NEW MEXICO, 1890-1930: LAND OF FOUR CULTURES?

Changing Perceptions of the Pueblo Indians

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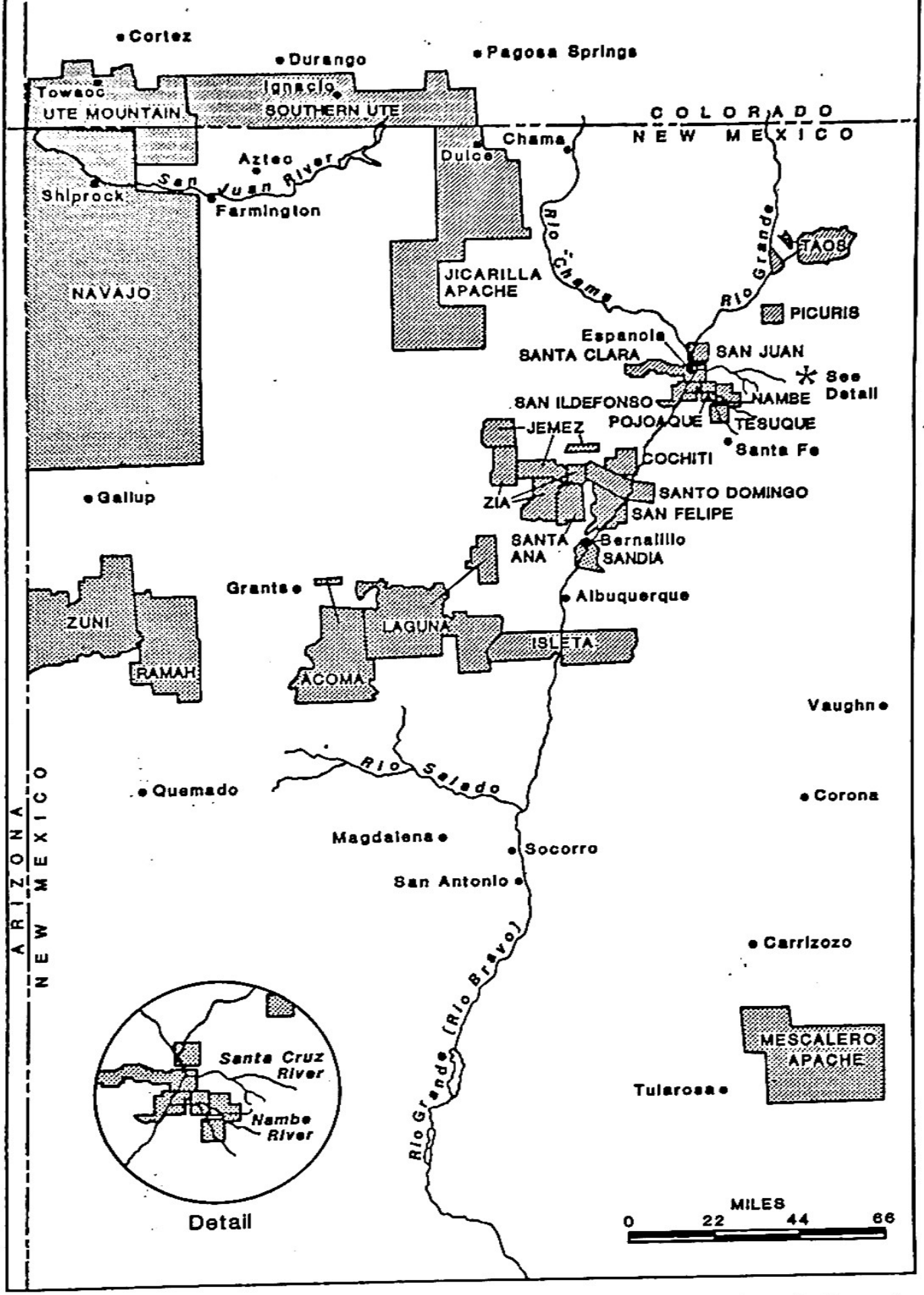

Northwest New Mexico Showing Indian Reservations Along the Río Grande.
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Pueblo Indian Water Rights: Struggle for a Precious Resource.
(Tucson, 1984)

INTRODUCTION

From 1887, when the Dawes Severalty Act was passed, until 1934 the policy of the United States government towards Native American Indians was to encourage their assimilation into the general population through the "civilizing" influence of individual land ownership and the dissolution of tribal units. The Indian Reorganization Act of 1934 renounced that policy in favor of one in which separate Indian nations were to be treated as self-governing units with control, at least to some extent, over their lands and peoples. The 1934 Act came on the heels of more than ten years of efforts by Indian rights advocates throughout the country. While by no means universally welcomed, the new policy indicated that a change had taken place in the attitudes held by many white Americans towards Native Americans.

That the plight of the American Indian should become a issue of national concern during the 1920's is, on the surface, surprising. America in the 1920's was noteworthy for its intolerance towards other cultures. The Immigration Act of 1924 denied entry into the United States to Chinese and Japanese. The Ku Klux Klan enjoyed a resurgence in the early 1920's, particularly in the western states. Placed in this context, the movement to protect the American Indian would appear to be anachronistic.

Upon examination, however, it seems likely that attitudes toward the American Indian had been changing even as the policy of assimilation was being formulated. Forces contributing to this change included the dissemination of anthropological and historic information about Native Americans, popular literature written about the West, concerns in the Progressive Era about the social consequences of the industrial age and, undoubtedly, the fact that the Indian was no longer

perceived to be a threat to American citizens and institutions. The impact of these forces can be seen in such cultural phenomena as the Indian lore taught in the Boy Scouts and the use of Indians in railroad advertisements promoting tourism in the Southwest.

In particular, Indian policy was an issue of great contention in western states where the majority of Native Americans were located. While much of the pressure for reform in Indian policy came from activists in the West, much of the opposition to changed policy came from the same region. In other words, the West was the part of the country where Indian policy was most hotly debated.

In the debate in the West over Indian policy, those who called for reform of the sort enacted in 1934 and those who opposed it often conformed to two distinct types. Opponents of reform were frequently individuals with roots in the western states that could be traced to the late nineteenth century, at least, and who characteristically engaged in economic activities based upon the exploitation of the land. They tended to consider the western landscape from a utilitarian point of view that emphasized the development of whatever resources the land and limited water could provide. Indians were seen as impeding this development, and Indian ways of life were considered to be archaic and doomed to extinction.

Those who favored reform, on the other hand, were often relative newcomers to the region and were less likely to be engaged in traditional western occupations. In many cases they had moved west hoping to find an alternative to the industrial society of the East. Included in this group, and most often noted, were writers and artists. But also active were some professionals (lawyers, doctors, and journalists), academics, missionaries, and even a few government employees. These newcomers tended to have a more romantic view of the West and its original inhabitants than that held by native-born or long-time residents.

In many respects, these opposing types of Westerners still exist. They can be seen in the environmental movement and in the anti-federalist "sagebrush rebellion" of the late 1970's (or in a rancher's complaints about leasing policy for federal land). In some ways, an endangered species such as the spotted wood owl holds a similar symbolic significance to today's environmental activists

that the Indian held for some white Americans in the 1920's. Moreover, the Indian reformers of the 1920's brought national public opinion to bear upon localized issues in much the same way that today's environmental movement targets specific regional issues.

The distinction between these two types of Westerners was especially stark in New Mexico, where the Indian population was proportionately large. Pueblo Indian rights to the land on which they lived and farmed had been acknowledged by the Spanish conquerors of New Mexico. Royal grants to this land were issued to the individual pueblos in the early eighteenth century. These land grants were situated, for the most part, along the Rio Grande River and its tributaries and were irrigable oases in a mostly arid country . The presence of thousands of (mostly Hispanic) non-Indians living on Pueblo land grants made debate regarding the legal relationship of the Pueblo Indians to this land more than an intellectual exercise.

Moreover, the towns of Taos and Santa Fe in northern New Mexico were centers of Indian policy reform activity. These towns had become art colonies for writers and painters from the East Coast and Europe, many of whom had moved to New Mexico because of a fascination with the Indians of the Southwest, especially the Pueblo Indians. In the 1920's, their efforts to protect the Pueblos of New Mexico helped draw national attention to the issue of Indian policy reform.

The Pueblo Indians were, from the beginning of contact with European based cultures, viewed by newcomers to the region as being distinctly more "civilized" than other natives of the southwest. Unlike the Navajo and Apache nations, they were a sedentary, agricultural people that lived in permanent communities. Because of the superficial similarity of their culture to Western culture, the Pueblo Indians were treated as a special case by Spanish, Mexican and American authorities. Moreover, because of the limited amount of arable land in New Mexico, new settlers were compelled to live in close proximity to the Pueblos. The uncertain status of the Pueblos, not like other Indians yet certainly not white, led to confusion among the new, dominant, cultures as to how they should be treated.

The modern Indian reform movement was, to a large extent, born out of competing views of just what the status of the Pueblo Indians should be in New Mexico. Because of this, an

examination of attitudes held by New Mexicans in the late territorial and early statehood periods (roughly 1890-1930) should help to shed some light on the dynamics of changing attitudes towards not just the Pueblos but Native Americans in general. At the same time, because Indians and the idea of "the West" have been closely connected in the minds of most Americans, changing perceptions of the Indian during this period may also reflect a change in the way in which people viewed the western landscape as a whole.

The Pueblo Indians of New Mexico

Given that anthropologists have devoted entire careers to the study of individual Pueblo Indian communities (*pueblos*), a brief description of the nineteen active Pueblo groups, twenty if the Hopi Indians are included, cannot claim to be comprehensive. Nonetheless, some basic information about the Pueblos may be helpful to the unfamiliar reader. The several ceremonial groups and their functions that are outlined in this section are referred to in the text that follows and should not be construed as representing a complete account of Pueblo religious life. The same limitation applies to the brief accounts of Pueblo social and governmental organization.

At the time that the first Spaniards entered New Mexico, Pueblo Indian villages stretched some 400 miles northward from near present day El Paso to Taos and from the Hopi villages in northwest Arizona to the eastern slope of the Manzano mountains in New Mexico (250 miles). In New Mexico, the most extensive contact between newcomers and Pueblo Indians took place in the pueblos of the Rio Grande Valley and those along tributaries of the Rio Grande, the Eastern Pueblos.

The origins of the Pueblo Indians are murky, but the most frequently expressed theory is that they are the descendants of earlier cliff-dwelling Indians, such as those that lived at Mesa Verde. There were Pueblo Indians living in settled, agricultural, communities in the Rio Grande Valley by the latter half of the thirteenth century.[1] At the time of the Spanish *entrada* there were something over 60 Pueblo villages (pueblos) in New Mexico with populations ranging from 400 to 2,000. It has been estimated that there were 26,500 Eastern Pueblo Indians in 1630 (and at no time more than 30,000). Although the Spanish and later governing powers in New Mexico tended to group the Pueblos together as a single nation, individual pueblos were, and are, autonomous

1. Edward Holland Spicer, *Cycles of Conquest: The Impact of Spain, Mexico, and the United States on the Indians of the Southwest, 1533-1960* (Tucson, 1962), 153. Leo Crane, *Desert Drums* (Boston, 1928), 92.

units. There were 5 separate Eastern Pueblo languages, of which 4 survive today, and numerous dialects within these language groups.[2]

It was natural that the Spanish should think of the Pueblo Indians as a single group, for the individual pueblos had much in common. They were each made up of sedentary peoples that lived in concentrated communities in multi-storied apartment style dwellings. They practiced a much more developed form of agriculture, with irrigated fields, than other Indians of the southwest. Moreover, they shared similar forms of government based upon the leadership of the head priest, the *cacique*, and a council of elders. In the Eastern pueblos, where communal work on irrigation ditches was vital, these officers tended to exercise strong control over members of the community. In the more arid pueblos to the west, matrilineal clans sometimes shared power with the pueblo officers. After 1620, Spanish rulers imposed on the pueblos a secular governmental organization with civil officers, including a pueblo governor. Until the present century, however, these officers were appointed by traditional religious leaders and control of pueblo government remained in religious hands. To varying degrees, these religious officers continue to hold extensive powers in the pueblos today.[3]

As has been stated, the sedentary life of the Pueblos set them apart from other Indians in New Mexico. Although they engaged in trade with their nomadic neighbors, for buffalo hides and other items, relations between the Pueblos and other tribes were not particularly friendly. Periodic raids by nomadic Indians, which were taking place at least as early as 1525, were a problem before the arrival of the Spanish in New Mexico. Spanish trade with the Apaches and Comanches (often involving guns and powder for Indian slaves) had the effect of increasing the frequency of these raids. By the 1700's, the Spanish and the Pueblos joined forces at times in fighting against Navajo and Apache raiding parties.[4]

Pueblo religion was central to community life. In the words of Elizabeth A. H. John, the life of the Pueblo Indians at the time of the Spanish conquest was made up of "ceaseless rounds of

2. Spicer, *Cycles of Conquest,* 155.

3. Edward P. Dozier, *The Pueblo Indians of North America* (New York, 1920), 187-191, 211.

4. Spicer, *Cycles of Conquest*, 161.

inherited ceremonies to propitiate the ruling spirits of their universe".[5] Anthropologist Edward P. Dozier, himself a Pueblo Indian, has explained the connection between Pueblo ceremony and the Pueblo world view with the words:

> Pueblo ceremonialism is best understood as an aspect of the general Pueblo concept of the interrelatedness and cooperative nature of the universe. Ceremonial activity is the Pueblo's contribution to maintaining a harmonious balance which is believed to be the natural state of affairs. In Pueblo belief, as long as ceremonies are consistently and properly performed, nature will respond by providing the necessities of life. Thus, man and nature cooperate to maintain universal balance.[6]

Dozier has placed the various types of existing Pueblo ceremonies in six categories ranging from sacred ceremonies restricted to pueblo members, or groups within the pueblo, to purely recreational dances of Pueblo origin to dances and pageants of Spanish-Mexican derivation. Four specific ceremonial activities, falling within Dozier's first three categories, are discussed in the text and some description of these activities may be helpful.

The *Katchina* cult can be found, in one form or another, in all of the Pueblo groups. It involves the representation, by masked *Katchina* society members, of "supernatural beings, vaguely considered to be ancestral spirits." In the Western Pueblos, where the cult seems to have originated, *Katchina* spirits are primarily associated with bringing rain and fertility to the pueblos, although they also have medicinal functions. In the Eastern Pueblos, where water supply was less of a concern, Katchinas were more often associated with good health and spiritual well-being. At the pueblos along the Rio Grande, *Katchina* ceremonies are restricted to members of the pueblo, while at Zuñi the ceremony is open to the public. Much of the *Katchina* activity, like other ceremonial activities, takes place in *kivas*, ceremonial buildings which serve multiple purposes at all of the pueblos. This heightened secrecy among the Rio Grande pueblos applies to other ceremonies as well. The reason for this would seem to be that the Eastern Pueblos have historically had more contact with outside ruling groups which sought to put an end to their religious practices.[7]

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5. Elizabeth A. H. John, *Storms Brewed in Other Men's Worlds: The Confrontation of Indians, Spanish, and French in the Southwest, 1540-1795* (College Station, TX, 1975), 4.
6. Dozier, *The Pueblo Indians of North America*, 200.
7. *ibid.*, 140, 182.

Like the Katchina cult, every pueblo has some form of clown association, the full activities of which are highly secret. The Keresan Pueblo groups (San Felipe, Santa Ana, Zia, Santa Domingo, Cochiti) use the word *Koshare* for one of their clown associations, and the word is now commonly used by non-Indians to refer to all Pueblo clowns. Beyond their recreational function, Pueblo clowns perform vital functions within the community. The clown associations coordinate communal projects within the pueblo and "perform social control functions" by ridiculing the unacceptable behavior of some individuals during communal ceremonies. During some ceremonies, the grotesquely outfitted *Koshare* engage in aberrant behavior, sexual and otherwise, forbidden in everyday Pueblo life. Dozier describes this behavior as being a social mechanism that permits the generally circumscribed Pueblo population to "participate vicariously in behavior strictly denied them."[8]

Unlike the Katchinas and clowns, other ceremonial groups, while serving religious functions, are not so hidden from non-Indian eyes. Communal ceremonies, most prominently the *tablita* or Corn Dance, are held on pueblo Saint's days and are open to the public. The Corn Dance is a communal effort, involving the entire pueblo population. Despite its connection with Christianity, the dance is a supplication to the Sky God to bring rain to the pueblo fields. The women wear a wooden board in their hair, a *tablita*, decorated with painted clouds and rain. Man are attired in ceremonial aprons depicting falling rain. The Koshare, too, are present, with corn husks attached to their mud-caked hair, but their antics are restrained to activities acceptable to outsiders. The whole ceremony is performed before a statue of the pueblo saint. Smaller dances associated with hunter's and warrior's associations are also open to the public. Dances of this kind represent prayers for success in war or the hunt and, to the Pueblos, served as a kind of bonding with the hunted animal or enemy in war. Examples of these dances are the Deer and Buffalo Dances held at Taos and other pueblos during the winter months.[9]

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8. *ibid.*, 157, 203.
9. See Ross Calvin, *Sky Determines: An Interpretation of the Southwest* (1948; reprint, Albuquerque, 1965), 194-199 for a vivid description of the Green Corn Dance at Santo Domingo.

Superficial similarities of Pueblo culture to Western culture, particularly in the use of land, tended to blind the Spanish and those who came after them to the religious element that existed in all aspects of pueblo life. Those who did acknowledge the centrality of Pueblo religion often imposed their own preconceptions of the Pueblos on their interpretation of this fact. Thus, the early Spanish and later Protestant missionaries saw Pueblo ceremonies and the authority of Pueblo religious figures as pagan elements that needed to be wiped out. Admirers of Pueblo culture, who emerged early in this century, also brought preconceptions based upon their own culture to their perceptions of the Pueblos. The shifting pattern of these preconceptions of the Pueblo Indians is, to a large extent, the subject of what follows.

The Pueblos Under Spain, Mexico, and the United States

Spanish and Mexican Relations with the Pueblo Indians

The first encounters between European civilization and the natives of New Mexico took place in the 1530's, over 300 years before American annexation of the region. New Mexico was the northernmost province of New Spain from 1598 until 1680, when a Pueblo uprising succeeded in driving the Spanish out of the territory, and again from 1692 until 1821. Following independence in 1821, New Mexico was governed by Mexico until August 18, 1846 when General Stephen Watts Kearny raised the United States flag over the Palace of the Governors in Santa Fe.[10] During the years before American annexation, relationships between the two cultures in New Mexico, Spanish Colonial and Native American, were established and the legal and social status of New Mexico's Indians was defined. Cultural and legal patterns established under Spanish and Mexican rule persisted after American annexation of New Mexico.

Three aspects of relations between Spain and Mexico and the Pueblo Indians are especially relevant to later American-Pueblo relations. The first of these is the wide gap between the Indian policies that were enunciated by Madrid and Mexico City and the actualities of Hispanic-Indian relations in New Mexico. Secondly, Spanish inability, at least initially, to acknowledge the central role of religion in Pueblo life led to increasingly insular behavior on the part of the Pueblos. Secretiveness on the part of Pueblos about their religious beliefs would later lead some observers to under-emphasize the importance of their native beliefs. In a later period, this insularity encouraged widely varying Anglo interpretations of the meaning of Pueblo ceremonials. Thirdly, differing legal definitions of the relationship between the Pueblo Indians and the Spanish and Mexican governments contributed to a lingering uncertainty as to that relationship in the American period.

Spanish royal policy, from the beginning of exploration in the Americas, directed that the rights of Indians be protected. In her will of 1493, Queen Isabella instructed her successors to

10 . William A. Keheler, *Turmoil in New Mexico, 1846-1868* (Albuquerque, 1982), 13-15.

respect "the already acquired rights of indigenous people found in lands discovered by Spain."[11] When Francisco Vasquez de Coronado led an expedition of 300 Spanish conquistadors and 800 Mexican Indians into present day New Mexico and Arizona in 1540 his orders instructed that "You are to protect and defend these lands and their natives in our Royal name in order that no injury or ill treatment may be inflicted upon them."[12]

Despite these orders, Coronado became involved in a military action against the first Pueblo Indians he met. He also exacted "tribute" from Indians he encountered, contrary to his instructions to live off the land. One of his captains, Hernando de Alvarado, kidnapped and bound in chains two Pecos Pueblo Indians, including the head priest, when they were no longer willing to serve as guides for the expedition (and also in hopes of extracting information about gold or silver that the Pueblos might have). Another of his officers forcibly evicted the Pueblo Indians living at Tiguex (near present day Bernalillo) in order to establish his winter headquarters there. When a neighboring village rose in rebellion, Coronado's men killed 200 Pueblos, most of whom had already surrendered.[13]

Upon returning to Mexico, Coronado and several of his officers were brought up on charges as a consequence of their treatment of the Pueblo Indians in New Mexico. Philip II had, in 1542, promulgated the "New Laws of the Indies" in an effort to curb mistreatment of natives. Coronado, who was eventually exonerated, was meant to be an example that the Crown meant business.[14] But bringing officers and officials up on charges after the fact was the only real tool that the viceroys in New Spain had to enforce the theoretically humane Spanish policy towards the Indians. Lacking the means to finance regular army expeditions in the Spanish borderlands, they

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11 . G. Emlen Hall, "The Pueblo Land Grant Labyrinth", *Land, Water, and Culture: New Perspectives on Hispanic Land Grants*, ed. Charles L. Briggs & John R. Van Ness (Albuquerque, 1987), 72.
12 . *Narratives of the Coronado Expedition,* 1540-1542, ed. and trans. George P Hammond andAgapito Rey, 85-86, as cited in William Royce Swagerty, Jr., "Beyond Bimini: Indian Responses to European Incursions in the Spanish Borderlands, 1513-1600" (Ph.D. diss., Univ. of Calif., Santa Barbara, 1981), 228.
13 . John, 15-23. Also see Swagerty, 237-53.
14 . John, 10,23.

were forced to depend upon privately financed adventurers like Coronado to extend Spanish dominion.

In an effort to bring the colonization process under more control, the Spanish Crown passed the "Laws of Settlement of 1573." The new laws forbade exploration without royal license and stated that "the discoveries shall not bear the name and title of 'conquest' since, as they shall be made with all peacefulness and charity we desire, we do not want the name to give occasion or pretext for violence and damage to the Indians."[15] Nevertheless, subsequent expeditions into New Mexico, some led by Franciscan friars, were characterized by the same sort of "violence and damage" to the Pueblo Indians as that of Coronado.

Despite their treatment of the Pueblos, Coronado and his men were favorably impressed by some aspects of Pueblo culture, especially their homes. Coronado himself wrote of the Pueblo at Zuñi:

> The people of these towns seem to me to be fairly large and intelligent, although I do not think that they have the judgement and intelligence needed to build these houses in the way in which they are built, for most of them are entirely naked except in the covering of the privy parts.

Hernando de Alvarado wrote of the Pueblos that "The houses are too good, especially for these peoples who are like animals and have no order except in their houses."[16] Another of Coronado's captains, Pedro de Castañeda, speculated about the role of the Pueblo priests, writing "I believe they give them some commandments to observe, because there is no drunkenness, sodomy, or human sacrifice among them, nor do they eat human flesh or steal."[17] This is not the last time we will see ambivalence expressed about the relative civilization of the Pueblos by White men.

Another example of the disparity between royal policy and the reality of the Spanish colonization of New Mexico involved the *encomienda* system. This institution, which had developed during the fighting with the Moors in Spain, assigned to individual Spaniards the right to receive the

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11 . "Ordenânzas de Su Magestad hechas para los nuevos descubrimientos, conquistas y pacificaciones, Julio de 1573," in *Coleccion de documentos inéditos 16*: 142, 144, 148, 152, 160, as cited in Swagerty, 258.
16 . *ibid.*, 241.
13. *Narratives of the Coronado Expedition 1540-1542*, ed. and trans. George P. Hammond & Agapito Rey(Albuquerque, 1940), 253.

"fruits of labor" of a native population. Despite being forbidden by the king to do so, Cortéz made continued use of the *encomienda* system in the conquest of Mexico. The previously mentioned "New Laws of the Indies" of 1542 had banned the *encomienda* system in the Americas. However, protests from overseas caused Philip II to back down and in 1545 the encomienda system was again allowed in New Spain.[18]

In New Mexico, the *encomienda* system was used to finance the military forces needed to protect the friars and settlers who came after full scale colonization began in 1598. Individual *encomenderos* collected tribute from their Indian charges but also demanded personal services, that is, labor, which was contrary to the laws governing the encomienda system. Over time, *encomenderos* in New Mexico began to treat the land cultivated by "their" Indians as their own, which sometimes led to conflicts with the missionaries that they were purportedly protecting.[19]

The inability of the Spanish Court to enforce its policies on the frontier of New Spain parallels the experiences of Britain, France, and the other colonizers of the new world. In all cases, attempts by the mother country to enforce its will on its colonizing subjects were doomed to failure. Distance, lack of resources and, perhaps, lack of sincerity on the part of the home country allowed colonists to ignore ostensibly humane official policies towards native populations in the Americas. Periodic attempts to enforce these policies, however, often led to ill feelings between those on the frontier and authorities in the capitals of the home countries. As we shall see, during the American period in New Mexico these tensions were transferred to relations between territorial government and Washington and often revolved around relations with the Pueblo Indians.

From the beginning of Pueblo-Spanish contact, the Spanish misunderstood and underestimated the role of religion in Pueblo life. The battle that Coronado fought at the Zuñi town of Hawikuh was caused, at least partially, by the Spaniards understandable ignorance of Pueblo religion. Coronado's party arrived at Zuñi during a summer religious ceremonial which the Indians

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18. John, *Storms Brewed in Other Men's Worlds*, 10. Malcolm Ebright, "New Mexican Land Grants: The Legal Background", *Land, Water, and Culture*, 18.
19. *ibid.*, 18. Also see Victor Westphall, *Mercedes Reales: Hispanic Land Grants of the Upper Rio Grande Region* (Albuquerque, 1983), 4-5.

believed to be vital to assure adequate rainfall for their crops, a continual concern in an arid country. Perhaps not wanting to have their ceremony disturbed, the Indians laid a line of corn meal outside the pueblo to mark the place where Coronado's men should stop. Coronado's men, again understandably, interpreted this gesture as being hostile. When some of them mounted their horses, the Zuñis fired a warning volley of arrows at which time Coronado gave his men the order to attack.[20]

Spanish colonization of New Mexico was motivated, in large part, by a sense of duty to convert the Indians of the territory to Christianity. Franciscan missionaries of the time often showed extraordinary courage in an uncertain wilderness. Several of the friars who accompanied Coronado insisted on staying behind to preach to the Pueblos. Without the protection of the soldiers they were all killed.[21] As we have seen, part of the rationale for the encomienda system was to provide protection for the Franciscans. While missionaries in New Mexico were successful in baptizing many of the Pueblos, they also demanded much in the way of labor, to build churches, and food from their new converts. Worse, from the point of view of the Pueblos, the Franciscans attempted to remove all vestiges of native religion. Sacred objects were burned and Pueblo ceremonies were driven underground.[22]

The combination of abuses from the *encomienda* system, along with the physical demands of the missionaries and their religious persecution, eventually united the Pueblo Indians in revolt. The Pueblo Revolt of 1680, apparently masterminded by a San Juan Pueblo Indian named Popé, succeeded in driving the Spanish colonists out of New Mexico for twelve years. With the Spanish gone, the Pueblos reasserted their traditional culture, destroyed Christian objects, and took ceremonial baths to wash away the corrupting baptism of Christianity.[23]

In 1692, the Spanish, under Don Diego De Vargas, reconquered New Mexico. The Pueblos, who had bickered among themselves and been weakened by raids from Navajos and

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20. Swagerty, 225, 235.
21. John, *Storms Brewed in Other Men's Worlds*, 22.
221. Erna Ferguson, *New Mexico: A Pageant of Three Peoples* (New York, 1951), 175-77. *The Readers Encyclopedia of the West*, ed. Howard Roberts Lamar (New York, 1977), 984-85. Spicer, 162-63
23. *The Readers Encyclopedia of the West*, 985.

