

Philleo Nash Oral History Interview – JFK#3, 2/26/1971
Administrative Information

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Biographical Note

Philleo Nash (1909-1987) was the Commissioner of Indian Affairs for the Department of the Interior from 1961 to 1966. This interview focuses on the 1960 Democratic National Convention and the issues that the Bureau of Indian Affairs dealt with during the Kennedy administration, among other topics.

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Philleo Nash
Philleo Nash

25 February 1987
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Philleo Nash– JFK #3
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Third Oral History Interview

with

PHILLEO NASH

February 26, 1971
Washington, D. C.

By William W. Moss
For the John F. Kennedy Library

MOSS: . . . a review of the [Adlai E.] Stevenson backing for Hubert Humphrey after Humphrey was knocked out of the race after West Virginia.

NASH: Well, that came quite a bit later, actually at the Los Angeles convention. And this is not a matter that I have direct knowledge of . . . [Interruption] . . . since the [Charles T.] Morrissey interviews while I was still in office. Now, let's start with the first direct question. Was there Stevenson money backing for Humphrey in the Wisconsin preferential primary in 1960 as a stop Kennedy move in order to preserve some kind of a position for Stevenson? If there was I don't know it. My curbstome reaction is the same one as the old story about the politician that was said to have received Moscow gold: you know, deny the rumor or send money. We were so short of funds in the Humphrey primary that if the Stevenson people were putting in any money they were mighty stingy.

The effect of the Wisconsin primary was to keep Humphrey alive but anemic. He went into West Virginia, of course, with the expectation that this would be a very favorable state for him, particularly in view of the obvious religious bias that was shown in the Wisconsin voting pattern. I don't think anybody would care to admit it, but I'm more or less certain that there was a feeling in everybody's mind that the opposite would be true in West Virginia, so therefore what had been a disadvantage, or what had been an advantage for the opposition in Wisconsin, would turn out to be an advantage for us in West Virginia. Not

that anybody was going to exploit it deliberately but just that you weigh those things and that's the way they'd come out.
[Interruption]

So at the end of the West Virginia election Humphrey offered a withdrawal statement, "I'm getting out." I well remember this because I was in the Park Hotel in Madison, the legislature was in session. And my secretary, who was not very experienced in matters of this kind, referred a phone call from a national political reporter to me in my hotel before I was awake or up without, you know, preparing me, without alerting me, without doing anything of this kind. I'd been up late listening to the returns and the direct question was asked me, you know, "What are you going to do?" And I suppose prudence or caution or the normal political protective reaction would be some kind of a stall until you could touch a few bases and see what was going to happen, so I just, you know, spoke naturally, "I'm obviously going to support Kennedy, he's the winner in Wisconsin, he's the winner in West Virginia and I'm not going to support anybody that did not enter the Wisconsin primary. We value our primaries very much and there are no other candidates and that's what I'm going to do." So this received a certain amount of attention. I mean it wasn't the greatest news in the world but it did represent a significant switch in Wisconsin.

Well, as time went on and other primaries followed, several things became clear. [James] Jim Doyle of Wisconsin, of course, was heading up the Stevenson effort and had been from the beginning. If there was Stevenson money in West Virginia, which I don't believe there was--I don't know because I didn't participate in the West Virginia primary, I had to look after my own affairs which were already somewhat out of shape in Wisconsin--it was ineffectual and inadequate and I just don't believe there was any. The reason for that is that the Stevenson strategy had to be based, it seems to me, not on a stop Kennedy but on a keep Stevenson alive game plan, to use a term that wasn't used in those days.

I am reasonably confident that that is exactly what happened in Los Angeles, because by the time our Wisconsin delegation got to Los Angeles, Stevenson was very much alive and you couldn't really say that Humphrey was out of the race. That is, he'd made a pretty unequivocal withdrawal in West Virginia after he lost the primary, and yet he was there in force. His organization was in being; it wasn't very effectual. Numerous meetings with delegations were held at which it was made perfectly clear that they could do whatever they wanted but there

wasn't going to be any releasing statement--no simply, "I yield my delegates up to anybody in particular;" "Of course, you can do whatever you like, but this isn't over yet."

So those of us who were sitting around. . . . At this point, even though I was trying to line up Wisconsin delegates for Kennedy, I was just a little bit put out because I wasn't invited into the Kennedy delegates' caucus. I was not a voting delegate anyhow, as I think I explained in the previous interview. Elected officials usually are not, in fact they never are in Wisconsin; it's just a custom. And it seemed to me while I had to be somewhere and what good I could do (my position was perfectly clear) was in the Wisconsin delegate caucus--that is, the Humphrey caucus, where I told them what I thought they ought to do. But I could not tell them that I had any inside information about Humphrey or what he would do. My own personal viewpoint at that time was he was angling for the number two spot.

