz's non-public speaking strategy on the issue of Indian reform, yet another factor may account for his reluctance. It involves his official role as Secretary of the Interior. Hayes wanted Schurz to be a fact finder and a policy shaper during his tenure as Secretary of the Interior; he did not necessarily want him to act as a political spokesman for the administration. This is illustrated by the lack of public speaking done by Schurz even on his "favorite issues" of "sound money" and civil service reform. Immediately upon

leaving the Interior Department in 1881, however, Schurz again began to speak out in public on issues of Indian education and the severalty of American Indian lands; additionally, he published an influential article in the North American Review, "Present Aspects of the Indian Problem."

Schurz gave two major speeches on Indian affairs immediately after leaving office. The speeches help to confirm the reasoning for Schurz's intra-bureaucratic strategies. These speeches, which were given just two days apart (March 19 and 21, 1881), are characteristic of his ceremonial speaking style. The first speech, delivered at Association Hall in New York City is entitled "Education of Indian Children." The text follows:

> I take a very warm interest in this question. My personal contact with the Indians has made me their friend. We are to discuss a very practical, wise thing--the education of the Indian. This is a more important subject now than it ever was before. Not long ago it was considered wise to set apart great domains for the Indians for hunting grounds. That was not a sound thing to do. Those large domains could not be preserved and that theory was long ago exploded. Look at the population rolling westward, the demand for land, and think of exempting these hundred of thousands of square miles. It is useless to think of it. We all know that it is impossible. Whether it is right or not, it is true, and we must deal with facts in this question. The power of the Government is great in some respects, but it is very weak in others. I can scarcely imagine a man in power in Washington who would deliberately plot against the poor Indian. It is a portion of the people who do it, not the Government. If the Government should resolve that the Indian reservations shall remain forever intact, the stream that is flowing westward in mining enterprises, in agriculture, in railroads, would make such a measure impossible. There would be quarrels,

and the Government would soon be mixed up in them. In such a case, extermination stares the Indian in the face. In Canada they have an Indian frontier, which we long ago ceased to have. On this account they have less trouble with their Indians than we have. Their Indians have plenty of room. Their trouble will come in time. Humane statesmanship demands that we should open our eyes to the facts and see what remedies we can find. There is this great alternative--either a conflict, which must result in extermination or civilization. Let us do all in our power to induce them to fit themselves for the rights and duties of civilized life. Meanwhile let us protect them. There is no other alternative. Is there an American who can contemplate extermination with patience? It would be abhorrent to every sentiment of humanity and a dying disgrace to the American name. The only thing that remains is Indian civilization. Is the civilization of the Indian race possible? I conscientiously believe that it is. My intercourse with them has confirmed me in this belief. Of course, we must not expect too much nor too rapid development. We will not make them great statesmen. The ultimate end must be clear to every thinking mind. It is the gradual absorption of the Indian race in the great body of the people. Their present political status is an anomaly. They were considered as separate nations. They must finally be received as citizens. The whole problem cannot be solved at once by giving them rights they cannot understand or appreciate. They are not yearning to become citizens. Most of them would today look upon citizenship with suspicion. They must be educated up to it, fitted carefully for the exercise of their rights and duties. First, they should be taught to work; secondly, they should be individualized, and not hold lands in common; thirdly, they should be educated, particularly the youths. They are more ready to follow the lead of Government now than they ever were before. They know that they can no longer live by hunting. They are open to tuition. Within my own experience their work has been much extended. Many of them are herders. There are 2,000 freight wagons now run by Indians, and they are honest, faithful, and efficient. On the plains of Dakota they have often suffered from hunger without even breaking open a cracker box. Some of them are successful small traders, and have made money. A Sioux Indian who visited Washington lately, well dressed, began two years ago with $25, and has made $2,000 by trading. His name, very inappropriately

was Don't Know How. Now that he has made money he signs himself "D. K. How."

The Indians show a laudable zeal in pursuit of education. The first step has been the establishment of schools on the reservations. This system is necessarily imperfect, and must remain so for a time. An Indian must not only learn how to read and write, but he must learn how to live. He cannot learn this on a reservation. He may feel a necessity for a change in his mode of life, but civilization is only a shadowy idea to him. How is he to learn the white man's way? The school is insufficient, in the nature of things, to clear up his mind. To impress him with these things, he must see civilization in its own atmosphere. This led me to do all that I could to develop Indian education in the East among the whites. If my administration of the Indian Department leaves no other trace behind it, I shall look upon the establishment of the schools at Hampton and Carlisle with great satisfaction. If you should visit those schools you would be astonished to see intelligence dawning in their countenance. They not only learn there to read and write, but they learn to live and to work.

A few weeks ago 50 sets of double harness were sent to the Army made by the Indian boys at Carlisle. In a short time we will furnish not only harness from Carlisle, but wagons, too. General Armstrong and Captain Pratt must be particularly mentioned for their good work among these children. Let nobody disturb you by saying that when the pupils return to their tribes they will become savages again. That may have been the case when civilization was not in demand among the Indians. But things have wonderfully changed. The old mode of life is felt to be untenable. They know that work will become necessary--that knowledge will be in demand to that end. Even the old fogy chiefs want to see their children educated. An educated Indian is no longer ridiculed, but envied. There is no danger now of his relapsing into a savage life. He will be a teacher and a leader. The system at these schools calls for very large extension. Congress ought to be liberal to educate the Indians. Hampton is not a Government institution. Instead of two schools we ought to have fifteen in various parts of other states. We want particularly to enable General Armstrong to erect a building for the education of Indian girls. Indian women have always been only beasts of burden. No human society

> can be good where woman is not recognized as an equal. Woman makes the atmosphere and must make the attraction of the human home. If we want the Indians to respect their women we must teach the women to respect themselves. I command this object mainly to your consideration. The time will come when we will speak no more of the Sioux and Apaches, but of good and orderly citizens of Indian descent.[28]

This speech demonstrated Schurz's adherence to a strategy of directing his persuasive appeals toward Congress rather than to the populace as a whole. He still directed his appeals to Congress, even though the speech was delivered to the Association Hall audience. Actually Schurz only agreed to speak after prominent reformers in New York City sought him out. The March 12 issue of the New York Times included a letter which was signed and directed to Schurz by fifty-nine prominent New York citizens, including Henry E. Pierrepont, Reverend Roswell D. Hitchcock, and Theodore W. Dwight. Following is the text of the letter:

> Dear Sir: We the undersigned, recognizing not only your official relation to the Indian race, but also your humane interest in their welfare, beg leave to invite you to address the citizens of New York, at Association Hall, on Tuesday, the 15th, inst., or at such date as near thereto as may suit your own convenience, with special reference to the means for the education of the Indian and the development of a practical public interest in his behalf.[29]

This letter was obviously conciliatory, as it attempted to negate the ill feeling which many New Yorkers felt towards Schurz's Indian policy. The dispute over the removal of the Ponca tribe from its ancestral home in Dakota to the Indian

Territory had received a great deal of negative press in the New York newspapers. The key to Schurz's invitation is the phrase ". . . development of a practical public interest . . ." for Schurz had previously stated that the problem with the perspective of Eastern reformers was that they wished to pursue the impractical policy of "immediate citizenship." Schurz's response to the Association Hall invitation included the statement that he would be pleased to speak ". . . for the purpose of 'developing a practical public interest.'"[30]

Schurz argued in "Education of Indian Children" that it was frontiersmen, not the government, who were responsible for the conflicts with the American Indians. He also argued, however, that the government was incapable of preventing the hostile contact. By such logic Schurz was attempting to establish the second axiom of Smith and Windes' rhetorical theory--namely, that the leader of an innovational movement "must emphasize the weaknesses of traditional institutions and the strengths of traditional values" in order to persuade decision-makers to decide in favor of the proposed innovation.[31]

The government's policy allowed the unfortunate collision of the races. Schurz made it clear that "the power of Government is great in some respects, but it is very weak in others." Certainly, he conceded, there were no men in power

in Washington "who would deliberately plot against the poor Indian." Still, during the Ponca removal, he had been accused in the press of purposely plotting against that small and relatively helpless tribe. In his rhetoric Schurz attempted through his ethical appeals to refute such accusations, and to point out that the weakness in Indian policy rested solely with the policy of concentration rather than in the values of the American people or their representatives in government.

Schurz's major appeals in this speech were logical. The speech proceeded from the generalization that "the stream that is flowing westward in mining enterprises, in agriculture, in railroads, would make such a measure of concentration impossible." And from this major premise, he asked the audience to follow his reasoning and do some problem-solving by opening its ". . . eyes to the facts and see what remedies we can find." Actually the first part of the speech can be reduced to the following disjunctive syllogism: (1) Either the government will promote an Indian policy of extermination or one of civilization; (2) the government should avoid a policy of extermination; (3) "humane statesmanship" requires the government to promote civilization.

The second part of the speech is devoted to an abbreviated restatement of Schurz's plan, which had been presented to the Congress on a number of previous occasions.

A three-part simplification of the original eight-part plan offered to Congress in the Annual Report of the Secretary of the Interior to the Congress for the year ending 1878, the thesis of the speech was a call to the government to teach Indians to work, to individualize them by the policy of general allotment, and, finally, to educate them, particularly the youths. Most emphasis was devoted to proving the claim that Indians can, and should be, educated. Such a premise would seem to be self-evident, but it was not to most individuals in the 1870's and 1880's.

Schurz employed three major types of data in order to prove his claim concerning the need for Indian education. First, he used illustration; specifically, a description of his personal meeting with the "successful" and "well dressed" Sioux Indian, D. K. How. By the use of the illustration, Schurz attempted to convince the audience that Indians could be taught to accept the same values of hard work as those held so dearly by the audience itself. Second, he used physical examples; fifty sets of double harnesses produced by Indian boys at Carlisle and freight wagons run by Indians to demonstrate their capability of providing useful services to society. Third, he used testimony or appeal to the audience's recognition of the credibility of General Armstrong and Captain Pratt, men who were widely respected by the eastern reformers.

The speech concludes with Schurz's attempt to establish that the Indians themselves were amenable to his policy of assimilation. "An educated Indian is no longer ridiculed, but envied," he noted in urging Congress to be liberal and to support American Indian education. The final sentence of the speech clarified his avowed intention to break up the tribal organizations of the Indians, and to have them assimilate fully. "We will," he said, "speak no more of Sioux and Apaches, but of good and orderly citizens of Indian descent."

Schurz made no direct statement in support of his own character, competence, or good will in this speech or almost any of his other speeches. He hoped that his performance in politics would establish his credibility with the audience as a person of high moral character. Perhaps as close as he ever came to self-aggrandizement is to be found in his statement, "If my administration of the Indian Department leaves no other trace behind it, I shall look upon the establishment of the schools at Hampton and Carlisle with great satisfaction."

Schurz does use a variety of emotional appeals in "Education of Indian Children," and his blending of a reasonable superstructure for the speech with subordinated emotional appeals is characteristic of his speaking style. Honor, patriotism, responsibility, and, above all, justice are either implicitly or explicitly stressed in this speech. When

Schurz talked of "humane statesmanship" and "the rights and duties of civilized life," he was appealing to the audience's emotional reaction in order to solicit support for the downtrodden Indian. This sort of strategy was called the "Lo the poor Indian" appeal because of a popular contemporary poem of the same name. Still, it was an emotion used to his best advantage when he noted that the policy of extermination "would be abhorrent to every sentiment of humanity and a dying disgrace to the American name."

The second and final public speech which Carl Schurz delivered immediately after leaving the Interior Office was given under quite different rhetorical restraints. First, the speech, which followed dinner, was delivered at the Hotel Vendome in Boston on March 21, 1881.[32] Boston was the center of the Eastern reform movement in Indian affairs, and Schurz's popularity in this city could not have been any lower. Still, the New York Times reported that Schurz was warmly welcomed by Boston's "leading representatives of the mercantile, professional, and literary circles."[33] The elegant affair was preceded by an informal reception from five to six o'clock in the afternoon. The Times reported:

> The company then proceeded to the dining room which was elaborately trimmed with flowers. Col. Charles E. Codman was the President of the evening. His speech was filled with the most fulsome praise for Mr. Schurz. He spoke of him as an independent in politics, who, if not a chief of his party, was a born leader of men. He referred to what he termed

> his unexampled management of the Interior Department, and to what he had contributed to the advancement of the condition of the Indians. As Col. Codman proceeded with his speech, nearly every sentence of which was eulogistic of the guest of the evening, the company grew approariously enthusiastic, and the cheers and clapping of hands were almost incessant. When in closing, he proposed the health of Mr. Schurz, the company rose and gave nine tremendous cheers, which were accompanied by the wave of napkins and the sharp clinking of glasses.[34]

The reporter was surprised that Schurz "was apparently unmoved by this wild emotion and [that he] remained sitting for several minutes" until it finally ended. Actually it is not surprising at all that Schurz was comparatively unmoved by the willingness of the Bostonian citizens to forgive his "mishandling" of the Ponca situation. He was no longer Secretary of the Interior, and he knew that the Eastern reformers had slowed the acceptance of the innovation of general allotment by their insistence of "immediate citizenship" for American Indians. The Bostonians also had learned from their political battle with Schurz, and knew that no reform could take place until they began to change their social movement into an innovational movement which would cooperate with government officials in the Department of Interior. Their agitation over the Ponca issue actually had worked to the disadvantage of Schurz and other government officials who were working within the bureaucracy for general allotment. After Schurz left office in 1881, the Bostonians, led by Massachusetts Senator Henry L. Dawes, began to work within the

bureaucracy for Senate acceptance of general allotment. Thus the Bostonian social movement joined Schurz's innovational movement only after Schurz left the Department of Interior. Therefore at the time of the speech, Schurz knew that he was no longer needed to lead this movement, and the fact shaped the situation for his final public speech on the subject of Indian affairs:

> This is not the first time I have received great kindness at the hands of the citizens of Massachusetts. Twenty-two years ago, a young and obscure new-comer in this Republic, as some of my friends here present may remember, I was, so to speak, introduced by public men of Massachusetts to the American people as one of the advocates of the antislavery cause. Later when Charles Sumner had departed from life, the city of Boston deemed me worthy to express her appreciation of the patriotic career and her grief at the loss of one of her most illustrious sons. Still later, I was honored with a call to aid in public debate in one of your State contests when the cause of honest money and public seemed to be at stake, and more recently in a controversy concerning the Indian problem, referred to by the honorable Chairman. My name has been discussed in Massachusetts with a warmth of interest which could not have been greater were I a native citizen of your Commonwealth and had I lived in it and been of it all the days of my life. It is not surprising, therefore, that I should not feel like a stranger among you: friend and foe here have treated me alike, and I am perfectly at home with both.
>
> The measure of praise you have been kind enough to award to me for my administration of the Interior Department is--I say this without affectation of modesty--perhaps too generous. I know better than anybody else that my administration has not been perfect. The Interior Department is not only the most difficult, but it is also the most dangerous department of the Government. It is a overgrown accumulation of heterogenious subjects--all of importance. The interest of its care offer many

attractions and temptation to those who serve to overreach the Government by dishonest means, and the branches of public service under its control are scattered over an extent of ground extremely difficult to watch. It requires, therefore, a long and intense application on the part of its head to understand its different branches and all the places of danger, and to master its machinery. I think I am not exaggerating when I say that the Interior Department devolves as labor and responsibility upon its head personally as any other two departments impose upon their chiefs joined. Under such circumstances, knowing the departments as I do, I shall always be disposed to make ample allowances for extraordinary difficulties in passing judgment upon the success of a Secretary of the Interior, and to be very careful in charging upon him direct personal responsibility for occasional accidents, mistakes or failures. All that I am willing to claim for my own administration of that department--and a great part of that credit belongs to the able and faithful subordinate officers who aided me --is a certain measure of improvement upon the condition of things as I found them, and I should be the last man to say that my successor may not find occasion for improvement upon the condition of things I leave to him. He is a man of high character, just impulses, and great practical experience and sagacity, and one of the best wishes I can offer him is that in the execution of his honest purposes he may find as kind public judgment as you are giving me. I am sure your honorable Chairman has not mentioned the recent controversy about the Indian question for the purpose of continuing it here, and certainly I do not mean to do so. While it may be necessary sometimes to repel attacks in self-defense, I am always ready to give to every honest critic of my acts the same credit for good intentions which I vindicate for myself. Among those who have the public good in view differences of opinion should not be permitted to degenerate into impeachment of motives. You are certainly right in thinking that I could not possibly have spent four years of my public life in maliciously plotting the oppression of a poor Indian tribe. You may generally assume that no man at the head of the Interior Department, unless he be a corrupt and depraved wretch, will ever be inclined willfully to maltreat the Indians. But the management of Indian affairs has to deal with

complications of difficulties of which nobody has any clear conception who is not personally conversant with its details. It may easily happen that those charged with responsibility, and having the whole field in view, find themselves forced to resort to expedients of which those who direct their attention only to one point of the intricate problem do not appreciate the necessity and bearing, and thus it happens that even honest criticism, while trying to be just to one side, may become flagrantly unjust to the other.

As to my own administration of Indian affairs, I am perfectly content to leave it to the public judgment--even to the judgment of its critics when the heat of unnecessary controversy shall have subsided. I know that my conduct has grown from just and humane purposes, and that my naturally kind feelings for the Indians with whom I have had personal contact, and who sometimes express their feeling in delicate and tender manifestation of attachment and gratitude, for I may assure you that the Indian is by no means devoid of such impulse and feelings. I think, also, that the policy followed by me during my administration, the policy of promoting the transformation of the Indians from shiftless paupers into thrifty and orderly worker as agriculturalists, herdsmen, traders, and mechanics, of extending their educational facilities, to teach them how to learn and how to live, of stimulating their desire to become individual owners of lands and of other property like white men. The policy, in a word, of preparing them for their ultimate absorption into the great body of American citizenship with all its rights and duties, has been as successfully carried on as four years of hard and conscientious work in the Executive Department could make it, and that a wise and vigorous pursuit of the same ends will finally solve that Indian problem which in the past has so often proved a trouble and sometimes a disgrace to the American people, not as a matter of justice, but as a matter of fact. The rapid development of the country puts before the Indians the stern alternative of civilization or destruction by conflict. Wise and humane statesmanship will see to it that the Indians do not stand in the way of that development, but become a part of and so be benefited by, it. And I do not hesitate to declare my firm conviction--a conviction sprung from much study and some practical experience--

> that the Indians can be civilized, at least sufficiently to secure an orderly, harmonious, and prosperous neighborhood with the white race. But to bring about this result all over the country requires not only the proclamation of the general purpose, but steady and judicious work in detail. To this work I have been devoted for four years, and the warm interest I take in the Indian race will induce me to aid it in whatever way I can as a private citizen as long as I live.
>
> It is a singular thing, but not a rare one, that we are impugned in our best motives and actions by those whom an identity of general purpose should make our friends. Most discordant sounds are produced by different people playing the same melody at the same time in different keys, and so I have had to suffer attack not only from reckless border sentiment, bent on war and destruction, but from some of those who speak in the name of philanthropy. I suppose I am not the first who has had to endure, and I shall not be the last. But now the so-called Ponca question appears to be happily disposed of. Congress has appropriated a liberal sum to indemnify the Poncas for their loss and to settle them comfortably according to their wishes. The Poncas in the Indian Territory are content to stay there. The Poncas in Dakota are content to stay there. The provision made for them is all they ask for. The Poncas are satisfied. The Government is satisfied. The American public at large seem to be satisfied, and it is to be hoped that soon to the general satisfaction there will be no exception, and that honest philanthropy will find for this unity of purpose, also once more harmony of action. A few days ago I had the pleasure of addressing a public meeting in New York in behalf of the enlargement of facilities of Indian education at Hampton School, a most worthy and important object. That meeting in New York was very successful, and I hope the same movement will commend itself with equal success to the philanthropic citizens of Boston. Let us join hands in it and do something of immediate practical importance for the Indians, and let us hope that in such useful efforts the old Ponca quarrel may no longer divide us. . . .[35]

The speech was followed by a series of other speeches by Reverend George E. Ellis, the Reverend James Freeman Clarke,

and Edward L. Pierce. Finally, letters sent by ex-President Hayes and ex-Secretary Sherman were read to the gathering. In total context, Schurz's speech went on to mention the problems of sound money, civil service reform, and a variety of other issues. Together with his North American Review article entitled, "Present Aspects of the Indian Problem," it functioned, at least symbolically, to detach him from his leadership of the innovational movement for American Indian reform.