Apaches, mustered little resistance to the returning Spanish. The new Spanish government, however, proved to be more accommodating to the Pueblos. The encomienda system was not reintroduced, and the missionaries allowed the Indians to maintain their ceremonials alongside Christianity.[24]

The Pueblo revolt was caused to a large degree by Spanish intolerance of Pueblo religion. A little over two hundred years after De Vargas's return to Santa Fe, U. S. Indian Agents and Protestant missionaries again tried to put an end to Pueblo ceremonials, some of which they viewed as being obscene.[25] The question of the Pueblos' right to maintain their traditional religious ceremonies became one of the divisive issues in the debate over Indian policy in the 1920's.

The Indian reform movement of the 1920's was prompted in part by questions about what type of title, if any, that the Pueblo Indians held to their land. This legal question hinged, in turn, on whether the Pueblos were to be considered wards of the United States government, as were other Indians, or whether they were to be considered civilized, and thus free to alienate their land (and, if so, whether individual Pueblo Indians could sell parcels of Pueblo land). Spanish and Mexican definitions of the legal status of Pueblo Indians had a bearing on these questions. This was in part because of the International Law of Treaties and in part because of the emphasis that U. S. courts placed upon custom in determining law. Because of this, it is necessary to to review the legal relationship of the Pueblo Indians to the Spanish Crown and, after 1821, the Republic of Mexico.

The Spanish conquerors of America, like the English, had been unsure as to how to deal with the aborigines who already occupied the land. As has been noted, Queen Isabella of Spain directed her successors to respect "the already acquired rights of indigenous people found in lands discovered by Spain".[26] By the mid sixteenth century the consensus among Spanish intellectuals

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24 . *ibid.*, 985.

25. Lawrence C. Kelley, *The Assault on Assimilation: John Collier and the Origins of Indian Policy Reform* (Albuquerque, 1983), 301-306.

26 . Hall, "The Pueblo Land Grant Labyrinth", 72.

was that "indigenous people" were capable of property ownership. This opinion was codified in 1681 in the *Recopilacian de los Leyes de Los Reynos de las Indias*, which stated:

> The Indians shall be given all the land with an excess that belongs to them, both to individuals and communities, and especially those lands where they may have made irrigation ditches or any other improvement made by their own industry. This is to apply particularly with respect to water and irrigation. And for no reason can these lands be sold or taken away.[27]

As the stipulation forbidding sale of their land suggests, Indians were regarded as wards of the Crown by Spain. In fact, Spaniards could buy Indian land but only under narrowly proscribed conditions. In New Mexico, it was firmly established by the mid- eighteenth century that each Pueblo tribe owned, in the form of grants from the Crown, four square leagues (a Spanish league was about 2.3 miles), measured outward from the village center. Over the years, however, Hispanos or other Pueblo Indians often encroached on a pueblo's assigned land. In addition, grants made to Hispanic settlers sometimes fell within the boundaries of the pueblos.[28]

After Mexican independence in 1821, the legal status of Indians changed. Indians were now given full citizenship in "*la gran familia mejicana*". There was some uncertainty as to whether this new legal status included the right to sell property. Even if this was to be allowed, who was entitled to sell Pueblo land? Generations of Pueblo Indian families would farm the same plot of land, but many saw this as being a conferred right from the Pueblo and not an indication of ownership. While these questions were being debated, however, there was a huge increase in sales of pueblo land to outsiders. Most often these sales involved the small plots farmed by families.[29]

Under American rule, the issue of whether the Pueblos were to be considered wards of the federal government was not firmly resolved until 1913.[30] Prior to that, as we shall see, territorial courts and officials tended to consider Pueblo Indians as citizens, at least as far as alienating their land was concerned. Indian agents, who were employees of the federal government, argued that

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27. *ibid.*, 74.
28. *iibd.*, 75-76.
29. *ibid,,* 87.
30. *United States vs. Sandoval,* 231 U.S.39(1913).

the Pueblos were wards of the government, like other Indians, and thus forbidden to sell the land they occupied. Increasingly, this view came to be held by the majority in Congress.

Spain, Mexico and the Pueblos: Encroachment and Perceptions of Decline

It has been estimated that at the time of the 1680 Pueblo Revolt, the Pueblo Indian population was one-half what it had been in 1598 when the Spanish settlers came to New Mexico. During the 1700's, the Pueblo population was again cut in half while the Spanish population rose from 5,000 to 20,000. Much of this decline was attributable to disease, especially smallpox. Increasing raids on the pueblos by the nomadic tribes during this period also contributed to the decline in population.[31] By the early nineteenth century, the growing Spanish population of New Mexico was spilling over onto granted pueblo lands. For example, when Taos Pueblo leaders complained of encroachment in 1815, it was found that non-Indians were occupying over one-quarter of the pueblo's land. Although the Spanish governor ordered the settlers off of the land, those orders were ignored. Similar encroachment took place at other pueblos.[32]

In 1810, Pedro Baustista Pino of Santa Fe was chosen by his fellow gentry to be the province of New Mexico's representative to the Spanish *cortes*, an institution roughly akin to the French Estates General. In 1812, while in Spain, Pino published a memorial to the King in which he described the conditions in New Mexico and petitioned the Crown to take steps to help the isolated province. Describing a territory that "For 118 years . . . has maintained a state of warfare with the thirty-three wild tribes which surround it,"[33] Pino asked the Spanish government for troops and fortifications to guard against Indian attack. He also called for more favorable trade policies for New Mexico, the creation of a bishopric and a seminary college in Santa Fe, courts and civil

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31. Spicer, *Cycles of Conquest*, 169, 166, 161.
32. Hall, *Four Leagues of Pecos*, 26.
33. Don Pedro Bautista Pino, *Exposicion* in *Three New Mexico Chronicles*, H. Bailey Carrol & J. Villasana Haggard, trans. (Albuquerque, 1942), 67.

government apparatus to be established in Chihuahua, Mexico, and warned of American aggression in New Mexico.[34] Pino's *Exposicion* included references to the 26 pueblos that existed in 1810 and provides a view of the way in which the Spanish in New Mexico viewed the Pueblo Indians.

In counting the population of New Mexico, Pino included the Pueblos, writing, "Spaniards and pure-blooded Indians (who are hardly different from us) make up the total population of 40,000 inhabitants."[35] Of the Pueblos themselves, Pino wrote:

> All the people wear clothes and shoes. The women (to whom nature has granted grace and beauty) wear tunics and mantillas, and cut their hair, as has been customary from remote antiquity, and as do our gypsies today.[36]

While Pino's report gives the impression here that there was little difference between the Spanish and the Pueblos, in reality, this was hardly the case. As we have seen, the two races were involved in disputes over land at this time. Also, while the Pueblo Indians joined with the Spanish in fighting the "wild tribes" and had, since 1692, acceded to Spanish rule, they maintained their distinctive ways of life and social institutions. A later commentator, Antonio Barreiro, made this clear when he noted in 1832:

> All of the pueblos have *estufas* (kivas) . . . There they gather together to practice their dances, to celebrate their feasts, and to have their meetings. These estufas are like impenetrable temples, where they gather to discuss mysteriously their misfortunes or good fortunes, their happiness or grief. The doors of the estufas are always closed to us, The Spaniards, as they call us.[37] (my parentheses).

Pino's insistence that the Pueblo Indians were "hardly different" from the Spanish may have been motivated by a desire to remove legal barriers to Spanish settlement on pueblo land. In his memorial, Pino noted the decline in the Pueblo population, which he blamed on the refusal of Pueblo women to bear more than four children. He then wrote:

> Consequently, the larger part of the territory is uncultivated; nor are the Spanish permitted (and this is the worst abuse) to cultivate it or to settle it in spite of the fact that they have been instructed to live among the Indians in order to make them give up their idolatry and to prevent illegalities to which the Indians are morally susceptible.[38]

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34. *Ibid.*, 139-39.
35. *ibid.*, 9.
36. *ibid.*, 28.
37. Licenciado Don Antonio Barreiro, Ojeada, *Three New Mexico Chronicles,* 67.
38. *Ibid.*, 137.

Pino clearly believed that the Pueblo Indians were destined for extinction. The section of the memorial dealing with the Pueblos ends with the words, "Ancient Mexicans, now you belong to history alone, and your remains will shortly perish!" Antonio Barreiro agreed with this assessment, writing: "It is plain that the Indian race is vanishing; the population of the aforementioned pueblos is diminishing considerably from day to day."[39] This view of the future of the Native Americans was also widely held in the United States at the time.

In his role as *alcalde* (magistrate) for Santa Fe, Pino had presided over ceremonies confirming Spanish settlements on the outskirts of declining Pecos Pueblo in 1803. By the early 1820's, these settlers were moving onto land within the Pecos Pueblo grant. Historian G. Emlen Hall, who has described these events, attributes early nineteenth century Spanish pressure to utilize pueblo land and water to the Hispanic population explosion and to success in pacifying the nomadic tribes, which made settlement possible in outlying areas. In 1812, Mexican delegates to the Spanish cortes succeeded in enacting a proposal opening up underused pueblo lands to settlement. Although this and other actions of the 1810-1813 cortes were struck down by the Spanish Crown in 1814, the pressure to open up Pueblo lands, supported by the assertion that Pueblo Indians were "hardly different," would reemerge after Mexican independence in 1821.[40]

As earlier stated, under Mexico, Indians were made citizens of the Republic. This did not necessarily mean that they were now to be allowed to alienate their lands. In fact, Mexican courts continued to enforce Spanish laws limiting the ability of Indians to alienate their land. In remote New Mexico, however, prohibitions against purchasing Pueblo land were laxly enforced and encroachment on Pueblo land was often ignored by local authorities.[41] After annexation in 1846, American authorities would be called on to resolve disputes over ownership of pueblo lands and faced the problem of applying United States Indian policy to the unique New Mexican circumstances. Pedro Bautista Pino had argued that the Pueblo Indians were "hardly different"

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39. Both citations in *Three New Mexico Chronicles*, 30.
40. Hall, *Four Leagues of Pecos*, 3-17.
41. Westphall, *Mercedes Reales*, 110-112.

from the Spanish settlers while at the same time noting their "idolatry" and susceptibility to "illegalities". Similar apparently contradictory views of the Pueblo Indians would continue to be voiced by Hispanic and White New Mexicans, depending upon the situation, during the American period.

Initial American Depictions of the Pueblos

On April 7, 1849, James S. Calhoun was appointed to the position of Indian Agent for New Mexico. Included with his appointment was a letter from Commissioner of Indian Affairs, William Medill, stating:

> So little is known here of the condition and situation of the Indians in that region that no specific instructions, relative to them can be given at present; and the Department relies on you to furnish it with such statistical and other information as will give a just and full understanding of every particular relating to them, embracing the names of the tribes, their location, the distance between the tribes, the probable extent of territory owned or claimed by each respectively, and the tenure by which they hold or claim it; their manners and habits, their disposition and feelings towards the United States, Mexico and whites generally and towards each other, whether hostile or otherwise.[42]

Ignorance in Washington of Native Americans in New Mexico was understandable. The Treaty of Guadalupe-Hidalgo, formalizing American acquisitions in the Southwest had only been ratified the year before and New Mexico was still under military government in 1849.

However, conditions in New Mexico were not entirely unknown in the eastern United States. Trade with Santa Fe had been going on since 1821 and accounts of life on the Santa Fe Trail and in New Mexico had been published in the East. Josiah Gregg's *Commerce of the Prairies*, recounting his experiences in New Mexico in the 1830's, was first published in 1844 and a second edition was issued the following year. This and other trail journals include descriptions of Pueblo Indians and provide a limited view of early American attitudes towards the Pueblos.

American visitors to New Mexico during the 1830's and 1840's were struck by how *foreign* the region was from the United States. Josiah Gregg suffered from consumption and, like many who followed him, traveled to New Mexico at the advice of his physician. The thin, dry air and climate of New Mexico were considered to be beneficial to one's health. Gregg certainly found this

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42. Medill to James S. Calhoun, Washington, 7 April 1849, *The Official Correspondence of James S. Calhoun*, ed. Annie H. Abel (Washingon, 1915), 3.

to be the case, for his health improved. In his book, Gregg wrote that "Nowhere - - - not even under the much boasted Sicilian skies, can a purer or more wholesome atmosphere be found." If the climate was splendid, Gregg was not impressed with the agricultural potential of New Mexico because of the scarcity of arable land. He found the native agricultural techniques to be primitive, most farming was done without the use of plows, but was impressed by the organization and ingenuity employed in irrigating the small fields along the river and creek bottoms. Gregg also noted the large number of sheep raised in New Mexico, although he felt the animals were of an inferior breed to those in the United States.[43]

Most Americans were not impressed with the native diet. Susan Magoffin, who kept a diary of her 1846 trip to New Mexico with her husband, was served *chile verde* soon after entering New Mexico, and wrote of it, "I could not eat a dish so strong, and unaccustomed to my palate." Both Gregg and Magoffin noted the absence of knives and forks at meals, the practice being to use tortillas to convey the food from plate to mouth. Both heartily approved by the custom of taking a siesta after meals but were somewhat taken aback by the *cigarillos* smoked by female New Mexicans. The style of dress of New Mexican women, too, was considered to be immodest. Susan Magoffin found food more to her liking served in the homes of upper class New Mexicans.[44]

Americans had more close contact with the old ruling class, the *patrons* and *ricos*, of New Mexico than with the common population. Susan Magoffin visited the residence of a *Rio Abajo* (the area south of Santa Fe) *patron* and described it as being "well furnished with handsome Brussles carpet, crimson worsted curtains, with gilded rings and cornice , white marble slab pier tables - - - hair and crimson worsted chairs, chandelebras." Commoners lived in much humbler surroundings. Gregg noted the peonage system, under which many New Mexicans found themselves in perpetual servitude to the patron to whom they were indebted. The legal system, where the *alcaldes* reigned supreme, was described by Gregg as being corrupt, as were the clergy, who charged extortionate fees for weddings, funerals, and the like. Susan Magoffin showed less concern for the plight of the

43 Josiah Gregg,, *Commerce of the Praries*, (1854; reprint, Norman, OK, 1954), 105, 107-108, 134-135.

44. Susan Shelby Magoffin, *Down the Santa Fé Trail and into Mexico: The Diary of Susan Shelby Magoffin, 1846-1847*, ed. Stella M. Drumm (New Haven, 1926), 99.

lower class New Mexicans, but grew to admire their unfailing good manners. In addition, both Josiah Gregg and Susan Magoffin noted the passion for gambling and dancing at the frequent *fandangos* that was shared by all classes.[45]

Although she visited the ruins of Pecos Pueblo, Susan Magoffin had little to say about the Pueblo Indians. Gregg, on the other hand, devoted a chapter of his book to the Pueblos, which included sometimes inaccurate accounts of their history and religion. On the whole, this chapter gives a flattering portrayal of its subjects. Calling the Pueblos "the best horticultists in the country," he describes them as being "a remarkably sober and industrious race, conspicuous for morality and honesty, and very little given to quarreling or dissipation, except when they have had much familiar intercourse with the Hispano-Mexican population."[46] The reference here to the Hispanic population is instructive. Many Americans in the mid-nineteenth century had a low opinion of Hispanic New Mexicans. In 1852, arguing the hopelessness of incorporating New Mexico into the American system, New Mexico military commander, Colonel Edwin Vose Sumner said of them:

> The New Mexicans are thoroughly debased and totally incapable of self government, and there is no latent quality about them that can ever make them respectable. They have more Indian blood than Spanish, and in some respects are below the Pueblo Indians, for they are not as honest or industrious.[47]

Aside from the racist implications of these and other statements, early American accounts of New Mexico reflect the point of view of a new power towards a former power. In this context, Pueblo Indians were often viewed as being potential allies against the previous governing elite. Statements of this kind abated somewhat as new power alignments took shape in New Mexico.[48]

Josiah Gregg's portrayal of the Pueblos was not altogether complementary. He depicted them as having been harmed by Spanish rule, giving the example of the decline of their native textiles in favor of those produced by the Navajos and Moquis (Hopis). While noting their

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45. Magoffin, *Down the Santa Fe Trail*, 154, 130. Gregg,, *Commerce of the Prairies*, 159, 164, 182-185.
46. Gregg, *Commerce of the Praries*, 186-87.
47. *Congressional Globe*, 32nd. Cong., 2nd Sess. (Jan 10, 1853), Appendix, p. 104 as quoted by Howard Roberts Lamar, *The Far Southwest*, 1846-1912, (1966; reprint, New York: W. W. Norton & Company, 1970),94.
48. See Susan Reyner Kenneson, "Through the Looking Glass: A History of Anglo-American Attitudes Towards the Spanish-Americans and Indians of New Mexico" (Ph. D. diss., Yale University, 1978), 227-234 for an extensive examination of military attitudes towards Hispanic New Mexicans.

"hospitality and industry," he went on to write that "they still continue in the rudest state of ignorance . . . A degree of primitiveness characterizes all their amusements, which bear a strong similarity to those of the wilder tribes." In support of this contention, he described their ceremonies as being "grotesque."[49] As with the earlier Spanish, Gregg's somewhat favorable impression of the Pueblo Indians was combined with an ambivalence about their relative civilization.

Another trail journal, that of Lewis H. Garrard, describes New Mexico at the time immediately after American occupation. Garrard's account, published in 1850, told of his journey to New Mexico and back with the 1846 trade caravan from Saint Louis to Santa Fe. By chance, Garrard arrived in New Mexico in the aftermath of the 1847 Taos Rebellion, in which natives from Taos Pueblo joined with anti-American Hispanics in an attempt to drive out the Americans. On January 19, 1847 a group of Pueblos killed Charles Bent, the American governor of New Mexico who was at his home in Taos, and other prominent pro-Americans. American troops from Santa Fe quickly put an end to the Taos Rebellion, and Garrard arrived in Taos in time to witness the trial and hangings of several of the rebels. In his book, Garrard agrees with later historical accounts of the rebellion in portraying the Taos Indians as having been manipulated in their participation by Hispanics. Nonetheless, his depiction of Taos Pueblo is one of the few descriptions of Pueblo Indians in which they are not portrayed as being relatively docile and pacific.[50]

Of the rebellion, Garrard writes, "It was afterward seen that designing men- - -artful & learned natives- - -were busily, insidiously sowing the seeds of discontent among the more ignorant class of the community, more especially the Pueblo Indians." In recounting his visit to Taos Pueblo itself, Garrard points out its beautiful location and its admirable defensibility against attack. The inhabitants of the pueblo, on the other hand, are described as a defeated people: "A few half scared Pueblos walked listlessly about, vacantly staring in a state of dejected, gloomy abstraction. It was truly a scene of desolation." He goes on to write, "For years the Pueblo, by reason of fierceness

49. Gregg, *Commerce of the Prairies*, 193, 191.
50. For an account of the Taos Rebellion, see Lamar, *The Far Southwest*, 67-70.

of disposition, has held the balance of power in this district. . . but at last! at last he has met his conqueror."[51]

1846 to 1890: *Competing Perceptions of the Pueblos*

From the time of American annexation in 1846 through 1890, conditions in New Mexico underwent a myriad of changes. While the majority of the population continued to be Catholic, Spanish-speaking, and Hispanic, American economic and governmental systems were introduced into the existing society. New Mexico was made a territory in 1850 and, in 1863, its western half became the separate territory of Arizona. Raids by the "wild" Navajos, Apaches, Utes, and other tribes, the bane of the Spanish and Mexican governments in New Mexico, were largely brought under control by the late 1860's. By 1890 these tribes had been thoroughly pacified.[52]

New Mexico's population, which the 1850 census placed at 61,547, had by 1870 grown to over 86,000. This increase was primarily due to growth in the Hispanic population. After the Civil War the population was swelled by a steady influx of White Americans, referred to in New Mexico as Anglos (among other terms). Mining operations, of coal as well as gold and silver, experienced sustained growth during the late 1860's and 1870's.[53] When the railroad reached New Mexico in 1881 the influx of Anglos increased and by 1890 New Mexico's population had grown to over 140,000.[54] The railroad also stimulated the livestock and mining industries in New Mexico and connected the territory to the national economy.[55]

However, despite the pacification of the warring Indians, the population growth, and the economic transformation that came to New Mexico, conditions in the pueblos remained relatively unchanged. Anglo settlement in New Mexico took place to a large degree in the eastern and

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51. Lewis H. Garrard, *Wah-To-Yah* (1850; reprint, Palo Alto, CA: American West Publishing Company, 1968), 175, 178, 179.

52. The section of Howard Lamar's *The Far Southwest* dealing with New Mexico is largely a description of this transformation. A detailed account of the Indian wars in New Mexico can be found in Keheler's *Turmoil in New Mexico.*

53. Lamar, *The Far Southwest,* 184.

54. *Seventh Census of the United States,* (Washington, D. C., 1853),993. *Eleventh Census of the United States,* (Washington, D. C., 1895), 422. Lamar, *The Far Southwest,* 107.

55. Lamar, *The Far Southwest,* 175-76.

southern portions of the territory, far removed from the pueblos. Life around the pueblos went on much as it had before. Anglo politicians, who appealed to the Hispanic majority for their votes, were slow to tamper with existing practices in the territory. Although debt peonage and Indian slavery were outlawed by Congress in 1867, forms of both of these institutions persisted for some years.[56] Encroachment on Pueblo Indian lands continued and, in fact, increased during the 1850's despite the fact that the pueblos had been recognized as "bodies politic and corporate" by the 1847 General Assembly called by General Kearny.[57]

As we shall see, early Indian agents in New Mexico called upon Washington to take steps to protect Pueblo Indians from their Hispanic and White neighbors. Federal protection, however, was slow in coming, not energetically pursued, and was successfully resisted by local officials in the courts. Curiously, despite differences in opinion regarding the civil status of Pueblo Indians, federal Indian agents and local New Mexicans alike tended to downplay the cultural differences between Pueblos and their neighbors. This tendency, which we have seen before, is demonstrated in the reports of Indian agents, in newspapers and practices of the period, and in legal decisions dealing with the status of the Pueblo Indians.

Views of Government and Military Officials

By 1848, when the Treaty of Guadalupe-Hidalgo formalized the American acquisition of New Mexico, Pueblo Indians were old hands at dealing with dominant, non-Indian, ruling groups. If not all Pueblos welcomed American government, and the 1847 Taos Rebellion would indicate that this was the case, it is also true that Pueblos quickly appealed to the new rulers of New Mexico for protection from both encroachment and abuse from their Hispanic neighbors and from raiding Navajos, Apaches and other "wild" tribes. Shortly after arriving in Santa Fe in 1849, Indian Superintendent James S. Calhoun wrote to his superior in Washington that Pueblo Indians had

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56. *ibid.*, 131.
57. Hall, *Four Leagues of Pecos*, 153. General Assembly act quoted by James S. Calhoun in report to William Medill, July 29, 1849, *Correspondence*, 19.

come to him complaining of "many encroachments upon their boundaries, and hope the U. S. government will restore them their ancient rights."[58]

Calhoun, who described the Pueblos as being "the only tribe in perfect amity with the government, and an industrious, agricultural, and pastoral people," repeatedly pleaded for Washington to send individual Indian agents to each of the pueblos to protect the inhabitants from mistreatment by both Whites and Hispanics. Among numerous examples of abuse, he cited an incident at Zuñi Pueblo in which emigrants to California committed "the grossest wrongs against these excellent Indians by taking, in the name of the United States, such horses, mules, and sheep, and grain as they desire, carefully concealing their true name, but assuming official authority and bearing." In a similar incident, "a band, said to be commanded by an Englishman, well known in Santa Fe, ordered, in the name of the United States, the Pueblo of Laguna to furnish them with twenty five horses, and to call upon the Quarter Master, in Santa Fe for payment. . . . The Indians do not yet understand the contrivance by which they lost their horses."[59]

As to abuse by local officials, Calhoun noted that "it is a matter of no moment whether an Indian is in debt or not, a judgement can be obtained against him which must be paid in cash . . . . Contributions upon their labor, and property, are frequently made by the law, or laws, which Alcaldes and Prefects manufacture to suit the occasion." Calhoun finally concluded that "these people should be subjected only, to the laws passed by the Congress of the United States. The Mexicans and the Pueblo Indians, have not one feeling in common."[60]

In addition to requesting that an agent be assigned to each Pueblo, Calhoun recommended that funds be provided to open schools at the pueblos, that disputes over Pueblo land be quickly resolved and that boundaries be extended in cases where there was not sufficient land to support the Pueblo Indian population. He also called for the extension to New Mexico of the 1834 Trade and Intercourse Act, which prohibited non-Indian acquisition of Indian land except under tightly

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58. James S. Calhoun to William Medill, Santa Fe, New Mexico, Sept. 25, 1849, *Correspondence of James S. Calhoun*, 33.
59. *ibid.*, 30 & 45.
60. *ibid.*, 46 & 54.

controlled circumstances.[61] Calhoun felt that local conditions required that the Pueblos would need the protection offered by the Trade and Intercourse Act for a period of time during which they could be prepared for citizenship. In 1851, the U. S. Congress did extend the 1834 Act into the newly acquired territories, but without specifying whether or not Pueblo Indians were subject to its conditions. In the end, this question remained unresolved until 1913.

Calhoun's concern for the plight of the Pueblos, while no doubt genuine, was also based upon practical considerations. Pacification of the warring tribes was the primary concern in New Mexico at this time and would remain so until at least the late 1860's. Calhoun, and other officials, viewed the Pueblos as useful allies in this task. At the same time, there were worries that, if angered, the Pueblos might join with other tribes in rebellion. Governor Charles Bent had warned of this happening only two months before being killed in the Taos Rebellion of 1847.[62] Army Colonel George Archibald McCall, who was stationed in New Mexico in 1850, was most explicit in expressing this fear, writing:

> These Indians still carry on an occasional traffic and are careful to maintain a good understanding with the wild Indians. Not only, then, may their influence be used to advantage in controlling and, indeed, in reclaiming several of the least savage of these tribes; but, if at any time the United States find it necessary to chastise an open declaration of hostilities by several of the border tribes . . . . they will find valuable auxiliaries in the Pueblos, who count at least twenty five hundred warriors. On the other hand, should the latter from any cause become dissatisfied, either from what they might conceive to be the oppressive bearing of a law of the state, or its maladministration by the petty authorities (for they still look upon the Mexicans with distrust), it would be easy for their parties at different points to unite with the enemy for marauds or for battle without fear of detection.[63]

Under these circumstances, it is perhaps not surprising that Calhoun and his immediate successors downplayed the cultural differences between Whites and Pueblo Indians. In one report to Washington, Calhoun briefly noted the "queer ceremonials of a very remote and superstitious parentage" practiced by the Pueblos but emphasized the fact that they "pride themselves upon their Catholicism."[64] In an 1852 report on conditions in the pueblos, Indian Agent John Greiner

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61. *ibid.*, 57-58, 80.
62. *ibid.*, Charles Bent to Medill, Santa Fe, New Mexico, Nov. 10, 1846, 8.
63. Col. George Archibald McCall to George W. Crawford, Secretary of War, Santa Fe, New Mexico, July 15, 1850. As quoted in *New Mexico in 1850: A Military View*, ed. Robert W. Frazer (Norman, OK, 1968), 84.
64. *Correspondence of James S. Calhoun*, 46.

wrote of the by now abandoned Pecos Pueblo, that "The smouldering fire that was kept alive in the Estufa, was not worshipped by the Pecos Indians - - - nor any of the Indians - - - as has been generally supposed. Neither did they or any other of the Pueblo Indians worship the rising sun. They are devoted adherents to the Catholic Faith and no other."[65] Greiner's journal also made clear that Pueblo Indians, like good Americans, were not were not always happy with their government. A number of individual Pueblos came to him asking that he overrule decisions reached by their pueblo councils with which they disagreed.[66]

Calhoun's calls for federal protection of the Pueblo Indians were echoed by his successors. In an 1864 report, Indian Agent John Ward worried about the decreasing Pueblo population, writing that "from all that can be learned, and from many years of almost daily intercourse with these people, I am fully convinced that in the aggregate the pueblo population of New Mexico is gradually but surely decreasing." Ward went on to write:

> The communities which seem to fare the worst are those located on the banks of small streams, the waters of which are apt to diminish before the crops are sufficiently advanced, and who, being surrounded, as they mostly are, by other people who appropriate an undue proportion of water, a scanty supply is only left to the Indians when irrigation is most needed. Besides, of late years, encroachments have been made on these grants by outsiders, so that not more perhaps than a moiety is now tilled by the original proprietors. In many instances individuals are to be found who do not possess land enough to support themselves, much less their families. This subject demands the special attention of the department.[67]

John Ward noted that very few Pueblo Indians were literate and, like Calhoun, called for the establishment of school among the Pueblos. He complained that, despite earlier promises, "not one single dollar has been expended in this since our government took possession of the country." Although Ward placed greater emphasis than Calhoun had upon the Pueblo's continued observance of their ancient rituals, and noted their reticence in discussing them, he attached little importance to this. Comparing the function of the pueblo *estufas* to that of a frontier courthouse, Ward wrote:

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65. *ibid.*, John Greiner to Calhoun, Santa Fe, New Mexico, March 25, 1852, 496.
66. John Greiner, "The Journal of John Greiner," ed. Annie H. Abel, *Old Santa Fe* III (1916), pp. 184-243.
67. "Report on the 19 Pueblos on New Mexico, 1864" by John Ward . Printed in *Report on Indians Taxed and Indians not Taxed in the United States (except Alaska) at the Eleventh Census: 1890*, (Washington, D. C., 1894), 412 & 413.