MOSS: Okay. Now, how were the Stevenson people operating on this?

NASH: The Stevenson people were not operating on this except in the sense that. . . . In other words, nobody called me up and tried to get me to switch; well, there wasn't anything for me to switch. Nobody called me up and said, "Lay off," or anything like that. Jim Doyle had a headquarters that was, of course, headquarters for the entire hotel. Obviously he had come in it in the last minute without any thought or consideration from anybody in the national headquarters. In other words, what he got was what was left over. He was getting the orphan treatment and he was resentful about it. I went to some of those meetings that were held there just because Jim is an old friend and also I wanted to see what was going on. I would say that the Lyndon B. Johnson headquarters was ten times more active, ten times more optimistic, ten times better financed on the face of it than anything that Stevenson was doing. So whatever it was that was going on it was not lush or well financed in any way. It looked like a lost cause, and I'm sure it was.

Now, you remember the famous episode in Los Angeles on the afternoon in which nobody could get any tickets. And, once again, I don't have any firsthand knowledge, but I believe, for whatever it's worth that Stevenson people in the California Democratic party who were in a position to print either double sets of tickets or to give with one hand and to withhold with the other, were ready to pack the hall with Stevenson people on that day. I saw them, many of my friends who were old-time,

long-time Stevenson supporters, turning up with Stevenson banners and parading around the hall that afternoon up in the balconies and all over the place. And one of them came up to me and said, "Where's your banner?" And I said, "Oh, well, you know, Kennedy has the nomination. We don't have to have the banners." And they said, "Oh, is that who you're for, really?" It was just too easy to say you're for, and I said, "Yeah, really." So the games were over by that time. I think that there was a substantial Stevenson drive on, but it was entirely in terms of picking up the pieces in the event of a deadlock.

Now, I had very little to do with financing the Humphrey campaign. I could offer political support, and I had a certain amount of influence in Wisconsin at that time and I could offer that, but I couldn't offer anything else. I just know that there were unpaid bills and there was a Stevenson campaign that never got off the ground because Stevenson would not offer them encouragement, although he was certainly available in the event of a deadlock. And then the other thing that you have to use as a basis for surmise is the fact that there is not very much difference nationally, in the sizeable political money, between the Stevenson money and the Humphrey money. These are the same people going one way or the other depending on what the opportunities are. And we saw that, of course, in 1964 and again in 1968.

MOSS: All right, let me ask you this. On the question of your going after Wisconsin delegates for Kennedy at the convention, how much pressure was being put on you by Robert Kennedy's operation to deliver Wisconsin delegates?

NASH: I would say it was the other way around. I wanted to do more than I was being permitted to do, either because they had what they needed or they didn't trust me, which is quite understandable. I called up Bobby and told him that I wanted to line up some more delegates and do what I could and where were the waverers? And he said, "Well, you know your delegation, what can you do?" And I said, "Not anything with the hard-nosed Kennedy people from over on the western side of the state but plenty with the Steelworkers [United Steelworkers of America]." And of course the reason for that I think we've already . . .

MOSS: Hard-nosed Humphrey people.

NASH: What did I say? The hard-nosed Humphrey people in the western part of the state. But the Steelworkers were in a bind--and there were a number of Steelworkers in the delegation--because their officers nationally had been

Kennedy people from the beginning. And individuals locally in Wisconsin--I don't know about other states, but in District 32, I think it is--were basically Humphrey. The local leaders and the local labor leaders were, of all unions, and the rank and file very strongly so, at least at the preference stage, at the primary stage. Consequently I had a feeling that possibly some of those people could be won over, but I changed one or two, no more than that. There was no big swing and the votes show it.

MOSS: I was wondering about this because some of the popular mythology of the time insists the talent hunters and the Irish Mafia and so on put considerable value on two things: one, how early were people with Kennedy; two, how much did they deliver to Kennedy. And this was why I was probing. Do you think that really held up?

NASH: In Wisconsin it holds up, I think, as a hard-nosed attitude afterwards. In other words, "Where were you on Saint Swithin's Day?" was asked many and many a time, and anybody that wasn't either got nothing or was told to wait in the wings. But the fact of the matter is, when it came to the arm-twisting of delegates and that famous telephone system which was set up which I used, I had no trouble getting through to Bobby, but all I got was a conversation. I didn't get any instructions, I didn't get any orders, I didn't get any names. In other words . . .

