

“Never Again”

Kevin Gover’s B.I.A. Apology



Presented by
Christopher Buck, Ph.D., J.D.
Native American Heritage Month
November 19, 2007
Federal Building, Pittsburgh

Who is Kevin Gover?

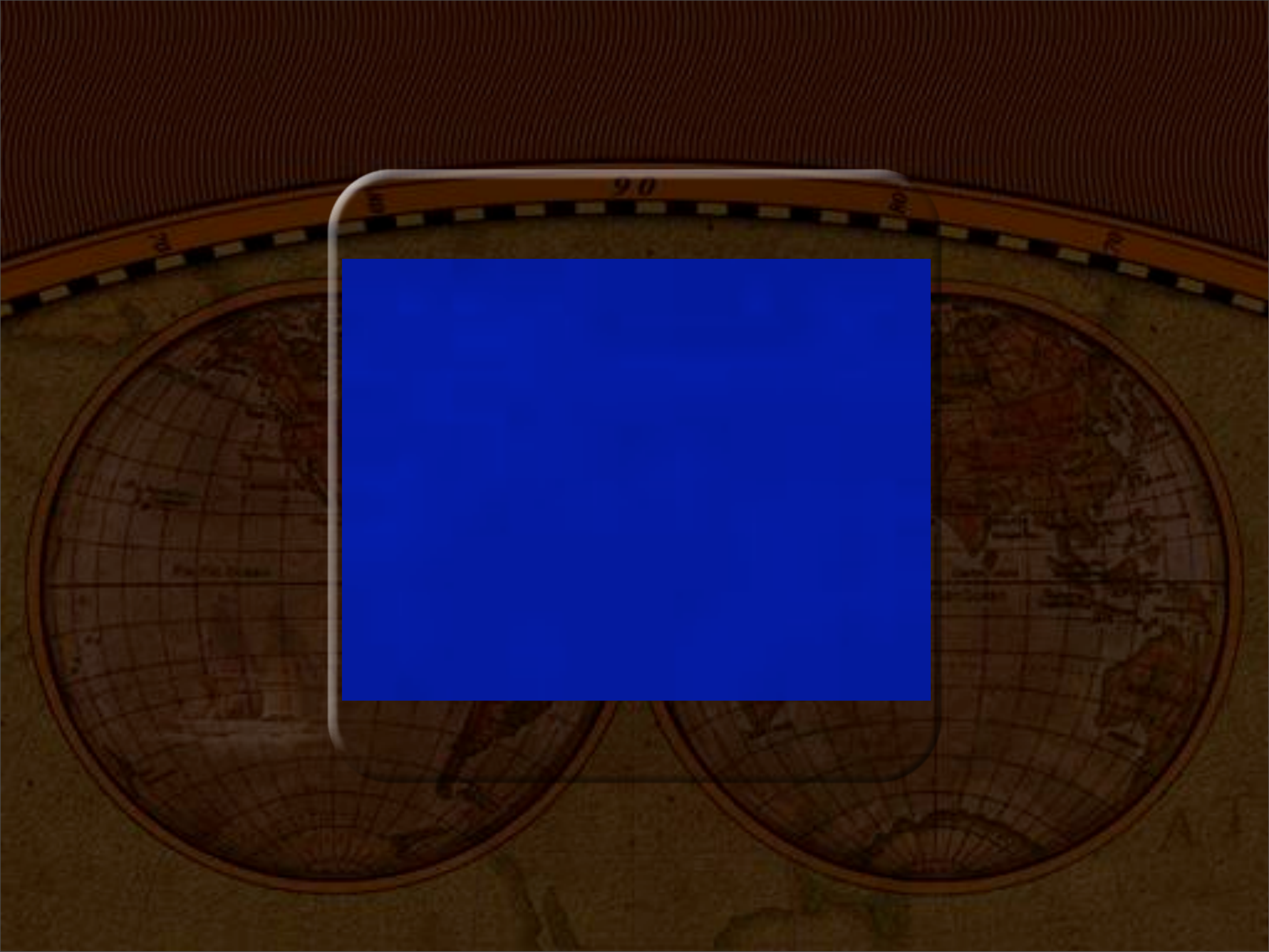


- **Pawnee Tribe, Oklahoma**
- **Princeton graduate**
- **University of New Mexico School of Law, cum laude**
- **1997, appointed by Clinton as Assistant Secretary of the Interior for Indian Affairs (to 2001)**
- **Professor of Law, Arizona State Univ.**
- **Named Director of Smithsonian's National Museum of the American Indian (2007)**