> The estufa has always been, and still is, respected by Indians. Grave and serious councils are generally held in them, while at other times hilarity resounds through the sacred walls. Beyond this there is nothing of mystery that we are aware of."[68]

There was one group of Anglos during the 1850's and 1860's who acknowledged the centrality of traditional Pueblo religion to life in the pueblos. By the 1850's, a few Protestant missionaries were pursuing their calling among the Pueblos. One of these was the Reverend Samuel Gorman, a Baptist clergyman, who established a ministry at Laguna Pueblo. In October of 1858, Gorman made a report to the Superintendent of Indian Affairs at Santa Fe in which he complained:

> The people are required by their officers to perform the rites and ceremonies of this religious system in connection with almost every act of life .... A great deal of time and strength are wasted by the whole people in these customs; and not only by official power but by that deeply seated attachment and zeal for this religion the people are strongly induced to resist all attempts to enlighten and improve them. Attempts of this kind, which we have made most industriously for the last 6 years, have been looked on with a jealous eye. They say that if they become educated they fear their people will forsake their ancient customs, to which they can not consent.[69]

The emphasis placed by Gorman upon the ancient religion of the Pueblos, and the dim view that he took of it, was unusual in 1858 but would become commonplace within a few decades.

The Local View

The Anglo population in New Mexico, which remained quite small until after the Civil War, was also inclined to emphasize the similarities of the Pueblos to their own culture.[70] Again, Pueblo Indians were viewed as potential allies in the almost continual Indian wars that went on until the late 1860's. As they had under Spain and Mexico, Pueblos participated with Hispanics (and now Anglos) in militia expeditions against the Navajo, Apache, and Ute Indians. Although officially forbidden, these expeditions, which were often no more than raiding parties, continued to take place under American rule.[71] The Anglo perception of the Pueblos as allies in the Indian wars is

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68. *ibid.*, 411 & 413.
69. *ibid.*, 410.
70. The 1850 U. S. Census counted 58,404 individuals born in New Mexico territory (including Pueblo Indians), 2,151 born in "foreign" countries, and 761 born out of the territory and in the United States. *Seventh Census of the United States,* (Washington, 1853),996.
71. A description of the tensions that local "militia" expeditions caused between the civil government and the military in New Mexico can be found in Keheler, *Turmoil in New Mexico*, 102-108.

also demonstrated in newspaper accounts of the damage inflicted by the raiding Indians. In accounts of raids on the pueblos, the Anglo-owned *Santa Fe New Mexican* commonly referred to them as "towns" with no reference to the ethnicity of their inhabitants.[72]

Pueblos were also utilized as allies in non-military matters. Pro-statehood advocates used the Pueblo population to buttress their arguments for New Mexican statehood. An 1874 memorial passed by the territorial legislature, petitioning Congress for admission as a state, made note of "the Pueblos or village Indians, who from time immemorial have been agriculturalists, and among the best citizens of our territory."[73] This reference to the Pueblos, reminiscent of Pedro Bautista Pino's 1812 memorial to the Spanish Crown, understandably failed to mention the fact that the Pueblos were frightened and alarmed at the possibility of statehood because they feared losing federal protection. Pueblo Indians continued to oppose statehood until it was achieved in 1912.[74]

Voting

Although Pueblo Indians were technically citizens of Mexico, they had not voted under Mexican rule. Article VIII of the Treaty of Guadalupe Hidalgo extended citizenship to former Mexican citizens and, in the early territorial period, Pueblos were allowed to vote in New Mexican elections. The evidence indicates that their experience with American democracy was an unpleasant one. In an 1849 election for delegates to a state constitutional convention, Indians from Taos Pueblo were forcibly taken to a polling place and "induced" to vote for candidates opposed to New Mexican statehood.[75] In an election the following year, Pueblos were confused and frightened as a result of threats made by both pro and anti-statehood factions that, if the other side won, the Pueblos would lose their land.[76] Calhoun advised Pueblo Indians who complained to him about abuse from local officials to not participate in New Mexican elections but, instead, to ask

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72. Oliver La Farge, Santa Fe, *The Autobiography of a Southwestern Town,* (Norman, OK, 1959), 107.
73. *Santa Fe Daily New Mexican,* March 16, 1874.
74. Hall, *Four Leagues of Pecos,* 207.
75. James S. Calhoun to Orlando Brown, Commissioner of Indian Affairs, Feb. 2, 1850, *Correspondence,* 132-33.
76. Larson, *New Mexico's Quest For Statehood, 1846-1912,* (Norman, OK, 1968), 37-38.

for federal protection.[77] The federal government, however, took a dim view of Indians voting and in 1853 the U. S. Congress overturned the results of a New Mexican territorial delegate election by refusing to accept votes cast by Pueblos.[78] Eventually, an informal arrangement was negotiated by Indian agent John Ward whereby the Pueblos would vote only on local water issues and, in return, be exempted from taxation on their land.[79]

The Legal View

The refusal by Congress to accept votes cast by Pueblo Indians reflected a fundamental difference between the federal government and Anglo and Hispanic New Mexicans as to the civil status of the Pueblos. These opposing views were demonstrated in a series of court cases dealing with the question of the relationship of Pueblo Indians to the land granted to them by Spain. Before reviewing two of these cases, a brief account of the manner in which the United States government acknowledged the Pueblo land grants is needed.

On July 22, 1854, Congress created the office of surveyor general of New Mexico.[80] The first man to hold this office, William Pelham, arrived in Santa Fe on December 28, 1854. Pelham's primary duty was to extend the federal public land survey system of 640 acre checkerboards across New Mexico Territory. While attending to this, he was also expected to report on land grant claims in the territory. This involved examining documents, holding hearings, and sending his findings to Washington where the Congress would use his reports to decide on final confirmation of grants. Before leaving Washington, Pelham was instructed to pay immediate attention to the Pueblo Indian grants. Pelham's first report to the General Land Office recommended that Congress approve 11 Pueblo Indian grants.[81] By 1864, 16 of the 20 pueblos in New Mexico had been issued patents by the federal government.[82]

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77. Calhoun, *Correspondence*, 134.
78. Larson, *New Mexico's Quest For Statehood*, 82.
79. Hall, *Four Leagues of Pecos*, 94-95.
80. Westphall, *Mercedes Reales*, 86.
81. Hall, *Four Leagues of Pecos*, 79, 82.
82. Westphall, *Mercedes Reales*, 114.

The U. S. patents were in the form of quitclaims and contained a clause stating "that this confirmation shall only be construed as a relinquishment of all title and claim of the United States to any of said lands and shall not affect any adverse rights, should such exist." This left open the question of non-Indians who claimed to own land located on the Pueblo grants and a dispute soon emerged between the territorial government and the Bureau of Indian Affairs over whether these claims were valid

The dispute centered upon whether the 1834 Trade and Intercourse Act, extended to include New Mexico in 1851, applied to the Pueblo Indians. As noted earlier, the Act prohibited non-Indian acquisition of Indian land except under tightly controlled circumstances. Territorial officials in New Mexico insisted that this was meant to apply only to Navajos, Apaches, and other "wild" tribes and not to the civilized Pueblos. U. S. attorneys, prompted by federal Indian agents, contended that the Act did apply to the Pueblos and that non-Indians on pueblo land were, in effect, trespassers. Debate over the issue centered upon whether Pueblo Indians were civilized enough to be considered citizens. Territorial officials argued that under the terms of the Treaty of Guadalupe Hidalgo the Pueblos were American citizens with the right to alienate property. U. S. attorneys, on the other hand, argued that the Pueblos were not culturally capable of exercising the right to sell their land.[83]

In an 1867 case, *United States v. Lucero*, a New Mexico territorial court ruled that the 1834 Act did not apply to Pueblo Indians. In his opinion in the case, Judge John N. Slough wrote of the Pueblos:

> As far as their history can be traced, they have been a pastoral and agricultural people, raising flocks and cultivating the soil . . . . In every Pueblo is erected a church, dedicated to the worship of God, according to the form of the Roman Catholic church, and in nearly all is to be found a priest of this church who is recognized as their spiritual guide and advisor . . . . Integrity and virtue among them is fostered and encouraged. They are as intelligent as most nations or people deprived of means or facilities for education. Their names, their customs and their habits are similar to those of the people in whose midst they reside . . . . The criminal records of the territory scarcely contain the name of a Pueblo Indian. In short, they are a peaceable, intelligent, industrious, honest and virtuous people. They are Indians only in features and complexion, and a few of their habits; in all other respects they

83. Hall, *Four Leagues of Pecos*, 89, 91-109.

> are superior to all but a few of the civilized Indian tribes of this country; and the equal of the most civilized thereof.[84]

In 1869, the *United States v. Lucero* decision was upheld by the New Mexico Supreme Court.

Indian agents in New Mexico, including John Ward, were not satisfied with the 1869 ruling and urged an appeal to the U. S. Supreme Court. While the Lucero decision was not appealed to the high court, in 1873 U. S. Attorney T. B. Catron filed ejectment suits against two non-Indians living on pueblo land grants. One of these cases, involving Taos Pueblo land, reached the U. S. Supreme Court in 1876. In this case, *United States v. Joseph*, the Court ruled that the 1834 Trade and Intercourse Act did not apply to the Pueblo Indians. In his opinion, Justice Miller borrowed freely from the language of the Lucero decision, writing:

> For centuries, the pueblo Indians have lived in villages, in fixed communities . . . . they have been a pastoral and agricultural people . . . . they have adopted mainly not only the Spanish language, but the religion of a Christian church . . . . In short, they are a peaceable, industrious, intelligent, honest, and virtuous people. They are Indians only in feature, complexion, and a few of their habits . . . . If the pueblo Indians differ from the other inhabitants of New Mexico in holding lands in common, and in a certain patriarchal form of domestic life, they only resemble in this regard the Shakers and other communistic societies in this country, and cannot for that reason be classed with the Indian tribes of whom we have been speaking.

Miller went on to say that if Joseph were residing on land owned by Taos Pueblo, then the Taos Indians had recourse to territorial courts. He refused to rule on the question of whether Pueblo Indians were citizens.[85]

The *New Mexican* hailed the Joseph decision as being "highly complimentary to the Attorneys engaged and gratifying to the entire community . . . . This long agitated question is finally determined and it is settled, that persons settling on lands of the Pueblo Indians are subject to the same action and no other as though they settled upon the lands of other persons."[86] However, the suggestion that Pueblo Indians could use territorial courts to regain encroached land was unrealistic for two reasons. First of all, as Calhoun's reports attest, Pueblo Indians were ill-treated by local authorities in New Mexico. Secondly, most settlers on pueblo land would have been legally entitled to remain there by reason of territorial laws of adverse possession. This common law principle,

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84. *United States v. Lucero*, 1 N.M. 422, 453-54 (1869) as cited by Hall in *Four Leagues of Pecos*, 118.
85. *United States v. Joseph*, 94U.S. 614(1876).
86. *Weekly New Mexican*, June 12, 1877.

codified in New Mexico in 1857, granted legal ownership to any individual who had lived on and used a piece of property for ten years, regardless of who held title to that property.[87]

Indian Policy Reformers and the Response to Reform in New Mexico

In ruling that the Pueblo Indians were civilized, and thus able to sell their land to non-Indians, the Supreme Court reflected a growing school of thought that sought to encourage the acculturation of Native Americans into the American mainstream. While this was hardly a new idea, persistent reports of scandal and corruption in the administration of Indian affairs, increasing post-Civil War encroachment on Western reservation lands, and sympathetic portrayals of the plight of the Indian in books and journals gave new impetus to the search for a solution to the "Indian problem".

Indian policy reformers argued that Native Americans would inevitably be driven to extinction so long as they continued in their traditional tribal ways of life and remained wards of the federal government. Richard Henry Pratt, who in 1879 founded the Indian boarding school at Carlisle, Pennsylvania, succinctly expressed this reformist impulse with the words: "Kill the Indian in him, and save the man."[88] Beginning in 1883, reform groups , mostly based in the East, met at an annual conference at Lake Mohonk, New York where they discussed Indian Policy, read papers, and solidified their program. Criticisms and suggestions from these groups came to enjoy increasing influence with policy makers in Washington.[89]

With differing degrees of emphasis, these "Friends of the Indian" were generally agreed upon a three point program to improve the lot of Native Americans. This program was summarized by Herbert Welsh's Philadelphia-based Indian Rights Association in its 1885 Statement of Objectives:

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87. Hall, "The Land Grant Labyrinth", 104.
88. Speech printed in the Official Report of the Nineteenth Annual Conference of Charities and Correction, 1892 as reproduced in *Americanizing The American Indians: Writings by the "Friends of the Indian", 1880-1900*, ed. Francis Paul Prucha (Cambridge, MA, 1973), 261.
89. Loring Benson Priest, *Uncle Sam's Stepchildren, The Reformation of United States Indian Policy, 1865-1887* (New York, 1969), 84.

> No man in these United States to-day can be rightly termed civilized, nor can his position be considered a safe one, who is removed from both the protection and the punishment of law, who is denied a protected title to land and the right of holding it as an individual, or who is deprived of the blessings of a practical education. The Indian is in all cases (broadly speaking) destitute of some of these safeguards and advantages, in some cases destitute of them all .... The Indian Rights Association aims to secure for the Indian,
> I. Law, and to awaken that spirit of even-handed justice in the nation which will alone make law, when secured, fully operative.
> II. Education. Signifying by this broad term the developing for their highest use physical, intellectual, and moral powers.
> III. A protected individual title to land. This is the entering-wedge by which tribal organization is to be rent asunder.[90]

During the 1880's, a growing number of reform-minded legislators, most prominently Senator Henry Dawes of Massachusetts, worked to pass legislation to implement the program of the Friends of the Indian. The General Allotment Act of 1887, known as the Dawes Act, was the result of their efforts. Under the Dawes Act, individual Indian families were to receive 160 acres of reservation land. This land was to be held in trust by the government for 25 years to prevent naive Indians from losing it to unscrupulous whites. Indians who had received their allotted land, and thus broken their tribal bonds, were to become American citizens. Unallotted reservation land was to be sold to the public and the interest earned on moneys raised from these sales was to be appropriated by Congress to civilize the Indian through education, the introduction of modern agricultural techniques, and other means. Although never implemented in the desert Southwest, considered to be too arid for small-scale farming, the Dawes Act eventually resulted in the reduction of Indian land holdings in the United States from 138 million acres to 47 million acres.[91]

The Dawes Act became law primarily because Westerners, who generally had little affection for the Indian, and reform-minded Easterners, who generally had little direct experience with Native Americans, could both agree on the course of action called for in the bill. By opening Indian land to settlement, the Act satisfied Westerners who had been demanding access to reservation land for years. Friends of the Indian, on the other hand, saw the atomization of tribal bonds that the bill promised as the solution, one is tempted to say final solution, to the "Indian

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90. From Second Annual Report of the Executive Committee of the Indian Rights Association (1885), pp. 5-7 as reproduced by Francis Paul Prucha in *Americanizing the American Indians*, 43.
91. *The Reader's Encyclopedia of the American West*, 290.

problem". Significantly, as historian Loring Priest has pointed out, both groups were committed to the advancement of White, American, civilization throughout the American West.[92]

In addition to promoting the idea of severalty, Friends of the Indian also supported education efforts among Native Americans. In 1879, Richard Henry Pratt, noted earlier, opened his boarding school for Indians in Carlisle, Pennsylvania. Indian students at the Carlisle School, most of them hundreds of miles from their homes, were given practical educations that emphasized trade skills as well as literacy. Students were not allowed to speak in their native tongues, wear any of their native clothes, and attended mandatory chapel services. Greeted with initial skepticism, the school was soon pronounced a success by government investigators and began receiving federal funding in 1882. The Bureau of Indian Affairs, impressed with Pratt's experiment, soon opened boarding schools of its own in Kansas, Oregon, the Oklahoma Indian Territory, Nebraska, and, eventually, Albuquerque. By the 1890's, these schools came under attack from some quarters after several suicides at Carlisle and because of difficulties experienced by their graduates in adjusting to both the White and Indian worlds. Nevertheless, the Indian Bureau continued to support the boarding school concept of Indian education. In 1890, of the 2,690 school-age Pueblos in New Mexico, 445 were in boarding schools, including 131 at Carlisle.[93]

As stated, the allotment of Indian land was not attempted in the Southwest. Even if it had been, Pueblo Indians would not have been affected because, unlike most Native Americans, they held legal title to their land. Nevertheless, the impulses that contributed to the passage of the Dawes Act were present in New Mexico. As early as 1874, proposals for allotment of Indian land were being voiced in New Mexico.[94] Territorial newspapers of the time were riddled with both derogatory references to Indians and attacks on the administration of Indians affairs by the Interior Department. An 1877 editorial in the *New Mexican* expressed both of these points, stating:

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92. Priest, *Uncle Sam's Stepchildren*, 218-20.
93. *ibid.*, 132-154. New Mexico statistics from *Report on Indians Taxed and Indians Not Taxed, 1890*, 421.
94. *Santa Fe New Mexican*, January 8, 1874

> The mistaken idea that permitted the wild Indians of our far west to do pretty much as they willed and wished, because it was thought American settlers were trespassing upon their domain when these immigrants moved anywhere west of the Missouri river, Arkansas and Texas, has long since given way - - - as savagery must ever give way to the advancing tide of civilization. The Indians must be cared for; must be improved, and taught that they must care for themselves by cultivating the industries and pursuits by which there white brethren earn their daily sustenance through toil and tribulation - - - and are contented and happy. These Indians must learn to know that an already overtaxed people are no longer willing to give up their hard-earned means to feed thousands of a class who are quite as able to work as their superiors . . . . But why prolong this folderol? Why keep up the Indian agency business, when everybody knows, as well as themselves that they are as powerless as new-born infants in a hornet's nest without the aid of the soldiers? Why not transfer the entire management of Indians to the military, where it of right belongs, and where it would have been placed had it not been for a sickly sentimentality, a desire to make more political offices, so as to expend as much as possible of the public money.[95]

While not specifically addressed to the issue of Pueblo Indians and their land holdings, the sentiments expressed above clearly didn't lend themselves to a concern for the culture and welfare of the Pueblos, no matter how civilized they were.

Additionally, and perhaps most important, a large number of the Anglos who had come to New Mexico during its early territorial years were engaged in land speculation of an often staggering scale. Much of this speculation was based upon the acquisition, sometimes by dubious means, of Hispanic land grants from the Spanish and Mexican periods. The extent of these grants, the largest of which were made during the last years of Mexican rule, has been estimated at 29,000,000 acres (Pueblo land grants added about 1,500,000 acres to this figure).[96] A political machine, known as the "Santa Fe Ring", soon sprang up to protect the interests of the larger speculators and remained a force in New Mexico into this century. In describing the Santa Fe Ring, historian Howard R. Lamar wrote:

> it was essentially a set of lawyers, politicians, and businessmen who united to run the territory and to make money out of this particular region. Although located on the frontier, the ring reflected the corporative, monopolistic, and multiple enterprise tendencies of all American business after the Civil War. Its uniqueness lay in the fact that, rather than dealing in some manufactured item, they regarded land as their first medium of currency.[97]

Several of the individuals who played a role in legal proceedings concerning Pueblo land grants were prominent members of the Santa Fe Ring. Stephen Benton Elkins, who as federal

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95. *Santa Fe New Mexican*, May 29, 1877.
96. Westphall, *Mercedes Reales*, 36, 293.
97. Lamar, *The Far Southwest*, 146.

attorney brought suit in the *Lucero* case and who later represented the claims of settlers in the *Joseph* case before the Supreme Court, was a founding member of the ring. Thomas Benton Catron, who as Elkin's successor brought the suit against Antonio Joseph (some have claimed for reasons of political revenge), was another member of the ring. Catron, who has been estimated to have owned 2,000,000 acres of land at one time, later made use of the *Joseph* decision in defending his own interests in land that sat within a Pueblo grant.[98] Even John Ward, the Indian agent whose continual prodding of the Justice Department was largely responsible for the Lucero lawsuit being brought in the first place, at one time owned an interest in the abandoned Pecos Pueblo grant.[99]

In nineteenth century America, the idea of cultural pluralism as we understand it today hardly existed. Immigrants from Europe and elsewhere were resented in some segments of society and were encouraged to assimilate into the American population. Similarly, even the reformist "Friends of the Indian" of the 1880's were interested not in the indigenous culture of Native Americans, and certainly not in its preservation, but in their rapid assimilation into the rest of the population.

In New Mexico, where hostility towards the Indian was widespread, it was virtually guaranteed that politicians and judges would heed the will of the Hispanic majority in land and water disputes with the Pueblo Indians. In addition, the speculative interests that wielded great influence in the territory were, by nature, not inclined to encourage any restrictions upon the transmission of land. Furthermore, as we have seen, even the Indian agents who attempted to protect the Pueblos from persecution tended to emphasize the similarities in Pueblo culture to "American" cultural values. Thus, the Christianity and agricultural way of life of the Pueblos were emphasized while their traditional religion was either downplayed or treated as a non-threatening curiosity.

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98. Westphall, *Thomas Benton Catron and his Era* (Tucson, 1973), 72. Hall, *Four Leagues of Pecos*, 128-29, 138.
99. Hall, *Four Leagues of Pecos*, 97-98.

Howard Lamar characterized the activities of the "Santa Fe Ring" as being a land-based, frontier extension of the "corporative, monopolistic, and multiple enterprise tendencies of all American business after the Civil War." The railroad, which was encouraged and welcomed by business interests in New Mexico, stimulated the integration of the territory into the national economy. New Mexico, which had two banks in 1877, had more than fifty by the turn of the century. Property values in the territory increased more than five-fold between 1880 and 1890.[100] Yet other forces were at work in the country and would soon be felt in New Mexico. On the night of August 23, 1880, a middle-aged anthropologist with aristocratic pretensions named Adolphe Francis Alphonse Bandelier arrived in Santa Fe on the train from Saint Louis. Bandelier, who had come to New Mexico to study its original inhabitants, would serve as an unlikely advance scout for these forces.

100. Lamar, *The Far Southwest,* 175.

Part Two: The Scientific View, Tourism, and the Emergence of a Pluralistic Perception of the Pueblo Indians

During the 1880's, White Americans began, for the first time, to systematically examine the history and culture of the Pueblo Indians. Beginning with the efforts of a few pioneers, this study of the Pueblos and of other southwestern tribes proliferated to such an extent that by 1915, the Museum of New Mexico and the School of American Research, a branch of the Archaeological Institute of America, had both been established in Santa Fe. At the same time, a small group of local Anglos, primarily from Santa Fe, began work of their own into the history of the territory. The increasing awareness among Anglos in New Mexico that they were living in a region of unique historical interest could not have helped but change the way in which they perceived the Pueblo Indians.

Economic factors also contributed to changing perceptions of the Pueblos. The entry of the railroad into the southwest coincided with an increasing emphasis on, and passion for, nature and the wilderness among urban Americans. Pueblo Indians were prominently featured in railroad advertisements and in travel guides promoting tourism in the southwest. Among people in the East this had the effect of increasing awareness of the Pueblo Indians. In New Mexico, tourism quickly became big business. Hotels were built and roads were improved to accommodate the visitors. Indian objects, such as rugs and pottery, were sold at souvenir shops, in hotel lobbies and railroad stations, and eventually at the pueblos themselves.

The effects of the new intellectual interest in the Pueblos and of the economic benefits to New Mexico of Indian-based tourism should not be exaggerated. While Anglo ranchers and homesteaders might have been happy to point out pueblo ruins to archaeologists, this was not likely to change their feelings towards the modern Indians with whom they were competing for water rights. The fact that Pueblo ceremonials represented a living link with pre-history made them no less pagan and, at times, obscene to Protestant missionaries and other observers. Hostility towards and vilification of the Indian would continue in New Mexico, but they would be forced to co-exist with other, increasingly sympathetic, views.

Bandelier and Cushing

As pacification of the Indians in the West came within reach, Eastern practitioners of the new science of anthropology, most prominently Lewis Henry Morgan, called for the study of existing Indian cultures before they were transformed by the forces of civilization. Morgan viewed the West and its Indians as not just a rich source of ethnological information but as a laboratory in which his theory of unilinear cultural evolution could be tested. This theory postulated that all human societies would pass through seven stages of development. These stages were differentiated by varying types of kinship relationships, technological advancements, notions of property, and other criteria. According to Morgan, human societies progressed through three stages of "savagery" and three stages of "barbarism" before reaching the stage of civilization. Needless to say, European-based cultures were viewed as having reached this final stage.[101]

Morgan's call for the study of indigenous Indian cultures before they were extinguished met with positive response in the East. In 1879, the Smithsonian Institute created the Bureau of Ethnology for the purpose of engaging in such studies. John Wesley Powell, who had made landmark geological surveys of the West in the late 1860's and during the 1870's, was appointed to head the new organization. Museums and universities also began sponsoring research into the culture and history of the American Indian. In 1880, one of Lewis Henry Morgan's disciples, Adolph Bandelier, obtained sponsorship from the Archaeological Institute of America to study the Pueblo Indians of New Mexico.

Adolph Bandelier (1840-1914), born in Switzerland but raised in Highland, Illinois, spent over a decade in the Southwest. He produced voluminous writings on the archaeology, history, and the living culture of the Pueblo Indians, most of which were not published during his lifetime.

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101. Morgan set forth his theory in *Ancient Society, or Researches in the Lines of Human Progress from Savagery Through Barbarism to Civilization* (1877; reprint, ed. Leslie White, Cambridge, MA,1964); The necessarily short synopsis here is derived from Robert Berkhoffer Jr.'s *The White Man's Indian* (1978; reprint, New York, 1979), 49-55.

Although criticized by later anthropologists for his adherence to Morgan's unilinear model, his writings remain an important source of information about the Pueblo Indians.[102]

Bandelier must be viewed as having had a substantial, if amorphous, impact upon the way in which literate New Mexicans viewed the Pueblo Indians. In the first letter that he wrote to Morgan from New Mexico, Bandelier alluded to the dearth of knowledge in the territory about the Pueblos and their history. Writing of his excavations at Pecos Pueblo, which he considered to be "the most important ruin in the U. S. as far as size is concerned," he added that "Everybody here is very much astonished at my discoveries, although they had the ruins before them for years and years."[103] During his time in New Mexico, Bandelier came in contact with virtually every leading citizen of the territory, Anglo and Hispanic. These individuals could not have helped but been flattered by the interest in New Mexico expressed by the European-educated Bandelier (who exaggerated his academic credentials, claiming, among other things, to have had an audience with Alexander Von Humboldt while studying in Berlin).[104] Bandelier was the featured speaker at one of the first meetings of the Historical Society of New Mexico and his presence in the territory coincided with a new interest among the Anglo population in the ancient culture of the Pueblo Indians.[105] It would be unrealistic to think that these two happenings were entirely unrelated.