MOSS: You didn't feel like you were meshing into the machine.

NASH: Definitely not. Definitely not. There are two possible reasons for this. One is that I wasn't reliable in their eyes--and Bobby wasn't very cordial to me for a couple of years. That was a hard-fought primary. I didn't have any bad feelings afterwards, but I'm sure he did.

MOSS: In what ways did you get this lack of cordiality?

NASH: Oh, I would say for example that there were two or three times when Indian delegations came into the Department of Justice on civil rights matters where there were telephone conversations. And there is a warm telephone manner, and believe me Bobby had it when he wanted to, and there is a cold telephone manner, and he had it when he wanted to. I remember in particular one conversation that simply ended, "Let's not take any little steps, shall we, Philleo?" [Laughter] The fellow who was at the other end, not of the telephone, but in the attorney general's office--and the conversation was

held in part I'm sure for his benefit--was Robert Bob Burnette who was then the chairman of the Rosebud Sioux and a very active Kennedy man.

MOSS: Would he initiate calls to you coordinating things of this sort, or would you have to find out about it and go chasing around on it?

NASH: No, it was the other way around. He initiated his call to me and he did it because Bob Burnette went to see him to get his help in protecting civil rights of South Dakota Indians vis-a-vis the state court and police system in South Dakota, which is a dreadful shocking story, very bad. I was not idle in this matter. I take my civil liberties responsibilities as seriously as anybody else, more seriously than most. We had standing orders out to all our people in all the states, but especially in South Dakota, to report any and all instances of believed civil rights deprivations or denials. My people were pretty active on that. Twelve cases were reported to me, according to my recollection, where there was a belief, and in each case reports were sent over immediately to three locations: the Civil Rights Commission, which was then independent of the Department of Justice; the President's Committee on Equal Employment Opportunity--I mean, that was before it went over

MOSS: Right, before it became a commission.

NASH: Yeah. That's two possibilities, you had the civil rights section or division and then you had the equal opportunity, and then the deputy attorney general; because in my opinion these were all cases that warranted prosecution for denial of civil rights under color of state law. Now, in each case we eventually, after long delay, got back the same answer: the FBI Federal Bureau of Investigation has investigated and undoubtedly this is a deplorable situation but there is not a basis for federal prosecution.

MOSS: Okay. Now this is interesting because I have heard from several people in other departments that they have a chronic complaint with Justice, that the Justice Department does not want to go to court unless it almost has a prima facie case, a good track record.

NASH: I'd go further than this. I think this was true, I'm sorry to say, when Bobby Kennedy was the attorney general and I think it was true when Ramsey Clark was the deputy attorney general, and it. . . .

While my knowledge doesn't I guess go into Ramsey Clark's attorney generalship, my basic and deplorable familiarity with the Department of Justice in this area in Mississippi does go to that, and maybe that would be a good thing to get into. This then involves the story of the Mississippi Choctaw.

MOSS: Right.

NASH: One of the things that I attempted to do during the period I was commissioner was to keep the Mississippi band of Choctaw Indians from getting ground up between the upper and nether millstones in the civil rights matter. Philadelphia, Mississippi, the place, the scene of all the Michael H. Schwerner, all that thing, is also the seat of one of the Indian affairs' jurisdictions. Now, there's a superintendent. . . . The Choctaw band consists of those remnants of the Choctaw tribe which stayed behind when the bulk of the tribe was moved west of the Mississippi into Indian Territory in Andrew Andy Jackson's time. They were lost, neglected, ignored until about 1916 or '17 when I think some minerals development activity, for some reason I associate it with oil, caused a flurry to be raised about values and who was going to protect them, and the then Indian bureau moved into the situation and they were given some recognition and eventually some services. Over the half-century which has passed since that time, some schools have been provided, roads-- a good many elementary, fundamental governments services of a local variety that were not being provided then were following this little flurry of recognition about the time of World War I.

