

*quest, that chapter of history was closed. The frontier ended, but the hardness and independence of the pioneer survived in American character.*

One persistent fact of modern times is this: when professional scholars investigate the past, friction with popular beliefs is almost inevitable. Scientists advance the propositions of evolution and collide with faith in the Bible's version of creation. Archaeologists and anthropologists reconstruct an ancient Indian arrival in North America via the Bering Straits and collide with tribal creation myths. The Western historian runs into similar trouble with the creation myth centered on the frontier. This tale has unquestionable power and influence but bears little resemblance to the events of the Western past. The myth has the undeniable charm of simplicity. Simplicity, alas, is the one quality that cannot be found in the actual story of the American West. This creation myth—like most others—assumes that times have changed radically. The age of origin was special, dramatic, even magic. Gods walked the earth, which they stopped doing long before our own, more humanly pedestrian times. The old days had a transcendent quality that will not come again.

The United States was a rare case among nations, the Western historian Frederick Paxson wrote in 1930, in a book with the conceptually curious title *When the West Is Gone*. The nation's history was broken in the middle; the present and future were "torn loose from the moorings of a continuous past." This was a professional variation on the creation myth, viewing the Western past with a nostalgia that fractured time. At some point, this faith holds, the "Real West" succumbed to alien forces and was replaced by a tame region of no particular character or significance. The belief that the past was discontinuous, cut in two by a supposed end to the frontier, still keeps us from seeing where we are and how we got here.

When John F. Kennedy accepted the Democratic nomination for president in 1960, "frontier" was his metaphor of preference. "The pioneers of old," he said in Los Angeles, built "a new world here in the West." Their example should inspire Americans in 1960 to conquer their own frontiers. Just like the

## Ten

# The Burdens of Western American History

EVERY HUMAN GROUP has a creation myth—a tale explaining where its members came from and why they are special, chosen by providence for a special destiny. White Americans are no exception. Their most popular origin myth concerns the frontier:

*Europe was crowded; North America was not. Land in Europe was claimed, owned and utilized; land in North America was available for the taking. In a migration as elemental as a law of physics, Europeans moved from crowded space to open space, where free land restored opportunity and offered a route to independence. Generation by generation, hardy pioneers, bringing civilization to displace savagery, took on a zone of wilderness, struggled until nature was mastered, and then moved on to the next zone. This process repeated itself sequentially from the Atlantic to the Pacific, and the result was a new nation and a new national character: the European transmuted into the American. Thrown on their own resources, pioneers recreated the social contract from scratch, forming simple democratic communities whose political health vitalized all of America. Indians, symbolic residents of the wilderness, resisted—in a struggle sometimes noble, but always futile. At the completion of the con-*

real pioneers, twentieth-century Americans should be "determined to make that new world strong and free, to overcome its hardships, to conquer the enemies that threatened from without and within." The analogy would become Kennedy's slogan. "I am asking each of you," he said, "to be pioneers on that New Frontier." Soon after Kennedy celebrated this positive image of the frontier, the history of the environment and of minorities ("the enemies that threatened from without") began to present a more complicated picture of the costs and conflicts of expansion. But in 1960 it was to be expected that both Kennedy and the American public would find in "frontier" a simple and attractive metaphor for challenge, struggle, and mastery.<sup>2</sup>

Twenty-five years later, the diligent work of historians had not rippled out to presidents or the public. In his second inaugural address, in 1985, President Ronald Reagan was much taken up with American history. When the president invoked the "echoes of our past," the impact of the new Western history was not much in evidence:

... the men of the Alamo call out encouragement to each other; a settler pushes west and sings his song, and the song echoes out forever and fills the unknowing air.

It is the American sound: It is hopeful, bighhearted, idealistic—daring, decent and fair. That's our heritage, that's our song. We sing it still. For all our problems, our differences, we are together as of old.

The image of Western history was still ethnocentric and tied to a simple notion of progress. Other parts of the speech applied the workings of frontier progress directly to the present: "In this blessed land, there is always a better tomorrow"; "We believed then and now there are no limits to growth and human progress when men and women are free to follow their dreams."<sup>3</sup> Much of the address in fact paraphrased mid-nineteenth-century articles of faith. Professional Western historians explored conflict, unintended consequences, and complexities in Western history. Presidents continued to see only freedom, opportunity, abundance, and success in the same story.

Probably no case better represents the problem of history in conflict with faith than does Mormonism. A new church formed

in 1830 naturally crystallized many of the values and attitudes of the nineteenth century. One such attitude was the white American belief in Negro inferiority. Blacks were accordingly excluded from the priesthood, to which every other Mormon male in good standing was admitted. This aspect of Mormon origins left the church particularly unprepared for the civil rights movements of the 1950s and 1960s. Southern segregation might have had the support of some churches, but it was primarily a civil and secular order. But here was segregation built right into the theological framework of a religion.