Bandelier's initial experience at a living pueblo was hardly auspicious. Arriving at Santo Domingo on September 24, 1880, he was soon compelled to leave by the tribal elders who were annoyed by his persistent questions about their religion and by his bringing a photographer into the pueblo without permission. In a letter to Morgan, Bandelier gave his version of what had transpired:

> At Sto. Domingo I could not stay any longer. I quarreled with the council of the tribe, after they had lied to me 3 times, & finally kicked the governor out of my

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102. See Bernard L. Fontana, "A Dedication to the Memory of Adolph F. Bandelier, 1840-1914," *Arizona and the West*, vol. 2 (1960); for Bandelier's own description of his method of utilizing archaeology, history, and contemporary ethnology, see text of his lecture, "Kin and Klan," *Santa Fe New Mexican*, April 29, 1892.

103. Bandelier to Morgan, near Pecos, New Mexico, August 31, 1880, *Pioneers in American Anthropology: The Bandelier-Morgan Letters, 1873-1883*, vol. 2, ed. Leslie White (Albuquerque, 1940), 210-211.

104. Paul Horgan, *The Centuries of Santa Fe*, (1956; reprint, New York, 1965), 281-82; for Bandelier's educational history, see *The Southwestern Journals of Adolph F. Bandelier, 1889-1892*, vol. 4, ed. Charles H. Lange, Carrol L. Riley & Elizabeth M. Lange (Albuquerque, 1984), introduction, 4-6.

105. "Kith and Klan," op. cit..

> room. This manner of protesting [?] was not to his taste, & the next morning came a declaration of war in the shape of a refusal to give me anything more to eat. To this I replied by simply *staying*, & supporting myself on watermelons, until at last the things grew obsolete and, unable to achieve anything more there, I moved to this pueblo of Cochiti . . .[106]

At Cochiti and in other pueblos, the humbled Bandelier found the Indians to be friendlier and more responsive to his inquiries about the esoteric aspects of their ways of life. Along the way, Bandelier demonstrated a talent for learning the various Pueblo languages and dialects, received permission to draw and photograph ceremonial vestments, charted the pantheon of deities of the various pueblos, and studied their clan and kinship structure, their music, and a host of other aspects of Pueblo culture.

In addition to this, Bandelier was allowed to observe Pueblo ceremonials, some of which had generally been closed to outsiders, at Cochiti, Laguna, and several other pueblos. Some of these ceremonies involved male nudity and the licentious antics, included simulated sexual acts, of the *Koshare*, the clowning spirits that Bandelier called the "Delight Makers." Bandelier was profoundly shocked by these ceremonies and he puzzled over the apparent paradox between the ceremonial behavior that he witnessed and the rigidly moral daily lives of the Pueblos, writing: "however obscene & filthy their dances are sometimes (of which I have seen horrible examples), - - - their private life is irreproachable, and woe unto him who would seduce a pueblo-woman."[107]

Adolph Bandelier wrote a novel about the ancient forerunners of the Cochiti Indians which was published in 1890. The working title of this book had been *The Koshare* until, at his publisher's suggestion, Bandelier changed it to *The Delight Makers*. In the novel, Bandelier intentionally ignored the most extreme conduct of the clowning spirits, but felt it necessary to include some behavior that he found distasteful. Writing to Harvard Professor Charles Eliot Norton, the head of the Archaeological Institute, Bandelier explained:

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106. Bandelier to Morgan, October 22, 1880; *Pioneers of American Anthropology*, 214. For a concise account of these events, see *The Southwestern Journals*, 1889-1892, introduction, 37-38.

107. Bandelier to Charles Eliot Norton, November 27, 1880, as reproduced in *The Southwest Journals of Adolph F. Bandelier, 1889-1892*, 254. For Bandelier's description of the ceremony referred to in quote, see November 10, 1880 entry, *The Southwest Journals of Adolph F. Bandelier, 1880-1882*, vol. 1, ed. Charles H. Lange & Riley (Albuquerque, 1966), 196-200.

> Of course, in order to be TRUE, I could not always be strictly chaste . . . . A certain percentage of Zola I had to put in; - - - as far as realism is concerned. But I have strictly avoided placing the hero and heroine in positions rendering descriptions impossible in order to be real.

Initial sales of The Delight Makers were disappointing, but the novel was reissued in 1916, two years after Bandelier's death, with some success.[108]

Bandelier was fond of the Indians of some of the pueblos, whom he called "my children." While in Cochiti, in 1880, he wrote to Morgan, "You have no idea how much I am becoming attached to these Indians." He felt that quick assimilation of the Pueblos was not possible, and warned the members of the Historical Society of New Mexico against attempting it. To Norton, he wrote of the Pueblos: "They progress slowly, but still they are progressing but God preserve them from the danger of an attempt at rapid 'americanization.' - - - It would be their deathblow."[109]

Bandelier's benevolent impulses towards some Pueblo Indians, however, should in no way be construed as implying that he placed them on an equal footing with the White race. The explicit paternalism of the expression "my children" can be seen throughout his observations of Pueblo culture. Although fond of some Pueblos, Bandelier's interest in the Pueblo Indian was primarily a scientific one. In later years he spent increasing amounts of time not at the pueblos themselves but in perusing Spanish colonial records. At the time of his death in 1914, Bandelier was in Seville, Spain, engaged in research in the Royal archives in that city.[110]

Adolph Bandelier was not the first White man to study the history and culture of the Pueblo Indians. Nor was he, at least initially, the most celebrated individual to do so. In September, 1879, a 22 year old ethnologist named Frank Hamilton Cushing arrived at Zuñi Pueblo in western New Mexico on an expedition sponsored by the newly formed Bureau of Ethnography. Cushing, who has been called "the world's first live-in anthropologist," spent four and one-half years at Zuñi Pueblo, where he ingratiated himself with the family of the Zuñi governor and was initiated

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108. Bandelier to Norton, June 20, 1889, *The Southwest Journals, 1889-1892*, 381.
109. Bandelier to Morgan, December 12, 1880; *Pioneers of American Anthropology*, 219. Bandelier to Norton, November 27, 1880, *The Southwest Journals, vol. 4*, 253.
110. *The Southwest Journals, 1889-1892*, 262.

into the tribe.[111] In December of 1881, Cushing was admitted into the Bow Priesthood, perhaps the most important of the Zuñi secret societies. As a member of the Bow Priesthood, he was allowed to witness most of the Zuñi ceremonials and became eligible to hold leadership positions within the pueblo. Cushing was also named "First War Chief" of the tribe, a position which may have been invented by the Zuñis as a means of utilizing the White man in their midst in their dealings with the outside world.[112]

In 1882, Cushing and five Zuñi Indians made a trip East which attracted national attention. The Indians visited President Arthur at the White House, were feted at Harvard University, and conducted a ceremonial on Deer Island, outside of Boston Harbor. The trip made Cushing something of a celebrity, he later wrote articles about the Zuñis for the *Atlantic Monthly* and other journals, and had the effect of heightening awareness of the Pueblo Indians in the East.[113] The new notoriety of both Cushing and the Zuñis proved to be a mixed blessing. Cushing found himself diverted from his ethnological work by demands upon his time from sightseers, journalists, and other visitors. A letter of introduction presented to Cushing in 1883 demonstrates just how fashionable Cushing and the Zuñis had become in some circles and also gives an insight into the state of mind of Indian enthusiasts of the time. The letter reads:

> My dear Cushing,
> I want to introduce the bearer, Mr. W. E. Curtis, Managing Editor of the Chicago Inter-Ocean, who will, in turn, introduce you to the ladies, and other gentlemen, in his party.
> They all desire to become members of the Zuñi Tribe, and, not being acquainted with any others, I am forced to call upon you to have them initiated.
> Please put them through in good shape, and draw upon me for the amount of their initiation fees.[114]

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111. Quotation from preface to *Cushing at Zuñi: The Correspondence and Journals of Frank Hamilton Cushing, 1879-84*, ed. Jesse Green (Albuquerque, 1990); Cushing described becoming a Zuñi in "My Adventures in Zuñi", *Zuñi, Selected Writings of Frank Hamilton Cushing* (1979; reprint, Lincoln, NB & London, 1981), 46-134.
112. *ibid.*, 353n49.
113. *Cushing At Zuñi*, 218.
114. W. F. White to Cushing, April 15, 1883, *Cushing at Zuni*, 281.

As for the Zuñi Indians, notoriety led to more visits by anthropologists, visits which continue to the present day. The Zuñis, who had initially allowed Cushing to stay with great reluctance, have been granted the dubious honor of being perhaps the most studied Indian tribe in the Southwest.[115]

While Cushing and his Zuñis were celebrated in the East, he was a controversial figure in New Mexico. He quarreled with Mormon and Presbyterian missionaries at Zuñi as well as with the Navajo Agent at Fort Defiance, Arizona Territory. Having adopted Zuñi dress, he found himself shunned by the Anglos at Fort Wingate, the army post 40 miles northwest of Zuñi. Ultimately, his successful efforts to turn back the designs of two army officers on traditional Zuñi lands led to his recall to Washington when the father of one of the officers, Senator John A. Logan of Illinois, threatened to cut off funding for the Bureau of Ethnography.[116]

It should be kept in mind that neither Bandelier or Cushing were advocates of the perpetuation of traditional Pueblo culture. The assertion that American culture could learn from the Pueblos would come later. Bandelier's reaction to certain Pueblo ceremonials has been noted. Cushing did act as an advocate for Zuñi Pueblo both in its dealings with the government and with its Anglo, Hispanic, and Navajo neighbors. He took care, however, to justify these actions as being necessary to gain and keep the trust of the Zuñis. In his journal, he referred to the Zuñis as "savages" at times. Although not overly shocked by the more lurid ceremonies that he witnessed at the pueblo, on one occasion he abandoned scientific detachment and attempted to stop the execution of an old Indian who had been tried and convicted of sorcery by the tribe.[117]

Cushing did feel that lack of knowledge and understanding of Native Americans was at the root of Indian-White conflict. In a letter to a relative, he wrote:

> I mean to say that by thoroughly studying and revealing the life and traits of the Indian, we cannot fail, if happy in our mission, of exciting interest in him where none existed before; cannot fail of showing him to be more human than we had supposed him, more capable of being made usefuller and better than it has been supposed possible - - - and will continue supposed until our knowledge of him is widened and *deepened* by the closest scrutiny and intimacy. That this increased knowledge and interest is sadly needed, you will not fail to grant when I tell you

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115. see Triloki Nathaniel Pandey, "Anthropologists at Zuñi," *Proceedings of the American Philosophical Society 116* (1972), 321-337.
116. *Cushing at Zuni*, 83 & 245-47. *Zuni*, Introduction, 11-12.
117. *Zuñi*, 123-127.

> that the execution of the Strelts by Peter the Great, the butchery of the French Revolution, bear no comparison with the cruelty, the sickening waste of life (both of white and Indian, but *more* of the latter) which, through a single century has resulted from our misunderstanding of the Indian. Since I have become conversant with Indian character . . . I have learned that not one of our great Indian troubles but could have been averted, had we better understood the natures of the people we have so unwittedly and invariably made our enemies.[118]

By the 1890's, a few Anglos in New Mexico had begun to study the "life and traits" of the Pueblo Indians. They were soon joined by a new group who not only studied the Pueblos, but championed Pueblo culture as presenting an alternative for an increasingly atomized America.

The Formation of a Regional Consciousness

Ralph Emerson Twitchell, who settled in New Mexico in 1882, characterized the early Anglos in Santa Fe with the words:

> In truth, the American as a rule accepted conditions as he found them and exerted very little effort in advocating any innovations or modifications. Of art, science and education there was practically nothing, and the non-existence of these features did not concern the type of men who visited the capital and its people, imbued as they were solely with a spirit of adventure and a desire for their own material gain and profit.

By the 1880's, Twitchell claimed, this early type of Anglo New Mexican had been joined by a new type who "in the early years of the twentieth century, laid the foundation for Santa Fe as the leader in science, art, literature and music in the great American southwest."[119]

Twitchell himself was representative of this new type of Anglo. A railroad lawyer and Republican politician with ties to the Santa Fe Ring, he also immersed himself in the history of New Mexico. In all, he produced nine volumes of New Mexican history, served as regent for the Museum of New Mexico, on the Managing Committee for the School of American Research and, at the time of his death in 1925, as President of the Historical Society of New Mexico.[120] Another prominent resident of the territory with an interest in regional history was Judge L. Bradford Prince (1840-1923), who came to New Mexico in 1879 and was governor of the territory from 1889 to 1893. President of the Historical Society in the years 1882-1923, he wrote articles on ancient

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118. Draft: Cushing to Miss Cushing, Zuñi, March 16, 1884, *Cushing at Zuñi,* 319.
119. Ralph Emerson Twitchell, *Old Santa Fe* (1925; reprint Chicago, 1963), 454, 458.
120. Myra Ellen Jenkins, "A Dedication to the Memory of Ralph Emerson Twitchell," *Arizona and the West* (vol. 8, Summer 1966), 103-106.

Pueblo sites and donated his collection of Indian artifacts to the Society.[121] At a time when the *New Mexican* was applauding the increased use of brick construction in New Mexico, Prince forbade his wife to remodel their traditional adobe home in Santa Fe.[122]

Awareness of the history of New Mexico did not mean that Anglos in the territory became enthusiasts of contemporary Pueblo culture. Ralph Twitchell, in particular, was more interested in the Spanish conquerors of New Mexico than in its original inhabitants. In the early 1920's, he helped write legislation which would have legitimized the claims of virtually every non-Indian living on Pueblo land. It was, however, an indication that Anglos in the territory were beginning to take pride in things that set New Mexico apart from the rest of the United States. By 1913, the *New Mexican* was applauding actions taken by the city of Santa Fe "to retain, as far as possible, the old Spanish style of architecture, including stucco finish, which is part of the ancient mode that has come down for centuries."[123] In the early 1920's, the Santa Fe Chamber of Commerce, with Twitchell as its president, used the slogan "The City Different" in promoting the town. Regional pride in New Mexico's unique heritage would serve to undermine the assimilationist arguments of the Bureau of Indian Affairs and others when issues concerning the Pueblos came to the fore in the 1920's. The assimilationist argument was further undermined by the economic benefits that accrued to New Mexico as a consequence of the pueblos.

The Yearning for Wilderness, a New View of the Indian, and the Growth of Tourism

The opening of the Southwest brought about by the railroad coincided with mounting concerns in the industrialized East about the harmful effects of urban life on the national character. In the cities, while laboring classes were expressing their discontent by organizing unions, increasing numbers of the well-off were suffering from a new malady known as neurasthenia, that

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121. Twitchell, *Old Santa Fe*, 475. L. Bradford Prince, monograph on "The Stone Lions of Cochiti," (Santa Fe, 1903). "The Stone Idols of New Mexico, a Description of Those Belonging to the Historical Society" (Santa Fe, 1896).
122. Santa Fe New Mexican, April 19, 1889 as reprinted in *Santa Fe, the Autobiography of a Southwestern Town*, 138. Lamar, *The Far Southwest*, 169.
123. *Santa Fe New Mexican*, July 18, 1913.

is, nervous prostration.[124] Responses to concerns about urban life took a variety of forms. The urban parks movement, associated with Frederick Law Olmsted, blossomed in the decades following the Civil War. Urban Americans with the wherewithal increasingly escaped to the suburbs.

Along with these urban evocations of the outdoors, growing numbers of Americans sought some connection with the wilderness as a palliative for the stresses of urban life. The Boy Scouts and similar organizations sought to improve the moral character of young Americans by placing them, at least for part of the year, in wilderness settings and teaching them outdoor survival skills. The view of wilderness as a sort of medicine for the psyche was encouraged by a host of magazine and newspaper articles. A writer for the *North American Review* warned his readers, "Once let the human race be cut off from personal contact with the soil, once let the conventionalities and artificial restrictions of so-called civilization interfere with the healthful simplicity of nature, and decay is certain."[125]

Along with this therapeutic view of nature came a new interest in the now pacified American Indians, especially the Indians of the Southwest. These two concerns co-mingled in writer-artist-naturalist Ernest Thompson Seton's youth organization, the Woodcraft Indians, which later merged with the American Boy Scouts. A large part of the activities of the Woodcraft Indians revolved around summer camps where the young participants lived in teepees, wore moccasins, elected "chiefs" and learned wilderness skills. In the Indian's presumed harmony with nature, Seton saw a means by which to "combat the system that has turned such a large proportion of our robust, manly, self-reliant boyhood into a lot of flat-chested cigarette smokers, with shaky nerves and doubtful vitality."[126]

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124. see T. J. Jackson Lears, *No Place of Grace: Antimodernism and the Transformation of American Culture, 1880-1920* (New York, 1981), 49-52.
125. Woods Hutchinson, "The Physical Basis of Brain Work," *North American Review* 146 (May, 1888), 522-531 as cited by Lears in *No Place of Grace*, 28.
126. Ernest Thompson Seton, "New Music from the Old Harp," *Century* 60 (August, 1900), 639 as quoted by H. Allen Anderson, *The Chief: Ernest Thompson Seton and the Changing West* (College Station, TX, 1986), 132.

To other Americans, interest in the Indian was motivated more by a fascination with the exotic than from moral considerations. Historian Robert A. Trennert has traced the increasing interest in the Indian by examining the proliferation and growing scale of Indian exhibits at fairs and expositions during the last decades of the nineteenth century. As Trennert demonstrates, these displays grew in popularity as the Indian threat in the West receded. They culminated at the 1904 Louisiana Purchase Exposition in Saint Louis where 150 Indians were housed by the Indian Bureau at the "Indian Village." The Bureau exhibit included a model school to demonstrate the efficacy of the Indian boarding school system as well as booths where non-assimilated Indians produced and displayed traditional Indian crafts. In addition, and in spite of the Indian Bureau's disapproval, 150 Hopi, Zuñi, and Eastern Pueblo Indians were recruited for a privately promoted "Cliff Dwellers" exhibit, a plaster replication of an Indian pueblo, which included a "Snake Kiva" where the Hopi snake dance was performed. Trennert writes that in these exhibitions, "The plains tribes and Indians from other regions of the far West seemed to be more acceptable as representatives of primitive warrior societies, while the desert tribes projected more of the pastoral, stable, cultured - - - even religious - - - life style."[127]

As might be expected, railroads were quick to capitalize on both the yearnings of Americans for the wilderness experience and their new and increasing fascination with the Indian. In time, New Mexico was touted by the railroads that served the territory as possessing both of these attributes with the added attraction of being the location of extensive, non-European, archaeological ruins. Tourist guides from the 1890's and early 1900's attest to the increasingly romantic view of both the Western landscape and the Pueblos Indians that it contained.[128]

An 1890 Rand McNally guide, while aimed primarily at the sightseer, also addressed itself to the potential settler. Describing the rich soil of the Rio Grande valley, the guide notes that "The difficulty now is that it is mostly occupied by the Mexican population, and, in localities, by the

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127. Robert A. Trennert, "Fairs, Expositions, and the Changing Image of Southwest Indians, 1876-1904," *New Mexico Historical Review* 62 (April, 1987), 144-149. Quotation on page 144.

128. The points made here are largely derived from Anne Farrar Hyde, *An American Vision: Far Western Landscape and National Culture, 1820-1920* (New York & London, 1990). The use of railroad travel guidebooks was suggested by the same source.

Pueblo communities. The land is held under the Spanish grant system, and what Americans and American law consider good titles can not be readily given," although "about sixty million acres of Government land not covered by grant or adverse title" was available for settlement. For the tourist, the guide contains a sympathetic, if reserved, account of the Pueblos. Of their professed Catholicism, the guide says:

> There is very grave doubt if the original Mexican - - - whom we now call the Pueblo - - - has ever been converted. If so, it is not a thorough regeneration, but a mixture of every Christian belief with his ancient religion. This Pueblo lived under just laws, justly administered. He had a system of worship and a defined belief. he was, like the modern Chinaman, very hard to convince. Often, like the Chinaman, he complied with the forms, but maintained his private belief. He clung to the religion of his fathers, and hated that of the conquerors, and kept killing Franciscans from time to time.

In conclusion, the author writes:

> There is, over the whole story of the Pueblos, a charm of hospitality, courage, industry and love of home. It is a story of ages of suffering and peril, of persecution and constancy . . . The Pueblos are the remaining representatives of a past that has a history only to be partially known. Through all this history their men have been brave and their women virtuous. They now cling to their fastnesses from association and the love of home. They present the only instance of successful communism. They are, and have always been, absolutely independent of all mankind besides.[129]

In 1905, the prose in the Santa Fe Railroad guidebook was decidedly more purple. In describing the New Mexican countryside, the guide states:

> The landscape is oriental in aspect and flushed with color. Nowhere else can you find sky of deeper blue, sunlight more dazzling, shadows more intense, clouds more luminously white, or stars that throb with redder fire. Here the pure rarefied air that is associated in the mind with arduous mountain climbing is the only air known - - - dry, cool and gently stimulating. Through it, as through a crystal, the rich red of the soil, the green of vegetation, and the varied tints of the rocks gleam always freshly on the sight.

After a brief factual account of the history of the Pueblos, the author gushes:

> He is a true pagan, swathed in seemingly dense clouds of superstition, rich in fanciful legend, and profoundly ceremonious in religion. His gods are innumerable. Not even the ancient Greeks possessed a more populous Olympus. On that austere yet familiar height gods of peace and of war, of the chase, of bountiful harvest and of famine, of sun and rain and snow, elbow a thousand others for standing room. The trail of the serpent has crossed his history, too, and he frets his pottery with an imitation of its scales, and gives the rattlesnake a prominent place among his deities. Unmistakenly a pagan, yet the purity and well-being of his communities will bear favorable comparison with those of the enlightened world . . . . And were the whole earth swept bare of every living thing,

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129. James W. Steele, *Rand McNally & Co.'s New Guide to the Pacific Coast, Santa Fe Route,* etc. (Chicago, 1890), 74,77, 100.

save for a few leagues surrounding his tribal home, his life would show little disturbance.[130]

Like the railroads, Anglos in New Mexico were quick to capitalize on the potential for tourism in the region. This was particularly the case in Santa Fe, which had been bypassed by the main Santa Fe Railway line and was losing its commercial dominance to Albuquerque, Las Vegas, and other communities. As early as 1883, civic boosters in Santa Fe promoted a 'Tertio-Millennia Exposition" in the capital in commemoration of the (purported) three-hundred and thirty-third anniversary of European presence on New Mexican soil. This exposition, which opened on July 2, 1883 to a crowd of over ten thousand marked the beginning of the organized tourist trade in New Mexico. Native Americans, including Pueblos from Laguna, San Juan, Tesuque, Picuris and Zuñi, took part in the opening day ceremonies. The Zuñi governor, *Pa-ta-wah-ti-wa*, made a speech to the crowd, translated by Frank Hamilton Cushing, and Pueblos took part in historical pageants commemorating the Spaniards Coronado and De Vargas.[131]

Also in 1883, the Fred Harvey Company, which provided food service under contract to the Santa Fe Railway, opened a string of hotels at towns along the line in New Mexico. Among these was the palatial Montezuma Hotel and Spa in Las Vegas, which attracted a clientele from around the world that included former Presidents Grant and Hayes. While the early Harvey hotels were built in a variety of architectural styles, by the 1890's the "Harvey Houses" in the Southwest were being designed in the Spanish-Indian "mission-style" and by the 1920's this had been replaced with the "Santa Fe Style" pueblo architecture that has become ubiquitous in New Mexico. In 1902, the Harvey Company formed an "Indian Department" to handle the marketing of Southwest Indian crafts to tourists and to collect artifacts to be put on display at the company's hotels. The company also managed the Santa Fe Railroad's popular "Indian Detour" during the 1920's, in which passengers detrained at Lamy, New Mexico, were transported to lodgings in Santa Fe, and from there taken on tours of the pueblos.[132]

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130. C. A. Higgens, *To California Over The Santa Fe Trail* (Chicago, 1905), 20, 39-40.
131. Twitchell, *Old Santa Fe*, 401-410.
132. James David Henderson, *Meals By Fred Harvey: A Phenomenon of the American West* (Fort Worth, TX, 1969), 40, 22, 29-33.

The growing economic importance of the pueblos, in terms of tourism, was met with some ambivalence by Anglo New Mexicans. An item from the *New Mexican* in 1900 reflected this feeling. Under the heading, "Indian Curio Fad," the editors commented, "Now it is the Indian. Awhile ago it was the Oriental, then it was the Japanese - - - now it is the Indian."[133] Nevertheless, the economic benefits of tourism were too strong to be ignored. Even as it continued to call for the opening of pueblo lands to settlement, the *New Mexican* printed notices of upcoming pueblo feast days and dances.

Seventy miles north of Santa Fe, in Taos, civic boosters also competed for the tourist dollars. A 1920 editorial in the *Taos Valley News* commented:

> If Taos is to be and remain the Mecca for renowned artists, tourists and a business center, we must preserve the ancient style of architecture . . . we must also beautify the Plaza streets, the park and our roads. To do so means a string of dollars rolling continually in our safe and pockets. Boost or get out. Beautify Taos or Santa Fe will put us out of business as a center of world attraction.[134]

By the early 1930's, the Taos chapter of the Lions Club had adopted the practice of promoting the Taos Pueblo fiesta, held on Saint Geronimo Day, as actually starting two days earlier so that the town could reap additional benefits from the tourists.[135]

According to novelist-historian Paul Horgan, tourism had become the "largest annual business" in New Mexico by 1915 and remained so until 1942.[136] As we have seen, the appeal of the region to tourists was based upon characteristics that set it apart from the rest of the United States, most prominently the Pueblo Indians. Beginning in the last years of the nineteenth century a small group of artists and writers, based primarily in Taos and Santa Fe, contributed to the growing interest in the region by producing books, articles, and paintings that celebrated the New Mexican landscape and the Indian and Hispanic cultures which inhabited it. Before long, the artist colonies of Taos and Santa Fe had themselves become part of the allure which drew tourists to New Mexico. As residents, these artists and writers had distinctly different priorities from earlier Anglo

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133. *Santa Fe New Mexican,* April 17, 1900. Reproduced by La Farge in *Santa Fe: Autobiography of a Southwestern Town*, 175.
134. *Taos Valley News*, March 23, 1920 as cited by Arrell Morgan Gibson in *The Santa Fe and Taos Colonies: Age of the Muses, 1900-1942* (Norman, OK, 1983), 92.
135. Mabel Dodge Luhan, *Winter in Taos* (New York, 1935), 217.
136. Horgan, *The Centuries of Santa Fe*, 318.

settlers. In their book, *Santa Fe and Taos: The Writer's Era*, Marta Weigle and Kyle Fiore make just this point in describing the art colony participants:

> Unlike the businessmen and settlers before them, they were not hoping to create a replica of the towns and cities they had fled. They sought instead new vistas and new experiences to inspire their work. Fascinated by the sky, the mountains, the desert, and the Indian and Hispanic cultures they discovered, they used brushes and pens to tell the nation and the world about the unique qualities of an American place which seemed so strikingly not American at all.[137]

Writers and Artists: Pluralism and Idealism

With the exception of Billy the Kid, perhaps more has been written about the artists and writers who settled in New Mexico in the first few decades of this century than about any other facet of the American period. This is understandable because, beyond their undoubted importance as a cultural phenomenon, they were a colorful lot. They dressed up like Cowboys and Indians, led bohemian lives, and feuded with each other over aesthetic concerns. In 1931, a group from the Santa Fe colony, angered at Indian rights activist John Collier, hung him in effigy on the corner of the Plaza.[138] The date for the founding of the colonies has been placed anywhere from 1898, when painters Bert Phillips and Ernest Blumenschein first came to Taos, to 1917, when the heiress Mabel Dodge Sterne (later Luhan) established a residence there. Our concern is with their perceptions of the Pueblo Indians and before examining these a few general comments are in order.

First of all, and most importantly, the favorable descriptions and depictions of Pueblo life given by members of the Santa Fe and Taos colonies went far beyond any previous positive portrayals of the Pueblos. For the first time, Pueblos were portrayed not just as highly developed Native Americans but, in many accounts, as possessing qualities lacking in contemporary American life, most prominently a social cohesiveness which gave each Pueblo a role to play in the common life of the community. In these descriptions of Pueblo life, positive Pueblo attributes were often

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137. Marta Weigle and Kyle Fiore, *Santa Fe and Taos: The Writer's Era, 1916-1941* (Santa Fe, 1982), 7.
138. *ibid.*, 123-125.

juxtaposed with derogatory references to the social atomization and urban ills of industrialized America.