During the period when I was commissioner about 1964 or '65, there was a very brutal murder. A Choctaw Indian had a controversy with a non-Indian, a white planter in the vicinity, who had forbidden him to set foot on his ground or his roadway or something of that kind. The Indian's mother lived in a little house at the top of a lane, and this lane either belonged to the non-Indian or was used by him and was regarded by him as his exclusive property for his exclusive use. And on a particular occasion the Indian was driving a car up to his mother's house and I think he was going to leave his children, who were with him in the car, with the mother while he and his wife did their shopping, something of this type, some family situation. They met a pickup truck coming down the lane, hurriedly backed down out of the white man's way. He drove his pickup down, forced them into the ditch, got out to the side of the car and said, "Are you so and so?" The man said, "Yes, I am." And he said, "I'm going to kill you." And he did, drew a pistol and shot him in front of his wife and children in the car and drove his pickup away.

Well, the story of the Bureau of Indian Affairs, the Interior

Department, and the Department of Justice at this time would just really make you sick to your stomach. We were . . . I was notified immediately. I called up the Secretary so that he would know because this was obviously a major matter. We had also reported it of course to all the authorities and the Department of Justice. We had meeting after meeting after meeting on it. The records in this case, that we were obliged to compile, run into inches, if not feet. Basically the question that the Department of Justice lawyers had to settle was, is murder in this case an indictable federal offense or does it come entirely within the purview of state law? If it is Indian country then it comes not only within the federal jurisdiction, but under law the United States government should seek removal from the state court into federal court in order that the assailant may be apprehended and tried with a federal purview rather than a local prejudiced purview.

Well, if ever there was a case where this was needed, it was one like this. There was never any question in my mind but what this was Indian country within the meaning of the law. But since this is not a reservation in a closed boundary sense but rather a series of homesites where the title is entrusted to federal government, then the question comes, and it's a rather nice one, Is it or is it not Indian country? In order to satisfy the Department of Justice on this and make a case that would stand up on appeal, we made aerial photographs. We made surveys. We went back to the expenditures from 1916 and, for all I know, went back to Andy Jackson's time, to show what was done in the way of federal money being spent there because it was Indian country and not for any other reason.

Well, it was long and drawn out. Eventually we, I think, persuaded the Department of Justice that it was in fact Indian country, but we'd also have to bear in mind that Schwerner and others were there and that they were preparing all sorts of Klux Klan actions, indictments and so on. I don't know whether any of them have come to pass. All I know is that no Mississippian or anybody else has ever been indicted, charged--may have been charged, but not indicted, not brought to trial in the state of Mississippi for the daylight witnessed shooting to death of a Mississippi Choctaw Indian; and this is in spite of, you know, the most liberal Department of Justice that we've ever had. Now, this, in spite of the fact that it was Mississippi Choctaw Indians who led the federal agents to the car, who provided the information which eventually led to the discovery of the bodies of the three civil rights workers. . . . Because this was suspected they had their church burned; I wasn't completely successful in keeping them from being ground up.

The particular murder that I'm talking about had literally nothing to do with any civil rights issue. It was simply a personal quarrel in which a man who was well connected with the sheriff and others and had some Ku Klux background felt that he could shoot a man without doing any more than having a display of temper. And this was indeed the case, this is exactly what happened. I felt strong enough about this, made all sorts of representations to Stewart Udall. Udall sent memoranda over to the attorney general. He pursued it, I would say, over a period of a year, maybe two. And when it finally became clear that we were not going to get any action whatsoever that was of any value, we simply embarked on our own individual program. We can't put people in jail; we can't convene grand juries; we can't appear before a judge. But we can have housing programs; we can have manpower development training programs; we can send people to schools; we can build schools. And so far as I was able, I then proceeded to build a high school, to build a dormitory to go with it, to put some housing, to get some industry down there. Every time we had few bucks that we could channel down to the Mississippi Choctaw. . . . I thought maybe we could buy a little piece in heaven for some of the things Uncle Sam could have done, should have done, and didn't do.

MOSS: Okay. Let me come round again, back in time, to the task force that was set up in the beginning of the Kennedy administration. Whose brainchild was this? Was this a Udall thing, or had somebody put this bug in his head?

NASH: No, I think it was fundamentally a Udall thing. The political situation was that JFK had been, well, let's say maneuvered into a very strong Indian position in the . . .

MOSS: This was his response to the Oliver LaFarge . . .

NASH: Yeah, Oliver LaFarge, which was actually put up to him by Richard Dick Schifter.* And of course the questions were sent to both. Other organizations did the same, but Dick is a pusher . . .