The speech is far more formal than "Education for Indian Children," because of the truly ceremonial situation that Schurz encountered in Boston. Previously he had been violently assailed by many of the members of the audience, yet on the occasion of the speech they were unusually kind, perhaps realizing Schurz's motives in his handling of the Ponca removal. Certainly Schurz noted that Codman had not even mentioned the Ponca removal, and he further noted that "the so-called Ponca question appears to be happily disposed of." Nonetheless, he wanted his audience to know how much the social movement of the Bostonians had hurt his innovational movement. This he made clear in his statement that he had had "to suffer attack not only from reckless border sentiment, bent on war and destruction, but from some of those who speak in the name of philanthropy." His use of figurative analogy to illustrate the effect of the Bostonians

on his attempt to bring about general allotment is a gentle but direct reminder to his audience that it would have to work with the government rather than against it.

The speech, like most of Schurz's speaking, is deductively arranged. The speech initially asks the audience to accept a number of major premises, including the following: (1) that the Interior Department is a difficult organization to run; (2) that education is the best policy of preparing Indians for their ultimate absorption into the great body of American citizenship; and (3) that American Indians can be "civilized." Schurz's major appeal in the speech, just as in "Education of Indian Children," is that "something of immediate practical importance for the Indians" should be done. Once again the appeals for the extension of Congressional support for the education experiments at Hampton and Carlisle were these immediate practical ends.

As stated earlier, Schurz rarely made direct statements to support his own character; this speech, however, was an exception. He discussed his purposes and motivations as Secretary of the Interior, and pointed out somewhat sarcastically that the Bostonians could assume that "unless he be a corrupt and depraved wretch . . . [no head of the Interior Department] . . . will ever be inclined willfully to maltreat the Indians."

The speech used a direct ethical appeal designed to form a bond of identification with the audience by noting the

speaker's agitation for the anti-slavery cause, and that in Massachusetts, "friend and foe here have treated me alike." Here he alludes to the thesis that, in reality, the Bostonians and the bureaucrats supporting general allotment were a part of the same innovational movement for a change in the status quo.

It is important to note that all four of the previously-mentioned issues concerning directions in Indian policy during Schurz's tenure as Secretary were decided favorably. First, the military did not take over the Indian service in 1878, due in large part to testimony that Schurz delivered before the Joint Committee of the Congress; second, the Indian Territory was protected from white invasion during Schurz's tenure; third, the Indian service was radically reorganized, and the merit system was incorporated, as was competitive bidding for contracts in the department; and finally, Congress decided that the severalty of Indian lands in fee simple was the most expedient way to individualize the Indians. Also, while Schurz was still in office, the House Committee on Indian Affairs reported favorably on general allotment; and at approximately the same time the Senate began to consider the Coke Bill, a piece of legislation ultimately transformed into the Dawes Severalty Act by both Houses of Congress in 1887.

An Analysis of the Reasoning of Carl Schurz

The speaking and writing of Carl Schurz to persuade Congress to create legislation to match the concept of the division of American Indian lands comprise a strategy that was extremely successful in the short run, but turned out to be almost totally misdirected in the long run. Schurz accomplished his objectives with Congress but in the process did irreparable harm to the wards of the government that he was trying to protect. Specifically, he did convince Congress and, to a lesser degree, the Senate, to adopt the concept of the division of American Indian lands in fee simple. Yet the same policy had a disastrous long-term effect upon American Indians. The persuasion involved in convincing Congress to adopt the notion of general allotment was by no means an easy task, for the body had refused similar plans many times before.

Still, when judging the effectiveness of the policy that Schurz advocated, it is apparent that the plan turned out to be a dismal failure. Josephy noted that by the time another Secretary of the Interior, John Collier, helped to end the policy of general allotment in 1932, approximately 90 million of the 138 million acres of land held by Indians in 1887 had passed into white ownership.[36]

What becomes most obvious when viewing the current

situation of American Indian tribes is that Schurz's ideas both failed to break up tribal structure and to convert large numbers of Indians into farmers. Still, this is historical hindsight, and in the rhetorical situation that faced Schurz in 1877, there was a clear need for a change in the policy of concentration. The exigence that existed called for a policy change that would totally revolutionize the status quo, and Schurz advocated just such a plan. It is important to examine both the reasoning Schurz employed to arrive at such a plan and the lines of argument he utilized to convince Congress to accept it.

To begin in a systematic manner, the aims of this rhetorical analysis may be divided into two major sections or categories: (1) the reasoning process that Schurz used to reach his decisions about the American Indians, and (2) an examination of the lines of argument that Schurz used to convince Congress to accept his ideas. The first part of the analysis corresponds to what Aristotle would consider the psychology of the speaker; that is, the area of invention that deals with the process of the discovery of knowledge, virtue, and good will of the speaker, and of the audience. Also of importance in establishing the viewpoint of Schurz as it related to optimum protection and eventual assimilation of Indians into the white mainstream are the emotional behaviors that the speaker exhibits to or infers from

his audience. In other words, since the rhetorical critic obviously cannot return to the 1870's to ask the orator direct questions about the speaker's thinking, some critical methodology must be applied to infer the motivation for the behavior of the speaker. This is not as difficult a situation as it may seem, however, for even when writing a rhetorical criticism of a contemporary orator, it still remains a matter of the application of critical criteria to the outward manifestations of the speaker's character, rather than to some type of modern biosurgery to discover whether or not the speaker is a trustworthy character.

Aristotle believed that the rhetorical critic could determine the psychology of the speaker by means of applying the artistic proofs of ethos and pathos to his or her writing or speaking. He wrote in The Rhetoric that the following criteria may be used in establishing the trustworthiness of the speaker:

> And since Rhetoric has a view to judgement, for, both in debates and in lawsuits, there is judging, the speaker must not only see that the speech shall prove its point, or persuade, but must also develop a certain character in himself and in the judge, as it matters much for persuasiveness, most of all in debate, but secondarily in lawsuits too--that the speaker should appear a certain sort of person, and that the judges should conceive him to be disposed towards them in a certain way; further, that the judges themselves should be in a certain mood.[37]

In accordance with this hypothesis, the first part of the analysis of the writing and speaking of Schurz on the issues

of American Indian reform between 1877 and 1881 will attempt to establish whether he really believed that his policy statements were in the best interests of the American Indian. This question of intent becomes quite a complicated matter because of the tendency to utilize historical hindsight; thus, to focus on the eventual dismal effect of Schurz's policy.

The second part of the analysis will be concerned with the reasoning and the lines of argument that Schurz used to convince Congress to accept his policy of American Indian reform. This analysis corresponds in some ways to application of the Aristotelian proof of logos, although it is clear that neither Schurz nor his audiences in Congress used only reason in the public discourse over Indian reform. Still it is important for the sake of this study to separate the ideas that were in the mind of the speaker from those he used to persuade his audience.

The second part of the rhetorical analysis is, therefore, concerned with these persuasive tactics; specifically, an analysis of examples of Schurz's speaking and writing as they applied to his uses of elementary lines of reasoning and various types of evidence to achieve his goals; and, secondarily, as it applied to his effort to conform to the audience's image of facts pertinent to the relationship between American Indian tribes and the federal government

during this period of the nineteenth century. Aristotle described this element of rhetorical criticism as follows:

> The use of persuasive speech has a view to a decision; for there is further need of speaking about things which we know and have decided. This is no less the case when the speaker aims at encouraging or dissuading one man only, as those who seek to admonish or to persuade may do. The one man is no less a judge; for he, whom we have to persuade, is, speaking generally, a judge . . .[38]

Unfortunately much of the interpersonal persuasion that must have occurred between Schurz and individual members of Congress is now lost; and since Schurz did not finish his Reminiscences before his death, one can only infer that much of the persuasion that took place on this issue must have occurred on a one-to-one basis. Still, the critic can infer much of Schurz's Congressional strategy from such public documents as the Annual Reports of the Secretary of the Interior to the Congress and testimony before various Congressional committees.

The image that Schurz held of the American Indian and the problems between Indians and the American government prior to 1877 (when he took office as the Secretary of the Interior) is of little importance at this stage of the study. The material in Chapter III strongly suggested that Schurz underwent extensive changes in his perception of Indian tribe status and affairs from the time he took office until his testimony before the Joint Committee Appointed to take into

Consideration the Expediency of Transferring the Indian Bureau to the War Department in 1878. This change in intellectual stance from one based on a concentrationist viewpoint to one based upon the notion of general allotment is analyzed in depth in Chapter III. There the role of Bishop Henry Whipple and the President of the Board of Indian Commissioners, William Welsh, is also documented.[39]

The establishment of Schurz's viewpoint concerning the American Indian is of fundamental importance in developing a psychological profile of his persuasive force in the movement for assimilation within the federal bureaucracy. Additionally, such a profile will enable the reader to get a clearer image of his credibility as it was perceived by his specific audience: the Congress of the United States.

Carl Schurz was a product of his time, and the "Gilded Age" was a time of perplexing contradictions. It was a time when the nation showed its advanced state of technology through such spectacles as the Philadelphia Exposition of 1876, where such industrial wonders as the world's largest combustion engine and the mimeograph machine were shown with inordinate pride. It was also a time of extreme poverty for a majority of the populace. And it was a time when the American Indian tribes on the Great Plains still reigned over their territory as sole masters.

As wide as the gulf was between Plains Indians and the

advanced industrial culture in the East, it was a separation no greater than the one existing between settled Americans and the great influx of immigrants from all over the world. Due to the political upheavals in Europe during the 1840's and 1850's, countless German, Polish, and Swedish immigrants landed in New York City and often were convinced to make their way west, where land could be had for the asking under provisions of the Homestead Act of 1862. Schurz could personally identify with such transplantation, of course, and he undoubtedly had a feeling for the plight of the American Indians because he had served as a Major General in the Union Army during the Civil War. At any rate, he was aware of the cruelty and needless bloodshed involved in warfare.

Still, there is a good deal of evidence to suggest that, although Schurz had known many facets of American life, he had never given in-depth or extended thought to the exact nature of the problems experienced by Indian tribes prior to his appointment to the Cabinet in 1877. This omission is easy to understand, for the separation between the eastern-settled areas and the western wilderness was still wide enough in 1877 to inspire James Bryce to reflect some 14 years later that, "This mixture of science and rudeness is one of a series of singular contrasts which runs through the West, not less conspicuous in the minds of the people than in their surroundings."[40] By 1877, however, Schurz had come

to realize as Secretary of the Interior that he had "the Indians on his hands," and he had formed certain images of the American Indians. Much of this mental picture can be examined in Schurz's writing and speaking presented before Congress on the issue of reform.

For Schurz, American Indians were an example of primitive, uncivilized humanity which could be lifted up to the standards of white civilization through education and hard work on land that they owned in fee simple. Schurz saw the real gulf between primitive life and "civilized" life in terms of economic and political institutions rather than institutionalized religions. Unlike the Christian missionaries during the Grant administration who believed that a thorough understanding of the precepts of Christianity would lift the "savage" up from his "decimated state," Schurz believed that the free enterprise system would serve as the best "civilizing" agent. Of course, the impracticality of this view rests in the indivisable nature of the political, religious, and economic institutions in American Indians' custom, but this gap between reality and the white man's perception of reality has already been discussed in this study.

For Schurz, Indians were often "unoccupied and uneducated," as well as "wild, roaming, and the possessors of warlike instincts."[41] Such descriptive and obviously connotative adjectives help to give the student of public address

some insight into the thinking of Schurz. In fact, he believed that when he talked to American Indians--as he did many times with the Poncas, Northern Cheyenne, and many other tribes both in Washington, D.C., and in Indian Territory--that he was seen by them as "their Great Father."[42] Such a view puts in perspective his misunderstanding of American Indian culture; for the term "Great Father" is a loose translation of such terms as "Grandfather," "the Everywhere Spirit," or other traditional Indian metaphors to describe their relationship with God.[43]

Schurz, therefore, was capable of drawing racist and inaccurate conclusions about American Indians, just as were the Eastern and Western proponents of different policies. An example of his penchant for arriving at erroneous conclusions about the nature of Indian culture is illustrated by the following response he made to the statement by Senator Henry Dawes that "The dependent, all the world over, is apt to kiss the hand that feeds it."

> I have found, on the contrary, that Indians are rather disposed to complain whenever there is any reason, and sometimes without it. When an Indian gets an opportunity to talk to a white man occupying a prominent position, he will search all the recesses of his memory to find something to complain about. When an Indian says that he is contented, you may be sure that he cannot think of anything more to ask for. That is my experience, and it is the experience of all who have any knowledge of Indian character.[44]

Schurz always found it difficult to understand why American Indians who had been "removed" from previous lands to "better" lands were still apt to complain. Why, he reasoned, would Indians travel all the way to Washington, D.C., to complain about a reservation which was larger and better suited to agriculture than their old reserves east of the Mississippi? The answer, of course, lay in the Indians' cultural connection to the "Mother Earth," as well as in the sacredness of the lands where fathers and grandfathers were buried. Additionally, many tribes utilized particular areas of land to help them keep time in the global sense, and to maintain psychological order within the tribe. Since the tribe survived on a system of oral history and storytelling, it was cultural disaster to separate them from their historically-held lands. To most Indians, then, agricultural productivity was not the prime basis for valuing land. Schurz understood the nature of Indian tribes differently from either the western or eastern camps, but with no better empathy for Indian cultural heritage.

In fairness to Schurz, he was the first Cabinet rank officer of the government who actually travelled to Indian territory to confer with the Indians about his policy ideas. The New York Times sent a reporter along with the entourage--which included the President's son, Webb Hayes--and he reported that conversations between the Secretary and such

tribes as the Cherokees and Creeks were "carried on in an informal manner, but was very interesting throughout, and at times quite animated."[45] The reporter went on to say that the tribes appreciated the willingness of the Secretary to ask their advice as well as to answer their questions concerning new policy ideas. Schurz was to use his personal conversations with American Indians as data to enhance the credibility of his statements to Congress concerning the workability of his policy. The Indians also must have given great weight to the comments of Schurz. The New York Times summed up Schurz's interview with representatives of "The Five Civilized Tribes" with the following comment:

> It was plainly apparent that the arguments of the Secretary made a favorable impression even upon those who advocated a continuance of the present system of conducting affairs, and it is quite likely that the plan proposed by him for dividing the lands in severalty will find numerous advocates when the matter is formally presented to the respective councils of the Five Nations.[46]

How credible was Schurz's knowledge of the lifestyle of American Indians? On the one hand, he was the only government official of high rank who was willing to make the arduous and, in some cases, dangerous trip to Indian Territory in 1879 to confer with tribes about his plans for their education and division of their lands. On the other hand, once he returned from the Indian Territory to Washington, D.C., it seems that the opinions he voiced conformed to an image of the Indians which he perhaps more reasonably would

have held prior to his meetings with the tribes. Such selective perception was certainly not unusual in the late nineteenth century, for there was a great deal of propaganda concerning the various habits and customs of the American Indian. In line with these stock generalizations, Schurz seemed to view Indians as "shiftless paupers" as long as they stayed in their traditional cultural systems.[47]

The single element of Schurz's rhetorical vision that set him apart from other individuals dealing with the same problems was his belief in a systematic plan for "civilizing the American Indians" that could result in their ultimate assimilation into the white mainstream of America. He stated this position clearly in a speech delivered on behalf of the enlargement of the Indian education facilities at Hampton in March of 1881:

> They [the Indians] must be educated up to it [civilization], fitted carefully for the exercize of their rights and duties. First, they should be taught to work; secondly, they should be individualized, and not hold lands in common; thirdly, they should be educated, particularly the youths. They are more ready to follow the lead of Government now than ever before. They know that they can no longer live by hunting, they are open to tuition.[48]

The notion that American Indians were "open to tuition" is perhaps the singlemost significant idea that Schurz added to the movement for Indian assimilation. Before Schurz, most government officials, and certainly most of the populace in the Western section of the United States,

believed that Indians could not learn. They believed them to be something less than human, and the language that they used to describe them would aptly describe wild animals. Although Schurz adopted some of this language, he always argued to Congress, and later in public circles, that Indians were certainly capable of being educated, and that, although they could not be expected to "make too much nor too rapid development," they were capable of gradually taking on the responsibilities of American citizenship.[49] The fact that Schurz had talked with representatives of various Indian tribes, and thus had at least some experience with their behavior on a first-hand basis, was used as data for his policy claims when arguing for the adoption of general allotment in Congressional committees and through his publicly disseminated Annual Reports as Secretary of the Interior.

Though Schurz did use his travels and contact with Indian tribes in Indian Territory to enhance his credibility with Congress, he also depended upon emotion to sway Congressmen. He acknowledged that much of the problem Indians were experiencing in the United States was no fault of their own. This position obviously would have been very unpopular if delivered to a group of Western frontiersmen, though, in truth, most of the blame for the warfare between Indians and white populace could be traced to lawless elements within white society. Schurz stated to the Congressional committee

on the removal of the Poncas in 1879, "I have no doubt that, in the course of time, the land in the Indian Territory not occupied by Indians will be occupied by whites";[50] for he was well aware of the process of the ever westward-moving developers, and he knew of the exploitation both of Eastern and Western timberlands by greedy entrepreneurs. Further, Schurz recognized the problems that the building of the transcontinental railroad and its various side routes would mean for Indians. To his mind Indians were often helpless victims of a willful government and lawless border settlements:

> The real cause of almost all our Indian wars was the breaking of treaty stipulations or encroachment upon the lands and upon the rights of the Indians by the whites. In most cases the management of Indian affairs by agents, or even by the bureau, had scarcely anything to do with it. In some cases the whole government was responsible for Indian wars by initiating or consenting to measures which were incompatible with treaties and promises. In many other cases the white population living around the Indians and gradually overrunning them brought about conflicts. Then also, it must be remembered that the Indians are no angels, and in some instances there may have been Indian outrages which provoked retaliation on the part of the whites; and conflicts ensued in that way.[51]

Such emotional appeals were based loosely on the idea that a large and well-armed "civilized" power such as the government of the United States was picking on a small and defenseless collection of aboriginal tribal organizations, and that such an arrangement was obviously unfair.

Though Schurz utilized <u>ethos</u> and <u>pathos</u> to try to

convince Congress to accept his policy ideas for the American Indians, by far his most important appeals were logical in nature. That is, he attempted to convince Congress to accept a policy based upon education and division of American Indian lands for reasons of economic, political, and practical advantages which he hypothesized both for the Indians and the government. His arguments clearly urged Congressmen to ignore the opinions of much of their constituencies and to transcend their partisan considerations. Simply, he asked Congress to accept his plan on the grounds of a prima facie case he had developed to convince them that there needed to be a change in the status quo.

Significant Issues Affecting Schurz's Reasoning

Perhaps the best way to approach Schurz's Congress-directed rhetoric on the issue of his allotment plan would be to identify the major lines of logical reasoning in his speaking and writing rather than approaching particular speeches or examples of testimony in their entirety. The questions that were most important to Congress and the people of the United States in 1877 were fourfold: (1) What should the military's role be in determining American Indian administration? (2) How should the Indian service be reorganized so as to overcome charges of dishonesty and inefficiency? (3) What should the government's policy be concerning the

maintenance of "Indian Territory"? (4) What would be the best technique for individualizing and controlling American Indians? Schurz answered each of these questions extensively in his speaking and writing directed to Congress between 1877 and 1881. After reviewing those answers, the latter section of this Chapter examines the lines of argument Schurz used to convince the Congress to accept his policy ideas.

The question of what role the military should play in determining American Indian administration remained a vital question throughout much of the eighteenth and nineteenth centuries. As early as 1789 the newly created War Department was entrusted with the supervision of American Indian affairs, and in 1824 a Bureau of Indian Affairs was organized within the War Department. With the development of the Department of the Interior in March of 1849, the jurisdiction over American Indian tribes was switched from military to civilian management.[52] After 1849, spokesmen for the military establishment argued that the Army and its various creatures could best handle the problems inherent in Indian management.