Video Presentation



- Found out about this speech quite by accident on Sept. 9, 2000.
- Personally decided to see if a video exists, and then went after it.
- The following video took two years of “White Tape” to obtain from the B.I.A.
- Shown for the first time in my “Religious Myths of America” class at Michigan State University, 9 February 2004.





REMARKS OF KEVIN GOVER

ASSISTANT SECRETARY-INDIAN AFFAIRS: ADDRESS TO TRIBAL LEADERS

- ✓ In March of 1824, President James Monroe established The Office of Indian Affairs in the Department of War.
- ✓ Its mission was to conduct the nation's business with regard to Indian affairs.
- ✓ We have come together today to mark the first 175 years of the institution now known as the Bureau of Indian Affairs.

A Time for Contrition



- It is appropriate that we do so in the first year of a new century and a new millennium, a time when our leaders are reflecting on what lies ahead and preparing for those challenges.
- Before looking ahead, though, this institution must first look back and reflect on what it has wrought and, by doing so, come to know that this is no occasion for celebration; rather it is time for reflection and contemplation, a time for sorrowful truths to be spoken, a time for contrition.

Enforced its ambition



- We must first reconcile ourselves to the fact that the works of this Agency have at various times profoundly harmed the communities it was meant to serve.
- From the very beginning, the Office of Indian Affairs was an instrument by which the United States enforced its ambition against the Indian nations and Indian people who stood in its path.

First Mission: Trail of Tears



- And so, the first mission of this institution was to execute the removal of the southeastern tribal nations.
- By threat, deceit, and force, these great tribal nations were made to march 1,000 miles to the west, leaving thousands of their old, their young and their infirm in hasty graves along the Trail of Tears.

Trail of Tears



- Cherokee removal begins May 23, 1838.
- John Ross supervises removal.
- Over 4,000 die in stockades & under harsh winter conditions.
- Cherokee Constitution adopted Sept. 6, 1839. Tahlequah established as capital.

Ethnic Cleansing on a scale so ghastly

- As the nation looked to the West for more land, this agency participated in the ethnic cleansing that befell the western tribes.
- War necessarily begets tragedy; the war for the West was no exception.
- Yet in these more enlightened times, it must be acknowledged that the deliberate spread of disease, the decimation of the mighty bison herds, the use of the poison alcohol to destroy mind and body, and the cowardly killing of women and children made for tragedy on a scale so ghastly that it cannot be dismissed as merely the inevitable consequence of the clash of competing ways of life.

Buffalo Slaughter

Before



After



Est. No. of Bison: 30 million
1885—Last great herd of bison
exterminated.