*Interviewee's note:

Richard Schifter is an attorney with the firm of Riegelman, Strasser, Schwartz, Harris and Shriver, at 600 New Hampshire Ave., N.W., Washington D.C. He and Arthur Lazarus Jr., of the same firm, were and are of counsel to the Association on American Indian Affairs, which was headed by Oliver LaFarge, referred to in the interview. With the content provided by Schifter identical queries were directed by LaFarge to both Nixon and Kennedy. Kennedy's forthright answers (probably drafted by Schifter as a campaign service) were later to give him trouble, particularly his inability to halt the Kinzua dam construction.

MOSS: And this one got some play.

NASH: . . . and this one got some real play. The result is that some promises were made that were difficult if not impossible to keep.

Kinzua [dam] was one of them. While the president did not specifically promise to turn the clock back on Kinzua, he made a much more general promise, "We're not going to break any more treaties." And this is like saying in today's world that you're not going to have any more divorces, or you're not going to have any more neglected children, or you're going to eliminate poverty, or you're going to withdraw tomorrow from Vietnam, that kind of a promise. You can make it, but when you're put in a position of responsibility and you have to choose between, let us say, progress and the promise, "progress" (in quotes) is very likely to prevail as it did with Kinzua. Another promise was to have an Indian Indian commissioner. That was, on paper, very easy to keep, in practice very difficult to keep because there were so many candidates, which was how I slipped in--and also why I'm the last non-Indian Indian commissioner. There isn't going to be any anymore I don't think. They settled on me only because that way they didn't have to pick and choose.

So the task force then was a means of buying time, plus the fact that, while it's made fun of, it is really a very good thing to do at the start of a new administration. This is one of the touchstones of the presidency. It is not the most important practical issue or the most important economic or program issue before the president, but it's one of the ways in which the liberal establishment, those people who are for women's rights, and for peace, and for education and for welfare and who are largely urban and are very apt to be eastern, this is one of the ways in which they test a president to find out whether he's on the right side of things. And he has to show where he stands pretty early in his administration or he begins to lose them.

MOSS: So how widely do you think this was really appreciated?

NASH: Well, Indians are very sophisticated about their relationships with the federal government. They are in no doubt about where they stand, what their leverage is. They know all the tricks, all the stalling devices.

MOSS: I think my question was, how sophisticated is the other side?

NASH: You mean the government about this? Well . . .

MOSS: Yeah. In the first place, what political clout is there on Indians, this kind of thing?

NASH: Well, the first thing is not to be wrong. The second thing is when you start out not being wrong you immediately find that you have to get into a fight with the ranchers, or the miners--in other words, your western, the settlers are looking for cheap land, cheap water, cheap timber, cheap power, cheap grass, cheap minerals, and they're not really in favor of economic development, and they're not in favor of a strong pro-Indian program. They will beat their breasts and they will buy stories about the massacre of Wounded Knee in quantity, but this is not the same thing as putting up money for irrigation systems. They're convinced, many of them, that welfare is all the Indians are really after.

So the result is as if you had been sort of pushed out on a plant through your campaign period. And this even included Lyndon Johnson as a vice-presidential candidate. One of the red-hot issues in Indian affairs is what are you going to do about the off-reservation Indians? Because the view in Congress is that anybody that isn't already covered in, so to speak, had better not be brought in, and an Indian commissioner that does is going to find himself in trouble; the same with the secretary of the interior, but the target is always the commissioner. The commissioner is the one that the Indians care about. The commissioner is the one that congressional committees go after. One of his jobs, I think, is to protect the cabinet officer's position in this regard--offers himself as a target--and also to put forward programs that will make some progress, and treat himself as expendable, which is, you know, what I did, although I didn't exactly have any choice. I was expendable and I was expended.

So when you say, "How sophisticated is the government about this?" once again I put it in conscience terms. This is one of the tests of the president's conscience. And this is irrespective of party and it's true over a very long period of time. This is not just a recent affair.

MOSS: I think what I'm after is, how much is it felt necessary to really show progress on this, and how much is it necessary only to scratch when some congressional district itches on the problem?

NASH: Oh, I would say it is necessary to make progress. Now, the definition of progress is going to be different at different times. From approximately 1950 to 1960, roughly that decade in there, termination was the philosophy, and it is basically, at all times, the philosophy of Congress. The executive has to stand in opposition to this or fail the test of conscience. Now, in the decade from 1950 to 1960, the executive did not stand in opposition to it. During the Dwight D. Eisenhower administration it was actively promoted, and as I think I indicated in some other interviews, Mr. Harry S. Truman did not really oppose it. So there's plenty to blame on both parties here. But during that decade three of the real big terminations took place and a host of smaller ones.