The cases constructed by the proponents of military control were often rational and well presented. By and large they centered upon the notion that it was just to base the division of authority on the temperament of the tribes themselves. That is, the military was granted authority of tribes which were openly hostile towards the government or

to white settlers, but civilian authority was maintained over the vast majority of peaceful tribes or tribes that had ceased their hostility. The problems in this state of affairs are obvious, for the degree of hostility was often difficult to surmise, and the definition of the term was open to debate. When Schurz assumed office as the Secretary of the Interior, the debate over the department that should control tribes had reached its apex, due at least in part to the defeat of Colonel Armstrong Custer at the Little Big Horn the preceeding year, and to recent public revelations of graft in the Indian service.

Schurz was convinced that the Indian service should not be taken out of civilian control, thus, out of his own personal direction. He felt that if the policy he had developed was to be carried out with success, it must be carried out by civilian educators and career civil servants. Army personnel, he felt, were likely to increase hostility rather than to diminish it. Such sentiments he expressed to a Joint Committee of the Congress on December 6, 1878:

> There are many things desirable for the accommodation and convenience of the Army which are not so desirable for the Indians, and that in such cases it is questionable whether those things desirable for the accommodation of the Army rather than for the interests of the Indians would not be preferred. I do not suggest any hostility or lack of good faith in these matters, but under Army management such conflicts of interest and conveniences may frequently and naturally occur, while, when the Indian service is conducted by itself, it is conducted with only one single object in view.[53]

According to Schurz, his innovation, or policy, could not be well served by the Army, as the Army operated within the status quo; but Schurz was also clear in stating that the Department of the Interior could not do an adequate job as long as the old policy of concentration was followed. Smith and Windes' notion that the exponent of an innovational movement must emphasize the weakness of traditional institutions and the strength of traditional values becomes clear as one of Schurz's chief tactics. An example of such rhetoric follows:

> As long as the Indians remain wild, roaming tribes, going from one place to another, and coming in unfriendly contact with the whites, we shall always be liable to have trouble. When they have settled down to work and have private property to take care of, they will become conservative and peaceable. The more usefully occupied and educated they become, the less potent will be their warlike instincts and propensities. Hence the civilizing policy is undoubtedly the one which will prove most conductive to peace.[54]

Schurz's rhetorical purpose was not only to not allow the transference of the Indian service to the War Department, but also to change the policy that was being followed in the Interior Department. The institutions were to blame, as they were working within the status quo, but the traditional values of hard work and private ownership of land were continually repeated by Schurz as being values worthwhile to pursue when dealing with the Indians.

Schurz had one particular advantage when establishing

the credibility of his case for keeping the Indian service under civilian auspices, and then changing the Department of Interior policy which should follow it. He knew that Army officials such as William T. Sherman, William S. Harney, and C. C. Augur had met in Chicago to issue a report urging a transfer of the Indian service to the War Department. Actually, one historian has stated that "advocates of transfer had marshalled enough support in Congress to make Army control of the Indian Bureau almost certain."[55] The major lines of argument used by the exponents of transfer were twofold: first, that the Army was best suited to deal with Indian outrages, and that they should certainly not want to instigate hostilities with the Indians; for as Senator James B. Beck of Kentucky put it, every soldier knew that fighting the Indians was "like a man attacking a bumble-bee nest. He may kill them all, and if he is stung once he has the worst of the contest."[56] The argument that military men were the least likely to want hostilities was a convincing argument because many of the Congressmen who sat on the Joint Committee were ex-military men who had served in the Civil War. The second major line of argument used by the exponents of military control was best put in perspective by Army General William T. Sherman. He argued that the Army could most economically deal with the "Indian problem." On the floor of the Senate, Senator Coke concluded that under the present

policy, civilian "agents, missionaries, traders, etc., wax fat and grow rich while the government and the Indians are plundered and cheated in the name of humanity, civilization and philanthropy."[57]

Schurz was more than prepared to deal with both of these contentions during his testimony before the Joint Committee. When refuting the contention that the Army would have to fight any war that might develop over Indian control, and that it would thus be in the best position to squelch such hostilities before they might start, Schurz had the singular advantage of having himself seen action as a general in the Army during the Civil War. Nor was he hesitant to use this fact to his best advantage, as noted in the following preface to his remarks before the committee:

> If I were convinced that the transfer of the Indian service to the War Department would be for the good of the Indians, or would serve the best interests of the government, I should be the first man to advocate it. Likewise I desire emphatically to disclaim any unkind feeling toward the Army, in which I have a great many friends. For the gentlemen at the head of military affairs I entertain the most respectful and cordial feelings. There is probably not in any branch of the government a gentleman with whom it is pleasanter to have social or official intercourse than General Sherman. We are friends to-day, as we have ever been.[58]

Schurz also went on to point out the logical fallacy underlying the Army's contention that it would be hesitant to enter into a battle for the reason that personal injury to its own troops might be the result. Schurz obviously

realized the argument to be flawed in that it failed to take into account the fact that because the Army would have to suffer the consequences of hostility, it would already possess the necessary skills to avoid the hostilities in the first place. Additionally, it neglects the honors that can be won only on the field of battle. Schurz utilized the literal analogy as a logical tool in his attack on this argument:

> The argument that, because the Army has to subdue hostile tribes, therefore the whole management of the Indian service should be turned over to them, is logically equivalent to this: The State Department may sometimes be carrying on correspondence with foreign countries liable to involve us in war. Of course that war will have to be fought by the Army. Now, says the Army, if you get us into trouble, we shall have to do the fighting, and finally to pay the cost with our blood. We want you to turn over the management of the whole affair to us, for perhaps we may avoid the disturbance. Would that be consistent? Sometimes in the collection of the revenue the Army has been called upon to aid in enforcing the revenue laws. Suppose the Army says to the Treasury Department, you don't know how to manage this thing, and you are getting us into trouble; therefore turn the collection of the revenue over to us . . .[59]

An additional weakness in the arguments of the exponents of military control was pointed out by Schurz in his observation that it was not always such reputable officers as General Sherman who would make the field decisions concerning the welfare of American Indians. Most local decisions would be made by officers or enlisted men of inferior rank, some who might conceivably hold prejudices or lack the experience necessary to make appropriate decisions. Schurz made this

point by reminding the Committee that young officers "who still have their way to distinction and advancement to make . . . will not always control their impulse to resort to force before all peaceable means are exhausted by which conflicts might be avoided."[60]

The second major line of reasoning of the spokesmen for the Army dealt with the relative cost of Indian administration under civilian control versus military control. The argument reasoned that it ultimately would be cheaper if the Army controlled the dissemination of supplies intended for the American Indian tribes because of known instances of civilian "pocket lining" of Indian funds. Schurz was aware of the press coverage that graft and corruption in the Indian service was receiving, but he urged the committee to see this condition as "one of those myths which seem to have been originated in a forgetfulness of the past."[61] Schurz could scarcely say that corruption had not existed in the Indian service, and to a certain extent it still did exist within the service, but he did know, and was prepared to produce, evidence that would suggest that when the Indian service was under the auspices of the War Department, things had been no better. Schurz reminded the committee of the situation caused by the removal of the Cherokees in 1835, and he produced a document which contained the Report of the Secretary of War, William L. Marcy, which was presented to

Congress on May 20, 1847, along with the Report of the Commissioner of Indian Affairs:

> This discrepancy arised [sic] from the deduction of the amounts for certain objects improperly charged to the funds under the treaty, and which, as stated, the United States have to make good from the defalcation of two persons, at the time officers of the Army, acting as disbursing agents of the Indian Department amounting to $76,976.54, and from moneys in the hands of a former agent for the Cherokees, whose accounts have not yet been finally settled.[62]

Schurz reminded the committee members that under the supervision of the military, the government had "among other things" bought each Cherokee Indian six pairs of shoes for the then-outrageous price of two dollars a pair. Schurz emphasized to the committee that the Indian service "received its bad name first under the War Department."[63]

Schurz constructed a comparative advantages case[64] which weighed the misappropriations of past military control against misappropriations of present civilian control. He admitted that the problem had not diminished since the Indian service had been transferred to civilian control in 1849, but he also noted that it had not significantly grown. He reasoned also that changes had occurred in the situation that actually made the administration of Indian affairs more difficult in recent times; specifically he mentioned the "greater extent of country," and the fact that "we have to deal with Indians thousands of miles away from the seat of government."[65]

Schurz's efforts were obviously intended to convince the committee that the Indian service should remain under civilian control, and that the nature of that control should be changed from the status quo to a policy of general allotment. His major line of argument on this issue was that Congress and the American taxpayer could save money in the long run by encouraging Indians to own their own lands in severalty. His argument proceeded thus:

> . . . the civilizing policy is undoubtedly the one which will prove most conductive [sic] to peace.
>
> It is also the most economical in the long run. The sooner they [the Indians] become able to provide for their self-support the more the government will be relieved of its burden. We frequently hear doubts expressed as to the possibility of setting Indians to work. It certainly appears at first sight very difficult. That the Indian [sic] originally disinclined to work is conceded. But when we look at some of the tribes in the Indian Territory, and some other tribes elsewhere, we see many of them working, perhaps not as efficiently as the whites, but yet they do something toward their own sustenance, and some of them positively are self-supporting.[66]

Evidence of this particular line of reasoning--the long-term advantage of putting Indians to work and dividing their lands in severalty--was found in most of Schurz's writing and speaking in behalf of the adoption of his policy by Congress. The idea that control and management of Indians was becoming increasingly expensive, and the rationale that the expense of the concentrationist-oriented programs of the Grant administration would actually waste money, formed Schurz's major points of contention. His most pers asive argument was that

he could save the American people money and put to use land which in his opinion was laying idle by giving each individual American Indian family head one-hundred and sixty acres of land, and then selling the rest of the Indians' communally-held land to the highest bidder. The Committee on Transfer was especially open to persuasion on this matter, for it had knowledge of the amount of Indian land which could be obtained by the United States government through Schurz's program. Members of the Committee had toured much of Indian Territory in order to gain first-hand evidence of the condition of the Indians and the relative merits of civilian and military control.

The following committee members made the trip to Indian Territory: Senators (Chairman) Alvin Saunders of Nebraska, R. J. Oglesby of Illinois, and Thomas C. McCreery of Kentucky; and House Members Alfred M. Scales of North Carolina, Andrew R. Boone of Kentucky, Charles E. Hooker of Mississippi, Nelson H. Van Vorhes of Ohio, and Jacob H. Steward of Minnesota. The Committee left Saint Louis on October 2, 1878, and then returned to the East to consider the information gathered regarding the conditions of Indian reservation in the Midwest.

Schurz did not visit Indian Territory until the following year, and perhaps his experience with the Committee helped to convince him of the necessity for such a trip.

Since the Committee members had gained first-hand experience with the Indians, whereas the Secretary of the Interior had not, Schurz needed to enhance his own credibility by making a tour; that he did in September of 1879. Even earlier Schurz understood the situation of Indians in Indian Territory enough to make some general statements in support of his notion that the Indians themselves supported his plan for the maintenance of civilian control:

> I think the Indians regard the transfer to the Army as a menace to them, and I think, consequently, it would discourage them in their work, reduce the amount of agricultural labor, and operate against their education. That is, I think they regard the Army as their enemy; that the troops are stationed in the Western country on the frontier for the purpose of controlling the Indians by force. I speak now of the general understanding of the Indian tribes.[67]

Again he appealed to the traditional values of hard work and education--values which he felt the institutions of the military were incapable of fostering. Although Schurz could not present firsthand evidence of the feeling of the Indians, he did direct his Commissioner of Indian Affairs to present such evidence to the committee. E. A. Hayt was appointed by Schurz to replace S. A. Galpin, who had been found guilty of graft in June of 1877 by a commission appointed by Schurz to investigate the functioning of the Bureau of Indian Affairs. Edward Hayt had served with William Welsh on the Board of Indian Commissioners, and he was loyal both to Schurz and to

his ideas concerning general allotment. Hayt submitted to the Clerk of the Committee an abstract of the views expressed by American Indians concerning the proposed transfer of the Indian Bureau to the War Department. The date was 4 December, 1878. Schurz himself testified two days later and used the abstract as evidence for his claim that the Indians feared the Army. An example of the testimony included in the abstract is from an unnamed Paiute Indian from the Devil's Lake reservation in Nevada:

> The troops torment us in many ways, and do not try to encourage a frail man as is done under our present system. To attain civilization is hard for us; but we can reach it through the present teachings, and our children will be benefited thereby. Our present prosperity certainly shows considerable advancement. The change scares me. I fear the guard-house and the strong iron rules of the military. I don't want to be forced to leave this agency and a civilized life to go north among the renegade Indians. I am prospering. The present system has been the means of many buildings, wagons and cattle being owned by Indians. I am trying to live like a white man, and feel that I am steadily improving. I do not want an officer of the Army to be my agent. I do not want to take off my white man's clothes and let my hair grow long, to become an Indian again, and abandon my children to the chance of being a wanderer, as I once was.[68]

Since this piece of evidence was translated from the original, it is difficult to say how close it comes to the original language of the speaker. What is clear, however, is that this example of testimony is typical of the sort of evidence that Schurz used to substantiate his claim to the Committee.

Apparently Schurz did seem credible to the Committee,

for his argument, and thus the arguments of the Hayes Administration, at least proved successful enough to cause the Joint Investigating Committee to fail to reach agreement on the issue of transfer. This foreshadowed an ultimate victory for Schurz's viewpoint because the issue, indefinitely tabled, lost its appeal to Congress and, in effect, died.

The key to the Congressional decision was as much Schurz's economic arguments as any other testimony. One of Schurz's most convincing lines of reasoning stemmed from the claim that Schurz's own reorganization of the Indian service in 1877 warranted the continuance of civilian control. He argued that since his introduction of the merit system in the Indian Bureau, a great deal of money had been saved, and that even more money would be saved in the future. Representative James A. Garfield of Ohio noted that he himself had changed his original position on the issue of transfer "because the Indian Bureau had undergone impressive reformation within the last decade."[69]

The following analysis of the writing, speaking, and non-verbal behavior of Schurz concerns this reorganization of the Indian Bureau, as well as his arguments for general allotment that grew out of this reorganization.

When Schurz came to office in March of 1877 the Indian service was publicly regarded as one of the sorriest departments in the government. Schurz knew that without the

confidence of Congress in the machinery of the Bureau of Indian Affairs, the probability of the successful campaign for the adoption of his policy of Indian reform was severely limited. He also knew that the public image of the working of the Indian Bureau would add credibility to his ideas for the reorganization of the Bureau.

Yet at this time Schurz must have been considered by many to be one of the most stalwart "Mugwumps" of his time. The term was a derisive label attached to those members of the "innovational movement" for change in the status quo of the federal bureaucracy, the unifying moral principle that ran through the "mugwump" doctrine being that "spoilsmanship" was inherently wrong. As mild as this policy might sound to the modern student of politics, it caused considerable criticism both of President Hayes and Carl Schurz. An editorial statement from the New York Sun indicated the pervasive rhetoric opposing civil-service reform: "What Hayes and Schurz and the rest of the fraudulent administration mean by civil-service reform is to put their own political friends in office and foist them on their successors for life."[70] Here the phrase "fraudulent administration" refers to the disputed election of 1876, as well as to the notion that the Hayes administration wanted to use civil-service reform as a tool for political gain.

However, even though there was some Congressional

opposition and a great deal of public opposition to civil-service reform, the advent of the merit system in the Indian Bureau helped to convince many Congressmen that Schurz's administration was different and special. Bancroft noted that "as to the policy of civil service reform, Mr. Schurz was recognized on all sides as the specialist of the administration. In his own department he promptly furnished practical illustrations of the new system."[71] Specifically, Schurz instituted a plan based upon three major elements that were designed to alleviate the evils of the spoils system in the Indian service. They were (1) the institution of the merit system in the promotion of the clerical force, (2) the development of competitive examinations to determine the best candidates for entrance into the service, and (3) the appointment of a commission consisting of three experienced subordinates in the department to examine and report on the current system for furnishing supplies to reservation Indians.

Schurz put a great deal of time and energy into his attempt to reform the Indian service because he realized that Congress was aware of the connection between its reform and the larger question of general reform of government policy toward American Indians. The institution of the merit system in the Bureau of Indian Affairs must have been a personal triumph for Schurz because of his hatred of the spoils system, but he also must have seen that reform of the Indian service

was a necessary first step in gaining Congressional acceptance for his policy of American Indian reform. Evidence of how hard Schurz worked on this reform issue can be seen in a letter addressed to Benjamin H. Bristow on July 19, 1877. Bristow had inquired whether or not Schurz would attend an Industrial Exposition in Louisville, Kentucky. Following is Schurz's reply:

> I regret to say that in any case there will be scarcely any prospect of my accompanying the President on that trip. You know what a Department is and how difficult it is to bring up arrears of work. Mine is an especially lively shop. You will remember that I have the Indians on my hands--and so I have, while I am here, to bid good-bye to many of the pleasures of this world.[72]

The "lively shop" of the Indian service was destined to determine the future of 250,000 American Indians, and the acknowledged fact that graft did exist within the department created distrust in Congress over the ability of the Bureau of Indian Affairs to carry out any governmental policy honestly. Schurz wanted to convince Congress and, thus, the American people that the Indian service was being reformed, and that as a consequence of the reformation, it could be trusted to carry out the policy of the general allotment of American Indian lands. Through the rhetorical channel of his Annual Reports of the Secretary of the Interior to the Congress, Schurz set out to convince Congress that progress was being made in the area of the reorganization of the Indian Bureau. In his Report of 1877 he reported the following

plan for the reorganization of the Bureau of Indian Affairs:

> The Indian service has, in some of its branches, long been the subject of popular suspicion. Without attaching undue importance to vague rumors or allegations, it must be said that frequent investigations have shown that suspicion to be not without good reason. Inquiries instituted by myself since I was charged with the conduct of this department have convinced me of this fact. As a result of such inquiries, presumptive evidence of fraudulent practices of a gross character came to my notice, which justified me in handing over a number of cases to the Department of Justice for criminal prosecution as well as civil action. While following the principal object of discovering abuses at present existing, I have thought it my duty to extend, incidently, such investigations over past transactions, believing it well to impress officers of the government with the fact that they will not escape from their responsibility when they leave their offices, and contractors that neither their plunder nor their persons will be safe, although their accounts may have been closed and the money gone into their pockets. Such a lesson, taught in the most incisive manner, will not fail to have a wholesome effect and, indeed, it is a most necessary one with regard to the Indian service whose extensive ramifications render a minute supervision extremely difficult. There is no doubt that fraud in the performance of contracts and dishonest practices in the delivery and distribution of supplies and annuity goods have frequently been the cause of just discontent among the Indians, sometimes resulting in trouble and disaster.[73]

The major line of reasoning in this section of Schurz's report to Congress stems from the warrant of causation. Schurz's claim that many of the disturbances on the frontier were caused by dishonest Indian agents and contractors was crucial to the acceptance of his general plan by Congress. He, therefore, asked Congress to set aside sectional prejudices and realize that oftentimes Indian hostilities were

caused by the government rather than by the Indians. This was a very unpopular request for many westerners to accept, but it had gained growing acceptance in the population of the East. Even more important, this cause-effect hypothesis concerning the nature of Indian hostilities was directed at showing the inadequacy of prevailing government policy. From Schurz's viewpoint, Grant's "feeding policy" was partially to blame for the current graft in the Indian service and for the lack of success of governmental policy as a whole. Schurz argued that the corruption in the Indian Department called for a plan of governmental action which would grant the Secretary of the Interior more power instead of less. He further argued that Indian agents should receive higher pay and that a system should be instituted by the department to bring greater stability to its workings. Schurz described this system as follows:

> The present system which permits religious societies to nominate candidates for Indian agencies is, in some respects, undoubtedly an improvement upon the former practice of making appointments in the Indian service on political grounds. But that the present system is by no means perfect, is demonstrated by the frequent necessity of changes. The Indian service is very much in need of the element of stability. An arrangement enabling the department to assign an officer upon his entrance into the service to a place of minor importance and then to promote him in grade of duty and pay according to merit, will, in a great measure, supply that want, and in the course of time give us a body of far more experienced, efficient, and trustworthy agents than any mode of selection heretofore in practice can ever be expected to furnish.[74]