Great Nations Fell

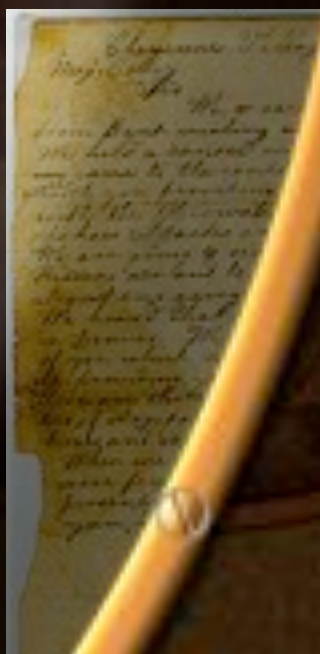
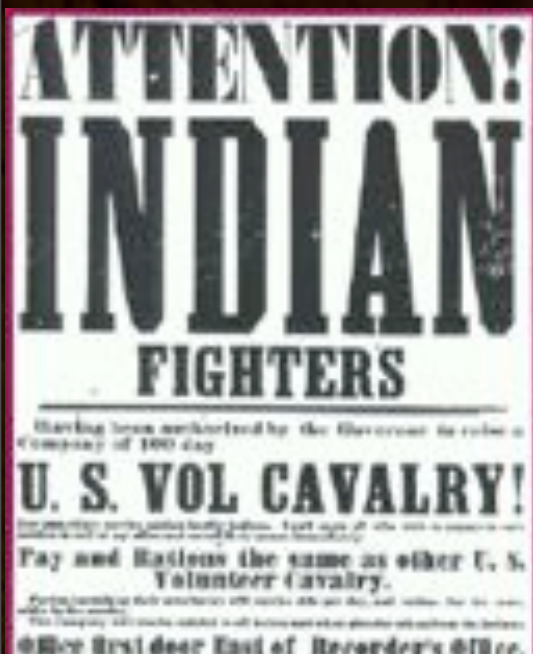


- This agency and the good people in it failed in the mission to prevent the devastation.
- And so, great nations of patriot warriors fell.
- We will never push aside the memory of unnecessary and violent death at places such as Sand Creek, the banks of the Washita River, and Wounded Knee.

The Sand Creek Massacre • 1864



- 29 Nov. 1864 (Five years after the Pikes Peak Gold Rush), Col. John Chivington and 700 Colorado Volunteers launched a surprise attack on Black Kettle's (Motavato) Cheyenne encampment along the Sand Creek.
- In April 1996, the United Methodist Church apologized to the Arapaho & Cheyenne for the Sand Creek Massacre.



Wounded Knee



To destroy all things Indian ...



- **Nor did the consequences of war have to include the futile and destructive efforts to annihilate Indian cultures.**
- **After the devastation of tribal economies and the deliberate creation of tribal dependence on the services provided by this agency, this agency set out to destroy all things Indian.**

Forced Assimilation



Brutalizing the Children



- This agency forbade the speaking of Indian languages, prohibited the conduct of traditional religious activities, outlawed traditional government, and made Indian people ashamed of who they were.

- Worst of all, the Bureau of Indian Affairs committed these acts against the children entrusted to its boarding schools, brutalizing them emotionally, psychologically, physically, and spiritually.

“Kill the Indian to save the man!”



- “Kill the Indian in him and save the Man.”
- Motto of Richard Henry Pratt, founder of the Carlisle Indian Industrial School (1879–1918).

Legacy haunts us ...

Even in this era of self-determination, when the Bureau of Indian Affairs is at long last serving as an advocate for Indian people in an atmosphere of mutual respect, the legacy of these misdeeds haunts us.



The trauma of shame, fear and anger has passed from one generation to the next, and manifests itself in the rampant alcoholism, drug abuse, and domestic violence that plague Indian country.



Lives of unrelenting tragedy ...



- Many of our people live lives of unrelenting tragedy as Indian families suffer the ruin of lives by alcoholism, suicides made of shame and despair, and violent death at the hands of one another.
- So many of the maladies suffered today in Indian country result from the failures of this agency.
- Poverty, ignorance, and disease have been the product of this agency's work.

These wrongs must be acknowledged ...



- **And so today I stand before you as the leader of an institution that in the past has committed acts so terrible that they infect, diminish, and destroy the lives of Indian people decades later, generations later.**
- **These things occurred despite the efforts of many good people with good hearts who sought to prevent them.**
- **These wrongs must be acknowledged if the healing is to begin.**

I DO NOT SPEAK TODAY FOR THE UNITED STATES ...



- ◆ **I do not speak today for the United States. That is the province of the nation's elected leaders, and I would not presume to speak on their behalf.**
- ◆ **I am empowered, however, to speak on behalf of this agency, the Bureau of Indian Affairs, and I am quite certain that the words that follow reflect the hearts of its 10,000 employees.**

I extend this formal apology to Indian people ...