This was to be expected. Almost without exception, artists in writers in New Mexico had come to the region searching for an alternative to modern American life and many of them can be described as being part of a growing antimodernist intellectual subculture in America at this time. In his book, *No Place of Grace: Antimodernism and the Transformation of American Culture*, T. J. Jackson Lears gives the following description of the roots of this antimodernism:

> Transatlantic in scope and sources, antimodernism drew on venerable traditions as well as contemporary cultural currents: republican moralism, which promoted suspicion of urban "luxury"; romantic literary convention, which elevated simple and childlike rusticity over the artificial amenities of civilization; a revolt against positivism, gathering strength towards the end of the century, which rejected all static intellectual and moral systems, often in the name of a vitalist cult of energy and process; and a parallel recovery of the primal, irrational forces in the human psyche, forces which had been obscured by the evasive banality of modern culture.[139]

Needless to say, and regardless of the importance of the antimodernist impulse as a cultural development, perceptions of the Pueblo Indians on the part of individuals reacting against contemporary American life were every bit as suspect as those based upon cultural complacency. To their credit, some participants in the New Mexican art colonies recognized that their perceptions of the Pueblos contained an element of projection. In 1950, poet and Pueblo rights activist Witter Bynner, who moved to Santa Fe in 1922, recalled a Santo Domingo Indian explaining to him about the writer Mary Austin: "She tells us what we believe - - - and we always say yes."[140]

Also, as Kay Aiken Reeve and other chroniclers of the Santa Fe and Taos colonies make clear, these writers and artists were not just fascinated with the Pueblos but also with other Southwestern Indians. For some, the New Mexican landscape served as the primary source of inspiration and many of them also glorified the traditional Hispanic culture of New Mexico. [141] As Pueblo and Hispanic interests were often opposed, especially in the case of disputes over land and

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139. Lears, *No Place of Grace*, 57.
140. From a review by Bynner of *Patterns and Ceremonials of the Indians of the Southwest*, drawings by Ira Moskowitz, text by John Collier, *New York Times Book Review*, January 1, 1950.
141. Kay Aiken Reeve, *Santa Fe and Taos: 1898-1942, An American Cultural Center* (El Paso, 1982), 5-8. Also see Gibson, *The Santa Fe and Taos Colonies: Age of the Muses*, 9-23.

water, activists for Pueblo rights who also championed Hispanic culture sometimes found themselves in uncomfortable positions. Competing claims between Pueblos and Hispanics would serve as inspiration for an element of cognitive dissonance among art colony participants, which will be noted in due course.

A detailed look at all of the members of the Taos and Santa Fe colonies is not possible within the scope of this account. Fortunately, this is not necessary, as their views of the Pueblos tended to be much alike. What follows are some examples of views of the Pueblos expressed by individuals associated with the colonies who played prominent roles in the political battles over Pueblo rights in the 1920's. The first of these individuals, Charles Lummis (1859-1928), defies categorization and might as easily have been grouped with the earlier accounts of Adolph Bandelier and Frank Hamilton Cushing. His best known writings pre-date the establishment of the art colonies and, except for five years spent at Isleta Pueblo in the late 1880's and early 1890's, he lived in Los Angeles during most of his professional career. Some writers have described him as being primarily a popularizer of anthropological work done among the pueblos, others as being a regional "local color" writer. While there is truth in both of these claims, Lummis' perceptions of the Pueblos changed over the years in ways that dovetailed, and at times preceded, the views of other observers. At the end of his life, he was firmly in the camp of those opposing the policy of assimilation (and had, in fact, reached this position at an early date).

Charles Lummis

In 1884, Harvard dropout Charles Lummis left his newspaper job in Ohio and walked from Cincinnati to Los Angeles. Along the way, he wrote a series of dispatches to the *Los Angeles Times*, which he later turned into a book. [142] In the words of one observer, "The arrival of Lummis in the Southwest marks the clear emergence . . . of a love affair between the Spanish Southwest and

142. Charles F. Lummis, *A Tramp Across the Continent* (1892; reprint, Albuquerque, 1969). For a short biography of Lummis see Edwin R. Bingham, *Charles F. Lummis: Editor of the Southwest* (San Marino, CA, 1955), 3-35.

Anglo-American travelers from the East."[143] In Los Angeles, Lummis was a city-editor for the *Los Angeles Times* and editor of the magazine *Land of Sunshine* (later called *Out West*). He worked to preserve historic California buildings, was head librarian of the Los Angeles Public Library for a time and was the individual responsible for the establishment of the Southwest Museum. However, much of his writing, and certainly his best remembered works, were about New Mexico. As stated, Lummis's perceptions of the Pueblos, while always positive, changed over time. This change is demonstrated in Lummis' writings about the Pueblos.

During his "tramp" across the United States, Lummis wrote a series of letters to a newspaper in Ohio, the *Chillicothe Leader*. Those dealing with the Southwest were published in 1989 and provide us with Lummis's initial impressions of the Pueblos. During his stay in New Mexico, Lummis met the head of the Pueblo Indian Agency, Pedro Sanchez. Sanchez was a storekeeper and Republican politician from Taos county whose reports on the Pueblos to Washington, which will be examined in a later section, were overrun with derogatory references to his Pueblo charges. Lummis, still new to New Mexico, was impressed with the Indian agent, writing:

> Don Sanchez . . . is devoutly interested in the education of the Pueblos, and after long, up-hill fighting, has succeeded in making a very handsome beginning . . . . The old element of the Indians naturally sticks in its ruts, and is opposed to all these innovations, but the young people are solidly with the Don, and like him, wish the Government to make the education of its wards compulsory. Many of these young Indians are at Carlisle, Pa., and more at the 3-year-old training school in Albuquerque. There are also seven social schools, scattered among the Pueblos. The latter are hardly successful, however, for the people do better when entirely removed from the home influence and customs.[144]

When Lummis wrote these words, he, like most Whites concerned about Native Americans, accepted the principle of separating Indian youths from their home environments in order to teach them to cope with American life. After spending several years in New Mexico, initially for reasons of health, and seeing the effect of the boarding school system on Pueblo families, Lummis became a harsh critic of the Bureau of Indian Affairs and, in particular, of its methods of educating Indians.

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143. Burl Noggle, "Anglo Observers of the Soutwest Borderlands:,1825-1890: The Rise of a Concept," *Arizona and the West* 1 (Summer, 1959), 130.

144. Charles F. Lummis, *Letters From The Southwest, September 20, 1884-March 14, 1885* (Tucson, 1989), 132. Lummis to *Chillicothe Leader* editors, Cerillos, New Mexico, December 1, 1884.

In August, 1899, *Land of Sunshine* printed the first of a five-part series by Lummis called "My Brother's Keeper." In these articles, Lummis attacked the boarding school system, most Indian school teachers, the curriculum taught at the schools, well-intentioned "philanthropists" who supported the schools and, in particular, Carlisle Indian School founder Richard Henry Pratt. Instead of taking a young Indian from his home and teaching him to be a "watch maker, a type-setter, a sanitary plumber," of which "we have too many already," Lummis called upon the Indian Bureau to show the Indian "how to live without being crowded off the earth by the newcomers; some of whom turn loose a Winchester at him, and some the more deadly methods of a calculating 'philanthropy.'" Lummis called instead for day schools, staffed by teachers who had some understanding of Indian culture, and a curriculum that emphasized things of practical use to Indians, most particularly modern farming techniques.[145] Lummis' outrage over the government schools was prompted by events which he had witnessed in the Pueblos. In the final installment of "My Brother's Keeper," he described, among other abuses, the beating of an Isleta Pueblo man by boarding school employees when that man attempted to visit his three sons, the youngest only four years old, at the government school in Albuquerque.[146]

Like many Anglos before him, Lummis' initial impressions of the Pueblos focused on the extent to which they were similar to Whites. Describing Tesuque Pueblo, the first pueblo he visited, Lummis wrote:

> In the hearth, in all probability, you may see sundry rude images of red clay baking, or well-made pottery, of peculiar polish and decoration, and characteristic shape. Now some excellent but still greener people who come out here from the East, buy these fantastic images and take them home as "Indian idols." Thereby they become a laughing stock.
>
> These Indians are all as good Christians as you are - - - perhaps a good deal better. They are all devout Catholics, and their churches and homes are alike full of the symbols of their faith. They make these "idols" simply to sell to greenhorns, and they do sell both by the hundreds . . . On their walls hang Springfield and Winchester rifles, double-barreled shot-guns and the like . . . but they sell to these fool tourists any quantity of bows and arrows and raw-hide shields, and these tourists carry off the relics as something really used by the red man! They pay five or six prices for them, too, for the Pueblos have learned that little scheme from the Jews, who trade with them.[147]

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145. Charles F. Lummis, "My Brother's Keeper" IV, *Land of Sunshine* 11 (November, 1899): 334, 335.
146. Lummis, "My Brother's Keeper" V, *Land of Sunshine* 11 (December, 1899): 28.
147. Lummis, *Letters From the Southwest*, December 1, 1884, 133.

In these early accounts of the Pueblos, Lummis described exotic aspects of life in the pueblos: their architecture, the jewelry worn by Pueblo women, the "strange spectacle" of the Christmas dance at Laguna Pueblo. His focus , however, was on the values shared by the Pueblos and his readers in Ohio and of the extent to which Pueblos matched, and even surpassed, White Americans in living up to these values. While visiting Laguna Pueblo, he wrote:

> I do not believe there is a christian American community in the world, which can approach in morality one of these little towns of adobe. A loose woman is a thing unknown among the Pueblos . . . and the laws of property are strictly respected. Packages and bundles of value may lie on one of these lonely platforms at out-of-the-way stations for weeks, and they are just as safe as under lock and key. Just about half one night they would stay unstolen in an American town. The Pueblos are sharp but honest traders, good neighbors to each other and hospitable far beyond the average white man to the strangers who come among them. I wish they would send out missionaries to their American brothers.

This last sentence was a reference to some of the less-than hospitable treatment Lummis had received of his journey from White Americans. Lummis went on to write:

> I reckoned that there were about two hundred houses in Laguna, all made of adobe, attractive without, and wonderfully neat and pleasant within. Indeed, I don't believe it is possible to find a dirty, shiftless-looking room in all the 19 pueblos of New Mexico. There is a look about them that discounts many of our boasted American homes.[148]

By 1893, Lummis' admiration of the Pueblos had grown and his understanding of their culture had deepened. In the introductory pages of *The Land of Poco Tiempo*, He wrote:

> These are Indians who are neither poor nor naked; Indians who feed themselves , and ask no favors of Washington; Indians who have been at peace for two centuries, and fixed residents for perhaps a millennium; Indians who were farmers and irrigators and six-story-house builders before a New World had been beaten through the thick skull of the Old; Indians who do not make pack-beasts of their squaws - - - and who have not "squaws," save in the vocabulary of less-bred barbarians. They had nearly a hundred republics in America centuries before *the* American Republic was conceived; and they have maintained their ancient democracy through all the ages, unshamed by the corruption of a voter, the blot of a defalcation or malfeasance in office . . . . Their numerous sacred dances are by far the most picturesque sights in America, and the least viewed by Americans, who never found anything more striking abroad. The mythology of Greece and Rome is less than theirs in complicated comprehensiveness, and they are a more interesting ethnologic study than the tribes of inner Africa, and less known of by their white countrymen.[149]

In an introductory chapter on the Pueblos, in which he lauded Bandelier's work while dismissing "the armchair archaeologists" of the East, Lummis continued his analysis of modern Pueblo culture:

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148. *ibid*,. Lummis to *Leader* editors, December 25, 1884, 192, 199.
149. Charles F. Lummis, *The Land of Poco Tiempo* (1893; reprint, New York, 1925), 7-8.

> He is the one racial man who enjoys two religions, irreconcilable yet reconciled; two currencies, millenniums apart in the world's ripening; two sets of tools, as far asunder as the Stone Age from the locomotive; two sets of laws, one coeval with Confucius, and the other with the Supreme Court; two languages that preceded us; and two names, whereof the one we hear was ratified by the sacrament of Christian baptism, while the other, whereby he goes among his own, was sealed upon his infant lips with the spittle of a swart godfather at a pagan feast . . . . From whichsoever side we view him, he is worthy a comprehension which has never been publicly had of him.[150]

As this passage suggests, Lummis had come to recognize the duality (a word he used repeatedly) in all aspects of the Pueblos' existence. He noted this duality in their native religion, writing, "There is no one God - - - the Sun-Father and the Moon-Mother were the equal first causes." Of their sincere acceptance of the Christian deity, Lummis observed: "It is another phase of this racial contradiction, this human hyphen between the present and the utmost past, who lights his pleasure cigarette with an Ohio match, and his medicine smoke from the prehistoric fire-drill."[151]

The Land of Poco Tiempo included descriptions of Pueblo ceremonials, but only those associated with Christian holidays. Lummis contended that:

> The cachinas [kachinas] or sacred dances which were in vogue before Columbus still survive; but now they are applied to the festivals of the church, and are presumed to be as grateful to *Tata Dios* as to the Sun-Father and the Hero Twins. That is, the unobjectionable ones. There were many which had to be sternly suppressed; for the aboriginal theology, with its corner-stone of sex, had many features which could hardly be brought to church. They were not vile, for they were sincerely religious, but under our different standards of what may and what may not be paraded, they would seem highly indecorous.[152]

To be sure, Lummis described the role of the *Koshare* at saints' day dances, "naked save for their G-string and various charmed knots bound about knees and arms," in which the sexual element had been expurgated by the Church.[153] Nevertheless, it strains credulity that Lummis, who traveled with Bandelier in New Mexico, was unaware of the fact that traditional Pueblo ceremonials, some of which included elements shocking to most Whites, were still taking place. In 1924, when Pueblo ceremonials were under attack by the Bureau of Indian Affairs, Lummis wrote a letter to President Coolidge in which he insisted that:

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150. *ibid.*, 29-30.
151. *ibid.*, 44.
152. *ibid.*, 253.
153. *ibid.*, 264, 267-269.

> "The pretext of the Bureau that these dances, and [illegible] them, are "immoral" is not only inhumanly false but wholly groundless, [illegible] of the Indian "dances" they are not dances at all in our sense of the term, but solely and exclusively religious ceremonials, as devout and as majestic as when David "danced before the Lord," and they danced around the Ark of the Covenant." I know the Pueblo and their dances from [illegible], and no other observer will dispute me when I say that no Indian dance in the Southwest ever had a hint of the suggestiveness, the indecency, of the provocativeness of the average American dance in good society.[154]

It will be noticed that Lummis doesn't address himself here to the elements of the Pueblo dances themselves. It seems likely that, both here and in [illegible], Lummis intentionally ignored some Pueblo practices which he felt would be misunderstood by White Americans. If so, he would not be the last person to do so.

Mary Austin

If Charles Lummis took it upon himself to familiarize the reading public with the history, customs, and institutions of the Pueblo Indians, Mary Austin assumed a more daunting task: that of describing the inner mind, the psyche, of the Pueblos which manifested itself in their customs and institutions. Austin viewed the early Pueblos as having possessed a harmonious way of life which had been subjected to corrupting forces from the time of their first contact with European civilization. A utopian conception of Native Americans was not new. There were clear antecedents to Austin's view in the writings of Rousseau, Diderot, and other French Enlightenment figures. Some nineteenth century Romantic writers had also painted an idyllic picture of the Indian.[155] What was new in Mary Austin's writings was her use of recently acquired ethnological information and a conception of the corrupting forces of White America grounded in the concerns of the Progressive Era. To these influences she brought a personal affinity for mysticism and a love of the Southwestern landscape.

In 1888, Mary Hunter Austin (1866-1934), a recent graduate of Blackburn College in Carlinville, Illinois, moved with her family to a homestead in the San Joaquin Valley of California. The family struggled to make a success at farming the dry, unirrigated, land of their farm twenty-

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154. Charles Lummis to Calvin Coolidge, August 24, 1924, Copy in John Collier Papers, 1: 201.

155. See Berkhoffer, *The White Man's Indian*, 72-80.

five miles outside of Bakersfield. Austin was married, unhappily, in 1891 and the next decade of her life, which was punctuated by frequent separations from her husband, was one of dissatisfaction with her domestic situation and financial uncertainty. She found solace by indulging her curiosity about the plant and wildlife of the California desert and by acquainting herself with her Hispanic and Native American neighbors. In 1897, while teaching school in California's Owens Valley, Austin met a Paiute healer named Tinnemaha who instructed her in Paiute religious practices. From this time forward, the application of Native American forms of spirituality to her own life became one of her passions.[156]

Austin published her first short-story, about a Mexican family in the San Joaquin Valley, in 1891. Public acclaim, however, was slow in coming. Charles Lummis provided some encouragement by publishing several of her pieces in *The Land of Sunshine*. In 1903, Houghton Mifflin published a book of essays by Austin about the California desert called *The Land of Little Rain*, parts of which were excerpted in the *Atlantic Monthly*. The book was well-reviewed and the following year Houghton Mifflin published *The Basket Woman*, a collection of children's Indian stories by Austin. In the years to come, Mary Austin produced a series of books, many of which dealt with religious themes and/or Native Americans. [157]

In the years after *The Land of Little Rain* appeared, Austin lived in Carmel, California, New York City, and in Europe. In 1914, she divorced her husband, Stafford Wallace Austin, from whom she had been separated since 1908. In addition to her writing career, Austin was active in the labor and women's suffrage movements and became acquainted with many of the leading feminists of her time.[158] Her writings earned the admiration of H. G. Wells, Joseph Conrad and many other leading literary figures of the day. In 1921, she was one of the lecturers at Sidney and Beatrice Webb's Fabian Summer School in the English countryside. George Bernard Shaw was another of the lecturers that year.[159]

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156. Augusta Fink, *I-Mary: A Biography of Mary Austin* (Tucson, 1983), 86-88, 92.
157. *ibid.*, 109-111.
158. *ibid.*, 150, 157-59, 177.
159. *ibid.*, 146-147, 198.

Mary Austin first visited New Mexico in the 1919 at the urging of Mabel Dodge Luhan, whom she had known in New York, and in 1924 she settled there permanently, building a house in Santa Fe which she called *La Casa Querida*.[160] In that same year, she published a book, *The Land of Journey's Ending*, in which she wrote about the history, the topography, and the Hispanic and Indian cultures of Arizona and New Mexico. *The Land of Journey's Ending* is essentially a series of vignettes on various aspects of the Southwest; conquistadors, various types of cactus, and Hispanic villages are all vividly described. But of all aspects of life in the Southwest, Mary Austin was most enchanted with the Pueblo Indians.

In *The Land of Journey's Ending*, Austin portrays the Pueblos as living in a classless society, governed in their civil affairs by officers who "serve without pay and without distinction of their offices from other items of communal labor, such as mending the community ditch or cultivating the widow's field." The daily routine of life in the Pueblos is lovingly described - - - tribal elders on housetops "making their oblation to the east, and women, blowing sacred meal dust or a light prayer feather, unobtrusively as they come down the ladders with lovely patterned *tinajas* [water-jars] upon their heads, to bring the morning water supply from the acequia." Following this evocation of a sort of arid-pastoralism, Austin asserts that:

> Living in such fashion, the pueblos, at the time Spain found them, had no rich, no poor, no paupers, no prisons, no red-light district, no criminal classes, no institutionalized orphans, no mothers of dependent children penalized by their widowhood, no one pining for a mate, who wished to be married. All this is so much a part of their manner of living together in communities, that three centuries of Christian contact have not quite cured them of their superior achievement.[161]

Calling them "the only existing human society that ever found, and kept for an appreciable period, the secret of spiritual organization," Austin describes the Pueblos as recognizing and honoring the *wokanda*, the essential spirit of all things, in the world around them. Whereas in White society the individual is trapped within "the bubble of his selfness, aloof, shut in by iridescent films of his own experience with the universe," in the pueblos "the whole community lies at the center of one great bubble of the Indian's universe, from which the personal factor seldom escapes

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160. T. M. Pearce, *Mary Hunter Austin* (New York, 1965), 48-51.
161. Mary Austin, *The Land of Journey's Ending* (New York, 1924), 239, 242, 244.

into complete individuation."[162] After vividly describing the Deer Dance at Taos and the Corn Dance among the Hopi, Austin lauds the "inestimable" recreational value of such ceremonies, but also sees something much more significant:

> Here is the only organized group in which group-mindedness runs higher than the individual reach. This is the only society in the world in which culture exists as an expression of the whole, unaffected by schisms of class and caste, incapable of being rated in terms of power or property. Beyond this cultural wholeness, making it possible, is a psychic unity, so foreign to our sort of society that we have not a name for it . . . . It is a word woven out of the belief that there is god-stuff in man, and the sense of the flow of life continuously from the Right Hand to the Left hand. But why seek for a word defining the state of the whole, who have not achieved wholeness? Somewhere at the edge of that experience the word lingers, intuitively felt, and still to be brought to consciousness by some happy observer if the Pueblos live long enough.
>
> For this is what we have done with the heritage of our Ancients. We have laid them open to destruction at the hands of those elements in our own society who compensate their failure of spiritual power over our civilization, by imposing its drab insignia on the rich fabric of Amerindian culture, dimming it as the mud of a back-water tide dims the iridescence of sea-shell. Robbed of his lands, wounded in his respect for himself, all the most colorful expression of his spiritual experience filched from him in the name of education, the great Left Hand of modernism closes over the Puebleño. But if the Holders of the Paths laugh at all, it is at us they are laughing. For we cannot put our weight on the Left Hand of God and not, ourselves, go down with it.[163]

Mabel Dodge Luhan (1879-1962)

Mabel Dodge Luhan's recent biographer, Lois Rudnick, begins her portrait of Luhan with the sentence, "Mabel Dodge Luhan tried to enact the fate of humanity through her personal existence."[164] Firmly concurring in Mary Austin's belief that the Pueblos possessed a "medicine for the want of which the civilized world is tearing out its vitals," Luhan characteristically personalized this belief.[165] Having moved to Taos in 1917 at least in part on a mission to help the Indians, Luhan experienced a personal epiphany while attending a Pueblo dance at Santa Domingo and thereafter devoted most of her energies to improving the physical circumstances of the Pueblos and spreading the word about what she saw as their superior social and spiritual qualities to her elite circle of friends. At her urging, D. H. Lawrence, Leopold Stokowski, Robinson Jeffers, and many others

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162. *Ibid.*, 238, 245-256.
163. *Ibid.*, 263-265.
164. Lois Palkin Rudnick, *Mabel Dodge Luhan, New Woman, New Worlds* (Albuquerque, 1984), introduction, ix.
165. Mary Austin, *Land of Journey's Ending*, 238.

came to New Mexico and observed life in the pueblos first-hand. In 1923, she cemented her personal ties to the Pueblos when she married Antonio Luhan, a Taos Indian.

Mabel Dodge Luhan was born into a wealthy family in Buffalo, New York, and grew up surrounded by the privileges which the Gilded Age extended to the children of the upper class. Widowed at the age of twenty-five, and estranged from her father, she moved to Europe with her infant son. From 1905 to 1912, she lived in a Medeci-built villa outside of Florence with her second husband, Edwin Dodge, whom she had met in Paris. The Dodge's led an active social life among the artistically inclined community in Florence. Guests at the Villa Curiana included their neighbor, the American critic and connoisseur of Renaissance art, Bernard Berenson, the pianist Arthur Rubenstein, and French novelist André Gide. In 1912, tiring of a life pursued for art's sake and fleeing an affair with her son's tutor, Mabel Dodge and her husband moved to New York.[166]

In New York, the already strained marriage split up, and Mabel Dodge entered into a whirlwind of activities among the artistic and radical chic of New York. The *salon* which she hosted on Thursday nights attracted some of the most celebrated figures of the time, including gallery owner Alfred Stieglitz, the radicals John Reed and Emma Goldman, labor-organizer Bill Haywood, and columnist Walter Lippman. Another frequent guest, social worker John Collier, would later come to New Mexico at Mabel's urging and would play a prominent role in the 1920's campaign for Pueblo rights.[167]

As she had in Florence, Mabel Dodge eventually became disenchanted by her life in New York. In part, this disenchantment can be attributed to the disillusionment caused by the first world war. Like many of her radical and progressive friends, Mabel Dodge opposed the war and she wrote several articles expressing her conviction that business interests were "sacrificing the first born - - - and all the others" for their own profit-driven purposes. She was also involved , to a limited extent, with the anti-war Woman's Peace Party. The mere fact of the first world war argued convincingly that the cultural and political causes to which Mabel Dodge had devoted her

166. Rudnick, *Mabel Dodge Luhan*, 36, 49, 57.
167. *ibid.*, 60, 85.

time had been ineffectual. Personal malaise, however, seems to have played a larger role in her seeking a new role in life from that which she had played in New York. Like many others, Mabel Dodge turned to nature as a substitute for the artificial environment of the city. In 1915, she purchased a farm in upstate New York although she continued to maintain her New York residence. [168]

In 1917, she married the painter Maurice Sterne, a Paris-trained modernist fascinated with primitive cultures. Shortly after their wedding, Mabel's analyst, A. A. Brill, suggested that the Sterne's should separate from each other for a time. At Mabel's urging, Maurice Sterne, who had painted in Bali from 1912 to 1914, went to New Mexico to paint Indians. Within a few weeks, Sterne wrote to his disenchanted wife:

> Dearest Girl - - -
> do you want an object in life? Save the Indians, their art - - - culture - - -
> reveal it to the world . . .

Soon after receiving this letter, Mabel Dodge Sterne joined her husband in Santa Fe and, finding that town too crowded with artistic hangers-on, soon compelled her husband to move with her to Taos.[169]

On Christmas Eve of 1917, Mabel Dodge Sterne attended the Christmas dance at Santo Domingo Pueblo. What she felt as she watched the ceremony both changed and gave new meaning to her life. Twenty years later, in her memoirs, she wrote of what she saw and heard that day:

> While I listened, I thought: Communal music is not the voice of the individual; it has in its totality more than the sum of its parts; it reveals the over-soul of the tribe, the entity that is invisibly made up of many single units . . . .
> For the first time in my life, then, I heard the voice of the One coming from the Many - - - I who until then had been taught to look for the wonders of infinite divisibility and variety, for the many in the one, the elaboration and detail of a broken infinity. My world, all through my life, had been made of parts ever increasingly divided into more intricate and complex fractions. By our contemplation of pieces of things we had grown to believe that the part is greater than the whole; and so division had motivated all the activities of people I had known, of books I had read, of music I had heard, and of pictures I had seen . . . .
> The singular raging lust for individuality and separateness had been impelling me all my years as it did everyone else on earth - - - when all of a sudden I was brought up against the Tribe, where a different instinct ruled, where a different knowledge gave a different power from any I had known, and where virtue lay in wholeness instead of in dismemberment.

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168 *ibid.*, 100-103, 123-125.
169 Maurice Sterne to Mabel Dodge Sterne, November 28, 1917, as cited in Rudnick, *Mabel Dodge Luhan*, 141, 142, 145.