The important common element in all of Schurz's arguments to Congress was his continual plea for greater power within the department and greater control over American Indians. So when Schurz argued against the transfer of the Indian Bureau to the War Department, one of his major lines of reasoning was that, because the Department of Interior was lacking in power to control white settlers and Indian tribes, it should be granted more legitimate power to handle the situation. Indeed, Schurz used a similar argument when dealing with the topic of reorganization. He argued that since Indian agents and contractors had been dishonest in the past, the Secretary of the Interior should be granted more power by Congress to control both the agents and the Indians. Schurz never missed an opportunity to urge Congress to make large appropriations for extending Departmental power over its employees and its Indian wards. A prime example of this line of argument is found in The Annual Report of the Secretary of the Interior for the year 1878:

> I am, however, far from pretending that the present condition of Indian affairs is what it ought to be. The experience gained in an earnest effort to overcome difficulties and to correct abuses has enabled me to appreciate more clearly the task still to be accomplished. In my last annual report I stated frankly, and I have to repeat now, that in pursuing a policy ever so wise and with a machinery ever so efficient, gradual improvement can be effected only by patient, energetic, and well-directed work in detail. An entirely satisfactory state of things can be

> brought about only under circumstances which are not and cannot be under the control of the Indian service alone. If the recurrence of trouble and disturbance is to be avoided, the appropriations made by Congress for the support of Indians who are not self-supporting must be liberal enough to be sufficient for that purpose, and they must be made early enough in the year to render the purchase and delivery of new supplies possible before the old supplies are exhausted.
>
> 2. The Indian service should have at its disposal a sufficient fund to be used, with proper accountability, at discretion in unforeseen emergencies.
>
> 3. The citizens of Western States and Territories must be made to understand that, if the Indians are to cease to be troublesome paupers and vagabonds, and are to become orderly and self-supporting, they must have lands fit for agriculture and pasturage: . . .[75]

The report went on to urge that Congress take appropriate action to bring about these changes in the status quo. Schurz wanted more money from Congress to carry out his plans for the institution of the merit system in the Indian service, but he also wanted to show Congress the amount of progress that had been made under the existing circumstances. His report of 1878 makes this point:

> The Indian service has been reorganized in several of its branches. It was found necessary to remove a number of agents on account of improper practices or lack of business efficiency, and great care has been taken in filling their places with new men. Where mistakes were found to have been made in the new selections they have been promptly rectified. Important changes have been made in the contract system and in the methods of accountability; an active supervision has been exercised by inspectors and special agents; the detection of fraud has been followed by vigorous prosecution; and, on the whole, I feel enabled to say that the character of

> the service has been raised in point of integrity and efficiency.[76]

Schurz and his commissioner Hayt also used the reorganization of the Indian service to establish a new policy for teaching Indians the traditional value of work. Specifically, Indians were issued goods in return for doing work. Hayt reported in his Report of the Commissioner of Indian Affairs for 1878 that "the issuing of sugar, coffee, and tobacco, except in return for labor has been forbidden in most cases."[77] Both the Secretary and the Commissioner accentuated the significance of this arrangement of the dispersal of goods to the Indians because of the traditional value that such an arrangement represented. Consequently, the line of reasoning pursued by the administration stressed that a change of the status quo by Senators and Congressmen could actually reaffirm the American value of hard work. Such innovations were clearly designed to move the national Indian policy in the direction of traditional values, or at least closer to Congressional perception of traditional values.

Since the innovational movement's aggressor spokesmen are actually a part of the established order, they must attempt to avoid division between the decision-makers and themselves. Therefore, it was not Schurz's purpose to point an accusing finger at Congress or to accept guilt for the status quo himself; his intention was to show Congress that

it could correct the injustices of the status quo by accepting a policy based upon values that the Congressmen themselves held most dear. Schurz's notion that the greatest single good that Congress could do for the American Indians was to "set them at work as vigorously as possible" was consistently applied to the white employees of the Interior Department as well as to their Indian wards.

Another issue that Schurz used to create an exigence for change in the status quo was the conflict between white settlers and the American Indians in Indian Territory. Schurz knew that the concept of maintaining an Indian Territory was outdated and unworkable in the late 1870's, and he attempted to convince Congress of this fact by demonstrating a need for a governmental shift from a policy of concentration to one of general allotment. He realized that if he could convince Congress that the policy of concentration would eventually meet with failure because of the natural expansion of the westward moving populace, then his attempt to convince Congress to shift national policies involving Indians would be made much easier. The impact of the white invasion on Indian Territory could not be ignored by Congress or by the Secretary of the Interior. Newspapers urged settlers to take advantage of the general availability of rich agricultural land that was presently laying dormant. This reasoning that "unimproved" land was "wasted land" added

especial urgency to Schurz's plan to allot pieces of land in fee simple to individual American Indians, for he realized that the westward movement of the American population was a historical force that could not be halted permanently by any governmental action; yet, he did not want to see the Indians ultimately become trespassers on the whole of their native soil. Congress, however, did not want to stop this expansion; it wholeheartedly approved of the acquisition of new lands and the "improvement" of American territories already held. So Schurz used the factual data of encroachment by settlers, miners, and traders onto Indian land as support for the establishment of a needs case[78] for a change in the status quo of Indian policy. This reasoning he made clear to his most outspoken critic, Helen Hunt Jackson, in a private letter dated January 17, 1880:

> The study I have given to the Indian question in its various aspects, past and present, has produced in my mind the firm conviction that the only certain way to secure the Indians in their possessions and to prevent them from becoming forever a race of homeless paupers and vagabonds, is to transform their tribal title into individual title, inalienable for a certain period; in other words, to settle them in severalty and give them by patent and individual fee-simple in their lands. Then they will hold their lands by the same title by which white men hold theirs, and they will, as a matter of course, have the same standing in the courts, and the same legal protection of their property. As long as they hold large tracts in the shape of reservations, only small parts of which they can make useful to themselves and to others, the whole being held by the tribe in common, their

> tenure will always be insecure. It will grow more and more so as our population increases, and the quantity of available land diminishes. We may call this an ugly fact, but it is a fact for all that. Long experience shows that the protests of good people in the name of justice and humanity have availed but very little against this tendency, and it is useless to disguise and unwise to overlook it, if we mean to do a real service to the Indians.[79]

Schurz believed that the best policy for American Indians and white settlers alike would be one based upon general allotment for the reason that, without individually held titles to their lands, the Indians would continue to have little protection against invasion from white settlers. General allotment would also be a good policy for the white population in the West, he maintained, because it would allow the government to sell land Indians could not use to white settlers interested in expanding their properties.

In "Present Aspects of the Indian Problem," an article penned by Schurz for the North American Review in July of 1881, the Secretary reflected on the helplessness he felt as one who must sit by and watch the invasion of territory that had been guaranteed to the Indians by treaty:

> It is also a fact that most of the Indian wars grew, not from any desire of the Government to disturb the Indians in the territorial possessions guaranteed to them, but from the restless and unscrupulous greed of frontiersmen who pushed their settlements and ventures into the Indian country, provoked conflicts with the Indians and then called for the protection of the Government against the resisting and retaliating Indians,

> thus involving it [the Government] in the hostilities which they themselves had begun.[80]

Schurz discussed the urgency surrounding the invasion of American Indian land by whites in a variety of bureaucratic documents and in a variety of ways. In testimony before the Joint Committee on Transfer, he emphasized this urgency in asking Congress to appropriate funds to protect Indians from white encroachment. This was a novel idea in the 1870's; and in testimony concerning it, Schurz had this to say in answer to a question by Representative Andrew R. Boone of Kentucky concerning the safety of the white populace in removing the military from reservation lands:

> I did not intimate any such desire on my part. It was with a view of exactly that state of things of which you speak that I suggested that the President be authorized, when in his judgment it was necessary, temporarily to turn over certain reservations or Indian tribes, even under the articles of war, if that could constitutionally be done, to the temporary control of the Army, as long as trouble exists or is clearly imminent.
>
> Take a special case. There is the Umatilla Reservation. The Umatilla Indians occupy land which has become in the course of time very valuable, and they are much crowded upon by the whites who want that land. They may resort to instigations of trouble so as to bring about an opportunity for taking that land, and thus we may have another outbreak, and a conflict between whites and Indians. I do not pretend to be very minutely advised of the condition of things there; but there are rumors of that kind, and I use this only as an illustration. I can imagine cases where, if the President were authorized to do what I here propose, I would myself advise him to do so. So I do not mean that the military posts should be withdrawn; but, keeping in view the peculiar duties they have to perform I suggested that in my opinion Congress would benefit the

> the service by giving the President authority so to employ them when in his judgment desirable.[81]

Schurz's response here demonstrates some interesting rhetorical tactics. First, he specifically used the example of the small Umatilla reservation in Washington to frame a discussion of the larger issue of Indian Territory which obviously must have been on his mind and the minds of Congress. Perhaps because the Umatillas had a much less negative reputation in Washington, D.C., than did the more warlike Sioux, Schurz chose them as an example that would cause less emotional reaction. Secondly, Schurz actually compliments the Congressmen by implying that the President of the United States would need their approval to maintain military surveillance of an Indian reservation; in reality, however, the administration already had established a precedent of taking such actions without Congressional approval. Clearly, Schurz wanted Congress to realize on its own that something needed to be done to protect the American Indians, but he wanted to achieve this goal as quietly as possible to protect as well the Congressmen from their own constituencies.

In his Annual Report to the Congress for 1877, Schurz used the following comparison to illustrate the difficulties of keeping white and Indians separated on the frontier:

> We are frequently reminded of the fact that the character of our Indians does not materially differ from that of the Indians in the British possessions on this continent, and that nevertheless peace and

> friendly relations are maintained there between the Indians and the whites. That is true. But the condition of things in the British possessions is in some very important respects essentially different from that which exists in the United States. In the British possessions the bulk of the Indian population occupy an immense area almost untouched by settlements of whites. On that area the Indians may roam about in full freedom, without danger of collision, and the abundance of fish and game furnishes them comparatively ample sustenance. The line dividing the Indians and the whites can be easily controlled by a well-organized body of police, who maintain peace and order. But in the United States we have no longer a dividing line. The "Indian Frontier" has virtually disappeared. Our Indian population is scattered over a vast extent of country into which the agricultural settlers, as well as the adventurous element of our people in quest of rapid gain have pushed their skirmishers in all possible directions. Wherever in the far West the enterprise of the whites advances, whites and Indians come into immediate contact and are "in one another's way." That contact is apt to bring on collisions, especially as the more reckless element of the whites, which abounds in that part of the country, holds the rights and lives of Indians in very light estimation, and can, in many localities at least, scarcely be said to be under the control of law, while in frequent instances also the Indian provokes retribution by following, without restraint, his savage propensities.[82]

The first element that becomes apparent in this persuasive rhetoric is that Schurz continually tried to establish the "character" of the American Indians for the Congress. The continual search for an explanation of American Indian belief and behavior runs through most of Schurz's speaking and writing on the subject. Neither Schurz nor his listeners were very willing to expend much energy studying American Indian religion, philosophy, or culture in order to arrive at verifiable claims about Indians. This lack of

understanding led Schurz to think continually about Indians in disjunctive terms. That is, he viewed them either as "paupers and vagabonds," or as "orderly and self-supporting" citizens, his definition depending on the overt activities of the Indians in question. What Schurz failed to realize was that none of these adjectives have referents in American Indian culture. They were meaningless to the Indians. In terms of audience analysis, however, this either-or separation of "good" Indians from "bad" Indians probably made a lot of sense to Congress.

The second rhetorical element that becomes apparent in these appeals to Congress over the matter of invasion of Indian country was the difference in tone of Schurz's remarks made to Congress as opposed to his remarks quoted earlier to Helen Hunt Jackson. When writing a private letter to Jackson on a magazine article after leaving office, he obviously discarded the tactic of gentleness which he had reserved only for Congress. When writing Jackson, he felt free to blame "the ugly fact" of the invasion of American Indian lands on the reckless elements in white society which were in search of "rapid gain." Likewise, when writing in the North American Review, Schurz was completely open in branding "the restless and unscrupulous greed of frontiersmen."[84] But when requesting action by Congress in his Annual Reports he remained consistently conciliatory, and made sure to

include in his comments the after thought that "the Indian provokes retribution by following, without restraint, his savage propensities."[85]

Obviously, when speaking to Congress, Schurz was wise enough to realize that blaming white settlers for Indian hostilities would meet with universal disapproval. It is apparent, therefore, that as official leader of an innovational movement, his rhetoric was directed to convincing the power structure--Congress--that his views of the American Indian "character" did not radically differ from those of the major pressure groups in society.

Schurz had a clear purpose in talking about the invasions of American Indian lands by white settlers. He wanted to protect the lands guaranteed the Indians by treaty, but he realized that such an artificial safeguard could not last for long. With this inevitability of westward expansion in mind, his long-term reason for talking about invasions by whites was to form argument for the establishment of the policy of general allotment of those lands. This connection between immediate protection and the eventual need for general allotment he expressed in his Annual Report to the Congress for 1878:

> To keep the Indians on their reservations and to prevent disturbance and conflicts, the Commissioner of Indian Affairs recommends the organization of a mounted body of "Indian auxiliaries," to be drawn from the young men of the various tribes, and

> to be under the command of the military authorities. I heartily concur in this recommendation. The young men enlisted in such an organization, paid by the government, will be withdrawn from the fighting element of the Indian tribes and be disciplined in the service of peace and order. It is a matter of general experience that Indians so employed can be depended upon as to loyal fidelity to the duties assigned to them. But the principal end of our Indian policy cannot be promoted by police measures alone. That end consists in gradually introducing among the Indians the habits and occupations of civilized life, by inducing them to work for their own support, by encouraging the pride of individual ownership of property, and by educating the young generation; and no efforts should be spared to bring to bear upon them proper moral influences in that direction.[86]

Schurz strongly believed that ultimately the ability to police one's self and to take pride in one's private property would be the only real protection needed for American Indian lands. In this sense, his arguments on the issue of invasion were not far different from his arguments on the issue of military control of Indians. When arguing against the transference of the Indian Bureau to the War Department, Schurz's major claim was based upon the inevitable failure of continuing the outdated policy of concentration. In his opinion, the mere transference of the Indian Bureau from one governmental agency to another would do little to improve existing problems. The issue as Schurz saw it was that "Whatever may be accomplished by the employment of force, it is certain that only as the Indians progress in the ways of civilization will they cease to be a troublesome and disturbing element."[87]

Again Schurz argued from this stance when trying to convince Congress to do something about the invasion of Indian Territory. He noted that no matter what sort of protection the government might give the Indians through the agency of the Army, it would still not solve the actual problem.

The solution to this problem of the "civilization" and final absorption of Indians into the white mainstream of nineteenth century American society is to be found in Schurz's notion of general allotment, and he never missed an opportunity to urge Congress to appropriate necessary funds for such allotment. He urged Congress to adopt his eight-step program, which he detailed in all four of his Annual Reports of the Secretary of the Interior, and he outlined his plan for general allotment in his two appearances before Congressional committees in 1878 and 1879.

Still, his clearest appeal for the adoption of general allotment, Indian education, Indian police, and the rest of his comprehensive plan is found in a report submitted by Schurz to the Committee on Indian Affairs of the Congress.[88] Entitled Lands to Indians in Severalty, this document, which has received little or no attention in the historical treatises dealing with the innovational movement for general allotment, included a letter by Schurz and another by his commissioner Hayt. Together the letters were submitted to the Chairman of the Committee, Alfred Scales, to urge the

Committee to report favorably on the House Report 6268--later to become the Dawes Severalty Act of 1887. Scales had the letters printed and presented to the Committee of the Whole House on the State of the Union on March 3, 1879. It is important to note that as a result of these documents and the entire campaign by Schurz and his supporters to establish the governmental policy of general allotment, the House Committee on Indian Affairs reported favorably on the bill for allotment for the first time in American history. It is reasonable to mark this report as the turning point in the movement toward general allotment, for as a direct result of the Committee's favorable decision, Congress remained steadily committed to the notion of general allotment.

Because of the great significance of the Schurz-Hayt report, is is worthy of examination in total:

> Sir: I have the honor to transmit herewith a copy of a letter dated the 24th instant, from the Commissioner of Indian Affairs, upon the subject of the allotment of lands in severalty to Indians on reservations outside of the Indian Territory and the continuance of patents therefore, with guards, restrictions, and limitations, intended to grant perfect and indefeasible title to the occupants of said lands.
>
> This draft of proposed legislation, designed and intended to effect certain needed reforms in the laws regulating allotments and patents of lands to Indians, and the extinguishment of titles thereunder, is herewith presented.
>
> The views of the Indian Office, and the proposed legislation presented, have the full approval of this department, and the subject of the bill is earnestly recommended for the early and favorable action of the Congress.
>
> C. Schurz
> Secretary

Sir: In the last annual report of this office a brief reference was made to the importance of giving to the various Indian tribes of the United States a several, uniform, perfect, and indefeasible title to the lands occupied by them.

The insecurity attaching to their settlement upon the various portions of the public domain assigned for their use has, year by year, become more observable, until it appears that all former methods are entirely inadequate to protect the Indians against the encroachments of the whites upon their reservations, or from the acts of the government itself, whenever an active demand is made that the treaty stipulations under which the Indians hold their lands should be abrogated to open the way for white settlement or the active contentions which often arise for the possession of the mineral or timber interests which may exist on their reservations.

The experience of the Indian Department for the past fifty years goes to show that the government is impotent to protect the Indians on their reservations, especially when held in common, from the encroachments of its own people, whenever a discovery has been made rendering the possession of their lands desirable by by the whites.

All measures looking to the civilization of the Indians, or to placing them in a condition to become self-supporting, have, therefore, of necessity, failed, owing to the fact that as soon as any material improvements were made on any Indian reservation, the Indians have been moved.

These removals have resulted in discouraging the Indians from making any attempts to improve their conditions.

The system of title in common has also been pernicious to them, in that it has prevented individual advancement and repressed that spirit of rivalry and the desire to accumulate property for personal use or comfort which is the source of success and advancement in all white communities.

It was evidently in view of these facts that in many of the more recent treaties provision has been made for allotments in severalty within the tribal reservations, for the Indians belonging thereon. In some of these treaties provision has been made for the issuance of patents either restricted or in fee; but with regard to the major portion of the Indians now occupying reservations, the department has not been authorized by the Congress to issue patent; and

hence as to this provision the treaties remain inoperative, and the mere fact of an allotment for which no title is given affords the Indians no protection against the encroachments of the whites or a removal by the government.

The restriction heretofore placed upon the sale of lands has been that they should not be alienated, except upon the approval of the deeds by the Secretary or President and in practice has been of no avail.

Where the fee has been granted by patent, as also in the cases of issuance of the restricted patents, the Indians have, with very few exceptions, owing to their ignorance of the English language and of business forms, particularly with reference to conveyances, fallen victims to the cupidity of the whites, and have practically been defrauded of their lands.

These facts demonstrate the necessity, if the problem of Indian civilization is to be solved, or if they are to become self-supporting, of vesting in them, and their heirs such a title that they cannot be ousted for a long term of years, either by the government, its citizens, or by voluntary act of the Indians themselves.

This can, in my judgment, be accomplished only by an allotment in all cases of severalty to the Indians of a given number of acres of land within their reservations, and a patent for the same, restricting the right of alienation, either by voluntary conveyance, or the judgment, order, or decree of any court, for the period of twenty-five years, and until such time thereafter as the President may see fit to remove the restriction. The lines of the reservations should also be maintained, so that the government can retain its control over them.

By adoption of such measures in regard to all Indians, except those in the Indian Territory, I am full convinced that the race can be led in a few years to a condition where they may be clothed with citizenship and left to their own resources to maintain themselves as citizens of the republic.

The evidently growing feeling in the country against continued appropriations for the care and support of the Indians indicates the necessity for a radical change of policy in affairs connected with their lands.

The inefficiency of the old system of a common title, with an agency farm, and a common property in all the productions of the soil, or of the more recent policy of allotments in severalty with a title in fee, has been demonstrated.

Under the allotment system, the Indians in many cases have made rapid and most encouraging improvement. It has broken up old tribal relation, established the individuality of the Indians, created a desire to accumulate property, and to build themselves comfortable homes; but the fact that they have not a title affording them perfect security is a ground of apprehension in the minds of the more intelligent, and a bar to the progress of a major portion of all of the tribes.