And in addition to that there was a tremendous divestment of the federal establishment. Road-building equipment was sold for ten cents on the dollar in order to go to contracts rather than have the Indians do the work. Important areas but small ones, such as Wisconsin, Minnesota, Michigan and Iowa, were almost drawn out of the service area entirely. Schools were given away wholesale to any public school district that would take them.

Well, coming back now to the point, I take it the meaning of your question is, was the task force merely a stall for time or was it a sincere search. Well, let's see, these are not necessarily exclusive. In the first place, if you've made promises that are either impossible or difficult to keep, you had better have some time. And in this case, the Indian Indian commissioner was kept by appointing John Crow acting commissioner, but his name was never sent up to Congress, and it was made clear to him that it wasn't going to be or that it probably wouldn't be.

MOSS: Was his nose out of joint much on this?

NASH: His nose is very much out of joint today. He was being a good soldier then and he became a very loyal deputy to me. Stewart Udall never trusted him and I thought he made a big mistake, and I told him so many a time. John Crow is a very devoted and conscientious civil servant and there was never any question in his mind but what he was there to make the wheels go around and keep them going around in the direction that the commissioner and the secretary and the president wanted them to go. And this is true of the whole bureau regardless of political opinion or sentiment. They're technicians; if they get a clear signal they will apply their technical knowledge to the policy that's laid down. If not, not.

MOSS: Okay. This is interesting because it leads us into one of the complaints that the Indian polemicists are now having, that the bureau really is too slow moving, too clogged with deadwood to really do any imaginative moving in the direction of progress for Indian affairs.

NASH: Well, I'm aware of this observation which is being made by the polemicists. It's the burden of many a report which has come out since I left the bureau and to a certain extent during the time I was there. What it adds up to is the opinion, very widespread, that the Indian bureau is an incompetent bureau. Well, my experience is exactly the opposite. In twenty-five years in state and local, in federal and state government I've seen a lot of bureaus close-up. I've never seen one that was as technically proficient as the Bureau of Indian Affairs, particularly one which is so far-flung, widespread, has such varied duties, highly decentralized, and operates in a hostile climate both congressional and in public opinion. To paraphrase that famous remark of Pogo's, we have met the enemy and he is us.

This is what's wrong in Indian affairs. The national desire-- I won't say policy because nobody would admit to having such a policy, but our policy is no better today deep in the hearts of the people of the West, where the Indian people live--is to just have them be exactly like us, and stop getting in the way. They have water rights but they don't use them. The government spends money but they still don't have acceptable religion. We teach them to be clean, but are they? I mean all the prejudices, all the feeling, all the resentment against their being around and not being middle class is deeply rooted in the American sentiment.

Now, this leads to a number of things: first, to wide swings in public policy as, for example, termination in the fifties but economic development in the sixties; then, it leads to extravagances in policy, which is what we're witnessing right now. Only red people, red Indian people today can administer programs for Indians. Well, there's nothing Indian about delivering freight on the beach at Point Barrow in the Arctic Ocean. It's either done or it isn't done. Doing it is a considerable technical feat and the people who have been doing it every year since 1922 know how to do it. And you don't do it as pro-Indian or anti-Indian or red power or black power or speckled power or no power; you either do it or you don't. So we're very, very confused, you see, about our goals.

Then, to say that this is not an innovative bureau is to deny the fact that extension programs began in the Bureau of Indian Affairs. Mass public education existed in the Bureau of Indian Affairs when it did not exist in over half the federal union. Irrigation in the West began on an Indian reservation in Parker, Arizona in 1867. Most public school educators, or let us say most elementary school educators would give their eyeteeth if they could have an ungraded program, if they were not bound by the curriculums of the first and the second and the third and the fourth grades with units of twenty children, thirty children, forty children, fifty children, whatever they are. The so-called non-innovative Indian Bureau introduced a program of ungraded education for six thousand Navajos in 1950 and carried it on and built it up during what I think was one of the most deplorable of the many deplorable periods in Indian administration, and did it all being called non-innovative.

MOSS: All right. I can almost hear the critics saying, "Yes, but what have you done lately?"