So when I heard that great Indian chorus singing for the first time, I felt a strong new life was present there enfolding me. Bubbling up like a spring, it came up and surrounded one in sound.[170]

Artists

The artists in Santa Fe and Taos, understandably, left less in the way of written accounts of the Pueblo Indians than the writers who had moved to New Mexico. As has been noted, writers in New Mexico were interested in aspects of the region other than the Pueblos. If anything, this was even more the case with the painters and sculptors who came the region. Some of the Santa Fe and Taos artists, such as W. Herbert Dunton, concentrated primarily on portraying scenes of the western frontier, such as cowboys on cattle drives. Others focused on the Hispanic culture of New Mexico and were influenced by the Hispanic folk art which had developed during the colonial era. Still others were primarily landscape painters. Stylistically, these artists were equally diverse. Most of the early Taos painters were conservative realists interested in painting fresh subjects in ways that reflected everyday life. Some had been commercial illustrators. Later-comers to the region more often reflected the various currents of early twentieth-century modernism. Within this diversity, however, it is possible to make some generalizations about the participants in the art colonies of New Mexico.[171]

First of all, most of the artists were attracted to the Pueblos, whether as subjects or simply as a cultural treasure, for reasons similar to those expressed by Mary Austin and Mabel Dodge Luhan. Appreciation of the Pueblos, and of Native Americans in general, extended to their indigenous arts and crafts. The Society of Taos Artists, formed in 1912, was organized in part to encourage the preservation of Indian art forms. Robert Henri, a modernist who came to Santa Fe in 1916, expressed the thoughts of many of his peers when he wrote of the Indians:

> Materially they are a crushed out race, but even in the remnant there is a bright spark of spiritual life which we others with all our goods and material protections can envy. They have art as a part of each one's life. The whole pueblo manifests itself in a piece of pottery. With us, so far, the artist works alone. Our neighbor

170. Mabel Dodge Luhan, *Edge of Taos Desert: An Escape to Reality,* Volume Four of *Intimate Memories* (New York, 1937), 64-66.
171. Gibson, *The Santa Fe and Taos Colonies,* 27.

> who does not paint does not feel himself an artist We allot to some the gift of genius; to all the rest, practical business Undoubtedly, in the ancient Indian race, genius was the possession of all; the reality of their lives . . . . Here in New Mexico the Indians still make beautiful pottery and rugs, works which are mysterious and at the same time revealing of some great life principle which the old race had. Their work represents the pueblo and stands for their communal greatness. It represents them, reveals a certain spirituality we would like to comprehend.[172]

John Sloan, one of the leading Santa Fe painters, helped arrange an exhibition of Indian paintings at a commercial New York gallery in 1920, the first time such works had been exhibited outside of Natural History museums or ethnological exhibits. During the 1920's, gallery showings of Indian created art became common in both the United States and in Europe.[173]

The interactions of the artistic communities in Santa Fe and Taos with other Anglo New Mexicans also serves as a reminder that their interest in the Pueblos did not occur in a vacuum. A frequently cited reason for moving to New Mexico by artists was the warm hospitality shown to artists by the residents of Taos and Santa Fe. The New Mexico State Federation of Women's Clubs played a prominent role in the addition, in 1915, of the New Mexico Museum of Art to the State Museum system, which had been established in 1907. Women's clubs also arranged for showings of the work of colony members throughout the region. The director of the Museum of New Mexico, Edgar Lee Hewitt, had become interested in the Pueblos while President of Highlands University at Las Vegas, New Mexico. After the establishment of the art museum in 1915, he provided studio space at the museum for many Santa Fe artists and also encouraged the development of Pueblo artists by offering them working space and by displaying their work[174].

Artists in Taos and Santa Fe also received material support from the growing tourist trade in New Mexico. In fact, development of the tourist trade and the artist colonies were intertwined. As early as 1892, the Santa Fe Railroad had paid the expenses of noted landscape artist Thomas Moran on a trip to the southwest. William H. Simpson, who became the head of the Santa Fe's advertising department in 1895, arranged for excursions by a number of eastern artists to the Southwest where, among other subjects, they painted Pueblo Indians. By 1903, the railroad was

172. Robert Henri, *The Art Spirit* (Philadelphia, 1930), 189, as quoted by Gibson, 150.
173. Alice Corbin Henderson, "Modern Indian Painting," Folio for the Exposition of Indian Tribal Arts, Inc. (New York, 1931). Also see Gibson, 158-160.
174. Gibson, 35, 40, 152.

purchasing the works of several of the Taos painters for use in advertisements. Local galleries in Santa Fe and Taos, which catered to tourists, also provided a valuable source of income for the artists of those towns.[175]

The value which the writers and artists in the Santa Fe and Taos colonies placed upon traditional Pueblo culture inevitably set them at odds with those who supported assimilation of the Indian. In 1919, the head of the Board of Indian Commissioners, which oversaw federal dispersal of Indian funds held in trust by the government, complained that the Taos art colony was having a "deleterious and undesirable effect upon the Pueblo Indian in that it encourages him to retain his immemorial manner of dress and spoils him by offering him easy money to pose for paintings when he might be better employed at the handles of a plow."[176]

Views of the governments officials and missionaries who supported assimilation will be examined in the following pages. It should be noted here, however, that in their efforts to publicize and preserve Pueblo and other Native American cultures, New Mexican writers and artists were exerting an assimilationist influence of their own. However much some of them might have admired the social cohesiveness which informed the art produced by Pueblo Indians, by placing that art in the context of their own cultural traditions the qualities they admired in Pueblo culture were inevitably subverted.

Some of the writers and artists were aware of this irony. The poet Alice Corbin Henderson, who moved to Santa Fe with her artist husband in 1916 after having edited *Poetry* magazine in Chicago, wrote an essay on modern Indian painting for a 1931 exhibit in which she contrasted the Indian and European conceptions of art. Describing the exhibit, Henderson wrote:

> The spirit that produced these paintings is still living and fluid in the dance-rituals, of which they so often furnish the graphic counterparts, in the whole body of myth and philosophy that make up the living matrix of Indian life and culture. These artists are a part of the living culture, and their work is a reflection of a philosophy that feels every object magically alive - - - the deer with its exposed breath-arrow, the basket or bowl with its breathing space, the *hogán* that must be breathed and

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175. Kieth L. Bryant Jr., "The Atchison, Topeka and Santa Fe Railway and the Development of the Taos and Santa Fe Art Colonies," *The Western Historical Quarterly* (Volume 9, October, 1978), 428-432.

176. Commissioner George Vaux as quoted in the *Santa Fe New Mexican,* December 28, 1919. This quotation has been cited by both Gibson, *The Santa Fe and Taos Colonies*, 150, and La Farge in *Santa Fe: Autoblography of a Southwestern Town,* 250-251.

blessed into life, the painting that must be magically created and that will still go on living unless it is ceremonially destroyed.

She then went on to describe the influence which the commercial art world exerted upon the Indian

rtists.

> In the beginning these artists signed their pictures only when they were asked to do so. And competition had so little entered their minds that one artist, when he found that his signed work had come to command a higher price than the work of a younger friend, was perfectly willing to add his signature to work which he considered quite as good as his! It was hard for him to understand that in our world this was not ethical. The idea of buying a painting for its signature did not occur to him any more than it would occur to him to look for a signature on a bow and arrows or a pair of moccasins. I think it would have been quite impossible to explain that in our world paintings are often bought for their signatures alone!
> Of course this primitive (and perhaps enlightened view) point of view will not last, but it is illustrative of the tribal conception of life and art, as of something possessed in common; and particularly characteristic of their conception of the function of art, in which everyone shares, with greater or less degree of ability, but with no limit on participation or on potential skill.[177]

Although Pueblo leaders welcomed help from sympathetic Anglos when it suited their purposes, they too were aware of the dangers posed by the transplantation of their culture into the White world. From the time of Spanish rule, Pueblos had sought to hide aspects of their life from outsiders. In keeping with this, some Pueblo artists were apparently accused of blasphemy and banished from their pueblos for depicting secret ceremonies in their work.[178] Similarly, Taos Pueblo forbade Tony Luhan to take part in *kiva* ceremonials after his marriage to Mabel Dodge, although he continued to be an influential member of the pueblo council.[179]

As Charles Lummis' 1884 account attests, the selling of "Indian" souvenirs by Pueblo Indians to Anglo tourists had been going on for some time by the 1920's. Acknowledging economic realities, Mary Austin, Alice Corbin Henderson, John Sloan and others attempted to discourage the degradation, the cheapening, of these Pueblo produced goods. The Indian Arts Association, formed in 1922, sought to encourage Pueblos to produce high quality pottery, textiles and the like which would retain the character of traditional Pueblo art. Pressure was brought to bear on the Indian schools to teach traditional arts and crafts to young Indians and older pieces were collected

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177. Alice Corbin Henderson, "Modern Indian Painting," 6, 7.
178. Gibson, *The Santa Fe and Taos Colonies*, 152-153.
179. Rudnick, *Mabel Dodge Luhan*, 155. Also see Emily Hahn, *Mabel: A Biography of Mabel Dodge Luhan* (Boston, 1977), 209 for a slightly different account of the consequences of Tony Luhan's marriage to Mabel Dodge.

serve as examples for the students. When local business interests attempted to establish a rket for Pueblo goods in Santa Fe, Edgar Hewitt of the Museum of New Mexico responded by anging for Pueblos to sell their own goods in front of the old Governor's Palace, by now a State useum building, on the Santa Fe Plaza.[180]

Activities of this kind amounted to an implicit acknowledgment on the part of Pueblo mpathizers that the traditional Pueblo way of life, so lovingly described by Austin, was gone for od (if, indeed, it had ever existed). The goal, then, was to find a way by which the Pueblo dians could survive in the twentieth century while retaining as much of their culture as possible. ven this, however, flew in the face of the Bureau of Indian Affairs, which sought the atomization f tribal bonds and the Americanization of individual Native Americans. Retention of Pueblo ulture also depended upon the continuation of the pueblos as protected, functioning, entities, hich threatened non-Indians who had encroached upon, or purchased from individual Pueblos, ortions of the pueblo grant lands (or, in many cases, the descendants of these individuals). And etention of Pueblo culture entailed the continued existence of their native religion, which was onsidered sacrilegious by many Indian agents and by most of the Protestant missionaries in the ueblos.

Missionaries

In an earlier section, note was made of Samuel Gorman, the Baptist missionary who came o Laguna Pueblo in 1851. As will be recalled, Gorman had complained in his 1858 report that ttempts to "enlighten and improve" the Laguna Indians were hindered by the "attachment and eal" shown by the Indians for their native religion. The fact that complaints similar to Gorman's were still being made by missionaries in the 1920's illustrates both their lack of success in converting Pueblo Indians and the continuity of their perceptions of the Pueblos. During the "Peace Policy" nstituted by President Grant, under which Indian agents on the reservations were drawn from olunteers from Protestant denominations rather than being political appointees, missionary

180. Gibson, *The Santa Fe and Taos Colonies*, 159-160.

ity among the Pueblos grew. Although the Peace Policy was abandoned in the early 1880's, estant missions remained active in the pueblos. The missionaries operated schools, medical ics, encouraged the introduction of wage-labor and new technology, such as windmills and ing machines, while attempting to convert their charges.

However, with the exception of Laguna Pueblo, where Dr. John Menaul achieved notable ess, results were slow in coming for the missionaries in the pueblos.[181] Not surprisingly, criptions by missionaries of Pueblo religion reflected their bias towards what they considered to sinful beliefs and many of them echoed Gorman's complaints about the power wielded by the igious leaders of the pueblos. Taylor F. Ealy, the Presbyterian Indian agent at Zuñi with whom ank Cushing quarreled, arrived at that pueblo during a harvest ceremonial and reported to his erior:

> We arrived here all very well on Saturday last, Oct. 12th [1879] just at the closing exercises of a Devil's Dance. The noise was hideous. Perhaps there were one hundred people looking at us from the roofs. One of our drivers said he did not want to stay long in this town.

ly later referred to the Zuñi dancers as "minstrels or something" and expressed his resentment at pupils at the school he established were frequently absent because of the tribal activities.[182] e also noted the fear with which the Zuñi Indians received his party, writing in his diary: "The dians get scared. They are like all heathen when missionaries go among them. The Chinese elieved that the missionaries would throw the children into wells, eat them, etc., so these people ink we will do something of the kind to their children."[183]

Some forty years later, the head of the mission at Zuñi, the Reverend H. Fryling, described uñi as "a place where Satan dwelleth and where he has his forces well organized to resist any ventual attack of his enemy."[184] Explaining to his readers that all aspects of life in Zuñi were onnected with some kind of devotional ceremony," Fryling went on to write:

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1. For an account of the Laguna mission, see Leo Crane, *Desert Drums*, 66-67.
2. Ealy to Dr. Sheldon Jackson, October 15, 1879 as reproduced in *Missionaries, Outlaws, and Indians:* aylor F. Eady at Lincoln and Zuni, 1878-1881, ed. Norman J. Bender (Albuquerque, 1984), 84, 93, 126.
3. *ibid.*, February 25, 1881 entry, 154.
4. Fryling's account of the mission at Zuñi is included in the Rev. J. Dolfin's book, *Bringing the Gospel in* ogan and Pueblo (Grand Rapids, Mich., 1921), 325.

> We must admit they are a very religious people, but we must also note that their religion is exceedingly formal, consisting in nothing but religious ceremonies, which does not influence their morals nor change their life for the better. They believe in the Sun-Father as their main deity, and next to him the Moon-Mother and her children, the stars and other forces of nature which they emblematize by making images of and shrines for them. The worship of these idols, however, does not create in them a sense of dependence upon or responsibility towards a higher being. They have no conception of sin or of favor with their gods .... What really keeps the Zunies in line for their pagan worship is not so much their love for their gods nor their fear of them, as their fear of one another. They are very much afraid to be looked upon and held by their people as a wizard or a witch, and cannot bear any reproach .... The public opinion in Zuni is as yet much against everything new and all that contradicts and counteracts their religious views, because the older men are still in the lead. From babyhood up their children are taught their pagan views and to shun everything that is foreign to their religion.[185]

Fryling vested his hopes for future success in the mission on the younger members of the tribe, most of whom had some education, writing that "Although these young people in many ways try to comply with the wishes of their parents and the leaders of the tribe, they nevertheless hold their own ideas and do many things which they are required to do for their people with disgust. They do not like to be noticed by the white people when they must take part in the foolish stunts of the old Zunies."[186]

Despite their "foolish stunts," most of the missionaries who served among them appear to have been genuinely fond of Pueblo Indians. Like other observers, missionaries saw the Pueblos, with their homes and irrigated fields, as being more advanced than the other Native Americans of the Southwest. The perceived superiority of the Pueblos, however, made the failure of the missionaries to convert many of them all the more frustrating. Scapegoats were sought. Fryling had few good things to say about the White population around Zuñi, writing that most of them had "come to dwell amongst the Indians to make money and accumulate wealth by trade, and take no interest in religion or mission work."[187] Most of the blame for the perpetuation of traditional Pueblo ways of life, however, was directed at Pueblo religious and civil leaders who were accused of being despots. In making this charge, missionaries found allies among the Indian agents in the pueblos.

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185. *ibid.*, 318-320.
186. *ibid.*, 321.
187. *ibid.*, 338.

Indian Agents at the Pueblos

In discussing the perceptions of the Indian agents in the pueblos, care must be taken to avoid over-generalization. By 1883, these agents were again the recipients of political patronage and, as such, reflected a wider range of views than those held by missionaries. In particular, agents who had lived in New Mexico before their appointments were less concerned with protecting the Pueblos from abuse by their neighbors than were agents who came to the region after receiving their appointments.

A blatant example of this is provided by the reports of Pedro Sanchez, who was mentioned earlier in connection with Charles Lummis. Sanchez was a successful rancher and prominent Republican politician from Taos county who served in the territorial legislature in the 1870's. In 1883, he received an appointment from President Arthur as Pueblo Indian agent.[188] A report to the Commissioner of Indian Affairs which Sanchez made in that year reflects the attitude towards the Pueblos of a member of the Hispanic elite of the territory. The report, which is quite short, included brief descriptions of the individual pueblos, a few of which are excerpted here:

> The pueblo of Taos owns a beautiful tract of land on the lap of the Sierra Madre and at the gap of the canyon of Taos river. The smallpox is there now, and has wrought a great havoc. These Indians are superstitious, fanatic, and vicious, being yet in their old darkness, and go more on their estufas (secret chambers) than on education. but some inclination, however, can be seen in them for education.
>
> The pueblo of Sandia owns very good lands along the shores of the Rio Grande; raises fruit and grain enough to live. It has some animals. It does not show any noticeable signs of improvement, but, on the contrary is of a fanatic disposition. It is in good health.
>
> The pueblo of Santa Domingo is a large one, having extensive and beautiful lands, and a great number of animals. It raises an abundance of grain, is in good health, and its habits are filthy, fanatic, and immoral. It is slow about education.
>
> The pueblo of Picuris is small, and the greater part of its lands has been sold to the whites. It has very few animals and its habits are filthy, vicious, and retrograded. It is not inclined to learn.

Sanchez's view of the Pueblos as being morally backward is further reflected in the concluding sentences of his report, where he writes:

> From the time I took charge of this agency I have visited the pueblos, spoken to the Indians of each, respectively, and had the opportunity of making them

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188. A short biography of Sanchez can be found in *The Southwest Journals of Adolph F. Bandelier, 1889-1892*, 604-605, n946.

> understand the necessity of a change of life. I have patiently noticed their actual condition, habits, and disposition, and I would consider myself happy if, with the aid of Providence and the government, I could see these Indians respect the moral law and social order, as well as make them understand the love and fidelity that each husband ought to have for his wife, and vice versa; the duty of parents to bring up and care for their children properly, and, above all, to appreciate and care for the virtue of their maidens.[189]

Sanchez was something of an aberration in the Indian Bureau. In 1890, writing as the Supervisor of the Census for New Mexico, he called for the abolition of the Indian agency at Santa Fe and for the "quasi or nominal control of the United States" over the Pueblos to "cease at once." While acknowledging that "white interlopers and trespassers are numerous on the pueblo grants," Sanchez claimed that disputes over land belonged in the New Mexican court system and added, "Let the Pueblo know that he can protect his property, by force as well as by law, and his thieving fellow citizens will not trouble him after this is found out."[190]

A report filed by the Pueblo agent Henry R. Poore in 1890 more accurately reflects the prevailing views of Indian agents among the Pueblos. In that report, Poore claimed that all of the pueblos that he had inspected showed signs of "marked deterioration." Poore associated this deterioration to the proximity of "white settlements," which had "invariably resulted in the overrunning and cramping of the land tenure of the Indian." In other words, his report was almost identical to the one which John Ward had filed thirty-five years earlier in noting the problems that the Pueblos were having with encroachment. Like both Ward and James Calhoun, Poore called for some action to be taken. Writing that "Their present need is legal protection," Poore complained that "the office of agent is merely advisory, in which no power exists, but to which, even in its insufficiency, the Indian clings, knowing no other source of help."[191]

Poore's call for the protection of pueblo land from encroachment was echoed by most Pueblo Indian agents. Another concern shared by many Pueblo agents was the seeming intractability of the Pueblos in holding on to their traditional ways of life, despite the influence of the boarding school system and other means of acculturation. Like the missionaries, Poore felt that

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189. *Report on Indians Taxed and not Taxed, 1890*, 414.
190. *ibid.*, 423.
191. *ibid.*, 424, 425, 436.

the problems faced by those who were attempting to assimilate the Pueblos were caused by the "intricate system of religious and civil laws" by which they were governed. Beyond this, however, he seemed perplexed by the appeal that traditional life held for the Pueblos, writing of his charges:

> Faithful teachers have found that children of brightest promise, whom their parents have allowed to adopt the dress and ideas of our own, are suddenly recalled by a power from within. The child, happy for a number of years in civilized clothes and with fair knowledge of English, is suddenly seen to come out in full Indian outfit, and through lack of association rapidly forget the language acquired after many months of patient labor. Young fellows returning from the schools at Carlisle, Santa Fe, and Albuquerque for a time maintain themselves against heavy odds in their higher grade of civilization, but in 9 cases out of 10 relapse sooner or later; and frequently, like the soul out of which the unclean spirit was cast, having acquired added capacity by education, not only inviting back the old but also finding room for new and more dangerous occupants.
>
> A graduate of Carlisle in a council of elders declared with eloquence and force that his influence should be against any change and so-called advances. He had tried both civilizations and knew that what the Indian had maintained and preferred for centuries was still best suited to him.[192]

In 1890, Poore was denied entrance at San Felipe Pueblo when he arrived there while a "secret dance" was in progress. This did not particularly upset Poore, who noted that the Indians were apologetic and hospitable when he returned the next day. Other agents, however, were not so understanding. In 1897, Pueblo agent Charles E. Nordstrom complained that teachers in the pueblo day schools were "either locked in their rooms" or "driven out of the village entirely" while the secret dances were being performed. He buttressed his complaint by charging that these ceremonies were "often the origin of great outrages." Nordstrom framed his charges not as attacks on Pueblo religion per se but by claiming that individual Pueblos were at times accused of witchcraft or forced to undergo corporal punishment if they refused to take part in the ceremonies.[193] There was some truth in this charge. Many Pueblos, particularly at Zuñi, believed in witchcraft. On occasion, individuals who were believed to be witches were punished or banished from the pueblos. As has been noted, Frank Hamilton Cushing witnessed the execution of a Zuñi Indian on witchcraft charges in the early 1880's.

Complaints similar to that voiced by Nordstrom were heard with increasing frequency in the early years of this century. Aside from the punishments handed out to Pueblos who refused to

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192. *Ibid.*, 436-437.
193. From letter by Nordstrom printed in the *Santa Fe New Mexican*, July 26, 1897.

participate, some agents were concerned with what went on during the dances themselves. In 1915, Pueblo Superintendent Philip T. Lonergan collected, and sent to Washington, letters from witnesses of secret dances which detailed behavior that Lonergan called "too loathsome and repugnant for me to describe."[194] In his book *Desert Drums*, Pueblo agent Leo Crane made reference to a 1916 report by Indian Inspector Henry S. Traylor that "should have alarmed a mummy." The behavior described in these reports included sexual intercourse, simulation of animal intercourse by the participants, oral sex, and the fondling of young Pueblo women. While Crane noted these reports, which contained information volunteered by missionaries and converted Indians, he also insisted that these activities were not widespread and asserted that they "appear to be confined to the communities that reject progress."[195] Crane, and other agents, used these reports to support their arguments that the pueblo governments were tyrannical and stood in the way of progress.

Crane, who described several cases of severe corporal punishment in his book, attributed the power of the pueblo governors as having originated out of the need for social controls to guarantee survival in the arid Southwest. He also took a swipe at those who romanticized the Pueblos, writing:

> The thing that our tourists, and especially those who eulogize what is termed by them "Indian culture," are pleased to admire as a democratic and equitable form of tribal government among these Pueblo people is actually a barbaric despotism once necessary because of the need for irrigation water. This despotism sprang up to assure the feeding of communities, and amid a primitive people naturally made use of mysticism and a savage mythology, thus immeasurably strengthening the authority of those who found power necessary to existence.[196]

Crane and other Pueblo agents called for increased powers over the tribal governments so that they might curb what they saw as the cruel and immoral activities sanctioned by the tribal leaders. At the same time, these agents called for the protection of the pueblos from encroachment on their lands. Both of these measures entailed increasing the role of the federal government in New

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194. P. T. Lonergan to Commissioner of Indian Affairs, December 7, 1915. Printed in Martin Bauml Duberman, "Documents in Hopi Indian Sexuality: Imperialism, Culture and Resistance," *Radical History Review* 20 (Spring/Summer 1979), 105. Some of the material referred to here is also contained in this article.
195. Crane, *Desert Drums*, 255.
196. *ibid.*, 37.

Mexican Indian affairs. On the other hand, those who held power in New Mexico continued to claim that the Pueblo Indians were legally not really Indians at all and that the federal government should not intervene in what was a state internal affair. In support of this view, they pointed to the citizenship clauses of the Treaty of Guadalupe Hidalgo and to the 1876 *Joseph* decision.

Part Three: When Worlds Collide

The Sandoval Decision, The Bursum Bill, and the Pueblo Lands Act

During the 1890's, policy makers in Washington demonstrated an increasing awareness of the deteriorating conditions in the pueblos. Some historians have attributed this new interest in the Pueblo Indians to the writings of Bandelier and Lummis.[197] Increased awareness of the Pueblo Indians was demonstrated in a series of congressional actions: The draft for an 1888 enabling act for New Mexican statehood included a clause disclaiming local jurisdiction over the Pueblo Indians and their land; in 1898, Congress appropriated funds for a special attorney to represent Pueblo Indians in their legal disputes; in 1905, responding to a New Mexico Supreme Court decision allowing the taxation of pueblo land grants, the Congress retroactively banned such taxes on Pueblo land.[198] Finally, in the 1910 enabling act under which New Mexico was admitted to statehood, Congress required the New Mexico State Constitution to include a clause stating that "all lands acquired by the Indians through or from the United States or any prior sovereignty, shall be and remain subject to the disposition and control of Congress." Pueblo Indians were specifically defined in the act as being included in the Indian population of New Mexico. The constitution under which New Mexico joined the union on January 6, 1912, contained such a clause.[199]

A few months after statehood, the right of Congress to impose conditions regarding pueblo land jurisdiction which were contrary to the ruling in the 1876 *Joseph* decision was challenged in the New Mexico courts. The case, *United States vs. Sandoval*, involved not land but federal alcohol prohibition laws on Indian land. Jose Sandoval was accused by federal officials of selling liquor at Santa Clara Pueblo in violation of these laws. In New Mexico, Federal Judge William H. Pope ruled that Congress had no power to insist upon jurisdiction over pueblo land as a condition for statehood because the *Joseph* decision had already decided the matter. The special attorney for the Pueblos, Francis C. Wilson, who had argued the case for the United States government, prepared an appeal

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197. G. Emlen Hall, "The Pueblo Land Grant Labyrinth," *Land, Water, and Culture*, 103; Lamar, *The Far Southwest*, 169; Horgan, *The Centuries of Santa Fe*, 336.
198. Hall, "The Pueblo Land Grant Labyrinth," 101-104; 30 Stat. 571 at 594(1898) as cited by Hall, *Four Leagues of Pecos*, 201; La Farge, *Santa Fe*, 181-184.
199. Act of June 20, 1910, ch. 310, 36 Stat. 557. See Lawrence Kelly, *The Assault on Assimilation*, 191, and Leo Crane, *Desert Drums*, 289-90.

to the Supreme Court, which agreed to hear the case. A. B. Renehan, who had been Jose Sandoval's lawyer in New Mexico, again performed this function in Washington.[200]

In December of 1913, to the surprise of virtually everyone concerned in New Mexico, the Supreme Court unanimously overruled the lower court's decision in the *Sandoval* case by sustaining the constitutionality of the 1910 enabling act. In his opinion in the case, Justice VanDevanter went beyond the specific issue involved and, in effect, overturned the *Joseph* decision by declaring that the Pueblos were Indians and, as such, were subject to federal Indian laws. Citing the reports of Adolph Bandelier and other ethnologists in his opinion, VanDevanter wrote:

> The people of the pueblos, although sedentary rather than nomadic in their inclination . . . . are nevertheless Indians in race, customs, and domestic government. Always living in separate and isolated communities, adhering to primitive modes of life, largely influenced by superstition and fetichism, and chiefly governed according to the crude customs inherited from their ancestors, they are a simple, uninformed and inferior people.

VanDevanter also included a number of reports from Indian agents testifying to the "debauchery," "intemperance," and "immorality" of the Pueblo Indians. Simply put, the Pueblo Indians portrayed in the 1913 *Sandoval* decision had almost nothing in common with the Pueblos who had been described in the 1876 *Joseph* decision. After sixty-five years of American rule, the Pueblos had, unequivocally, been declared Indians by the highest court in the land.[201]

As noted, the *Sandoval* decision came as a surprise to those concerned in New Mexico. While the case was under appeal, Special Attorney Wilson and a group of Pueblos traveled to Washington where they attempted to deed all pueblo grant lands to the United States government in trust for twenty-five years. This last ditch effort to escape from local jurisdiction was stymied when New Mexico's new senators, T. B. Catron and Albert Fall, arranged for the bill which Wilson had drafted to die in committee.[202] Meanwhile, state and local officials ignored the implications of the *Sandoval* decision and continued to insist upon local jurisdiction over the pueblos in criminal

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200. G. Emlen Hall, *Four Leagues of Pecos*, 203-204.
201. *United States vs. Sandoval*, 231 U.S. (1913), 39, 41-44. See Crane, *Desert Drums*, 289, on expectation in New Mexico that Judge Pope's ruling would be sustained.
202. B. Alan Dickson, "The Professional Life of Francis C. Wilson of Santa Fe: A Preliminary Sketch," *New Mexico Historical Review* 55, no. 1 (1976), 40-41. Also see Lawrence Kelly, *The Assault on Assimilation*, 191-192.

and civil matters. [203] Another action initiated by Francis Wilson, however, eventually forced all parties in New Mexico to confront the full meaning of the *Sandoval* ruling.