For the purpose of carrying into effect the views expressed herein, as also in my annual report, I have had prepared a draft of a bill authorizing the department to allot lands in severalty on all reservations where treaty stipulations exist, in accordance with such stipulations, and in all other cases authorizing the allotment of a certain number of acres to each individual of a given age, and providing also for the issuance of patents therefore in all cases, with restrictions as to the power of alienation, as herinbefore indicated.

The adoption of the proposed measure by Congress will enable the department to direct the allotment of lands in severalty on all existing reservations, and also on those to be created hereafter where the Indians are deemed to be advantageously located, and to cause patents to issue restricting absolutely the alienation of the lands for the period of twenty-five years, and until such period thereafter as the President may see fit to remove the restriction.

Supplementing this measure, if adopted by Congress, by the policy of consolidation, as set forth in the bill recently presented to that body for action, all questions connected with the subject of Indian reservations and Indian titles can, within a brief period, be finally settled. With a view to effecting this purpose, I have the honor to submit the draft of said bill, with duplicate copies thereof, and of this report, with the request that the same be transmitted to the chairmen of the Senate and House Committees on Indian Affairs, with a recommendation for favorable action thereon.

Very respectfully, your obedient servant,

E. A. Hayt,
Commissioner

The honorable the Secretary of the Interior.

For all practical purposes, the intentions of the Secretary and his Commissioner centered on the creation of a prima facie case for a change in the status quo of concentration. The need issues were logically arranged and related to the major issues (discussed earlier in this Chapter) that Schurz spoke about while Secretary. His argument can be simplified to the following: each point flowed from the previous one, and all points represented a need for change. First, because the Indians did not hold a legal title in fee simple to their land, they were continually being encroached upon by white settlers. Second, because the Indians attempted to protect their commonly held lands from white encroachment, they were continually involved in hostilities with the invaders. Third, such a situation almost always resulted in the intervention of the military, with the inevitable consequence being all-out hostilities between Indians and whites. And, fourth, due to the graft and corruption commonplace within the Indian service, many of these hostilities were encouraged by the United States government. Finally, such pressures from white society were destined to continue because of the land, timber, and minerals which the Indians possessed, but did not hold title to.

The plan which Hayt--with authorization from Schurz--presented to Congress in his report clearly called for the division of American Indian lands in severalty, though with a number of conditions. First, Indians would not be able to convey such individually held property to anyone for a period of twenty-five years. Second, the government or any of its creatures would not be able to convey individually held American Indian properties for a period of twenty-five years. Third, the boundaries of all former commonly-held reservations would be maintained in order for the government to be able to continue its military protection, and, fourth, Indians eventually would be granted American citizenship.

The plan also figured to provide significant advantages over the status quo policy of concentration. To begin, tribal organizations based upon common ownership of land would be abolished. Second, upon adoption of the plan, Indians would no longer need to feel apprehensive about the tenure of their land holdings. As a consequence, they would be more apt to cultivate, build upon, and otherwise improve their holdings.

To reiterate, the basis of Schurz's prima facie case presented to Congress in his various bureaucratic documents was based upon a sound understanding of the rhetorical and historical situations. Expressed simply, he realized that the old lifestyle of Indian tribes was doomed because of the

continual encroachment of whites upon their territory. With this inevitability in mind, he argued for what he believed to be the most just and practical alternative for all parties involved. These realities he expressed in the following 1881 address:

> In trying to solve this question, we have to keep in view the facts here recited. However we may deplore the injustice which these facts have brought, and are still bringing, upon the red men, yet with these facts we have to deal. They are undeniable. Sound statesmanship cannot disregard them. It is true that the Indian reservations now existing cover a great many millions of acres, containing very valuable tracts of agricultural, grazing and mineral land; that the area now cultivated, or that can possibly be cultivated by the Indians, is comparatively very small; that by far the larger portion is lying waste. Is it not, in view of the history of more than two centuries, useless to speculate in our minds how these many millions of acres can be preserved in their present state for the Indians to roam upon?--how the greedy push of settlement and enterprise might be permanently checked for the protection of the red man's present possessions, as hunting-grounds upon which, moreover, there is not but very little left to hunt?[89]

Clearly, the alternatives facing the American Indian were "civilization or extermination." Schurz knew that concentration eventually would lead to the latter option. Conversely, he was confident that general allotment would save the Indians, though at the cost of ending their traditional way of life.

By adopting and successfully employing strategies consistent with those described by Smith and Windes,[90] he was ultimately able to convince Congress to accept his innovation of general allotment. This he achieved in large part by

arguing successfully that no conflict existed between the innovation and the traditional values of white society. Essentially, his argument focused on the rationale that allotment would encourage Indians to become self-supporting, self-sustaining, and ultimately proud in the ownership of individually held land. Concurrently, he convinced Congress that the real weakness in the status quo rested in the weakness of the traditional institutions of the military and civilian bureaucracies designed to control the American Indians rather than in any inherent flaws in the values of American society itself. He argued that the natural order of history necessitated a change in Indian lifestyle, and that there could be no blame put upon America's tendency to move westward.

The traditional policy of Indian concentration upon specified territory was a fundamental anachronism, he argued; yet the traditional values of pride in ownership and hard work were completely consistent with the framework of his innovation. Finally, he created a dialectic between the scene of the erosion of Indian Territory and the purpose of the innovational movement as he interpreted it. In other words, Schurz developed a rhetorical vision for Congress which was based on the proposition that the status quo represented the evils of the loss of American Indian life and the waste of American Indian land. The alternative he defined through this vision centered instead on the improvement of

land that heretofore had been going to waste, and, even more important, the transition of the American Indian life-style to traditionally-held American values of education and pride in the ownership of land.

Notes

[1]Ralph R. Smith and Russel R. Windes, "The Innovational Movement: A Rhetorical Theory," The Quarterly Journal of Speech, 61 (April, 1975): 140.

[2]Robert S. Cathcart, "New Approaches to the Study of Movements: Defining Movements Rhetorically," Western Speech, 36 (Spring, 1972): 82.

[3]The rhetorical vision of those involved in the intra-institutional movement is shaped in part by the obtrusive elements in the situation rather than by any real opponents. This was especially true in the case of Indian reform, for Schurz was concerned with the "devil terms" of graft and corruption in the Indian service; with the perceived anti-democratic institutions of the tribal organizations; with the lack of traditional education and the health problems of the Indians; and, most of all, with the communistic holding of land by American Indian tribes (a policy in direct contrast to American values in the 1870's). The obtrusive elements in the scene become what Richard Weaver defined as devil terms or "terms of repulsion." He said that though "they defy any real analysis . . . they generate a peculiar force of repudiation." Richard M. Weaver, The Ethics of Rhetoric (Chicago: Henry Regenery Co., 1953), pp. 211-214; and Charles U. Larson, Persuasion: Reception and Responsibility (Belmont, California: Wadsworth Pub. Co., Inc., 1973), pp. 61-62.

[4]Smith and Windes, "The Innovational Movement: A Rhetorical Theory," p. 140.

[5]Congressmen often kept their power by flattering and doing favors for their constituents. Morgan noted that "Lobbyists were powerful, members blocked pet peeves and pushed favorite whims, and talk enveloped the legislative process." H. Wayne Morgan, From Hayes to McKinley: National Party Politics, 1877-1896 (Syracuse, New York: Syracuse University Press, 1969), p. 51; Samuel Eliot Morison and Henry Steele Commager, The Growth of the American Republic, Vol. II (New York: Oxford University Press, 1951), pp. 214-219; and Charles A. and Mary R. Beard, A Basic History of the United States (New York: Doubleday, Doran & Co., 1944), pp. 320-326.

[6]The Oklahoma Boomers invaded "Indian Territory" in 1879. When Elias C. Boudinot, a Cherokee Indian, announced

in the Chicago Times of February 17, 1879, that thirteen million acres of the Territory were available for settlement, C. C. Carpenter began to organize groups for immigration. Loring Benson Priest, Uncle Sam's Stepchildren: The Reformation of United States Indian Policy, 1865-1887 (New York: Octagon Books, 1972), p. 75; Edwin C. McReynolds, Oklahoma: A History of the Sooner State (Norman: University of Oklahoma Press, 1935), p. 280; and Advertisement of The Colony for Settlement of Oklahoma, 1879, as recorded in The Papers of Carl Schurz, Vol. 205, p. 327.

[7]John Wilson, Introduction to Social Movements (New York: Basic Books, 1973), p. 8.

[8]The historical impact of Schurz's assimilationist policy has been analyzed. Schurz has been recognized in historical literature as a significant force in the campaign for adoption of an assimilationist policy by the federal bureaucracy. Priest stated that "until President-elect Hayes announced the appointment of Carl Schurz as Secretary of the Interior in 1877, no positive action was taken to check the spread of crimes against the American Indians." Priest, Uncle Sam's Stepchildren, p. 68. Prucha echoed these sentiments, stating that Schurz "moved ahead with what he thought were reasonable and practical solutions to the Indian question--the allotment of land in severalty to the Indians and extensive educational measures." Frances Paul Prucha, Gen. ed., The Civilization of the American Indian Series (Norman: University of Oklahoma Press, 1973), Vol. 123, The Dawes Act and the Allotment of Indian Lands, by D.S. Otis, p. 14.

[9]Schurz recorded in D'Arcy McNickle, They Came Here First: The Epic of the American Indian (New York: Harper & Row, Pub., 1975), p. 214. Schurz elaborated on the importance of individual property ownership:

> When the Indians are so settled, and have become individual property-owners, holding their farms by the same title under the law by which white men hold theirs, they will feel more readily inclined to part with such of their lands as they cannot themselves cultivate, and from which they can derive profit only if they sell them, either in lots or in bulk, for a fair equivalent in money or in annuities. When the Indians are individual owners of real property, and as individuals enjoy the protection of the laws, their tribal cohesion will necessarily relax, and gradually disappear.

> They will have advanced an immense step in the direction of the "white man's way." "Present Aspects of the Indian Problem," The North American Review (July, 1881), p. 17.

[10]S. Lyman Tyler, A History of Indian Policy (Washington, D.C.: Government Printing Office, 1973), p. 2.

[11]Ibid., p. 91.

[12]Ibid., p. 80.

[13]Carl Schurz, "Education of Indian Children," The New York Times, March 20, 1881, also recorded in The Papers of Carl Schurz, Vol. 184., p. 571.

[14]Bernard W. Sheehan, Seeds of Extinction: Jeffersonian Philanthropy and the American Indian, published for the Institute of Early American History and Culture at Williamsburg, Virginia (Chapel Hill: The University of North Carolina Press, 1973), p. 10. Mardock stated that Schurz believed "individual ownership of land and an agricultural vocation were necessary conditions for civilization." Robert Winston Mardock, The Reformers and the American Indian (Columbia, Missouri: University of Missouri Press, 1971), p. 183. Schurz expressed his belief in the theory of cultural evolution as follows:

> It may be remarked, by the way, that the promotion of agricultural work among the Indians is frequently discouraged by well meaning men who reason upon the theory that in the transition from savage to civilized life, the pastoral state comes before they can be made farmers. This theory is supported by historical precedents. It is true that the transition from the savage state to the pastoral is less violent than that from the savage state directly to the agricultural, but this does not prove that the latter is impossible. "Present Aspects of the Indian Problem," p. 10.

Schurz did state, however, that: "I have no doubt . . . that young Indians may be profitably employed by the cattle-raisers of the West, as mounted herdsmen or 'cow-boys.'" "Present Aspects of the Indian Problem," p. 11. Schurz argued that to achieve the civilization of the Indians in the shortest time possible, the herding stage may be artificially bypassed. It is important to note that anthropologist A.L. Kroeber remarked that the cultural evolution concept was a "pseudo-philosophical guess aiming to supersede actual history" and that masses of scholarly and scientific evidence

contradict it. A.L. Kroeber, Anthropology, rev. ed. (New York: Harcourt, Brace and Co., 1948), p. 248.

[15]U.S., Department of the Interior, Annual Report of the Secretary of the Interior to the Congress, for the year ending 1878, p. III.

[16]U.S., Constitution, Article II., Section 3.

[17]Schurz spoke with Francis Grund who had been a newspaper correspondent in Washington, D.C., for many years. Grund said "the distribution of the offices as public plunder among the members of the victorious party had become a firmly settled system." Schurz reflected in his autobiography that learning of the spoils system "was a shocking revelation." Schurz, The Reminiscences of Carl Schurz, Vol. II, Frederick Bancroft and William Dunning, eds. (New York: McClure Co., 1907-1908), pp. 24-28.

[18]U.S., Congress, House, Congressional Globe, 41st Cong., 2nd Sess., p. 236.

[19]Carl Schurz, Speeches, Correspondence and Political Papers of Carl Schurz, Vol. 2, pp. 122-176.

[20]Joseph Harr Mahaffey, "The Speaking and Speeches of Carl Schurz" (Ph.D. dissertation, Northwestern University, 1951), p. 1.

[21]Carl Schurz, "Present Aspects of the Indian Problem," North American Review, p. 17.

[22]U.S., Department of Commerce, Bureau of the Census, Tenth Census of the United States, 1880: Literacy.

[23]Samuel Eliot Morison and Henry Steele Commager, The Growth of the American Republic, Vol. 2 (New York: Oxford University Press, 1951), p. 266.

[24]U.S., Department of the Interior, Annual Report of the Secretary of the Interior to the Congress, for the year ending 1878, p. V.

[25]U.S., Congress, Senate, The Select Committee on the Removal of the Northern Cheyennes, Instructed to Ascertain and Report the Circumstances of the Removal of the Ponca Indians from their Reservation, Senate Reports, No. 572-670, 46th Congress, 2nd Sess., Vol. 6, p. 373.

[26]Morrison and Commager, The Growth of the American Republic, p. 217.

[27]Charles A. and Mary R. Beard, The Rise of American Civilization, Vol. 2 (New York: The Macmillan Company, 1927), p. 341.

[28]Schurz, "Education of Indian Children," The New York Times, March 20, 1881, also, recorded in The Papers of Carl Schurz, Vol. 184, p. 571.

[29]Invitation to Speak at Association Hall, The New York Times, March 12, 1881, also, cited in The Papers of Carl Schurz, Vol. 205, p. 720.

[30]The New York Times, March 12, 1881.

[31]Smith and Windes, "The Innovational Movement: A Rhetorical Theory," p. 147.

[32]Report of the Dinner and Speech in Honor of Carl Schurz, The New York Times, March 22, 1881, also, recorded in The Papers of Carl Schurz, Vol. 184, p. 565.

[33]The New York Times, March 23, 1881.

[34]Ibid.

[35]Carl Schurz, "Ceremonial Speech on the Administration of Indian Affairs," The New York Times, March 22, 1881, also, recorded in The Papers of Carl Schurz, Vol. 184, p. 565.

[36]Alvin M. Josephy, Jr., The Indian Heritage of America (New York: Bantam Books, Inc., 1969), p. 351.

[37]Aristotle, The Rhetoric, trans. Richard Claverhouse Jebb (Cambridge, England: University Press), Vol. II, pp. i. 1 (1377a)-9 (1378a).

[38]Ibid., pp. XVIII. 1 (1392)-XXIII, 30 (1400b).

[39]See Chapter Three.

[40]James Bryce, The American Commonwealth, Vol. II (London: Macmillan and Co., 1891), p. 699.

[41]U.S., Congress, Senate, Testimony by Carl Schurz taken by the Joint Committee appointed to take into consideration the Expedience of Transferring the Indian Bureau to the War Department, Senate Mis. Doc., No. 53, 45th Cong., 3d Sess., Vol. 8, p. 256.

[42]U.S., Congress, Senate, Senate Reports, No. 572-670, 46th Cong., 2nd Sess., Vol. 6, p. 376.

[43]James Mooney, The Ghost-Dance Religion and the Sioux Outbreak of 1890, Part 2 (Washington, D.C.: Government Printing Office, 1896), p. 778.

[44]U.S., Congress, Senate, Senate Reports, No. 572-670, 46th Cong., 2nd Sess., Vol. 6, p. 376.

[45]"Carl Schurz Interview," New York Times, 13 October 1879, p. 2.

[46]Ibid., p. 3.

[47]Carl Schurz, "Dinner Speech on the Administration of Indian Affairs at the Hotel Vendome in Boston," The Papers of Carl Schurz, Vol. 184, p. 565, and also cited in New York Times, 22 March 1881.

[48]Carl Schurz, "Footnote Address on the Enlargement of Indian Education Facilities at Hampton titled 'Education of Indian Children,'" The Papers of Carl Schurz, Vol. 184, p. 571, and also cited in New York Times, 20 March 1881.

[49]Ibid.

[50]U.S., Congress, Senate, Senate Reports, No. 572-670, 46th Cong., 2nd Sess., Vol. 6, p. 360.

[51]U.S., Congress, Senate, Senate Mis. Doc., No. 53, 45th Cong., 3d Sess., Vol. 8, p. 260.

[52]Donald J. D'Elia, "The Argument over Civilian or Military Control," The Historian, 24 (February, 1962): 3.

[53]U.S., Congress, Senate, Senate Mis. Doc., No. 53 45th Cong., 3d Sess., Vol. 8, p. 282.

[54]Ibid., p. 264.

[55]D'Elia, "The Argument over Civilian or Military Control," The Historian, p. 212.

[56]U.S., Congress, Senate, Senator James B. Beck of Kentucky speaking on the issue of Transference, Congressional Record, 45th Cong., 2d Sess., Pt. 5, p. 4196.

[57]U.S., Congress, Senate, Senator Coke speaking on the issue of Transference, Congressional Record, 45th Cong., 2d Sess., Pt. 5, p. 4237.

[58]U.S., Congress, Senate, Senate Mis. Doc., No. 53, 45th Cong., 3d Sess., Vol. 8, p. 256.

[59]Ibid., p. 258.

[60]Ibid., p. 260.

[61]Ibid., p. 262.

[62]U.S., Department of War, Annual Report of the Secretary of War to the Congress, for the year ending 1847, House Exec. Doc., 30th Cong., 1st Sess., Vol. 8, Doc. 65, p. 20.

[63]U.S., Congress, Senate, Senate Mis. Doc., No. 53, 45th Cong., 3d Sess., Vol. 8, p. 265. Schurz attempted to prove to the committee that the War Department mismanaged the removal of the Cherokee Indians in 1835. He presented proof that a contract was made between J.C. Watson & Co., and the War Department to remove 2,000 Cherokees for $32.00 "per head." The contract specified that the Indians were to be transported from their homes in North Carolina, Georgia, and Tennessee to the Indian Territory. This contract was cancelled by the War Department and a new contract was established with Clements, Bryan & Co. for the removal of the Indians at $65.88 "per head." When the removal of the Cherokees finally occurred the War Department paid for 1,633 persons in excess of the actual number removed. The final per-capita cost of removal was $103.25. For further information, see U.S., Congress, House, House Executive Documents, No. 65, 30th Cong., 1st Sess., Vol. 8, p. 20.

[64]A comparative advantages case necessitates the adoption of the general goals of the present system. It claims that the affirmative plan can achieve those goals more advantageously than the status quo. David Zarefsky, "The 'Traditional Case'--'Comparative Advantage Case' Dichotomy: Another Look," Journal of the American Forensic Association 1 (1969): 14; Robert C. Dick, Argumentation and Rational Debating (Dubuque, Iowa: Wm. C. Brown Co. Pub., 1972), pp. 49-50; and Douglas Ehninger and Wayne Brockriede, Decision by Debate, 2nd ed. (New York: Harper & Row, Pub., 1978), pp. 140-141.

[65]U.S., Congress, Senate, Senate Mis. Doc., No. 53, 45th Cong., 3d Sess., Vol. 8, p. 268.

[66]Ibid., p. 257.

[67]Ibid., p. 285.

[68]U.S., Department of the Interior, Commissioner of Indian Affairs, Letter from E.A. Hayt to Charles L. Flanagan which consists of an abstract of views expressed by the Indians relative to the proposed transfer of the Indian Bureau to the War Department, December 4, 1878, as printed in Senate Mis. Doc., 45h Cong., 3d Sess., p. 105.

[69]U.S., Congress, House, Representative James A. Garfield speaking on the issue of Transference, Congressional Record, 45th Cong., 3d Sess., Pt. 2, p. 1133.

[70]New York Sun, 16 March 1877, as cited in Wayne Morgan, From Hayes to McKinley: National Party Politics, 1877-1896 (New York: Syracuse University Press, 1969), p. 31.