NASH: Well, what we've done lately, my God, the adult vocational training program, the housing program. The adult vocational training program was started before I became commissioner but it has been built up in the past decade to many thousands of people a year. The Indian adult vocational training program puts in the shade the very best programs that the Office of Economic Opportunity has been able to devise for the Job Corps, Job Corps centers and so on, and it's been doing it for many years and will be doing it for many years after OEO has been split up and decimated. The teaching of English as a secondary language, which the Indian Bureau did not invent but which it adapted from Spanish-speaking parts of the American community--Puerto Rico, Miami, San Diego, El Paso, for example, New York to a lesser extent--was adopted, incorporated, and extended to the entire Navajo school system almost before you could turn around. I told them I thought they ought to do it, and this was about two years before I left the bureau, and it was done before I got out. The mutual aid housing program which we developed in the Indian Bureau in order to find a means of providing housing for people who couldn't pay rent, who couldn't borrow money, who couldn't pay back borrowed money, but where they could put sweat equity into their own housing, and where we very ingeniously created tribal housing authorities in order to take advantage of the public housing program that was really devised for the biggest metropolises, I think that's an outstanding piece of social engineering in which the tribes happily joined.

MOSS: Okay. Let me push my voices a step further. If you've done so much why aren't things better?

NASH: This is a very good question. I think the people who are asking this are people who have something to say about poverty on the reservations but nothing about poverty in Los Angeles, who have quite a bit to say about slums out West but nothing about Chicago or Washington or New York. In other words, I don't think anybody is doing very well about poverty.

Now, let's be specific about Indians. The first thing is that since our goals are very confused nobody counts success, you only count failure. This means, for example, that if we were running a veterans bureau on this program, every discharged veteran from a veterans hospital would be taken off our list and we would only count the veterans who were in the hospital. So if two hundred thousand people, which is about the right number, have left the reservation and have moved into off-reservation communities or into the urban-industrial environment and are thereby making a contribution as citizens, producers, their children are going to public school, they're getting their health needs met by paying a private physician or using public facilities, or whatever, we take them off our lists, you see. So then they're still counted as Indians, but not as our Indians, not as BIA Bureau of Indian Affairs Indians.

Now, I hesitate to bring this forward because I do not accept eviction from the reservation as an acceptable social goal, unless you're prepared at the same time that the answer to Appalachia is to evict people from the mountains of Kentucky. So this was why we were very careful in our task force report to state that we had a dual goal. The dual goal is to provide education, training, and other personal means of personal advancement so that the individual who is helped will thus be enabled to make a success of his life wherever he chooses to take it. That should be his choice, not ours. But the person who chooses a rural life, for whom the reservation means perhaps something in religion, something in family, or something in just plain life in the out-of-doors, should not be compelled to accept poverty merely because he made that choice of residence. Or to put it another way around, the untrained person who goes to the city will find that he pays the price in poverty. The person who is trained but chooses a rural life, because there is no in situ economic development, will find that he has paid the price of poverty.

Now, the problem with the programs--and I'm not now talking about the short period of time such as my administration, a matter of five years, JFK's two years, or anybody else's; I'm talking about the long haul. And over the long haul the reason why our

Indian programs do not succeed, or to the extent that they do not succeed, because I don't accept the fact that they haven't succeeded at all. . . . The extent to which they don't succeed is the extent to which we offer only the middle-class way of life as a goal. We tell everybody that acceptable religion, dress, language, and income and employment, and the value system is all there is, and we will help you achieve that if you desire to.

This theory then assumes that a poor person is a person who would have been a middle-class person except that he somehow got interrupted. This is the whole theory of the Office of Economic Opportunity: you interrupt the poverty cycle by taking the adolescent and putting him into a Job Corps center, or you interrupt the cycle of poverty by helping a kid stay in high school and not be a dropout. Who says that all these inner city kids, or rural kids, migrant workers, I mean the people that OEO is trying to help, want that competitive value system, want to be middle-class? Many of them do not. And many of their people, many of their parents and older brothers do not. They want something else, they're very dissatisfied with it.

Now, we in the Indian Bureau over a long haul have been very deficient in developing on-reservation programs that would make life better there in terms of health, education, employment, income, housing, and acceptability--acceptance by the neighbors--for those who simply, for reasons of their own that they don't even give; prefer a rural life. Now, the reason we did not do so is dual. First, we felt they ought to be perfect like us and second, we really believed that reservations are bad places and therefore the inner objective was to get them out. Now, this of course will have certain side effects which are very desirable to certain people in the West, namely their lands will be thrown open to settlement, or their minerals will be available or their water power will, or then you can drown out their reservation instead of drowning out somebody else's land next door if you build a high dam, and so on. I don't say that this is what regulates behavior, but it is why a reasonable humanistic value system for the goals of the BIA has never been stated.