In 1914, the Congress belatedly approved Wilson's 1911 request that a survey be made of all non-Indian claims to land within the pueblo grants. The purpose of this survey was to establish the extent of non-Indian claims, not to rule on their validity or in any way to imply title to the land involved. The finished surveys included a disclaimer to this effect. Many settlers, however, believed that inclusion of their often inflated claims in what came to be called the Joy Survey somehow conferred proof of title. As early as April of 1912, a few months after statehood, six-hundred "citizens" from Rio Arriba County had petitioned the legislature in Santa Fe for "protection" from the "depredations and the excessive charges by the Santa Clara Indians for permission to water the stock of settlers." In the wake of the Joy Survey, settlers on pueblo grants began to fence their claims and Pueblo Indians responded by tearing the fences down, causing further strain on the already tense Pueblo-settler relations.[204]

The results of the Joy Survey demonstrated the effects of seventy years of federal neglect of the Pueblo Indians. In all, there were some 3,000 non-Indian claims on pueblo land grants. At Nambe Pueblo, non-Indians claimed over 2700 of the 3,000 irrigable acres. At San Juan, only 588 out of 4,000 irrigable acres went unclaimed by the settlers. At San Idelfonso, Pueblos retained just 248 out of 1200 acres suitable for farming. These were the most blatant examples, but encroachment was widespread at almost all of the pueblos. The statistics from the Joy Survey, combined with the new status of the Pueblos as set down in the *Sandoval* decision, prompted a series of legal actions in defense of the Pueblo Indians. [205]

Indian agent Leo Crane, who was transferred to the Southern Pueblo Agency at Albuquerque in 1919, convinced the federal district attorney of New Mexico to prosecute a prominent sheep rancher for allowing 3,000 of his sheep to graze on Laguna Pueblo land. At the

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203. Leo Crane, *Desert Drums*, 170-171.
204. *Santa Fe New Mexican*, April 19, 1912. Kelly, *The Assault on Assimilation*, 193.
205. Leo Crane, *Desert Drums*, 303.

advice of his attorney, the rancher settled out of court with the pueblo. More alarming to the settlers on pueblo grants, in the same year the new Special Attorney for the Pueblos, Richard H. Hanna, filed ejectment suits in federal court against five of the non-Indians on pueblo land. Like the 1873 ejectment suits which led to the *Joseph* decision, the complaints filed by Hanna were based upon the premise that, as federal wards, the Pueblo Indians were forbidden to alienate their land. By this reasoning, non-Indians on pueblo grants, regardless of how they came to be there, had no legal title to the land they lived on and were trespassers. Unlike the 1873 ejectment suits, Richard Hanna was able to refer to the *Sandoval* decision, which had declared Pueblos to be Indians, in support of his argument. By 1920, New Mexican politicians were confronted with the possibility, at least in theory, that 12,000 non-Indians living within pueblo land grants, including the populations of Taos and Española, could be evicted from the land they lived upon.

The possibility of mass evictions of non-Indians living on Pueblo land prompted politicians in New Mexico to take action. The state Republican party was especially concerned because its continued dominance in New Mexico depended upon Hispanic votes in the northern counties in which most of the pueblos were located. The 1920 state Republican party platform included a plank opposing the Hanna ejectment suits and calling for legislation to protect the settlers. In 1921, with Hanna's lawsuits still pending, settlers on pueblo lands were encouraged by the news that Republican senator Albert Fall had been appointed Secretary of the Interior by his friend Warren Harding.[26]

On July 11, 1922, after several failed efforts to frame legislation to protect the settlers, Albert Fall, Ralph Twitchell, and A. B. Renehan met in Washington to draft a bill to resolve questions of title on pueblo land grants. Lawyer-historian Twitchell, discussed in an earlier section, had been hired by Fall the previous year to report on the pueblo land situation. It would later be claimed that he was present at the session to voice the concerns of the Pueblo Indians. Renehan, Joe Sandoval's attorney, had objected to an earlier draft of a bill written by Twitchell, which he felt had failed to adequately protect the interests of the settlers, and was present as their

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[26] Kelly, *The Assault on Assimilation*, 195.

representative. The bill which these three men agreed upon that day set into action a series of events which permanently changed the dynamics of Indian policy in the United States. [207]

When Albert Fall left the Senate to move to the Interior Department, Holm Bursom, a longtime Republican power in New Mexico, was appointed to Fall's old Senate seat. Nine days after the meeting in Fall's office, Bursom introduced the bill which Twitchell and Renehan had drafted. The bill was submitted not to the Senate Indian Affairs Committee, where it logically belonged, but to the Public Land and Surveys Committee. This committee was told by Fall that all parties concerned in New Mexico had been consulted and had given their approval to the bill. With this assurance, the committee passed the bill on to the full Senate and on September 12th, without debate and by unanimous consent, the Senate approved the "Bursom Bill" and forwarded it to the House.

The Bursom Bill, which both Fall and Bursom claimed had met with the approval of the Pueblo Indians, was actually a wholesale assault upon Pueblo land, water rights, and tribal autonomy. New Mexican courts were given jurisdiction not only over Pueblo land disputes but also over the internal Pueblo governments. Lands retained by Pueblos were to be limited to the amount of water used at the time of the final decree, thus legitimizing previous theft of water from Pueblos. Any settler who had lived on Pueblo land before June 10, 1900, was to be automatically granted title to land and water that had been used for agricultural purposes. The bill stipulated that any previous official survey of non-Indian claims to Pueblo land was admissible as *prima facie* evidence of possession. This meant that the Joy Survey, not mentioned by name in the bill, could be used by the settlers to establish title, despite the fact that it had disclaimed any such construction of its findings. Finally, non-Indians who could establish that they had purchased Pueblo land after 1900 in "good faith" were allowed to petition the Secretary of the Interior for permission to pay the Pueblos for the land they claimed at a price to be set by the court. The cumulative effect of the

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207. *ibid.*, 203, 209. For Renehan's opinion of Twitchell's role in drafting the bill, see Renehan to Clara True, May 10, 1922 & July 26, 1922, Renehan-Gilbert Papers # 69, New Mexico State Archives, Santa Fe.

xteen sections in the Bursom Bill was to provide a means for virtually every non-Indian on the ueblo grants to acquire legal title to their claims.[208]

Although the Commissioner of Indian Affairs, Charles Burke, had given the Bursom Bill his ndorsement, some Pueblo agents in New Mexico were alarmed by the bill's stipulations and lerted Pueblo sympathizers within the state to the content of the bill. John Collier, who had ecently arrived in New Mexico, was given a copy of the bill by the Superintendent of the Northern Pueblos. Collier, a sociologist, had worked in education programs for immigrants in New York City and had been deeply troubled by the destructive effect which the Americanization process had upon the cultural identity of these people. He later directed an education program in California, funded by the state, which emphasized cooperative action among immigrants and the poor. This program was discontinued in 1920 when the State of California withdrew funding after conservative groups accused the program of Bolshevik tendencies.

Late that year, a depressed Collier and his family visited his old friend Mabel Dodge Sterne, who had been urging him to come and see the Taos Indians. In Taos, Collier experienced an epiphany similar to the one that his host had experienced in 1917. Years later, he wrote that at Taos Pueblo he had discovered:

> a new, even wildly new, hope for the Race of Man . . . . The discovery that came to me there, in that tiny group of a few hundred Indians, was of personality-forming institutions, even now unweakened, which had survived repeated and immense historical shocks, and which were going right on in the production of states of mind, attitudes of mind, earth-loyalties and human loyalties, amid a context of beauty which suffused all the life of the group.

Collier returned to California, but within a year had been hired by Stella Atwood, the head of the Committee on Indian Welfare for the General Federation of Women's Clubs, to investigate conditions among the Pueblo Indians. After reading the Bursom Bill, Collier and Stella Atwood immediately began to organize a campaign in opposition to the bill.[209]

Even before Collier learned of it, another Indian agent brought the Bursom Bill to the attention of Father Fridolin Schuster, head of the Catholic missions at Laguna and Acoma pueblos.

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208. Kelly, *The Assault on Assimilation,* 210-211; Kenneth Philp, "Albert B. Fall and the Protest from the Pueblos, 1921-23," *Arizona and the West* 12 (Autumn, 1970), 242-243.
209. John Collier, *From Every Zenith,* (Denver, 1963), 126, 31-132.

Schuster immediately sought Francis Wilson's help in writing an analysis of the bill, detailing its shortcomings, to be sent to the Catholic Mission headquarters in Washington. Writers and artists in Santa Fe also learned of the legislation and organized a committee, which eventually became the New Mexico Association on Indian Affairs, to fight against the legislation. The local group hired Wilson as a legal consultant and joined forces with Collier and Stella Atwood in opposing the bill. The Santa Fe *New Mexican*, owned since 1912 by the wealthy Progressive Bronson Cutting, joined in the fight against the legislation.[210]

These combined forces succeeded in igniting a national furor in opposition to the Bursom Bill. By coincidence, an article which Collier had written about Taos Pueblo for the *Survey* magazine, "The Red Atlantis," was published in October, 1922, just as the campaign against the bill was getting underway. In that article, Collier condemned the effect that current policies of "Americanization" were having on the Pueblos, who were described as possessing "the earliest statesmanship, the earliest pedagogy of the human race" and from whom "our present world needs to learn." A number of articles by Santa Fe writers, published in the *New York Times*, *The Nation*, *The New Republic* and other journals, sounded the same theme while attacking the Bursom Bill as a Congressional sanction of land theft 'That would turn the Pueblos . . . into laborers in other men's fields, or even, like the California Indians, into homeless wanderers on roads that have no ending."[211]

Leading anthropologists, such as Alfred Kidder of the Peabody Museum and Herbert Spinden of the New York Museum of Natural History, joined New Mexico's Edgar Hewitt and the aging Charles Lummis in condemning the bill. Writers and artists from outside of New Mexico, including Zane Grey, Carl Sandburg, William Allen White, and Maxfield Parrish, signed petitions in opposition to the bill. On November 5, 1922, representatives from the pueblos of New Mexico met at Santo Domingo, at a meeting attended by Wilson, Collier, Richard A. Hanna, and Father

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210. Francis Wilson to Samuel A. Elliot, November 7, 1922 (Francis Wilson Papers # 1404, New Mexico State Archives). Lawrence Kelly, *The Assault on Assimilation*, 217.

211. John Collier, "The Red Atlantis," Survey XLIX (no. 1, October, 1922), 18. Elizabeth Shepley Sergeant, "Big Powwow of Pueblos," *New York Times*, November 26, 1922, IV, p 6, col. 1.

Schuster. Calling themselves the All Pueblo Council, the Indians produced a memorial to the American public opposing the Bursom Bill and complaining that the Indian Bureau had not consulted with the Pueblos about the bill and had, in fact, refused to discuss it with them.[212]

As a result of the protest, the Bursom Bill was recalled by the Senate on November 21'st, after which it was never seriously reconsidered. Over the next year and a half, a variety of compromise bills were considered and rejected by Congress. One of these, offered by Senator Irvine Lenroot, led to a bitter split between Collier and Wilson over the issue of allowing settlers who had been on Pueblo land for over 20 years, with title to their claim, or over 30 years without title, to perfect their claims. Most Pueblo activists in New Mexico supported Wilson's acceptance of this condition, while Collier's American Indian Defense Association, funded primarily from New York and California, opposed the concession.

Finally, all sides wearily agreed on a compromise bill, the Pueblo Lands Act of 1924. The act established a three man board to adjudicate the claims to disputed Pueblo land. Non-Indians who could establish "open, notorious, actual, exclusive, continuous, adverse possession" of their claims, along with title, since 1902 were to be granted ownership. Settlers without title had to have met the same condition since 1889. Claimants were also required to have paid continuous taxes on land claimed and Pueblo Indians were allowed to file separate claims in federal court to assert "any existing right" to disputed land. Compensation, set by the Pueblo Lands Board, was to be provided to Pueblos and also to settlers who had shown "good faith" for denied claims. The Pueblo Lands Act was signed by President Coolidge on June 7, 1924.[213]

The complex events which led to the passage of the Pueblo Lands Act of 1924, outlined here, have been described in detail by Lawrence Kelly in his book, *The Assault on Assimilation: John Collier and the Origins of Indian Policy Reform*. However, Kelly's book and other accounts have tended to ignore the full extent of opposition in New Mexico to the Bursom Bill and, later, in support of Pueblo Indian policy reform. This is understandable. Collier, who split bitterly with the

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212. Kelly, *The Assault on Asssimilation*, 215, 217, 221, 379.
213. *ibid.*, 253-254, 296-299.

New Mexico Association on Indian Affairs, often ignored their efforts for the Pueblos in his later writings. Also, Collier used the issue of Pueblo lands as a springboard from which he launched a comprehensive attack of all aspects of American Indian policy. As Commissioner of Indian Affairs, under Franklin Roosevelt, Collier succeeded in dismantling much, if not all, of the assimilationist policy constructed since the 1880's. The policy of allotment of Indian land, in place since the Dawes Act of 1887, was abolished by the 1934 Wheeler-Howard Act. Tribal governments were allowed a level of autonomy from the Indian Bureau. Indian schools were directed to encourage the study of Indian cultures, arts and crafts, and languages. Given Collier's central role in changing national Indian policy, it is not surprising that conditions in New Mexico, where Collier's crusade began, have often been submerged in the larger context of his national activities.

Those who opposed the Bursom Bill in New Mexico have often been portrayed as a minuscule group of artists, not *real* New Mexicans, who used their contacts with the eastern media to focus national attention on a state where the vast majority of the population were indifferent to the fate of the Pueblo Indians. This perception was actually encouraged by activists in the Santa Fe and Taos art colonies themselves during the campaign against the Bursom Bill. In a plea to Earnest Gruening, editor of the *Nation*, Elizabeth Shepley Sergeant wrote:

> The Indians have almost no friends in New Mexico and people in general are very hesitant of standing up for Indian rights, even when they see them, because public opinion runs so strong the other way that they are literally afraid to take the Indian side.[214]

Letters and articles by other Pueblo activists in New Mexico contained similar characterizations of the situation within the state. While this picture of conditions in New Mexico no doubt increased the urgency of their message to the rest of the country, and perhaps appealed to the artistic vanity of some writers, it was also somewhat misleading.

While not dominant, opposition to the Bursom Bill in New Mexico was quite widespread and reflected how much the population in the region had changed in the first twenty years of the century. Richard H. Hanna, the Pueblo attorney who filed the 1919 ejectment suits, was a former

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214. Elizabeth Shepley Sergeant to Earnest Gruening, October 24, 1922 (John Collier Papers, 1: 191).

New Mexico Supreme Court Chief Justice and was the Democratic candidate for the senate in the 1921 special election to fill Albert Fall's old seat (although he lost the election to Holm Bursom). The same week that Elizabeth Sergeant wrote in her letter to Gruening that New Mexicans were afraid to oppose the Bursom Bill, the State Chapter of the General Federation of Women's Clubs passed a resolution opposing the bill. The following month, Francis Wilson was pleased to write to Collier that the Rotary Club of Albuquerque, "the most influential club in Albuquerque" which was "nearly two-thirds Republican," had passed a resolution condemning the Bursom Bill. [215]

The politicians responsible for the Bursom Bill responded to the unexpected clamor it caused by attacking Anglos who fought the bill, calling for justice to the settlers, and professing friendship towards the Pueblos. Bursom claimed at one point that the bill actually helped the Pueblos, stating, in contradiction of any legal interpretation, that "It is by no means a determined fact that these land grants belong to the Indian, and for that reason . . . this legislation will redound to his advantage." Bursom insisted that "I am just as good a friend of the Pueblos as any man, and I would be quick to resent any effort to deal unfairly with them." In language reminiscent of Pedro Bautista Pino, he also belittled the assertion that the Pueblos were poor and helpless, noting that some Pueblos drove trucks, grew the same crops, and were in other ways much like their neighbors. [216]

Albert Fall and A. B. Renehan responded more aggressively. They both attacked Francis Wilson, claiming that he had criminally neglected the Indians while serving as special attorney for the Pueblos.[217] Renehan blamed the Pueblo activists for upsetting what had been peaceful conditions around the pueblos, claiming that "Mexicans, Americans, and Indians . . .lived and worked in harmony until the Indian cupidity has been stimulated by the proposal to take from the Mexicans and Americans what they have created and give it to the Indians." Fall, already under siege for his involvement in the Teapot Dome scandal, was especially harsh in his condemnation of

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215. Wilson to Collier, November 25, 1922, Francis Wilson Papers #1410.
216. *Albuquerque Morning Journal*, November 22, 1922 & *New York Times*, January 21, 1923.
217. G. Emlen Hall makes a convincing case that Wilson was indeed guilty on several occasions of at least serious negligence and possible conflict of interest while serving in the part-time position of Pueblo attorney. Hall, *Four Leagues of Pecos*, 208-215.

those lending the fight against the Bursom Bill. In testimony before a Senate sub-committee, Fall claimed that the goal of the bill's opponents was to "kick the Indian Bureau out" and charged that "Words which I have uttered have been twisted by knaves to make a trap for fools. Such propaganda, if allowed to go unchecked, will eventually break down this democratic Government by substituting for it a government of propaganda. The present Soviet conditions in Russia would be preferable to such an outcome." [218]

While Fall and Bursom publicly expressed respect for the rights of the Pueblo Indians, newspapers which supported the Bursom Bill sometimes characterized the Pueblos as living privileged lives at the expense of the taxpayer. An editorial in the *Albuquerque Evening Herald* contended that "The Pueblo Indian of today has more rights, more comfort, more peace, income and general happiness than he ever had in all his historic and prehistoric existence. He lives on the fat of the richest lands an easy and protected, a carefree and taxfree existence. His benevolent and paternal Uncle Sam has looked well after his safety and will continue to do so."[219] However, other newspapers, including the *Albuquerque Morning Journal* as well as the *New Mexican*, attacked the Bursom Bill, both for its stipulations and for the devious manner in which it had been introduced.

Albert Fall, Holm Bursom, and the Republican Old Guard

In observing the commotion which surrounded the Bursom Bill, even after discounting the hyperbole that accompanied it, one is struck by the vast difference in the way opposing Anglo factions viewed the same situation. This difference in outlook went beyond differing political agendas or constituencies, although these certainly were present, and reflected fundamental differences in the ways in the two sides (three after the Collier-Wilson split) viewed the world. In a sense, the individuals involved *were* from different worlds. An examination of the backgrounds of the leading figures in the fight over the Bursom Bill demonstrates this point.

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218. Renehan letter to New York Tribune reprinted in the *Congressional Record*, December 14, 1922. *New York Times*, January 26, 1923.
219. *Albuquerque Evening Herald*, November 7, 1922.

Both Albert Fall and Holm Bursom came to New Mexico as poor men and prospered in activities based upon exploitation of the what the land had to offer. Aside from being ranchers, both men invested heavily in mining operations in New Mexico. Both of them came to hold leadership positions in the Santa Fe Ring, by this time also known as the "Old Guard." Holm Bursom (1867-1953), the orphaned son of Norwegian immigrants, came to the territory in 1882 and within a few years parlayed a freighting business into a successful sheep and cattle operation in Socorro County, south of Albuquerque. Elected to the legislature in 1899, he was soon recognized as a force in the Republican party. Described by Howard Lamar as a "master politician," by 1905 he was the Chairman of the Republican Territorial Central Committee and the head of a "new" Santa Fe Ring. In maintaining his hold on the Republican party, Bursom worked closely with Soloman Luna and other Hispanic *padrones* who controlled the Hispanic vote in northern New Mexico.[220] The state constitution drawn up by an Old Guard-dominated convention in 1910 included clauses protecting the voting rights of Spanish-speaking New Mexicans, as well as guarantees of religious freedom and equality in education for the Hispanic population.[221]

From the beginning of his political career, Bursom represented the interests of the livestock industry and lobbied for the full development of New Mexico's natural resources. In the legislature, he worked with Anglo and Hispanic ranchers to pass legislation mandating registration of livestock brands, to discourage rustling, and to provide a bounty for the hides of animals which preyed on cattle and sheep. While a supporter of Theodore Roosevelt, he vigorously opposed the conservation policies of Gifford Pinchot, particularly Pinchot's efforts to create national forest lands in New Mexico.[222]

Albert Fall (1861-1944), came to southern New Mexico in 1887, partially for reasons of bad health. He worked as a schoolteacher, a cowboy, a prospector, and eventually passed the New

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220. Donald R. Moorman, "A Political Biography of Holm O. Bursum, 1899-1924," Ph.D. dissertation (University of New Mexico, 1962), 1-3, 288 n141. Lawrence Kelly, *The Assault on Asimilation*, 172-173. Howard Lamar, *The Far Southwest*, 495-496. Jack E. Holmes, *Politics in New Mexico* (Albuquerque, 1967), 50, 148.
221. Larson, *New Mexico's Quest For Statehood*, 279, 281.
222. Moorman, "A Political Biography of Holm O. Bursom," 12-14, 81.

Mexico Bar exam. He developed a thriving law practice in Las Cruces and also in El Paso, Texas, specializing in clients "interested in railroads, mines, and timber." Politically ambitious, he served as a Democrat in the legislature during the 1890's, but he switched parties in 1906, saying "I know when to change horses." In the same year he purchased a 103,000 acre ranch in southeast New Mexico, which bordered on the Mescalero Apache Reservation. By 1913, Fall and his partners effectively controlled, through ownership of water holes, over one million acres of federal, state, and privately owned land.[223]

Coming from the southern part of the state, neither Bursom or Fall were very familiar with the Pueblo Indians. Fall had fought with the Mescalero Apaches and the Bureau of Indian Affairs over water rights to a creek that flowed through both the Mescalero Reservation and his ranch and also over grazing rights to land within the reservation. As a U. S. Senator, Fall devoted himself to opposing conservation measures and fighting the extension of Indian reservation land. In these activities, however, he enjoyed the full support of his state party and many Democrats as well. In 1920, natural gas had been discovered on the Navajo reservation and at the time of the Bursom Bill, Fall was attempting to open up executive-order reservation land (that is, reservation land not confirmed by Congress) to oil and mineral development. Given the stakes involved on the Navajo reservation, 60,000 acres of small farms in northern New Mexico must have seemed a relatively small matter to Fall. As for Bursom, as far as can be determined, he had no dealings with Native Americans whatsoever in his business career. Despite some charges made by their opponents, Fall and Bursom's sponsorship of the Bursom Bill had more to do with maintaining the coalition of Hispanics and Anglos who provided the Republican majority in New Mexico than with any overt hostility towards the Pueblos.[224]

The Republican coalition, however, was an increasingly fragile one for reasons that had little to do with the Pueblo Indians. From the 1890's onward, the Anglo population of New Mexico was swelled by Southerners, mostly Texans, who moved into southern New Mexico and maintained

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223. Keleher, *The Fabulous Frontier* (1945; reprint, Albuquerque, 1962), 217-218, Kelly, *TheAssault on Assimilation*, 163-164.
224Keleher, *The Fabulous Frontier*, 227. Kelly, *The Assault on Assimilation*, 152-155, 181-185.

their traditional loyalty to the Democratic party. Between 1890 and 1920, the population of Albuquerque quadrupled (although it was still only a little over 15,000) and urban population growth as a whole far outpaced growth among the rural population of New Mexico. Many of these urban newcomers to New Mexico had come from the East for health reasons or because of the tourist boom and they brought with them more sympathetic eastern attitudes towards Native Americans.[225]

Moreover, after World War One, the Hispanic Republicans who provided the base of the Republican coalition in New Mexico were not as inclined as they had been to blindly support the Republican ticket. Bronson Cutting, the owner of the New Mexican and the leader of the Progressive movement in the state succeeded in gaining Hispanic support through his work with, some said control of, the American Legion in New Mexico. Hispanics had fought in the war in disproportionate numbers and responded to Cutting's efforts on their behalf.[226]

In 1922, Republicans sensed the fragility of their coalition and made much of their efforts to protect the settlers on the pueblo grants. In October, A. B. Renehan wrote to one of the financial backers of the settlers' cause:

> John Morrow, running for Congress on the Democratic ticket, made a remarkable speech here the other night which ought to everlastingly damn him at the polls and damn his party also. He said: "With reference to this so-called Bursom Bill, I understand there are some features in it that do not protect the Indians. If I am elected to Congress, as I will be, I shall oppose that bill until it is reformed so as to protect the Indians." I heard the speech and it sounded to me as if he was running for governor of one of the Pueblos and trying to win over the Indian vote for himself at a Pueblo election.[227]

Despite Renehan's confidence, when the election results were announced the following month, John Morrow had been elected to Congress and every Republican on the statewide ticket had been defeated. By March of 1923, Albert Fall had resigned from the cabinet and was later convicted and jailed for accepting a bribe while Secretary of the Interior. In 1924, Holm Bursom was defeated for

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[225] Bradford Luckingham, *The Urban Southwest: A Profile History of Albuquerque, El Paso, Phoenix, Tucson* (El Paso, TX, 1982), 52, 58. *Fourteenth Census of the United States in the Year 1920* (Washington, D. C., 1922), 664.

[226]. Jack E. Holmes, *Politics in New Mexico*, 164-165. Moorman, "A Political Biography of Holm O. Bursom," 350-351.

[227]. A. B. Renehan to Frank Bond, October 14, 1922, Renehan-Gilbert Papers, #69.

reelection to the Senate. In 1928, Bronson Cutting, running as a Republican, was elected to the senate, putting the final nail in the coffin of the New Mexico Old Guard.

None of this meant that old attitudes towards Indians disappeared in New Mexico. Indians, who were given blanket U. S. citizenship in 1924, were not allowed to vote in New Mexico until 1948 when a district court ruled the state laws prohibiting them from voting to be unconstitutional. In 1929, the New Mexico legislature passed a memorial to Congress asking that Indian reservations not be further enlarged. Nonetheless, after the Pueblo Lands Act was passed in 1924, politicians in New Mexico, of both parties, became strangely silent about issues involving the Pueblo Indians.[228]

Francis Wilson

Unlike Fall and Bursom, Francis Wilson (1876-1952) had already established a career in the eastern United States before coming to New Mexico. Born in Massachusetts and educated at Harvard, Wilson moved to Washington in 1900 to work for the Interior Department. Admitted to the District of Columbia Bar in 1903, he practiced law in the capital and also worked for the Census Bureau. In 1907, Wilson arrived in New Mexico as part of a team from the Justice and Interior departments investigating fraud in the awarding of mining patents located on federal land.

Although personally ambitious, he grew wealthy from oil investments during the 1930's, all accounts agree that Wilson's motivation for moving to New Mexico had more to do with a romantic desire to see the West than for reasons of personal gain. In a letter to the author, Wilson's daughter, Frances Peabody, described her father as having been an "adventurer" and recalls being told while growing up that the family almost moved to Juneau, Alaska, where a similar investigation of "local political messes" was under way. Finding life in New Mexico agreeable, Wilson stayed in the territory and in 1909 open a private practice in Santa Fe with Richard Hanna as his partner. In the same year, he accepted the part time position as Special Attorney for the Pueblo Indians.[229]

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228. Jack E. Holmes, *Politics in New Mexico*, 97. *New Mexico State Tribune*, January 25, 1929.
229. R. Alan Dickson, "The Professional Life of Francis C. Wilson," 35-37, 39.