[71]Carl Schurz, The Reminiscences of Carl Schurz, Vol. III, p. 377.

[72]Schurz to Benjamin H. Bristow, July 19,1877. Bristow was Secretary of the Treasury in the Grant administration. Speeches, Correspondence and Political Papers of Carl Schurz, Vol. 3, p. 416.

[73]U.S., Department of the Interior, Annual Report of the Secretary of the Interior to the Congress, for the year ending 1877, p. XIII.

[74]Ibid., p. XIV.

[75]U.S., Department of the Interior, Annual Report of the Secretary of the Interior to the Congress, for the year ending 1878, p. V.

[76]Ibid., p. IV.

[77]U.S., Department of the Interior, Commissioner of Indian Affairs, Annual Report of the Commissioner of Indian Affairs to the Secretary of the Interior, for the year ending 1878, p. 441.

[78]The "needs" case involves development of substantive issues that evolve from the stock issues: (1) Is there a compelling need for a change?; (2) Is the need inherent in the status quo?; (3) Does the plan meet the need?; and (4) Is the plan practicable and desirable? Dick, Argumentation and Rational Debating, p. 27.

[79]Schurz to Jackson, January 17, 1880, Speeches, Correspondence and Political Papers of Carl Schurz, Vol. 3, p. 496.

[80]Carl Schurz, "Present Aspects of the Indian Problem," The North American Review, p. 2.

[81]U.S., Congress, Senate, Senate Mis. Doc., No. 53, 45th Cong., 3d Sess., Vol. 8, p. 284.

[82]U.S., Department of the Interior, Annual Report of the Secretary of the Interior to the Congress, for the year ending 1877, p. IX.

[83]Schurz to Helen Hunt Jackson, January 17, 1880, as cited in Schurz, Speeches, Correspondence and Political Papers of Carl Schurz, Vol. 3, p. 498.

[84]Schurz, "Present Aspects of the Indian Problem," The North American Review, p. 2.

[85]U.S., Department of the Interior, Annual Report of the Secretary of the Interior to the Congress, for the year ending 1877, p. IX.

[86]U.S., Department of the Interior, Annual Report of the Secretary of the Interior to the Congress, for the year ending 1878, p. VI.

[87]Ibid.

[88]U.S., Congress, House, Lands to Indians in Severalty to accompany bill H.R. 6268. H. Rept. 165, 45th Cong., 3d Sess., 1878-1879. Index to the Reports of Committees of the House of Representatives, 1: 1-3.

[89]Carl Schurz, "Present Aspects of the Indian Problem," The North American Review, p. 120.

[90]Ralph R. Smith and Russel R. Windes, "The Innovational Movement: A Rhetorical Theory," The Quarterly Journal of Speech, 61: 143.

CHAPTER V

CONSTRAINTS THAT INFLUENCED CARL SCHURZ'S RHETORICAL DECISIONS DURING HIS TENURE AS THE SECRETARY OF THE INTERIOR

The innovational movement for a change in American Indian policy in 1877 was concerned with alteration of societal values and societal structure. It accepted some of the then-existing purposes and methods but attempted to improve upon them.[1] However, unlike the dynamics of an establishment-conflict movement, many of the innovational movement's leaders were members of the established order. In the language of Ralph R. Smith and Russel R. Windes, Carl Schurz, the aggressive spokesman for innovations in American Indian reform in the 1870's, did not wish "to disturb the symbols and constraints of existing values or modify the social hierarchy."[2] Instead, Schurz attempted to improve upon the purposes and methods of the federal government in managing American Indian tribes. The improvement or innovation that Schurz proposed to Congress called for a shift in federal Indian policy from the reservation system to the general allotment of American Indian lands.

Schurz could not expect to gain politically or economically from his public stance on Indian reform. On the contrary, Schurz became the personification of anti-reform sentiment from the viewpoint of the Boston Indian reformers. Helen Hunt Jackson, a leader of the Boston social movement for immediate citizenship of American Indians, blamed Schurz for being the "chief obstacle for the last four years" in the way of American Indian reform.[3]

Schurz also faced considerable rhetorical opposition from various lobbies concerned with Indian management. Since the leader of an innovational movement cannot "appear to be in conflict with the dominant groups in society," Schurz needed to convince Congress that the economic, political, and practical advantages of general allotment outweighed partisan considerations. Schurz asked the Congress to accept his plan because of the prima facie case that he constructed to convince Congressmen that there needed to be a change in the status quo.

Schurz constructed a case based upon the deductive premises that American Indians "know that they can no longer live by hunting," and that they "are open to tuition."[4] To this end he utilized a variety of communicative channels, including the following: the Annual Reports of the Secretary of the Interior, testimony before Congressional Committee, and open letters published in the New York Times. Schurz's

contention that American Indians could learn useable skills added to the already prevalent attitude that American "savagedom" was capable of transcendence when influenced by "the glory of Christian civilization."[5] Thus, the notion that traditional values would not be breached by the proposed innovation of general allotment legislation made Schurz's strategy more acceptable to Congress.

Schurz's arguments for the establishment of some change in the status quo of American Indian administration are evident in all four of his Annual Reports. The following excerpt from Schurz's first report to the Congress is representative of his attempt to establish the need issue:

> Taking all these things together: The interspersion of white settlers, reckless adventurers and more or less wild Indians in one another's way; the anomalous and, in some of its features, absurd treaty system with its ever-changing "finalities," its frequent deceptions, unavoidable misunderstandings and incessant disappointments; the temptations to fraud and peculation in furnishing and distributing supplies; the careless and blundering management of agents, removed from immediate supervision; the sometimes accidental, sometimes culpable non-fulfillment of promises and engagements; the distress and suffering ensuing therefrom, and the comparatively lawless and uncontrollable condition of society in that part of the country which the bulk of the Indian population inhabits, we find in the "Indian question" an array of difficulties, complications and perplexities, a complete solution of which in a short period of time at least, appears unattainable.[6]

Schurz did not have difficulty in convincing Congress that a fundamental change was needed in the administration of Indian affairs. Lawrence Schmeckebier observed that "no one

particularly liked the 'feeding' policy that had seemed necessary in the late 1860's in order to control the Plains Indians. . . ."[7] Most individual Congressmen agreed that there needed to be some change in the manner in which American Indians were being controlled, but there was little consensus on what plan would satisfy the need.

Schurz's task was essentially persuasive, since, although the executive branch influences legislation, it is the responsibility of Congress to enact the measures that become the laws which the President, through the Department of the Interior, is bound to enforce. As stated in Chapter Two, the voting patterns of Congress on legislation dealing with Indian management tended in 1877 to divide broadly between east and west. According to S. Lyman Tyler, "Party politics has tended to have little significance in the vote on Indian bills . . . [because] . . . chairmen and senior members of Indian affairs and appropriations committees . . . line up along regional rather than party lines."[8] The regional nature of the American Indian management controversy constituted a major rhetorical constraint which caused Schurz to address the problem in his rhetoric. He attempted to modify the attitudes of the representatives of Western states by persuading them to recognize the problems created by regional prejudice. The second Annual Report of the Commissioner of Indian Affairs to the Congress urged the Western Congressmen to realize this:

> If the Indians are to cease to be troublesome paupers and vagabonds, and are to become orderly and self-supporting, they must have lands fit for agriculture and pasturage; that on such lands they must be permitted to remain and to establish permanent homes, and that such a result cannot be attained if the white people insist upon taking from them, by force or trickery, every acre of ground that is good for anything.[9]

Although Congress was predisposed to agree with Schurz that some change needed to be effected in the federal bureaucracy, a number of issues shaped Congressional perception of the "Indian problem." Schurz was sensitive to the internal and external constraints on the audience, and he attempted to address the issues in order to develop a "fitting" response to the rhetorical situation. One issue which affected the perception of Congress was the encroachment of whites on American Indian lands. Commissioner Hayt of the Bureau of Indian Affairs stated in his Annual Report for 1879 that "there was hardly a reservation which had not been subject to white encroachment."[10] One reason that Indian reservations were not well protected was that Congress often did not enact strong legislation for the purpose, and even when laws were passed, there was often inadequate allotment of funds to enforce them. This underlying logic stemmed from notions of Christian imperialism and Manifest Destiny. As early as 1840 Thomas Hart Benton persuasively verbalized this attitude in arguing that "the white race alone received the divine command, to subdue and replenish the earth!"[11] Many Congressmen

agreed that since American Indian tribes occupied valuable agricultural land, and that such lands were not being "improved," it was necessary for white intrusion upon such lands to accomplish the manifest destiny of white America.[12] Schurz reflected on this constraint in his paper, "Present Aspects of the Indian Problem," published in 1881:

> No intelligent man will to-day for a moment entertain the belief that there is still a nook or corner of this country that has the least agricultural or mineral value in it, beyond the reach of progressive civilization. Districts which seemed to be remote wildernesses but a few years ago have been or are now being penetrated by railroads: Montana, Washington Territory, Idaho and New Mexico are now more easily accessible than Ohio and Indiana were at the beginning of this century, and the same process has begun and is rapidly going on in those Territories. The settler and miner are beginning, or at least threatening, to invade every Indian reservation that offers any attraction, and it is a well-known fact that the frontiersman almost always looks upon Indian lands as the most valuable in the neighborhood, simply because the Indian occupies them and the white man is excluded from them.[13]

Schurz argued that the whole process of gathering tribes on isolated islands of land, often far removed from their heritary homelands, was becoming increasingly impractical. What was needed instead, he asserted, was a change in the status quo which would guarantee the ownership of lands by Indians against the encroachment of the westward-moving white population. Schurz reflected on this conviction in a private letter written to Helen Hunt Jackson:

> As long as they [the Indians] hold large tracts in the shape of reservations, only small parts of which they can make useful to themselves and to others, the whole being held by the tribe in common, their tenure will always be insecure. It will grow more so as our population increases, and the quantity of available land diminishes. We may call this an ugly and deplorable fact, but it is a fact for all that.[14]

The consequence of white encroachment on Indian lands was military action against the Indians. Schurz pointed out the relationship between the existing policy of reservation and the eventual hostilities which resulted in his testimony before the Senate in 1878:

> The Indian question from that time presented complications never known before. The encroachments of the whites upon the Indians became infinitely more frequent on an immense extent of country, and with them increased the frequency of Indian wars. What caused those wars? Here is the first, the Sioux war of 1852-54. Was that caused by Indian agents? You know the history of it. Some Mormons lost a cow; that cow was picked up by an Indian tribe, and they cut it up to eat it. A military officer with a small command of soldiers alighted upon them and demanded the cow. Of course the cow could not be given up, but the Indians offered compensation for it. The officer insisted that the man who had taken the cow should be given up. The Indians refused, the officer ordered his soldiers at once to fire into the Indians, and then ensued that war which lasted two years and cost over twenty millions of dollars.[15]

Schurz created two persuasive arguments concerning the encroachment of whites on Indian lands: (1) that such encroachment necessarily led to military hostilities, and (2) that the status quo system of Indian management was expensive and wasteful. Schurz developed these two arguments in

such a way as to ensure that Congress did not perceive his rhetoric as an attack upon traditional values, but rather as an emphasis upon the weaknesses of traditional institutions. The former issue he confronted by speaking out against the Department of War and its management of Indian affairs; the latter issue he pursued by attacking the Interior Department's dissemination of goods and supplies to the Indians. He was clearly concerned with improving the management of Indian affairs, but he was not concerned with changing the auspicies under which that management was carried out.

The role of the military in the management of Indian affairs had long been debated in Congress. The issue went far beyond the question of which component of the federal bureaucracy could more economically or more expeditiously carry out governmental policy. Within the surface issue over which Cabinet level government officer should control the management of Indian affairs lay the more significant question of the general direction that government policy should take. Schurz used the controversy over the Bureau of Indian Affairs--whether it should remain in the Department of Interior or be transferred to the Department of War--to establish the need for a change in governmental policy.

This controversy formed the basis of the argument used by the advocates of the transfer. They argued that civilian administrators were engaged in massive graft of government

funds and that, as a result, Indians were forced to go to war to obtain needed provisions. General Nelson Miles stated this viewpoint in December 1878 in an interview printed in The Washington Post:

> I have no doubt that Mr. Schurz is trying to improve the service, and that Mr. Chandler followed a similar course, but that they have not succeeded entirety is made evident by the constant revelation of new frauds. . . . Under the War Department system that would be remedied.[16]

Army officials believed that removing Indian Affairs from "the scandalous corruption" of civilian control would serve the Indians' best interests. Many members of the House of Representatives also supported the cause of army control of the Bureau of Indian Affairs.

Schurz utilized the Transfer controversy to persuade Congress that what was needed in Indian management was not a change in the status quo from one governmental agency to another, but rather a change in the principles of Indian management and federal Indian law. Schurz was in favor of the maintenance of civilian control over the Indian tribes, but only as the lesser of two evils. He stated this position before the Senate Committee on Transfer:

> I desire to call your attention now to the fact that the demand for the transfer of the Indian Bureau from the Interior to the War Department, or, to express it more generally, from the civil branch of the government to the military branch, is based upon assumptions and reasons which in a great measure, I think, are unfounded in fact. There is, for instance, the impression very industriously

> circulated that the civil administration of the Indian service has been responsible for all the Indian wars. They are currently represented to have originated in this way: Some Indian steals the supplies intended for the Indians, and the Indians get hungry, become dissatisfied, and go to war, and so on. When you go into the history of Indian wars you will find that this is not the fact. It is one of the myths made popular by frequent repetition, but which are without essence. If we want to ascertain the true inwardness of the real causes of Indian ways, we must inquire without prejudice into the history of every case; that is the way to find the truth.[17]

Schurz concluded that the real cause of Indian wars would be ascertained by inductive reasoning. He said the cause hinged upon the breaking of treaty stipulations and the encroachment upon the lands and the rights of Indians by whites.

The transfer issue served as a useful vehicle for Schurz to establish the need for a real change in policy. He made this clear in a statement to the Transfer Committee:

> But, gentlemen, do not forget that the real difficulties of the Indian problem are not touched by any transfer of Indian management from one department to another at all. The real difficulty consists in the fact that the Indians are scattered over a vast extent of country, where the whites are recklessly and mercilessly pushing and jostling them in every direction to get their lands, so that when the poor red men, under good guidance, make an effort at self-improvement and progress in self-support, their greedy neighbors undo it all by crowding upon them and driving them from place to place.
>
> You may put the Indian service under any department you please, but that source of trouble will remain the same, and no department of the government can remedy it unless we adopt and carry out a general policy--the policy frequently proposed, of putting them upon reservations where they can be protected and find permanent homes without being disturbed by

> the progress of white settlements. If you think by merely changing the control of the Indian service under this or the other department of the government you can solve the problem, you will finally become aware that you have only trifled with the grave question. The real difficulty will have to be grappled with and solved in the way of general policy under whatever department of the government the Indians may be.[18]

In reality Schurz continued to talk about the encroachment of whites on Indian lands and to use this constraint as evidence that the audience should feel the need for a real change in the status quo.

Schurz also argued that the status quo caused severe problems in the civilian system of Indian management. Basically economic in nature, the deductive premise of the argument was that as long as the contract system of supplying goods and services to the Indians remained without checks and balances, graft would remain a problem in the Indian service. Schurz argued this position in his first Annual Report to the Congress:

> As the Indians were crowded out of their hunting-grounds their sustenance became precarious, and upon the government devolved the duty to supply them with food and clothing. That duty was and is now performed on a contract system, and through Indian agencies located at a great distance from the seat of the general government, and far-removed from its immediate supervision. Thus tempting opportunities were presented for fraud and peculation, demoralizing the service, and resulting, in many instances, in grievous disappointment and suffering among the Indians. Not seldom the promises made to them failed of the expected performance on account of insufficient appropriations. In this way the Indian has become distrustful of the good faith of the whites.[19]

Schurz's contention was that the "spoils system" was at the root of the weakness of the existing system of Indian management. He made reference to an "Indian ring" which had complete control over negotiations with Indians "who were accustomed to make [sic] their own rules and decisions."[20] According to Schurz, the corruption existed in the Indian service because "certain contractors had connections within the Bureau of Indian Affairs, [and] contracts were awarded year after year to the same business houses."[21]

Schurz was able to use the existing corruption in the Indian Service in order to help establish a need for a change in Indian policy. First, he argued that the established system of dissemination of goods and services to the Indian tribes was expensive and wasteful. He also contended that even a change in departmental control of Indian management would not eradicate graft and corruption; rather, it would perpetuate a wasteful system that needed changing.

In order to document the wastefulness of the system, Schurz appointed a commission in June of 1877 to investigate the functioning of the Bureau of Indian Affairs. The final report of The Board of Inquiry to Investigate Certain Charges Against S. A. Galpin was submitted to Schurz the following January, and it showed that "many Indian agents had cheated, while many contractors had been little better than common theives."[22] As a result of the investigation, Schurz

replaced the Commissioner of Indian Affairs, John Q. Smith, and the Chief Clerk, S. A. Galpin. Schurz later used the reorganization of the Indian Service to warrant his claim that the system of dissemination of goods and services was wasteful.

In testimony before the Committee on transfer, Schurz reported his attempt to "have his new broom sweep clean" the Indian Service:

> You ask me if the Indian business has been honestly and perfectly conducted since it was put under civil administration. I do not pretend to any such thing. I think a great many scandals have occurred, although none quite as bad as the Cherokee removal. Considering that the Indian service has, since 1849, spread over a vastly greater extent of country, and that we have to deal with Indians thousands of miles away from the seat of government, is it not strange that here and there bad practices have sprung up; but this was not essentially owing to civil administration, since, as I have shown, such things did, in a great measure, occur under military management. As to the shortcomings of the Indian service under the civil administration, without being boastful, I may say that during my own administration of the Interior Department, more has been done to draw abuses to light and to expose them without fear, for the purpose of correction, than before. I appointed a commission with the distinct instruction to go to the very bottom in their investigation of the Indian service, and whenever a rotten spot was found to point it out, so that the remedy might be applied. You have my report. These things having been done by my own order, I cannot be charged with making an attempt to whitewash the Indian service as it is carried on under the Interior Department.[23]

Schurz further testified to Congress that he believed that "the Indian service under civil administration can be made

as honest as any other branch of government."[24] What was needed to improve the Indian service was "energy and fearlessness" in the Secretary of the Interior and the Commissioner of Indian Affairs, and "a sufficient force to carry on the necessary inspections."[25]

Schurz admitted that problems in the Interior Department existed, but he also claimed that these problems would exist in the War Department if a change in auspicies was allowed by the Congress. He stated his conviction as follows:

> But, gentlemen, it is no news to you that the army, in every country and in every age, always has been and is a very expensive institution, lavish in its outlay. The officers of the Army are the cavaliers of the country. In their doings, they trouble themselves less than we do about money, and also about government money. When they want a thing done, it is apt to be indifferent to them what that thing costs. One of the highest military officers said to me once, "When I deem a thing necessary, it does not matter to me whether it cost one million or five." We civilians are inclined to lay particular stress upon economy in every point. In our purchases, it is invariably our aim, first, to get a good article, and, in the second place, to get it cheap.[26]

Here he was once again trying to establish a need for a substantive change in the status quo, rather than merely changing the control of the Indian service from one agency to another. He was willing to admit that, historically, weaknesses existed both in the Department of War and the Department of the Interior, and that weaknesses existed as well in the current workings of the Indian service. But since he was concerned with bringing about dramatic improvement

in the status quo, he could afford to allow his own administration of Indian affairs to be viewed by the Congress as in need of improvement.

As the leader of the innovational movement, Schurz attacked existing institutions in order to reinforce belief in existing values. He believed that Congress needed to reform Indian policy in order to bring federal Indian law more closely in line with the values of the American republic as they were perceived by its elected officials. Schurz's needs case was based on the deductive premise that American Indian policy should reflect the fundamental values of Congress. In the 1870's, these fundamental values included, among others, the following: private ownership of land, the work ethic, self-government, local enforcement of laws by locally elected police, and American citizenship for individuals living within the boundaries of the United States.

Schurz could help predispose his audience to accept his needs case by forming a dialectic between the rhetorical scene and the purpose of his innovational movement. By establishing that obtrusive elements did exist in the current policy, he could move his listeners toward overcoming various obstacles. Graft and corruption in the Indian Service, unnecessary and expensive activities by the military, and a lack of traditional education and health facilities in Indian communities all served to portray for Congress the

dialectic between the innovational movement's purpose and the American scene in the late 1870's.