- Let us begin by expressing our profound sorrow for what this agency has done in the past.
- Just like you, when we think of these misdeeds and their tragic consequences, our hearts break and our grief is as pure and complete as yours.
- We desperately wish that we could change this history, but of course we cannot.
- On behalf of the Bureau of Indian Affairs, I extend this formal apology to Indian people for the historical conduct of this agency.

The moral responsibility of putting things right.



- **And while the BIA employees of today did not commit these wrongs, we acknowledge that the institution we serve did.**
- **We accept this inheritance, this legacy of racism and inhumanity.**
- **And by accepting this legacy, we accept also the moral responsibility of putting things right.**
- **We therefore begin this important work anew, and make a new commitment to the people and communities that we serve, a commitment born of the dedication we share with you to the cause of renewed hope and prosperity for Indian country.**

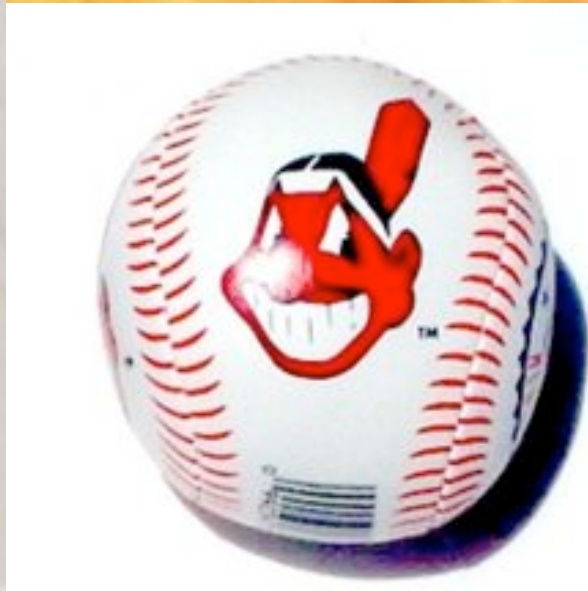
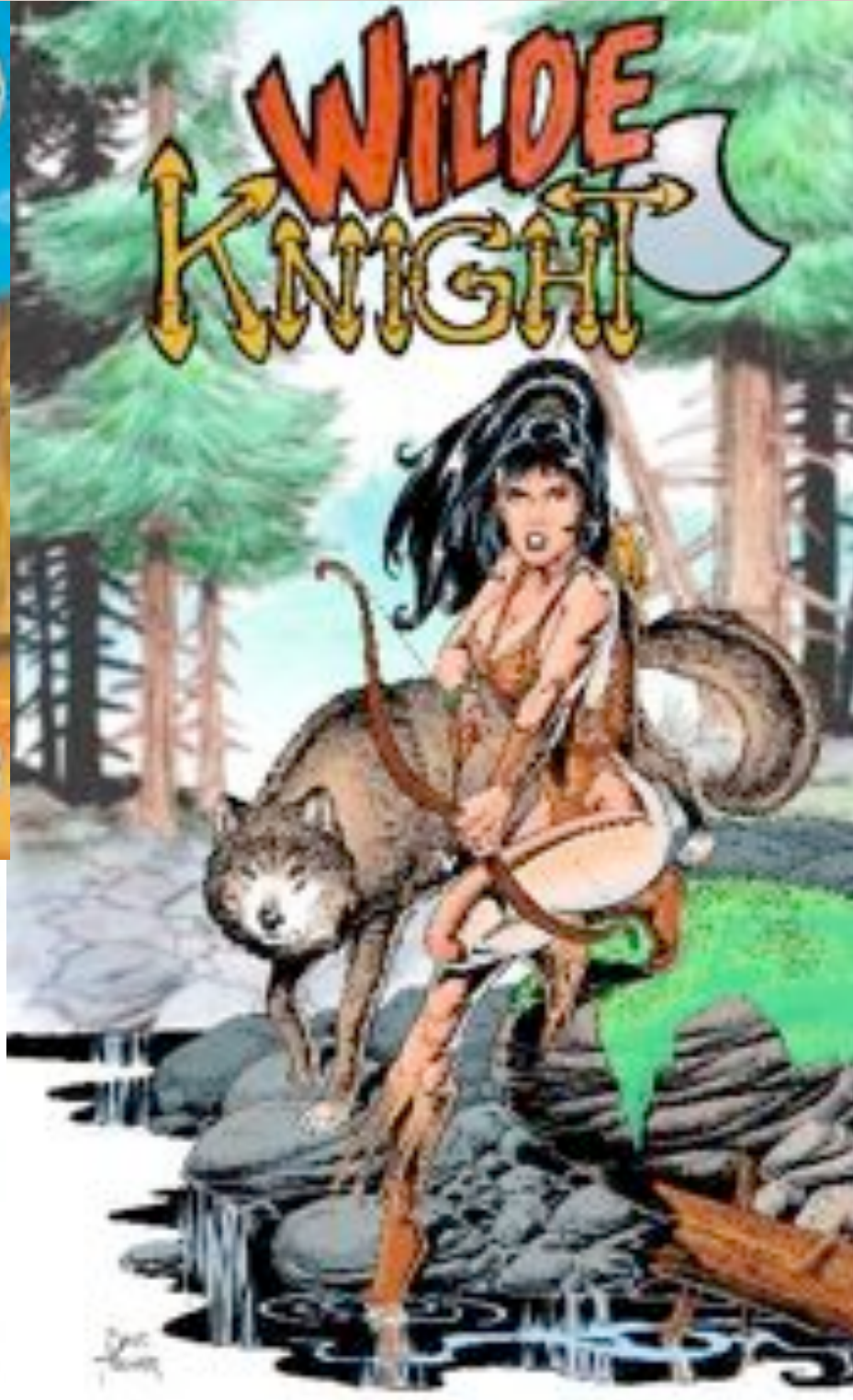
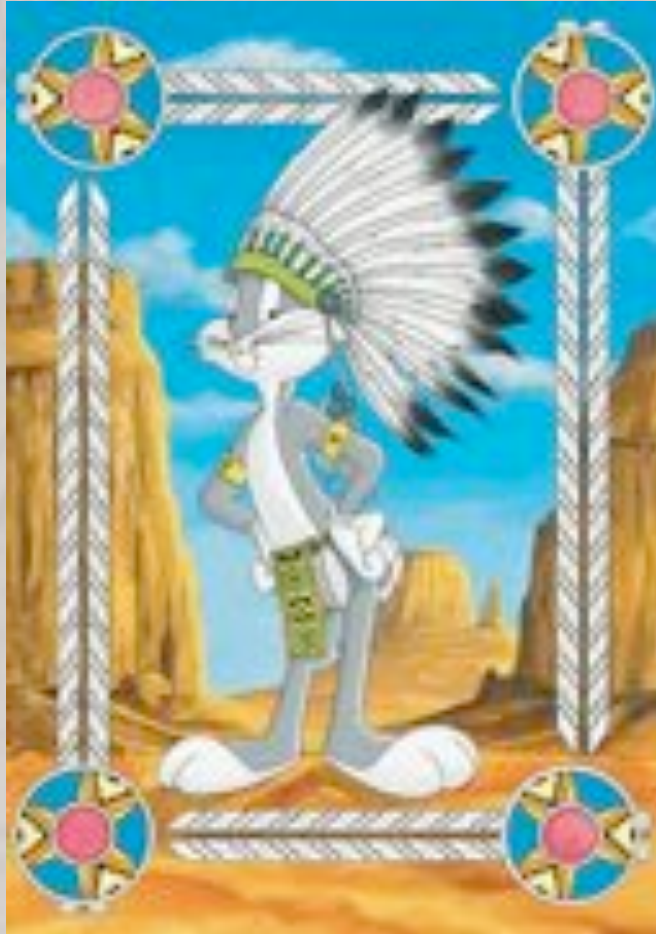
Never again.