An admirer of Teddy Roosevelt, Wilson ran for Congress in 1914 on the Progressive (Bull Moose) ticket and often found himself at odds with the Republican Old Guard in New Mexico. That Wilson differentiated himself from the older type of Anglo in New Mexico he made clear in a letter to General Hugh Scott, a member of the Board of Indian Commissioners, during the campaign against the Bursom Bill in 1922, writing: "You are . . . familiar with the West and know Western men and the type of man represented by Secretary Fall and Senator Bursom . . . . I am an Eastern man with fifteen years of life in the West which I believe has helped me to appreciate what I am up against." Aside from Pueblo causes, Francis Wilson was active in bringing other aspects of the Progressive agenda to New Mexico. With his wife, Charlotte, he worked to establish a State Board of Health and Child Welfare in New Mexico, and Mrs. Wilson served as the first President of that Board when it was established in the 1920's.[230]

Like others who opposed the Bursom Bill, Francis Wilson made reference to the threat that it posed to the living culture of the Pueblo Indians. His emphasis, however, was upon justly resolving a situation that had come about because of federal neglect. In order to do this, the solution advocated by Wilson involved the expansion of the amount of irrigable land around the pueblos so that Pueblos and "good faith" settlers alike could be compensated any for lands lost. More than other advocates for the Pueblos, Wilson recognized the centrality of water in the disputes over pueblo land grants. Writing in 1922, he explained: "As regards the Indians it has been my theory always that the failure of the Government to properly protect them since 1848 requires the Government to make restitution to them and I know of no method which can be better employed than that of giving them the necessary water and assuring that supply for the future."[231]

Along these lines, Wilson enlisted the aid of the sympathetic Supervising Federal Engineer in Albuquerque in inserting "constructive measures as regards water, irrigation, and drainage" in the initial legislation proposed by the pro-Pueblo faction in 1922. As an inducement for support in this, Wilson noted that federal water projects to aid the Pueblos could lead to larger water

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230. Francis Wilson to General Hugh S. Scott, November 29, 1922 (Wilson Papers # 1409). Wilson to Roberts Walker, April 12, 1924 (Wilson Papers #1439).
231. Wilson to General Hugh S. Scott, November 27, 1922 (Wilson Papers #1409).

development projects in the Rio Grande Valley sought by residents of Albuquerque. In 1926, Wilson split with the New Mexico Association of Indian Affairs over the issue of the Middle Rio Grande Conservancy Project, which Wilson supported, further complicating the factionalism among friends of the Pueblo Indians.[232]

Francis Wilson later served as River Commissioner of New Mexico and on the commissions that permanently apportioned water rights to the Rio Grande and Colorado Rivers. Despite his earlier protestations, his activities in water apportionment and development were those of a modern man of the West. The fact that Wilson's essentially pro-development views towards New Mexico's resources could coexist with his efforts to extend federal protection to the Pueblo Indians illustrates the spuriousness of charges, made by Fall and others, that the pro-Pueblo activists were made up of a leftward-leaning group of sentimentalists. During the 1930's, Francis Wilson was a vocal critic of the New Deal while continuing to serve as an informal advisor to the Pueblos and other Indians in New Mexico. Opposition to the Bursom Bill by Wilson and groups such as the State Federation of Women's Clubs and the Albuquerque Rotary Club demonstrated that the days of near-unanimous opposition to any measures seen as aiding Native Americans in New Mexico were gone.[233]

Issues of Religious Freedom, Tribal Autonomy, and Bickering Friends of the Pueblos

In the aftermath of the Bursom Bill fight, issues concerning government Indian policy received national attention to a degree not seen since the debate over allotment and assimilation in the 1880's. While the dispute over Pueblo land ownership was largely responsible for this heightened interest in and discussion of Indian policy, the issue involved, pueblo land grants, was unique to the Southwest. Even as the compromise Pueblo Lands Act was being hammered out, however, Indian rights activists began to concern themselves with more fundamental aspects of

232. Wilson to Supervising Federal Engineer H. F. Robinson, November 14, 1922 (Wilson Papers). Francis Wilson to Richard H. Hanna, March 31, 1927 (John Collier Papers, 1:185).
233. Dickson, "The Professional Life of Francis C. Wilson," 47-48.

federal Indian policy. The Bureau of Indian Affairs was attacked for efforts it made to discourage Indian religious practices and for the control it sought over tribal governments. Nevertheless, debate over these issues again focused on the Pueblo Indians of New Mexico.

Reduced to simplest terms, opponents in this debate were those who supported the enunciated, if somewhat discredited, policy of rapid assimilation of the Indian and those who sought a new policy which would encourage the material progress of Native Americans but enable them to retain features of their traditional life. This basic difference was complicated, and often became submerged, by the specific interests of the various groups that were most involved in questions concerning the Indian. Although missionaries had worked closely with the Indian Bureau for years, they were not always in full agreement with the agency. In particular, many missionaries had attacked the hurried and often corrupt manner in which allotment of Indian land had been carried out. The Indian Bureau, for its part, was less concerned with the souls of the Indians and the morality of certain Indian practices than were missionary groups. Some reformers sought to work with the Indian Bureau where possible, while others, like Collier, were quick to capitalize on its every blunder in their efforts to re-make Indian policy. Representatives of all these groups were present to some degree in New Mexico and all brought their points of view to bear on questions involving the Pueblos.

In 1921, Indian Commissioner Charles Burke, at the urging of the earlier discussed Indian Rights Association, missionaries, and Indian agents, issued a memorandum to his Superintendents instructing them to repress dances which involved "self-torture, immoral relations between the sexes," the destruction or giving away of property, drugs and alcohol, or which interfered with agricultural pursuits.[234] While this order went virtually unnoticed, a supplement to it issued in February, 1923, at the height of the Pueblo land debate, caused an uproar in New Mexico. In the new memo, Burke urged that ceremonial dances be held only during daylight hours, be banned from April through August, and that Indians younger than fifty be discouraged from participation.

234. Indian Bureau Circular No. 1665 (April 26, 1921) as cited by Kelly, *The Assault on Asimilation*, 303-304. Dickson, "The Professional Life of Francis C. Wilson," 38. Letter from Mrs. Millard S. Peabody to author, April 30, 1992.

It was accompanied by a letter "To All Indians," in which the Commissioner stated that, while "I could issue an order against the useless and harmful performances," he would prefer that the Indians comply voluntarily. The letter ended with the threat that "if you reject this plea, then some other course will have to be taken."[235]

Early in March, the *New Mexican* printed Burke's letter to the Indians under the heading "Burke Would Stop Dances By The Pueblo Indians." The following day, the Associated Press carried a story from Santa Fe claiming that "Ceremonial dances by the New Mexico Pueblo Indians which annually bring thousands of visitors from the entire country have been forbidden except in the wintertime by Charles H. Burke."[236] In response to the Commissioner's letter, The Chairman of the New Mexico Association on Indian Affairs, Margaret McKittrick, wrote a protest letter to the new Secretary of the Interior, Hubert Work, complaining that the Pueblo ceremonials were "almost entirely religious in their significance" and accusing Burke of violating the religious guarantees of both the Constitution and the Treaty of Guadalupe Hidalgo. She went on to write:

> The Pueblos and Pueblo Indians are living museums of the highest scientific interest. Live (sic) size groups representing their cupture (sic) are found in the Smithsonian Museum in Washington and in the Museum of Natural History in New York City. If their life is worthy of a prominent place in institutions such as these, surely every branch of the Government should unite with the American people in doing the utmost to preserve the living models.

Other activists in Santa Fe and in the East sent similar letters to Washington. In addition, some local political figures in New Mexico who had supported the Bursom Bill, perhaps worried about the economic implications of a ban on Pueblo ceremonials, joined in condemning Burke's letter.[237]

Commissioner Burke, already stung by the publicity over the Bursom bill, quickly backed down on the issue, claiming that the letter was only a request and stating that he hadn't had Pueblo ceremonies in mind when he wrote it. At the same time, however, he sent a copy of the Bureau's file on reports of immoralities at the pueblos, noted earlier, to a representative of the Indian Rights Association in Philadelphia. Armed with this file, the Association began printing stories in its magazine, *Indian Truth*, alleging that some Pueblo ceremonies had "vicious and immoral features"

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235. Letter "To All Indians," February 14, 1923, printed in the Santa Fe *New Mexican*, March 7, 1923.
236. Kelly, *Assault on Assimilation*, 305-306.
237. Margaret McKittrick to Hubert Work, April 2, 1923. Copy in Francis Wilson Papers, #1416.

and "ought to be eliminated." Citing the affidavits in the Bureau file, " of an imprintable nature," the magazine asked, "Can scientists defend such practice on the grounds of a beautiful, simple religion, civilization, or anything else?"[238]

In April of 1924, the question of religious freedom in the pueblos emerged again when Commissioner Burke insisted that two eleven year old boys who had been withdrawn by Taos Pueblo from day school for a year of religious training return to school. The Taos Indians consulted with Francis Wilson, who interceded on their behalf with the Northern Pueblo Superintendent, C. J. Crandall. Despite the fact that a small number of boys had previously been allowed to withdraw each year for training by one of the ten Taos "secret societies," and that the Indians were quite willing to have the boys make up the extra year of school, Burke refused the request.

John Collier, who had been in California, learned of the Taos impasse and succeeded in turning it into a *cause célèbre* not just over the issue of religious freedom but also over the authority of the Indian Bureau. He assisted the Taos Council in drafting a letter to the Indian Commissioner in which they refused to comply with the demand that the boys return to school because it "would violate our religion and even destroy it . . . It would be to violate the laws of our tribe and to betray our forefathers who have taught us to worship God from the beginning of time." At a meeting of the All Pueblo Council, held on May 5, the Indians approved a Collier-drafted statement denying that their secret ceremonies were "a ribald system of debauchery" while noting the compulsory Christian education taught to children at the Indian schools. In the July issue of *Sunset Magazine*, Collier wrote a piece titled "Persecuting the Pueblos" in which he recounted Burke's 1923 memo and letter regarding Indian dances, the events at Taos, and similar happenings at other pueblos. Calling the Bureau's actions "naked, unmitigated religious persecution," he denied the allegations of immorality in Pueblo ceremonies and compared the Indians to early Christians facing Roman persecution. Here, as in earlier broadsides, Collier repeatedly compared the movement to protect the Pueblos to the conservation movement. Complaining that the "Indian

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238. *Indian Truth* 1, no. 3 (April, 1924), 4.

bureau is in practical effect above the law," he asked his readers to write to the President and the Secretary of Interior to intercede on the Indians' behalf.[239]

Meanwhile, a few Anglos affiliated with the Indian Rights Association, along with A. B. Renehan, were encouraged by the Indian Bureau to organize another Pueblo group, the All-Pueblo Progressive Indian Council. This Pueblo Council, representing a small minority of Protestant Indians, met on May 27 and passed a resolution condemning the persecution of Christian Indians who refused to participate in "pagan ceremonials" while calling for the election of pueblo officers by ballot. This last proposal was submitted to the governors of the Northern Pueblos by Superintendent Crandall for their consideration in July.

The Indian Rights Association also stepped up its campaign against "pagan ceremonials" and persecution of Christian Pueblo Indians. The organization enlisted a former Indian agent, W. C. "Pussyfoot" Johnson, to write a letter to the *New York Times* in which he described the Pueblo dances as being "hideous, obscene, and revolting" and charged that the Taos boys had been taken out of school "for a two year course in sodomy." The *Times* refused to print Johnson's letter, but Commissioner Burke had it mimeographed on Bureau equipment and the Indian Rights Association distributed it to Indian activists around the country.[240] Herbert Welsh, the aging I. R. A. President, weighed in with a letter which the *New York Times* did print, repeating the stories of immoral practices and persecution and charging the Collier camp with effecting

> a revival of ancient pagan ideas of obsolete communal Indian management which if it be not promptly stopped threatens to upset the most fundamental principal of American free life and intellectual progress among the considerable proportion of Christian progressive Indians which belongs to the Pueblo Indian communities.[241]

As the debate over the morality of Pueblo ceremonials intensified, anthropologists and other experts, many of whom were not sympathetic to Collier, joined in denying the charges made by the Indian Rights Association and its supporters. The letter from Charles Lummis to President

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239. Pueblo of Taos to Charles H. Burke, May 7, 1924. Copy in Francis Wilson Papers, #1430. John Collier, "Persecuting the Pueblos," *Sunset Magazine* (July, 1924), 91-93.
240. Lawrence Kelly, *Assalut on Assimilation*, 311, 323. C. J. Crandall to the Governors and Councils of the Northern Pueblos, July 21, 1924 reproduced in Indian Defense Association of Central and Northern California newsletter, Pearl Chase Papers, Box 19, env. 8, UCSB.
241. *New York Times*, October 19, 1924.

Coolidge, noted earlier, was written at this time. In the face of mounting scientific opinion that the Pueblo ceremonies were profoundly religious and not obscene, Commissioner Burke and the Indian Bureau backed down from their insistence that the Taos boys return to school. As early as May 24, Burke had written to Francis Wilson that "It is believed and hoped that before the next school-year we can work out a settlement of the trouble that will be acceptable to the Indians." Knowing Wilson's feelings towards Collier, he also complained that "there would have been no difficulty whatsoever" in resolving the situation "satisfactorily" without Collier's interference and went on to write:

> I don't mind saying to you that I have about reached the point where "patience ceases to be a virtue" and that I am about ready to give certain people a demonstration of the law in relation to persons visiting Indian jurisdictions for the purpose of inciting insurrection and causing mutiny on the part of the Indians towards the Government.[242]

Wilson and the New Mexico Association on Indian Affairs agreed with Burke that John Collier was causing more harm than good in his efforts for the Pueblos. Wilson in particular was extremely bitter over Collier's charges that he had abandoned the Indian cause in the Pueblo lands matter. In a letter to a New York Indian activist, Wilson claimed that, by accentuating the differences between so-called progressive Pueblos and traditional Pueblos, Collier had caused "the reopening of old sores and troubles." Father Fridolin Schuster, by nature unsympathetic to traditional Indian religion, described Collier as being "a man of radical and dangerous tendencies." In a letter to the *New York Times*, the Museum of New Mexico's Edgar Hewitt claimed that "There never has been during my twenty-five years of intimate work among the Pueblos a state of confusion, anxiety and helplessness comparable to that which exists now" because of "what is being done in the name of benevolent assistance."[243]

Opposition to Collier by New Mexican Pueblo sympathizers reflected both a difference in goals and tactics and petulance over Collier's success in convincing Pueblos to follow his course. Collier was accused, with some reason, of promising the Pueblo Indians more than he could deliver

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242. Charles H. Burke to Francis Wilson, May 24, 1924 (Wilson Papers # 1430). Kelly, *Assault on Assimilation*, 324-325.
243. Francis Wilson to Roberts Walker, May 15, 1924 (Francis Wilson Papers, #1439). Schuster to Francis Wilson, April 23, 1923 (Wilson Papers # 1432). *New York Times*, December 14, 1924.

in the adjustment of their land problems and of stimulating factional divisions among the Pueblos. He was accused, perhaps with less reason, of degrading Pueblo ritual by taking Pueblo dancers on fund raising tours to New York and California. While Collier was winning propaganda victories through his tactics with the American public, the New Mexican Association concentrated on pushing a hostile Indian Bureau into improving the dismal health, sanitation, and water conditions in the pueblos. Efforts were made to incorporate the teaching of Pueblo arts and crafts into the Indian school curriculum. When confronted with recalcitrant local Indian officials, the New Mexico Association hired its own nurses and put them in the field.[244]

On the other hand, the New Mexico group contributed to the divisiveness in the pueblos which they accused the Collier forces of encouraging. Like the missionary-affiliated Anglos and the Indian Bureau, they advised Pueblos to not participate in the All Pueblo Council. Given the participation of the New Mexico group in the original Pueblo Council in 1922, their charges that Collier was manipulating the Indians lacked credibility. In the later 1920's, some in the Santa Fe community took particular glee in accusing Collier of selling out the Pueblos when he gave his tacit approval to a water conservancy project in the Rio Grande Valley that included pueblo land. In describing the atmosphere in Santa Fe in the mid-1920's, Erna Fergusson later wrote:

> It became obligatory to show up at meetings in the pueblos as well as at dances. There were "our Indians" and "Collier's Indians." White people and Indians gathered in tight little bunches shooting venomous glances at each other. Each side suspected the other of making false representation to the Indians. It was like a college rush week.[245]

Beneath the bitter infighting between these two groups of friends of the Pueblos, who both claimed to revere Pueblo culture, was a fundamental difference. While the New Mexico group sought to improve specific conditions among the Pueblo Indians, Collier utilized the injustice and deficiencies of Indian policy as executed in the pueblos in a national campaign to end the policy of assimilation and to remake the Indian Bureau. In this he eventually succeeded. From 1924 to

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244. Mary Austin to John Collier, March 17, 1927(?) (John Collier Papers, 101:1418). Erna Fergusson, "Crusade From Santa Fé," *North American Review* 242 (n. 2, Winter 1936-37), 381-386. A series of letters by Francis Wilson to Roberts Walker in the Wilson Papers, #1439, articulate both the bitterness of the New Mexico Association towards Collier and its frustration with the Indian Bureau.

245. Erna Fergusson, "Crusade From Santa Fé," 384.

1926. Collier continued to seize upon Indian Bureau blunders to make his point that the government was pursuing a morally bankrupt policy in a tyrannical fashion. The Indian Bureau responded by accusing the Collier forces of being financed by "Soviet Moscow" and by attempting to organize yet another Pueblo group, the United States All Pueblo Council (the Progressive Pueblo Council having quickly dissolved). [246]

Under increasing pressure, Secretary of the Interior Hubert Work commissioned a Brookings Institution investigation of government Indian policies. This report, issued in 1927, was strongly critical of the manner in which the policy of assimilation had been implemented. In 1928, the Rockefellor Foundation-sponsored Meriam Report was even more critical of Indian policy, particularly the allotment of Indian lands. In 1929, with Herbert Hoover in the White House, Commissioner Charles Burke was replaced by Charles J. Rhoads, who implemented some of the proposals of the Meriam Report. Finally, in 1933, ten years after Albert Fall had accused him of seeking to "kick the Indian Bureau out," John Collier was appointed Commissioner of Indian Affairs. During his term, some of the fences were mended with the New Mexico group, and the New Mexico Association on Indian Affairs worked with the new Commissioner in improving conditions in Indian schools, hospitals, and in encouraging a renewal of Pueblo culture. Of this new cooperation, Erna Fergusson wryly observed, "Everybody, naturally, takes full credit for everything."[247]

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246. American Indian Defense Association Report, June 9, 1926, 12 (Pearl Chase Papers, Box 18, Folder 4). Dudley Cornell to John Collier, December 13, 1926 (John Collier Papers, 102:1435). *New Mexico State Tribune*, December, 13, 1926.

247. Kelly, *The Assdault on Assimilation*, 373-377. *Encycolpedia of the American West*, 258, 568-569. Erna Fergusson, "Crusade From Santa Fé," 387.

CONCLUSION

From the time of the first encounters between Europeans and Pueblo Indians, White people viewed the Pueblos, with their irrigated fields and fixed communities, as being more advanced than the nomadic Indians who surrounded them. During the Spanish, Mexican, and American periods in New Mexico, this perception was enhanced by the role played by Pueblos in subduing the hostile Indians in the region. However, examination of attitudes towards the Pueblo Indians during the early American period leads one to conclude that Pueblos made the most positive impression upon Anglos with the least ties to existing New Mexican society, military officers and Indian agents, whose view of the Pueblos was often framed in the context of their negative, sometimes contemptuous, view of Hispanic New Mexicans.

Anglos whose ties to the region were more permanent, on the other hand, reached an accommodation with the existing, hierarchical, Hispanic society. After arriving in New Mexico in the 1860's, both Thomas Catron and Stephen B. Elkins soon learned to speak Spanish, as did Albert Fall and Holm Bursom twenty years later. When New Mexico achieved statehood, Anglos of this type joined with Hispanic New Mexicans in guaranteeing that the political and civil rights of Spanish speaking New Mexicans would be protected. In their accommodation with Hispanic New Mexicans, it was natural that this type of Anglo would assume a similar attitude towards the Pueblos as that held by the Hispanic community. Edward P. Dozier summarized this attitude by writing:

> The Pueblos were a notch above the nomadic Indians because they were sedentary and nominally Catholics. The persistence of the Pueblos in continuing with their indigenous religious practices, however, relegated them to a low position on the status ladder.[248]

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248. Edward P. Dozier, *The Pueblo Indians of North America*, 110.

Added to this perception were the traditional White animosity towards Indians in the West and the mainstream American belief that traditional Indian ways of life were doomed to extinction, the only question being the manner in which this extinction would be brought about. This question was answered during the 1880's with the passage of the Dawes Act and the implementation of Indian land allotment and assimilation. The Indian agents and missionaries who came to the pueblos during the 1880's and after sought to achieve these goals. Given this context, the reaction of New Mexican politicians, missionaries to the pueblos, and Pueblo Indian agents when they were accused of attempted land theft and cultural annihilation of the Pueblos was understandable. They reacted like players in a game where the rules had suddenly been changed. In fact, the rules *had* changed.

It took weeks for Thomas Catron to travel from Missouri to New Mexico in 1867. Because of the railroad which Catron, and others like him, encouraged, Adolph Bandelier made the same journey fourteen years later in a couple of days. Anglos who came to New Mexico after 1890 often brought with them new attitudes towards the region. Hostile Indians no longer posed a threat whereas the direction of contemporary life in the East was deeply disturbing to some. Once in New Mexico, these newcomers generally had less contact with Hispanic New Mexicans that had the Anglos who preceded them. In Albuquerque, the Anglos actually built a new town, preferring to isolate themselves from the old Hispanic community.[249] And as we have seen, by the 1890's, the Pueblo Indians were being idealized in the East in books, magazines, and pictures.

What was it about the Pueblos that so many Anglos found appealing? Again, I suspect that this appeal had something to do with the surface similarity of Pueblo culture to European based culture. Although exotic, the agricultural Pueblos could be viewed as leading lives that fit into the ideal of the farmer-citizen, untainted by urban corruption, that Americans since Thomas Jefferson have found so appealing. It will be remembered that, before the thought of moving to New Mexico crossed her mind, Mabel Dodge Luhan moved to a farm in upstate New York. At the same time, Pueblos were perceived by many as living in harmony with each other in a concentrated, almost

[249]. Bradford Luckingham, *The Urban Southwest*, 18.

urban, setting. This at a time when modern urban life struck many as being dangerously artificial and atomized. Never mind that this perception of the Pueblos was somewhat illusory. What counted was the perception of the Pueblos and the perception of the Pueblos as having lived utopian lives was widely held.

One of the purposes of this piece has been to demonstrate that past descriptions of attitudes in New Mexico have often understated the degree of support among Anglos for Pueblo causes. Economic factors as well as the more intangible sympathetic disposition towards Pueblo life have been noted as reasons for this support. In New Mexico, where the landscape was not designed to support a large population, economic factors had a tendency to carry more weight than sentiment.

In the mid-1920's, Albuquerque was threatened by flooding virtually every Spring and the city's economy was based, to a large extent, upon the railroad. A proposed Middle Rio Grande Conservancy District, running through several pueblos, and a railroad project involving the condemnation of pueblo land were viewed by business interests in Albuquerque as being vital for the continued prosperity and growth of the city. Pueblo Indians resisted both of these projects, as did most of their sympathizers in Santa Fe. Mary Austin, pleading with Collier to not give his blessing to the river project, informed him in a letter, that "Things going forward at Santa Fe . . . willline (sic) up the northern half of the state pretty well against the south, since they are all here beginning to realize the Pueblos are an economic asset."

During the same period, R. H. Hanna, now Collier's attorney on Pueblo matters, was advising him to consider the adverse effect upon public opinion if the Pueblos were to be viewed as impeding economic growth. On Pueblo resistance to the railroad project, Hanna wrote: "It is a bad mess, and will tend to arouse a great deal of opposition to Indian affairs if the attitude of the Indians should succeed in retarding development, which the community of Albuquerque particularly is interested in furthering." [250] After consideration, Collier gave his approval to both

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250. Mary Austin to John Collier, March 17, 1927(?) (John Collier Papers, 101:1418). R. H. Hanna to John Collier, May 26, 1926 (John Collier Papers, 102:1435).

projects. Mary Austin, livid over Collier's support of the Rio Grande Conservancy, wrote to him that the project had been "explicitly designed to get rid of both Indians and Spanish as economic factors in that country." She went on to predict that the project would bring about "the destruction of Santo Domingo and San Felipe within another fifty years." Both pueblos, of course, are still very much alive.[251]

The native Hispanic population, too, has managed to persist in New Mexico, despite numerous obstacles. Mary Austin was right in fearing that Hispanics, who lived at close to a subsistence level, would find their way of life threatened by the development projects, and consequent tax hikes, that Anglos would bring to New Mexico. Many Hispanic families were forced to sell land that had been held by their families for generations and relocate to cities where jobs could be found. In some respects, traditional Hispanic culture has been more threatened by American government than the Pueblos were by Hispanic encroachment. While the United States government recognized, at least in principle, communal ownership of Pueblos lands, Spanish grant lands owned in common by Hispanic villages were declared part of the public domain by the Supreme Court in 1896. Much of this land became national forest and by the 1930's, while John Collier served as Commissioner of Indian Affairs, restrictions on its use were having a devastating effect upon the small villages which had depended upon it for stock grazing and firewood. Traditional Hispanic culture in New Mexico, in its way as unique as Pueblo culture, found few Anglos willing to argue for its continued existence.[252]

Anglos have tended to look at Pueblo and Hispanic culture in New Mexico as timeless and unchanging. This view was encouraged by the writings of Charles Lummis and others as well as by the travel guides, museum exhibits, etc., which accompanied the rise of national interest in the Southwest. Anglo admirers of the Pueblos have, at times, resisted the incorporation of American modes of life more than the Pueblos have themselves. In 1927, Ernest Thompson Seton was amazed to find Pueblo Indians dancing the Charleston when he visited Santo Domingo Pueblo to

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251. Mary Austin to John Collier, May 26, 1930 (John Collier Papers, 101:1418).
252. U. S. v. Sandoval, 167U. S. 278(1897). Sylvia Rodriquez, "Land, Water, and Ethnic Identity in Taos," *Land Water, and Culture*, 340.

the Corn Dance. Mabel Dodge Luhan, who lamented the fact that Taos Pueblo had purchased echanized wheat thresher rather than continue in their old ways, would probably be horrified to rn that Picuris Pueblo, still perhaps of poorest of the pueblos, is today a partner in a new luxury tel in Santa Fe. Yet that hotel provides employment for some Picuris Indians, which enables em to remain at the pueblo rather than go to Los Angeles, Denver, or some other city seeking ployment.[253]

Susan Reyner Kenneson, whose dissertation on Anglo attitudes towards ethnic groups in ew Mexico focuses on the pre-Civil War era, has suggested that local Anglo attitudes towards ueblo Indians became less positive after 1866 when it became evident that Pueblos, though more civilized" than other Indians, were resistant to acculturation into the white world. If this is true, it s also true that those who saw Pueblo culture as being superior in some ways to modern American ulture have also been disappointed by the Pueblo refusal to conform to their expectations. Although John Collier retired to Taos in 1956, living there until his death in 1968, he had little to do with the Taos Indians in whom he had once seen "a new, even wildly new, hope for the race of man." Collier's son described his father's last years as being unhappy and unfulfilled. Perhaps Francis Wilson, who admired the Pueblos but who, in his daughter's words, thought the wisest course was to "leave them alone to work out their own problems," had a more realistic understanding of the cultural gap between Anglo and Pueblo.[254]

It seems clear that the changing, and competing, Anglo perceptions of the Pueblo Indians described here had more to do with how individuals perceived their own culture than with the Pueblos themselves. Most often, those who revered the Pueblo Indians suffered from doubts, at least, about the course of American national life. Placed in this context, the movement to protect the Pueblo Indians during the 1920's was part of a larger shift in the way that many Americans viewed themselves. The conservation movement, which largely focused on Western states, was another indication of this shift in national self-perception.

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253. H. Allen Anderson, *The Chief,* 212. Mabel Dodge Luhan, *Winter at Taos*, 30-35.
254. John Collier, *From Every Zenith*, 126. Mrs. Millared S. Peabody to author, April 30, 1992. Susan Reyner Kenneson, "Through the Looking Glass," 276.

Those in the West who didn't share in these doubts about American culture opposed both the conservation movement and the calls for a realignment of Indian policy. They complained, with some reason, that the West was being held to a standard that had not been required of the earlier-settled East. These complaints bear a remarkable similarity to the reaction today of the world's poorer nations when confronted by the ecological demands of the industrialized world. Whatever the case, the presence of a sizable segment of the Anglo population in New Mexico who joined in the movement for protection of Native American culture is an indication of the extent to which New Mexico, and the West, had been integrated into modern American life. Quoting again from Erna Fergusson, "Whether things are on the whole better or worse, they are certainly different."[255]

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255. Erna Fergusson, "Crusade From Santa Fé," 387.

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