Schurz's Presentation to the Congress of the Innovation of General Allotment

Schurz developed a comprehensive plan to satisfy the need issues developed in his Annual Reports, testimony before Congressional committee, and open letters. The plan included the institution of educational facilities for Indian children of both sexes, the training of adult Indians in agricultural skills, the development of Indian police to govern Indians on the reservations, and, most important, the process of individualizing Indians through the possession of property in severalty with fee simple title.[27] This plan was based upon the notion that the "total transformation" of American Indians could only be attained by gradual and systematic measures. Schurz reflected upon the ability of Indians to attain "civilization" in the following statement:

> Can Indians be civilized? This question is answered in the negative only by those who do not want to civilize them. My experience in the management of Indian affairs, which enabled me to witness the progress made even among the wildest tribes, confirms me in the belief that it is not only possible but easy to introduce civilized habits and occupations among Indians, if only the proper means are employed. We are frequently told that Indians will not work. True, it is difficult to make them work as long as they can live upon hunting. But they will work when their living depends upon it, or when sufficient inducements are offered to them.

> Of this there is an abundance of proof. To be sure, as to Indian civilization, we must not expect too rapid progress or the attainment of too lofty a standard. We can certainly not transform them at once into great statesmen, or philosophers, or manufacturers, or merchants; but we can make them show even remarkable aptitude for mercantile pursuits on a small scale. I see no reason why the degree of civilization attained by the Indians in the States of New York, Indiana, Michigan and some tribes in the Indian Territory, should not be attained in the course of time by all. I have no doubt that they can be sufficiently civilized to support themselves, to maintain relations of good neighborship with the people surrounding them, and altogether to cease being a disturbing element in society. The accomplishment of this end, however, will require much considerate care and wise guidance. That care and guidance is necessarily the task of the Government which, as to the Indians at least, must exercise paternal functions until they are sufficiently advanced to take care of themselves.[28]

Schurz's innovational plan was designed to satisfy the needs presented to Congress by alleviating the problems of white encroachment on Indian lands and the resulting military action which usually followed white trespassing.

One of the most revolutionary and significant elements of Schurz's plan was the institution of educational facilities for American Indians. Although such education had long been a part of governmental rhetoric, the task of education had been left largely to the churches that operated missions among the Indians.[29] Schurz put the notion of Indian education into action, and by the second year of his administration there was an average attendance of 4,488 Indian children in federal Indian schools.[30] He was also instrumental in

the development of non-reservation boarding schools--such as the Carlisle Indian School--to accomplish the combined goals of preparing Indian children for vocational careers and removing Indian children from the influences of adult Indians on the reservations. He emphasized the necessity of separating Indian children from the guidance of adult Indians in his Annual Report of 1877:

> The establishment of schools for the instruction of the young is gradually being extended among the Indian tribes under our control. The advantage to be derived from them will greatly depend upon their discipline and the course of instruction. As far as practicable [sic], the attendance of Indian children should be made compulsory. Provision should be made for boarding children at the school, to bring them more exclusively under the control of educational influences. One of the most important points is that they should be taught to speak and read the English language. Efforts have been made to establish and teach the grammar of Indian dialects and to use books printed in those dialects as a means of instruction. This is certainly very interesting and meritorious philological work, but as far as the education of Indian children is concerned, the teaching of the English language must be considered infinitely more useful. If Indian children are to be civilized, they must learn the language of civilization. They will become far more accessible to civilized ideas and ways of thinking when they are enabled to receive those ideas and ways of thinking through the most direct channel of expression. At first their minds should not be overburdened with too great a multitude of subjects of instruction, but turned to those practical accomplishments, proficiency in which is necessary to render civilized life possible. In addition to most elementary schooling, boys should be practically instructed in various branches of husbandry, and girls should receive a good training in household duties and habits of cleanliness. In this way, a young generation may be raised up far more open to civilizing influences of a higher kind and more fit for

> a peaceable and profitable intercourse with white people.[31]

Schurz also used the Report of the Commissioner of Indian Affairs to emphasize the necessity of Indian education as an integral part of "any comprehensive scheme for the civilization of the Indian race."[32] Commissioner E. A. Hayt requested Congress to establish a "common school system (including industrial schools) among them, with provision for their compulsory education at such schools."[33] Hayt explained to Congress that "Undoubtedly our chief hope is in the education of the young, and just here our best and most persistent effort should be made."[34] His reasoning continued:

> There is little hope of the civilization of the older wild Indian, and the only practical question is how to control and govern him, so that his savage instincts shall be kept from violent outbreaks. There is, however, much encouragement to work for the gradual elevation of the partially civilized adult Indians, and especially of the youths of both sexes; and considerable progress has been made, notwithstanding the difficulties which a humane treatment of the Indians has had to encounter. These difficulties may be stated as partially growing out of the dishonesty of Indian agents, traders, and contractors, by which Indians have been deprived of their just dues, and sometimes of the necessities of life. Another and serious drawback is to be found in the encroachment of greedy white men, who surround them and continually plot to deprive them of their possessions. Unfortunately, Indians judge all white men by these specimens, with which they are only too familiar. Notwithstanding all the disadvantages, there is, as I have said, a perceptible progress, which under more favorable circumstances, might be greatly accelerated.[35]

Schurz gave Indian education a top priority in his overall

plan to incorporate American Indians into the white mainstream. In his Annual Report of 1878 he asked Congress to begin to give to adult Indians "encouragement of agricultural and pastoral pursuits by the furnishing of agricultural implements and domestic animals, and proper instruction by practical farmers."[36] According to his intentions, Indians who agreed to farm or herd animals would be awarded by "proper discrimination . . . in the distribution of supplies and annuity goods and the granting of favors. . . ."[37]

A Schurz speech entitled, "Education of Indian Children" (delivered March 19, 1881), stressed the importance of the education of Indians with the reference that "An Indian must not only learn how to read and write, but he must learn how to live."[38] Schurz said that "Congress ought to be liberal to educate Indians" because education would be the best strategy to instill in Indians those same values of hard work which Americans and their representatives in Congress held so dear.

Another important element of Schurz's plan for gradually assimilating American Indians into the white mainstream was the establishment of Indian police. Schurz recommended the establishment of a United States Indian Police in 1878, and within three years the system was in operation at forty agencies and included 162 officers and 653 privates.[39] Two years after Schurz left office as Secretary of the Interior,

Congress established Courts of Indian Offenses, which were authorized to administer justice on reservations for all but the most major crimes.[40] Schurz's initial plea for Congress to establish Indian police and Indian tribunals appeared in his Annual Report of 1877:

> To protect the security of life and property among the Indians, the laws of the United States, to be enforced by proper tribunals, should be extended over the reservations, and a body of police, composed of Indians, and subject to the orders of the government officers, should be organized on each of them. It is a matter of experience that Indians thus trusted with official duty can almost uniformly be depended upon in point of fidelity and efficiency.[41]

In doing so, Schurz was once again requesting Congress to institute measures that would extend to reservation Indians normative behavior of the sort highly valued by white Americans.

Commissioner Hayt also requested the establishment of Indian police in his Report of the Commissioner of Indian Affairs for 1877:

> The preservation of order is as necessary to the promotion of civilization as is the enactment of wise laws. Both are essential to the peace and happiness of any people. As a means of preserving order upon an Indian reservation, an Indian police has been found to be of importance. I have recommended an additional outlay of money to enable the government to extend the usefulness of a police system now in its infancy with us. In Canada, the entire body of Indians are kept in order by such force. In this country, as far as it has been tried, it works admirably. I would recommend that the force be composed of Indians, properly officered

> and drilled by white men, and where capable Indians can be found, that they be promoted to command as reward for faithful service. The Army has used Indians for scouts with great success, and wherever employed the Indian has been found faithful to the trust confided in him.[42]

The reasoning that Commissioner Hayt and Secretary Schurz wanted Congress to accept with regard to the establishment of Indian police was twofold. First was the hypothesis that, with proper instruction, Indians could learn useable skills and be trusted in positions of authority. Second was the rationale that Congress could save government money by employing small and effective police forces composed of American Indians, rather than calling upon the military to solve every minor problem on Indian reservations. Also it was felt that the development of Indian police would serve as an outlet for the "fighting element" in Indian tribes, thus relieving tensions on the reservations. Schurz made his case for the funding of Indian police forces in his Annual Report of 1878:

> To keep the Indians on their reservations and to prevent disturbance and conflicts, the Commissioner of Indian Affairs recommends the organization of a mounted body of "Indian auxiliaries," to be drawn from the young men of the various tribes, and to be under the command of the military authorities. I heartily concur in this recommendation. The young men enlisted in such an organization, paid by the government, will be withdrawn from the fighting element of the Indian tribes and be disciplined in the service of peace and order. It is a matter of general experience that Indians so employed can be depended upon as to loyal fidelity to the duties assigned to them. But the principal

> end of our Indian policy cannot be promoted by police measures alone.[43]

The development of the innovations of Indian education facilities and Indian police forces were important improvements in Indian management in the late 1870's. Of greater importance, however, was the innovation that education and self-government were to make possible: the general allotment of American Indian lands. In "Present Aspects of the Indian Problem," Schurz discussed his objective of Indian "civilization:"

> It is of pressing necessity to set the Indians to work, to educate their youth of both sexes, to make them small proprietors of land, with the right of individual ownership under the protection of the law, and to induce them to make that part of their lands which they do not need for cultivation, profitable to themselves in the only possible way, by selling it at a just rate of compensation, thus opening it to general settlement and enterprise.[44]

The notion of the general allotment of American Indian lands was not new to the Congress in 1877. J. P. Kinney's chapter on "Experimentation With an Allotment Policy, 1833-1891," gives numerous examples of governmental experimentation with the concept.[45] In fact, by the beginning of Schurz's administration, Indians were already allowed to secure land under the Homestead Law of 1862 on the same basis as non-Indians just as long as they would give up their tribal status.[46] However, relatively few Indians availed themselves of this legal opportunity. Schurz wanted

Congress to formulate a comprehensive policy of general allotment which would also provide for education, health facilities, and Indian courts and police. Schurz did intend eventually to break up the Indian tribes, but he said he wanted "the absorption of our Indian population in the great body of citizens" to be accomplished "in a manner least dangerous to the Indians themselves as well as to American society."[47] He definitely wanted to maintain the paternal relationship between individual American Indians and the federal government, and he was confident that his plan of general allotment would gradually prepare Indians for assimilation into the white mainstream.

Here the word "gradual" is significant because in a private letter Schurz warned against the danger of granting Indians immediate citizenship under the Fourteenth Amendment to the Constitution, or of encouraging Indians to utilize the Homestead Act of 1862:

> I need scarcely assure you that, if, by some legal enactment or some judicial decision declaring the Indians citizens in every respect the equals of all other citizens, the Indian question could be solved, that is to say, if the Indians, such as they are at present, could be enabled "to take their chance" as citizens with other citizens in the contests and competitions of civilized life, with any fair prospect of holding their own, nobody would more eagerly advise that course than those at present managing Indian affairs. It would be the greatest possible relief to them as well as to their successors.
>
> I admit that the five civilized tribes in the Indian Territory, who for years have had schools,

> courts of justice, a form of government resembling our own, and are enjoying a certain degree of prosperity, might assume the rights and responsibilities of citizenship without serious danger to themselves, although a majority of even these Indians, as I was informed in my conferences with their leading men, still shrink from those responsibilities. I might say the same of the small number of Indians in other localities, who have gone through the intermediate stages above pointed out until they became more or less able to take care of themselves. These, however, form scarcely more than one-fifth of our whole population. But if you could visit the Sioux, who have just begun the transition, the Comanches, the Kiowas, the Cheyennes, the Shoshonees, the Arapahoes, the Utes, the Apaches, the Crows, the Assiniboines, the Gros Ventres, the Flatheads and numerous other tribes, and then put to yourself the question whether they, such as they are today should be turned into the struggles of civilized life, without education, without at least some knowledge of a civilized language and of the ways of the world, without having learned how to work and how to provide for the future, without property well secured to them as individuals, simply "to take their chance," I have not the remotest doubt as to what your answer would be.[48]

In line with this reasoning, Schurz asked Congress to include provisions in allotment legislation that would insure that Indians "be patiently guided and encouraged by attentive supervision and liberal aid."[49] Section Five of his general allotment plan as proposed to the Congress in 1877 dealt with this request:

> The enjoyment and pride of the individual ownership of property being one of the most effective civilizing agencies, allotments of small tracts of land should be made to the heads of families on all reservations, to be held in severalty under proper restrictions, so that they may have fixed homes. Indians who can furnish sufficient evidence that they have supported their families for a certain number of years should be admitted to the benefits

> of the homestead act, and, if they are willing to detach themselves from their tribal relations, to the privileges of citizenship.[50]

Schurz was concerned that unscrupulous white men might defraud Indians of lands alloted to them before they could fully understand the import of private ownership. The Report of the Commissioner of Indian Affairs for 1878 provided Congress with evidence of this problem:

> In some cases title in severalty in fee simple has been given to the individual members of the tribes for a certain quantity of the lands embraced in the reservation. Experience has shown that even the most advanced and civilized of our Indians are not capable of defending their lands when title in fee is once vested in them. The reservations in such cases are at once infested by a class of land-sharks who do not hesitate to resort to any measure, however iniquitous, to defraud the Indians of their lands. Whiskey is given them, and while they are under its influence they are made to sign deeds of conveyance, without consideration. They are often induced to sign what they are informed is a contract of sale for a few trees growing on their land, with a receipt for the consideration paid; or some party goes to them claiming to be an agent of the State or county, distributing funds to the poor. This party will pay the Indian five or ten dollars, and procure his signature to a pretended receipt for the same, when in reality the paper signed is a warranty deed, which is recorded, and generally the land is sold to a third and innocent party before the Indian discovers the fraud which has been practiced upon him.[51]

As a consequence, Schurz and his Commissioner of Indian Affairs asked Congress to enact a severalty law that guaranteed Indians the opportunity to adopt gradually the behaviors and values of the white mainstream society. The wording of their argument is unmistakable:

> Under the allotment system, the Indians in many cases have made rapid and most encouraging improvement. It has broken up old tribal relations, established the individuality of the Indians, created a desire to accumulate property, and to build themselves comfortable homes; but the fact that they have not a title affording them perfect security is a ground of apprehension in the minds of the more intelligent, and a bar to the progress of a major portion of all of the tribes.[52]

This general allotment of Indian lands would, Schurz maintained, replace the weak institutions of President Grant's "feeding policy" and strengthen the values of private ownership, self-government, education, and improved health facilities.

Schurz's Presentation to the Congress of the Advantages of General Allotment Over the Status Quo

In Schurz's messages to Congress, he stressed that the policy of general allotment had a number of significant advantages over the current system of Indian management. He argued that general allotment would ameliorate the harms evidenced in his needs case; specifically, (1) prevent encroachment of whites upon Indian lands, (2) minimize the cost of military intervention resulting from white encroachment, and (3) minimize the cost of the dissemination of goods and services by the Department of the Interior to the Indians on reservations.

With specific regard to the encroachment of whites upon Indian land, Commissioner Hayt eloquently stated the

allotment position to the House of Representatives in a report submitted to the House by Schurz:

> The experience of the Indian Department for the past fifty years goes to show that the government is impotent to protect the Indians on their reservations, especially when held in common, from encroachments of its own people, whenever a discovery has been made rendering the possession of their lands desirable by the whites . . . if the problem of Indian civilization is to be solved, or if they are to become self-supporting . . . the facts demonstrate the necessity . . . of vesting in them and their heirs such a title that they cannot be ousted for a long term of years . . .[53]

Schurz also cautioned that titles to lands held in common would probably be insufficient to protect property from white invasion, and in a statement to the Select Committee of the Senate in 1880 he voiced his concern:

> I would make a distinction between the two titles. The title of the civilized tribes is more than a title by occupancy; it is a title by patent, but the land in large quantity is held in common. If ever an invasion of the Indian Territory is successful, and that invasion spreads--as under such circumstances it almost certainly would--over the Territory occupied by the civilized nations. I think that their title in common might be found to be a very insufficient protection. If you want to give these Indians protection, the way to do it is to give them an individual fee simple to specified tracts of land, the same as the title by which white citizens hold their farms.[54]

The policy of general allotment endorsed by Schurz was designed to give Indians the same protection under the law as that possessed by whites. His proposal went so far as to offer the advantage of greater protection for Indian lands held in fee simple by restricting the sale of said lands for

a period of time prescribed by Congress. However, he did urge Congress to move slowly and carefully on land allotment to ensure the preparedness of individual Indians for the change, and he strongly endorsed Congressional monitoring of Indian progress even following accomplishment of any transition:

> I think we ought, upon all reserves where the Indians have attained a certain degree of civilization, to introduce the system of allotment of lands among them, for the time being, under a proper restriction as to alienation. As to the dissolution of their tribal relations, that is a matter which cannot be done by direct action of the government alone. As soon as they are in possession of lands in severalty they will gradually part themselves. I should be very careful in pushing these measures with haste, I think hasty steps in that respect might result in great detriment to the Indians. At the same time, I think where the state of civilization of the Indian warrants it, we should allot lands among them, and give them a sense of the responsibility of propertyowners, and fix them in severalty as far as we can.[55]

As a policy to protect Indian lands, the policy of general allotment also offered the Congress an advantageous political strategy. Ostensibly, general allotment had the appearance of Indian reform, but, additionally, the severalty laws presented Congress with a legal framework for the acquisition of "unimproved" Indian property which could be used for white settlement. Schurz noted that much Indian-occupied land was not being made useful and that it should "be disposed of for their benefit."[56] This was tremendously attractive in 1880, for although President Hayes attempted to prevent

invasion of Indian Territory by issuing a proclamation prohibiting such action on April 26, 1879, still the eventual opening of Indian lands was a foregone conclusion.[57]

The logic of securing a limited amount of land for individual Indians while ceding tribally held lands for white settlement was convincing and effective. This view was later stated in the Fifth Annual Report of the Indian Rights Association as representing a choice "between securing something for the Indians--as much as we can get--or having them lose all."[58] Schurz also noted that the lands left unused by the Indians could be sold, thus creating a fund which would greatly relieve the government of the expense of Indian maintenance.