- **Never again will this agency stand silent when hate and violence are committed against Indians.**
- **Never again will we allow policy to proceed from the assumption that Indians possess less human genius than the other races.**
- **Never again will we be complicit in the theft of Indian property.**
- **Never again will we appoint false leaders who serve purposes other than those of the tribes.**

Never again.

- **Never again will we allow unflattering and stereotypical images of Indian people to deface the halls of government or lead the American people to shallow and ignorant beliefs about Indians.**
- **Never again will we attack your religions, your languages, your rituals, or any of your tribal ways.**
- **Never again will we seize your children, nor teach them to be ashamed of who they are.**

Indian Stereotypes



The time of dying is at its end.



- We cannot yet ask your forgiveness, not while the burdens of this agency's history weigh so heavily on tribal communities.
- What we do ask is that, together, we allow the healing to begin: As you return to your homes, and as you talk with your people, please tell them that the time of dying is at its end.

The time of shame and fear is over.



- Tell your children that the time of shame and fear is over.
- Tell your young men and women to replace their anger with hope and love for their people.
- Together, we must wipe the tears of seven generations.
- Together, we must allow our broken hearts to mend.
- Together, we will face a challenging world with confidence and trust.



Progress for the Indian Nations



- ✓ Together, let us resolve that when our future leaders gather to discuss the history of this institution, it will be time to celebrate the rebirth of joy, freedom, and progress for the Indian Nations.
- ✓ The Bureau of Indian Affairs was born in 1824 in a time of war on Indian people. May it live in the year 2000 and beyond as an instrument of their prosperity.

Reparations?

**From: Kevin Gover <Kevin.Gover@asu.edu>
Date: Mon Oct 11, 2004 8:05:11 PM America/Detroit
To: "Dr. Christopher Buck" <buckc@msu.edu>
Subject: RE: Federal Indian Law: Research Topic**



I support reparations only in this sense: Today's maladies in Indian Country are the direct result of the failed policies of the past. A rational and adequately-funded effort to overcome poverty, illness, and ignorance is an appropriate form of reparations. I would not support payments to individual Indians. It would allow the US to wash its hands of the matter, and would accomplish very little, save to permit every Indian to get a new car.

THE COMMONWEALTH OF VIRGINIA ACKNOWLEDGES "THE MALTREATMENT AND EXPLOITATION OF NATIVE AMERICANS AND THE IMMORAL INSTITUTION OF HUMAN SLAVERY"

VIRGINIA SENATE JOINT RESOLUTION NO. 352
February 24, 2007

Acknowledging with profound regret the involuntary servitude of Africans and the exploitation of Native Americans, and calling for reconciliation among all Virginians.

WHEREAS, 2007 marks the 400th anniversary of the first permanent English settlement in the Americas, at Jamestown; and

WHEREAS, the legacies of the Jamestown settlement and the Virginia colony include ideas, institutions, a history distinctive to the American experiment in democracy, and a constellation of liberties enshrined in the Virginia Declaration of Rights and the Virginia and United States Constitutions; and

WHEREAS, the foremost expression of the ideals that bind us together as a people is found in the Declaration of Independence, which proclaims as "self-evident" the truths "that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty and the pursuit of happiness"; and

WHEREAS, despite the "self-evident" character of these fundamental principles, the moral standards of liberty and equality have been transgressed during much of Virginia's and America's history, and our Commonwealth and nation are striving to fulfill the ideals proclaimed by the founders to secure the "more perfect union" that is the aspiration of our national identity and charter; and

WHEREAS, these transgressions include the maltreatment and exploitation of Native Americans and the immoral institution of human slavery, policies and systems directly antithetical to and incompatible with the fundamental principle of human equality and freedom; and

WHEREAS, Native Americans inhabited the land throughout the New World and were the "first people" the early English settlers met upon landing on the shores of North America at Jamestown in 1607; and