MOSS: Okay, this, in a way, brings us full circle back to the task force again, because here we're sitting ten years later with the benefit of a good deal of hindsight and really a good deal of hard thinking that's gone on in the past ten years on this subject. How much of this was appreciated by the task force, and how well do you think they were really translating things into policy approaches?

NASH: Well, first place, I learned most of what I know about Indian affairs in the Indian Bureau. I was supposed to be an expert, and I guess I was more so than most anybody that ever . . .

MOSS: You worked on the Klamath Indians, didn't you?

NASH: Oh yes. My whole life has been in the field of Indian affairs. I'm one of the few anthropologists that made Indian administration, the administration of Indian affairs his specialty. Other people were interested in other things, I was interested in administration. And then I came into the Truman administration in terms of civil rights but that grew out of my Indian interest.

MOSS: Okay. So here are you and William W. Bill Keeler and James E. Jim Officer and William Zimmerman sitting there. How do you grasp all this?

NASH: All right. Well, in the first place we wanted to, we were convinced that we had to state goals and devise programs for them that would be, that would originate primarily with the Indian people. In other words, we were not very far along in 1961 on the road to red power, or black power, or any particular color of power, but we were well aware of the fact that the day of the expert was not a very good day. It was for this reason that we traveled and held hearings and invited the elected leaders, not the self-appointed spokesmen but the elected leaders, of all tribes-- and, oh, 98 percent of the population was represented by the elected leaders that appeared before us and offered programs. Then we boiled these down and edited them. So step one was fulfilled, that is, that it would be what they saw as their needs and what they saw as practical.

Second, we of course had to bear in mind that Congress provides the authority and the funds and you therefore could not fly in the face of congressional opinion. You didn't have to be namby-pamby about it, but you couldn't ask for things that you already knew were not going to be granted in the way of authority, or would not be funded if the authority were granted because it would be a phony proposition. Now this was a by-product of something that we all felt very strongly in that task force, in which we felt especially strongly after we'd been out in the Indian country, that the decade of termination had resulted in a tremendous loss of confidence as far as Indians and government was concerned. So a pie in the sky approach, we thought, would be not only morally wrong but politically disastrous. We therefore scaled it rather modestly.

Now, the other thing was that we wanted a workable program, that is, which would not only state long important goals, but

which would be stated in such terms that programs could be devised that could have a starting point and a stopping point, not forever, but a point, a measurable point of progress within the two term limit of the Constitution. In other words, you're thinking about one presidency. So we didn't shoot for the year 2000, we shot for the year 1968. And then we figured it would be time for somebody to start over again. So, the Indian voice, confidence, workability, and then a general absence of phoniness.

Now, there are many, many phony issues in the field of Indian affairs, and many of them come right out of the Congress. For example, just before the task force started its work, two committees (one of the House and one of the Senate) had come out with extensive research reports on the Indian land problem, what is called the heirship problem--and that's not an airplane but the inheritance problem--and the fractionation of landholdings which takes place when estates are inherited in their entirety without any division and where trusteeship prevents the division of the interests among the heirs in severalty.

This had been raised, I must say, by Indian experts. I was secretary of the first international conference on Indian welfare in Toronto, Ontario, in 1939, and I remember the extensive discussions of the fractionation problem in 1939. So it isn't just Congress, but the bureaucrats and the experts and to some extent the Indian people themselves, although not much, that have built up a great bogey which really doesn't even exist. And the short familiarity that we had with it even in 1961 convinced us that to devote a major portion of the task force report to the question of land ownership and fractionated interests would be a great disservice.

Now, when this report was unveiled to the Senate committee at a breakfast meeting in Stewart Udall's dining room, Frank Church just, you know, threw his hands up in the air and really went up in smoke. "Why," he said, "the only important legislative issues you haven't even touched on." Well, Frank Church learned his lesson and it made him very bitter, very bitter towards the Indians and not too friendly towards me--although, you know, we tried to tell him, and I tried to tell him, that it is not a legislative problem and it is not a major problem. Every big corporation, stock corporation in America is dealing with problems of the same magnitude every day in stock transfers, the calculation of dividends, the distribution of dividends, the whole business. And they do it and still make an awful lot of money. And nobody says, "Oh, this problem is getting way out of hand." Modern methods of

administration before I even left office were beginning to handle the fractionated interest problem. It's one of those things which is used to excuse failure, but does not represent a real problem. So we were determined to avoid phoniness.

Now, a real issue and one where we did come to grips with something fundamental is on the use of water in the western states that had appropriated water rather than riparian water.

MOSS: Let's hold it there and turn this tape over before it runs out.