The second major advantage of the comprehensive policy of general allotment advocated by Schurz was that, with Indians holding their lands in fee simple, there obviously would be no more need to endure the cost of military intervention necessitated by white encroachment of tribally held lands. Furthermore, it was argued that institution of Indian police forces would bring about a dramatic saving because peaceful Indians could be used on the frontier just as effectively as military regulars. Hayt elaborated in his Report of 1878:

> The scattering of seventy-four Indian agencies over a wide extent of territory has apparently

> necessitated the establishment of a greater number of detached military posts. The dividing of the Army into so many small detachments tend to deprive it of the strength needed for the suppression of a sudden outbreak. For the past year it has been almost impossible to obtain even an escort of cavalry or infantry, inasmuch as the number of men at each military post has been sufficient only to furnish it a respectable garrison. The history of the past three years has proven conclusively that this attenuation of the Army renders it impossible to administer even a homeopathic dose of coercion until after a lapse of considerable time. This weakness emboldens the savages, so that a mere handful, like the 87 warriors, with their 200 women and children, under Dull Knife, can cut through a military department and spread terror and slaughter for a month with impunity.
>
> The consolidation of Indian tribes upon fewer reservations, as recommended elsewhere, would enable the Army to concentrate and become more effective. There is, however, another remedy for the evil indicated, which, in my judgment, can be and should be quickly adopted to save the loss of life and property consequent on Indian outbreaks, and the great expense now entailed on the government by Indian wars. An auxiliary force of Indian cavalry should be organized, enlisted from the tribes. . . .[59]

Schurz stated to Congress in his First Annual Report that "The 'Indian Frontier' has virtually disappeared."[60] He said that as long as Indians held great expanses of land which they did not hold in fee simple, then clashes between whites and Indians were inevitable:

> Our Indian population is scattered over a vast extent of country into which the agricultural settlers, as well as the adventurous element of our people in quest of rapid gain have pushed their skirmishers in all possible directions. Wherever in the far West the enterprise of whites advances, whites and Indians come into immediate contact and are "in one another's way." That contact is apt to bring on collisions, especially as the more reckless element of the whites,

> which abounds in that part of the country, holds the rights and lives of Indians in very light estimation, and can, in many localities at least, scarcely be said to be under the control of law, while in frequent instances also the Indian provokes retribution by following, without restraint, his savage propensities.[61]

From solely economic perspectives, however, Schurz praised general allotment on the grounds that much of the land then being contested by the Army and the Indians could be legally ceded to white settlers. In his needs argument he also stated that the Army was an expensive and wasteful institution.[62] Civilian management of Indians who peacefully farmed land that they held in fee simple would be economically advantageous, he reasoned, and stated this argument to the Joint Committee considering transfer:

> It [general allotment] is also most economical in the long run. The sooner they [the Indians] become able to provide for their self-support the more the government will be relieved of its burden. We frequently hear doubts expressed as to the possibility of setting Indians to work. It certainly appears at first sight very difficult. That the Indian is originally disinclined to work is conceded. But when we look at some of the tribes in the Indian Territory, and some other tribes elsewhere, we see many of them working, perhaps not as efficiently as the whites, but yet they do something toward their own sustenance, and some of them positively are self-supporting. What these Indians have accomplished, others can accomplish. If the Indians cannot be raised to the degree of civilization of the whites, they are at least capable of rising to a higher level than they occupy now, and it is our bounden duty to raise them up to it.[63]

Schurz's thinking was that the real cause of most Indian wars was white encroachment of Indian land. If Indians were

guaranteed the same rights of ownership as whites, then such disputes would probably decrease. Schurz noted to the Joint Committee that even representatives of the Army agreed with this reasoning:

> I have cited a number of conflicts, the origin or which is stated in that very report which I have quoted signed by Generals Sherman, Terry, Augur, and others. As to a number of other wars, for instance the Modoc, the Black Hill Sioux war, the Nez Perces war, and so on, we all know from public notoriety were about land.[64]

The evidence that Schurz cited in his testimony before the Joint Committee was contained in the Report of the Commissioner of Indian Affairs for 1868. By using the testimony of high-ranking military officers to support his claim that the genesis of many Indian wars was rooted in disputes over land, Schurz enhanced his own credibility.

A subordinate claim associated with the advantages of general allotment as a policy to prevent military intervention focused on the perceived bad moral influence of military personnel on Indians. Schurz quoted from the Report of the Commissioner of Indian Affairs for 1868 to establish this influence:

> Though this recital should prove tedious, it was thought necessary to guard the future against the errors of the past. We would not blunt the vigilance of military men in the Indian country, but we would warn them against the acts of the selfish and unprincipled, who need to be watched as well as the Indians. The origin and progress of this war are repeated in nearly all Indian wars. The history of one will suffice for many.[65]

Congress already may have been aware of this argument since one House Report contains similar testimony from the agent of the Yakima agency, J. H. Wilbur. He stated that upon returning to the Yakima agency after fifteen months' absence, he discovered that under the command of a military officer, "dancing, swearing, drinking, and card-playing were rife."[66] Retrospectively, however, the main argument of economic advantage was probably more conducive to the transition of general allotment than was the minor argument of the influence of military personnel.

The final major advantage of general allotment over the status quo involved minimizing the cost of dissemination of goods and services by the Department of Interior to Indians on reservations. Schurz argued that once Indians were peacefully settled on their own lands and educated in the use of agricultural skills, they would begin to become self-sufficient. He presented to the Joint Committee on Transfer a report by his Commissioner of Indian Affairs which outlined some of the improvements made in the Indian service with regard to dissemination of goods and services:

> Of late years there have been many and radical changes in the administration of Indian affairs. The present methods of accounting for property and money, and of doing the business generally, are so different from those of former years, that a few comparisons may not be amiss.
>
> Formerly almost all the money expended for the Indian service was spent in payment for open-market purchases. Now almost all expenditures are made by payments through the Treasury Department for goods

purchased under contracts made by the Commissioner of Indian Affairs.

Formerly contracts were so drawn that those to whom beef and flour contracts were awarded could and did habitually take advantage of the necessities of the Indians to force agents to accept grades inferior to those called for by the contracts. Now these contracts are so drawn that if a contractor fails to carry out his agreement in good faith he is subjected to a heavy loss.

Formerly agents' accounts ran on for years without settlement. Now their accounts are settled quarterly.

Formerly supplies issued to Indians by Indian agents were receipted for by the chiefs. Now each head of a family and each individual Indian who is of age must receipt for himself.

Formerly a trader might charge an Indian two or three times the price charged a white man for the same kinds of goods. Now traders are forbidden to make any distinction in prices, under pain of the forfeiture of their licenses.

In the fiscal year 1874 the appropriations for the Indian service amounted to $8,329,815.00, and the actual number of Indians to be cared for by the government was less than at the present time. For the service during the present fiscal year there was but $4,733,875.72 appropriated, and there are now 250,000 Indians to be cared for.

In addition to the three Indian inspectors which were formerly allowed, there are now two special agents connected with the bureau. With this force and a proper administration of the business, there need be no difficulty in detecting frauds and reforming the service. Time alone is needed.[67]

The crux of this money-saving argument was based upon the notion that Indians would respond favorably to fair treatment by the Government. Schurz told Congress that as Indians became skillful farmers and herders, the cost of supporting them would consistently diminish:

At many of the agencies farmers are employed, and salaried by the government. But in some, if not most cases, the farms have been worked by white

> men, merely to raise crops for supplying the agencies and the Indians. They are to be turned to much greater advantage. The farms should be used in the first place for the instruction of the youths at school. Besides this, the farmers are to visit the farms cultivated by Indians, to give the latter practical instruction in their work and aid them as far as may be in their power.
>
> On the reservations the labor of white men is to be dispensed with and Indian labor to be employed as much as possible.[68]

However, at the time a certain amount of controversy existed concerning the ability of American Indians to learn agricultural skills. It is important to note that Schurz's entire prima facie case for the adoption of general allotment by the Congress was based on the deductive premises that Indians "know that they can no longer live by hunting," and that they "are open to tuition."[69] To this end Commissioner E. A. Hayt presented examples of effective Indian farming to Congress in order to demonstrate the soundness of a policy of assigning lands to individual Indians.[70] He noted that the Sisseton Sioux, the Santee Sioux of Nebraska, the Chippewa at White Earth, Minnesota, and the Yakima of Washington had all learned agricultural skills.[71] The agent of the Yankton Sioux wrote Hayt on August 26, 1878, and Hayt included his response in the Report of the Commissioner of Indian Affairs to the Congress:

> Let the Indian be assured that he can have a homestead of his own, and thus enjoy for himself and his children the fruits of his labor undisturbed, and he will soon demonstrate how long and

> and how well he can labor for himself, and how soon become self-supporting.[72]

Schurz summed up the many advantages of his general allotment plan in his Annual Report of 1878. He requested Congress to take "appropriate action" to bring about the desired end of Indian policy; this he characterized as "gradually introducing among the Indians the habits and occupations of civilized life."[73]

Conclusion

The innovational movement for American Indian reform in the 1870's was concerned with improving the management of the American Indians. The leader of this intra-institutional movement was Carl Schurz. In the perceptions of his intended audience, Schurz held the status and prestige necessary to make him a credible persuader. He developed a comprehensive policy designed to meet the needs of the historical and rhetorical situation. The policy, known as general allotment, was aimed at eventually assimilating American Indians into the white mainstream. The provisions of Schurz's plan included the following: (1) inducing Indians to work, (2) encouraging the pride of individual ownership of property, (3) educating the young generation of Indians, (4) forming Indian police forces, and (5) improving Indian health facilities. The policy further aimed at meeting the constraints demanded by the rhetorical situation; for example, (1) the

encroachment of whites on Indian lands, (2) the attempt of the military to gain control of Indian management and use force to assimilate the Indians, (3) the increased cost of Indian wars, and (4) the perceived graft and corruption within the Department of the Interior.

Schurz used a number of channels to communicate his policy ideas to Congress: (1) the Annual Reports of the Secretary of the Department of the Interior, (2) the Annual Reports of the Commissioner of Indian Affairs, (3) testimony before Congressional Committee, and (4) open letters published in the New York Times.

In the context of his argument, Schurz utilized three basic persuasive strategies to convince Congress to accept his innovations in Indian policy. First, he denied that a conflict existed between general allotment and the values of his audience. Second, he emphasized the weaknesses of the Department of War and of the Department of the Interior, and he advocated that the traditional values of white society be extended to Indians by Congressional acceptance of general allotment. Finally, he created a dialectic between the obtrusive elements in the scene--such as white encroachment on Indian lands--and the purpose of general allotment, which was the protection of individually-held Indian lands.

Schurz may have underestimated the intensity of belief and amount of political power held by advocates of immediate

citizenship. The reformer who agitated for bestowal of citizenship to Indians under the provisions of the Fourteenth Amendment to the Constitution possessed an influential leader in the Senate in Henry Dawes. Nonetheless, as evidenced by the following private letter to Helen Hunt Jackson, Schurz remained optimistic throughout his administration concerning the likelihood of general allotment legislation becoming law:

> I am glad to say that the conversations I have had with Senators and Representatives in Congress on the policy of settling the Indians in severalty have greatly encouraged my hope of the success of the "severalty bill" during the present session.[74]

A number of allotment bills were introduced and considered by committees of both houses of Congress during Schurz's administration.[75] The House Committee on Indian Affairs reported favorably on general allotment, and Congress passed the general allotment bill on May 28, 1880.[76] At the same time the Senate began to consider the Coke bill.[77] Partially due to the influence of Senator Dawes and Bostonians, the Senate delayed passage of a general allotment bill until the Dawes Act of 1887.

Although no final action dealing with the allotment of Indian lands was taken by the Forty-fifth or Forty-sixth Congresses, the innovational movement for Indian reform was a success. Schurz was the first Secretary of the Interior to advocate general allotment in his official statements to the Congress.[78] Senator Dawes credited Carl Schurz with having

been one of the originators of general allotment legislation.[79] Finally, the Dawes Severalty Act as approved by the House and the Senate contained many of the same provisions as the Lands to Indians in Severalty Report submitted to the House by Schurz back on January 27, 1879.

Notes

[1]Leland M. Griffin, "The Rhetoric of Historical Movements," The Quarterly Journal of Speech, 38 (April, 1952): 184-188.

[2]Ralph R. Smith and Russel R. Windes, "The Innovational Movement: A Rhetorical Theory," The Quarterly Journal of Speech, 61 (April, 1975): 143.

[3]Helen Hunt Jackson to Edward Abbot, April 23, 1881, as cited in Robert Winston Mardock, The Reformers and the American Indian (Columbia: University of Missouri Press, 1971), p. 188.

[4]Carl Schurz, "Footnote Address on the Enlargement of Indian Educational Facilities at Hampton entitled 'Education of Indian Children,'" The Papers of Carl Schurz, Vol. 184, p. 571, and also cited in The New York Times, 20 March 1881.

[5]Roy Harvey Pearce, The Savages of America: A Study of the Indian and the Idea of Civilization (Baltimore: The Johns Hopkins Press, 1965), p. 115.

[6]U.S., Department of the Interior, Annual Report of the Secretary of the Interior to the Congress, for the year ending 1877, p. X.

[7]Lawrence Schmeckebier, The Office of Indian Affairs, Government Research Monograph No. 48 (Baltimore: Johns Hopkins Press, 1927), p. 236.

[8]S. Lyman Tyler, A History of Indian Policy (Washington, D.C.: Department of the Interior, Bureau of Indian Affairs, 1973), p. 8.

[9]U.S., Department of the Interior, Annual Report of the Commissioner of Indian Affairs to the Secretary of the Interior for the year ending 1878, p. V.

[10]U.S., Department of the Interior, Annual Report of the Commissioner of Indian Affairs to the Secretary of the Interior for the year ending 1879, p. 12.

[11]William M. Meigs, The Life of Thomas Hart Benton (New York: DaCapo Press, 1970), pp. 309-310, as cited in Pearce, The Savages of America, p. 240.

[12]Pearce, The Savages of America, p. 29.

[13]Carl Schurz, "Present Aspects of the Indian Problem," North American Review (July, 1881): 3, as cited in Carl Schurz, Speeches, Correspondence and Political Papers of Carl Schurz, Vol. 4. Edited by Frederic Bancroft (New York: G.P. Putnam's Sons, 1913), p. 118.

[14]Carl Schurz to Helen Hunt Jackson, January 17, 1880, as cited in Carl Schurz, Speeches, Correspondence and Political Papers of Carl Schurz, Vol. 3, p. 498.

[15]U.S., Congress, Senate, Testimony taken by the Joint Committee appointed to take into consideration the Expediency of Transferring the Indian Bureau to the War Department, Senate Mis. Doc. No. 53, 45th Cong., 3d Sess., Vol. 8, p. 261.

[16]General Nelson A. Miles, Quoted in a letter to Carl Schurz, January 16, 1879, Bureau of Indian Affairs, Letters Received, as cited in Mardock, The Reformers and the American Indian, p. 164.

[17]Senate Mis. Doc. No. 53, 4th Cong., 3d Sess., Vol. 8, p. 258.

[18]Ibid., p. 272.

[19]U.S., Department of the Interior, Annual Report of the Secretary of the Interior to the Congress, for the year ending 1877, p. X.

[20]Carl Schurz cited in Claude Moore Fuess, Carl Schurz: Reformer (New York: Dodd, Mead & Co., 1932), p. 255.

[21]Schurz cited in Henry E. Fritz, The Movement for Indian Assimilation, 1860-1890 (Philadelphia: University of Pennsylvania Press, 1963), p. 157.

[22]U.S., Department of the Interior, Report of the Board of Inquiry to Investigate Certain Charges against S.A. Galpin, 98 pp., as cited in Fuess, Carl Schurz: Reformer, p. 255.

[23]Senate Mis. Doc. No. 53, 45th Cong., 3d Sess., Vol. 8, p. 266.

[24]Ibid.

[25]Ibid.

[26]Ibid.

[27]U.S., Department of the Interior, Annual Report of the Secretary of the Interior to the Congress, for the year ending 1877, p. X.

[28]Schurz, "Present Aspects of the Indian Problem," as cited in Schurz, Speeches, Correspondence and Political Papers of Carl Schurz, Vol. 4, p. 124.

[29]Tyler, A History of Indian Policy, p. 88.

[30]Ibid.

[31]U.S., Department of the Interior, Annual Report of the Secretary of the Interior to the Congress, for the year ending 1877, p. XII.

[32]U.S., Department of the Interior, Annual Report of the Commissioner of Indian Affairs to the Secretary of the Interior for the year ending 1877, p. 397.

[33]Ibid.

[34]Ibid., p. 398.

[35]Ibid., p. 399.

[36]U.S., Department of the Interior, Annual Report of the Secretary of the Interior to the Congress, for the year ending 1878, p. III.

[37]Ibid.

[38]Schurz, "Education of Indian Children," The Papers of Carl Schurz, Vol. 184, p. 571.

[39]Tyler, A History of Indian Policy, p. 91.

[40]Ibid.

[41]U.S., Department of the Interior, Annual Report of the Secretary of the Interior to the Congress, for the year ending 1877, p. XI.

[42]U.S., Department of the Interior, Annual Report of the Commissioner of Indian Affairs to the Secretary of the Interior for the year ending 1877, p. 399.

[43]U.S., Department of the Interior, Annual Report of the Secretary of the Interior to the Congress, for the year ending 1878, p. VI.

[44]Schurz, "Present Aspects of the Indian Problem," as recorded in Schurz, Speeches, Correspondence and Political Papers of Carl Schurz, Vol. 4, p. 145.

[45]Dan C. McCurry and Richard E. Rubenstein, Gen. eds., American Farmers and the Rise of Agribusiness: Seeds of Struggle (Baltimore: Johns Hopkins Press, 1937), A Continent Lost--A Civilization Won, by J.P. Kinney, p. 187.

[46]Indians were allowed to secure land under the homestead law beginning in 1875. Relatively few Indians availed themselves of this extension of the Homestead Act of 1862. Tyler, A History of Indian Policy, p. 90.

[47]Schurz to Edward Atkinson, November 28, 1879, as recorded in Schurz, Speeches, Correspondence, and Political Papers of Carl Schurz, Vol. III., p. 481.

[48]Schurz, Speeches, Correspondence, and Political Papers of Carl Schurz, Vol. III, pp. 383-384.

[49]U.S., Department of the Interior, Annual Report of the Secretary of the Interior to the Congress, for the year ending 1877, p. XI.

[50]Ibid.

[51]U.S., Department of the Interior, Annual Report of the Commissioner of Indian Affairs to the Secretary of the Interior for the year ending 1878, p. 433.

[52]U.S., Congress, House, Lands to Indians in Severalty to accompany bill H.R. 6268. H. Rept. 165, 45th Cong., 3d Sess., 1878-79. Index to the Reports of Committees of the House of Representatives, 1: 4.

[53]Ibid., p. 2.

[54]U.S., Congress, Senate, The Select Committee on the Removal of the Northern Cheyennes, Instructed to Ascertain and Report the Circumstances of the Removal of the Ponca Indians from their Reservation, Senate Reports, No. 472-670, 46th Cong., 2nd Sess., Vol. 6, p. 378.

[55]Senate Mis. Doc. No. 53, 45th Cong., 3d Sess., Vol. 8, p. 280.

[56]Schurz to Helen Hunt Jackson, January 17, 1880, as cited in Schurz, Speeches, Correspondence and Political Papers of Carl Schurz, Vol. 3, p. 498.

[57]Loring Benson Priest, Uncle Sam's Stepchildren: The Reformation of United States Indian Policy, 1865-1887 (New Brunswick: Rutgers University Press, 1942), p. 74.

[58]Annual Report of the Indian Rights Association for 1887, pp. 36, 38, also see First Annual Report of the Indian Rights Association for 1883, p. 5, advocating allotment.

[59]U.S., Department of the Interior, Annual Report of the Commissioner of Indian Affairs to the Secretary of the Interior for the year ending 1878, p. 443.

[60]U.S., Department of the Interior, Annual Report of the Secretary of the Interior to the Congress, for the year ending 1877, p. IX.

[61]Ibid., p. VIII.

[62]Senate Mis. Doc. No. 53, 45th Cong., 3d Sess., Vol. 8, p. 266.

[63]Ibid., p. 257.

[64]Ibid., p. 276.

[65]U.S., Department of the Interior, Annual Report of the Commissioner of Indian Affairs to the Secretary of the Interior for the year ending 1868, as cited in Senate Mis. Doc. No. 53, 45th Cong., 3d Sess., Vol. 8, p. 262.

[66]House Report No. 240, 44th Cong., 1st Sess., p. 41.

[67]Senate Mis. Doc. No. 53, 45th Cong., 3d Sess., Vol. 8, p;. 65-66.

[68]U.S., Department of the Interior, Annual Report of the Secretary of the Interior to the Congress, for the year ending 1877, p. XII.

[69]Schurz, "Education of Indian Children," The Papers of Carl Schurz, Vol. 184, p. 571.

[70]U.S., Department of the Interior, Annual Report of the Commissioner of Indian Affairs to the Secretary of the Interior for the year ending 1878, p. 48.

[71]Ibid.

[72]Ibid.

[73]U.S., Department of the Interior, Annual Report of the Secretary of the Interior to the Congress, for the year ending 1878, p. VI.

[74]Schurz to Helen Hunt Jackson, January 17, 1880, as cited in Schurz, Speeches, Correspondence and Political Papers of Carl Schurz, Vol.3, p. 498.

[75]House Report No. 165, 45h Cong., 3d Sess., 1878-1879, p. 4, also recorded in The Congressional Record, January 31, 1879.

[76]Frances Paul Prucha, Gen. ed., The Civilization of the American Indian Series (Norman: University of Oklahoma Press, 1973), Vol. 123, The Dawes Act and the Allotment of Indian Lands, by D.S. Otis, p. 6.

[77]Mardock, The Reformers and the American Indian, p. 216.

[78]Kinney, A Continent Lost--A Civilization Won, p. 187.

[79]Henry L. Dawes, Executive Committee of the Indian Rights Association, Address to the Public of the Lake Mohonk Conference (Philadelphia: Sherman & Co., Printers, 1886), p. 38.

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