WHEREAS, records relating to the early relations between Native Americans and the settlers indicate "the Mataponi, a part of the powerful Powhatan chiefdom, greeted settlers in 1607 and, along with other Powhatan tribes, were visited by Captain John Smith," that "the Chickahominy Tribe had early contact with the English settlers due to their proximity to Jamestown," and that "the Rappahannock Indians, possessing thirteen villages on the south and north sides of the Rappahannock River, first spoke to Captain John Smith in 1608 at their headquarters, 'Cut Point Creek';" and

WHEREAS, Native Americans provided food for the settlers, aiding the survival of 32 settlers during the first winter and later taught them how to grow crops; and

WHEREAS, Native American leaders have worked diligently to preserve and protect their heritage, history, and culture, and when public education was denied Native American children, the leaders ensured their children's education by sending them to American Indian schools in Oklahoma and Kansas; and

WHEREAS, Virginia enacted laws to restrict the rights and liberties of Native Americans, including their ability to travel, testify in court, and inherit property, and a rigid social code created segregated schools and churches for whites, African Americans, and Native Americans; and

WHEREAS, the Racial Integrity Act of 1924 which institutionalized the "one drop rule," required a racial description of every person to be recorded at birth and banned interracial marriages, effectively eradicating Native Americans with African ancestry entirely, and these policies have destroyed the ability of

many of Virginia's indigenous people to prove continuous existence in order to gain federal recognition and the benefits such recognition confers; and

WHEREAS, during the course of the infamous Atlantic slave trade, millions of Africans became involuntary immigrants to the New World, and the first African slaves in the North American colonies were brought to Jamestown in 1619; and

WHEREAS, slavery, or the "Peculiar Institution," in the United States resembled no other form of involuntary servitude, as Africans were captured and sold at auction as chattel, like inanimate property or animals; and

WHEREAS, to prime Africans for slavery, the office of the Africans was shattered, they were brutalized, humiliated, dehumanized, and subjected to the indignity of being stripped of their names and heritage, and families were dismantled as husbands and wives, mothers and daughters, and fathers and sons were sold into slavery apart from one another; and

WHEREAS, slavery, having been sanctioned and perpetuated through the laws of Virginia and the United States, ranks as the most heinous of all deprivations of human rights and violations of our founding ideals in our nation's history, and the abolition of slavery was followed by systematic discrimination, enforced segregation, and other inhumane institutions and practices toward Americans of African descent that were rooted in racism, racial fear, and racial misunderstanding; and

WHEREAS, the most abject apologies for past wrongs cannot right them, yet the spirit of true repentance on behalf of a government, and, through it, a people, can promote reconciliation and healing, and avert the repetition of past wrongs and the disregard of manifested injustice; and

WHEREAS, in recent decades, Virginia's affirmation of the founding ideals of liberty and equality have been made evident by providing some of the nation's foremost traditions for civil rights and abolishing a tradition of slaves to the Commonwealth's highest elective office; and

WHEREAS, the story of Virginia's Native Americans and the enslavement of Africans and their descendants, the human carnage, and the dehumanizing atrocities committed during colonization and slavery, and, moreover, the faith, perseverance, hope, and endless triumphs of Native Americans and African Americans and their significant contributions to the Commonwealth and the nation should be embraced, celebrated, and retold for generations to come; now, therefore, be it

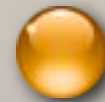
RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby acknowledge with profound regret the involuntary servitude of Africans and the exploitation of Native Americans, and call for reconciliation among all Virginians; and, be it

RESOLVED FURTHER, That on the occasion of the 400th anniversary of the settlement at Jamestown, the General Assembly call upon the people of the Commonwealth to express acknowledgment and thanksgiving for the contributions of Native Americans and African Americans to the Commonwealth and this nation, and to the propagation of the ideals of liberty, justice, and democracy; and, be it

RESOLVED FINALLY, That the Clerk of the Senate shall post this resolution on the General Assembly's website. [<http://leg1.state.va.us>]

NATIVE AMERICAN APOLOGY RESOLUTION

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- On January 4, 2007, Rep. Jo Ann Davis of Virginia introduced H.J. Res. 3. (Rep. Davis died of breast cancer on Oct. 6, 2007.)
- On March 1, 2007, Senator Sam Brownback of Kansas introduced S.J. Res. 4. (This is the third congressional session that Brownback introduced the resolution.)
- On May 11, 2007, the Indian Affairs Committee passage of S.J. Res. 4, the Native American Apology Resolution.

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SAM BROWNBACK
SENATOR
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(202) 224-4841, Pledge
(202) 224-1385, Fax

LEGATION
APPROPRIATIONS
JOINT ECONOMIC
COMMITTEE
LEGISLATION
UNITED STATES
HOUSE OF REPRESENTATIVES

United States Senate
WASHINGTON, DC 20510-1404

March 16, 2007

RE: Native American Apology Resolution (S.J.Res.4)

Dear Colleague:

For centuries, relations between the United States and the Native peoples of this land have been in disrepair. For too much of our history, Federal-Tribal relations have been marred by broken treaties, mistreatment, and dishonorable dealings. I believe it is time we worked to restore these relationships to good health.

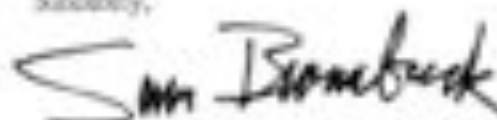
Certainly, we cannot erase the record of our past, however, we can acknowledge our past failures, express sincere regrets, and work toward establishing a brighter future for all Americans. To achieve these goals, I have introduced Senate Joint Resolution 4 to extend a formal apology from the United States to Tribal governments and Native people nationwide. A copy of this resolution, which is identical to resolution language that was approved unanimously by the Senate Indian Affairs Committee in the 109th Congress, is attached for your review.

Please note that S.J.Res.4 will not authorize or serve as a settlement of any claim against the United States, nor will it resolve the many challenges still facing Native people. Moreover, this resolution does not denigrate the bravery and self-sacrifice of Americans who have served their nation honorably and faithfully in the military throughout our history. Rather, this resolution is intended to be the beginning of a much-needed reconciliation.

Even from the earliest days of our Republic, there has existed a sentiment that honorable dealings and peaceful coexistence were needed in our relations with our Native neighbors. Indeed, our predecessors in Congress in 1787 stated in the Northwest Ordinance, "The utmost good faith shall always be observed toward the Indians." It is my hope that this apology will be a foundation for a new era of positive relations between Tribal governments and the United States.

Thank you for your willingness to review S.J.Res.4. If you would like to be a cosponsor of this resolution or if you have any questions, please do not hesitate to have your staff contact Aaron Mewer in my office at 4-6521.

Sincerely,



Sam Brownback
United States Senator

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Ask your Senator to co-sponsor!



- **Casey, Robert P., Jr. (D - PA)**
383 Russell Senate Office Building
Washington, DC 20510
(202) 224-6324
Web: <<http://casey.senate.gov/>>
- **Specter, Arlen (R - PA)**
711 Hart Senate Office Building
Washington, DC 20510
(202) 224-4254
Web: <<http://specter.senate.gov/public/>>

Ask your House Rep to co-sponsor!



- **Congressman Mike Doyle**
401 Cannon House Office Building
Washington, D.C. 20515
Phone: 202-225-2135 | Fax: 202-225-3084

225 Ross Street, Fifth Floor
Pittsburgh, PA 15219
Phone: 412-261-5091 | Fax: 412-261-1983
E-mail: <rep.doyle@mail.house.gov>

Further Information



- Christopher Buck
- “‘Never Again’: Kevin Gover’s Apology for the Bureau of Indian Affairs.” *Wicazo Sa Review: A Journal of Native American Studies* 21.1 (2006): 97–126.
- Video online at <http://www.christopherbuck.com/Buck_Film_Clips/Gover_BIA_Speech.mpg>.