In Mormon theology, blacks bore "the Mark of Cain," burdened with sin from a primal past. In a former struggle between God and Lucifer, they had failed to take sides and were thus still penalized for their neutrality. The inferior status of blacks, Mormons argued, was "not something which originated with man, but goes back to the beginning with God." They were born black "because they sinned in a pre-existent state." The church's position had the unfortunate effect of contradicting a major tenet of Mormonism, as Lowry Nelson pointed in 1974: "Men should be punished for their own sins," Mormonism held; with this one notable exception, "sin is not inheritable." White Mormons, Nelson felt, had "found a comfortable religious sanction for their 'natural' prejudices." Would the church change? Possibly, said President Spencer Kimball in 1977, "if the Lord is willing."<sup>4</sup>

As Mormonism became more and more involved in international missions in the Third World, the exclusion of blacks became increasingly awkward. In South America, Jan Shippis has noted, "determining who has African ancestry and who has not" was a perplexing matter; a change in policy would release Mormons from that trying obligation. The possibility of a reversal brought the 1830 renunciation of polygamy to mind; approaching its 150th anniversary, the church might still be able to use the faith in revelation to adapt theology to changing social conditions.<sup>5</sup>

On June 9, 1978, ending decades of exclusion, President Kimball announced that the priesthood was now open "without regard for race or color." "My faith," said one of the two black members of the famous Mormon Tabernacle Choir, "is strengthened." But the legacy of nineteenth-century attitudes was

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not to be erased in one stroke. In the debate on black exclusion and in the revelation itself, *Newsweek* noted, "the question of female ordination [was] not even an issue." By announcing the 1978 revelation, Kimball earned the label "progressive." But on the question of women's role, he fully escaped that unsettling label. "Man and woman," Kimball explained in 1977, "are two different kinds of being: He's hard and tough. He's supposed to furnish the family's livelihood. She's more tender, and unless a husband dies or the children are grown, we feel she ought to remain at home and teach the children the things they should know."<sup>6</sup>

This issue plunged the church into another round of publicity in 1979, when Sonia Johnson, a fifth-generation member who claimed to be "Mormon down to [her] toenails," emerged as a feminist leader and supporter of the Equal Rights Amendment. Examined in a bishop's trial, she stood accused of "knowingly teaching false doctrines." Evidently, said *Newsweek*, Johnson must "decide what she believes in most: her church or her politics."<sup>7</sup> Beyond the Johnson case, a larger question lingered: In continuing to advocate a traditional role for women and in fighting the enshrining the values that happened a sacred mandate—or simply nineteenth-century America, at the time of its founding?

In 1985, the problem of Mormon origins came dramatically into the news. Dealers in historical documents came forth with two letters from the church's founding period, one ostensibly from the Mormon prophet Joseph Smith and one from his early follower Martin Harris. The letter from Smith, "the oldest ever found in his handwriting," dated 1825, told of the techniques of hunting treasure under the guard of "some clever spirit." The 1830 letter from the convert Harris told of Smith's encounter with a white salamander. Harris reported Smith's story:

The old spirt come to me 3 times in the same dream & says dig up the gold. But when I take it up the next morning the spirt transfigured me 3 times & held the treasure in the bottom of the hole and struck it down to cover over the hole when the spirt says do not lay it down. Joseph says when can I have it. The spirt says one year from today if you obey me.

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If authentic, the letters established a central role for magic and superstition in the founding of Mormonism. But were they authentic? Early in 1985, the emerging answer seemed to be yes. On October 15, though, bombs exploded in Salt Lake City, killing two people and the consensus on the letters exploded as well. By February 1986, police had concluded that a Salt Lake documents dealer, Mark Hofmann (who had been injured himself in an explosion the next day, October 16), had been plotting to sell the Mormon church fraudulent documents that seemed to cast suspicion on the sanctity of the church's origins. When his scheme began to go awry, he allegedly turned to violence. Some experts were now prepared to testify that the "white salamander" letter was a forgery, just as other experts were still prepared to vouch for its authenticity. Once more, the past was disrupting the present. History had produced in our own times a real-life murder mystery, worthy of the imagination of Raymond Chandler or Ross MacDonald.<sup>8</sup>

A few facts were settled: Hofmann and the intended victims of the October 15 bombs had been "involved with controversial documents," including the "white salamander" letter; the Mormon church was "Hofmann's most avid customer"; Hofmann had met privately with a senior church adviser after the first bombs exploded, to ask advice on how to conduct himself during the police investigations. Beyond that, the only fact beyond dispute was, as the Salt Lake City police chief put it on the day of the first bombings, that "somebody [was] very, very upset."<sup>9</sup>

Mormonism, noted the *New York Times*, "is a faith whose very history is sacred, since faith in the church depends on faith in the authenticity of the visions and revelations of its founder, Joseph Smith, who said God had asked him to restore the church of Jesus Christ in North America." In this solemn, official version of history, "white salamanders" and "clever spirits" made unsettling presences. "A sense of the past has been central to the Mormon faith," and thus the church was deeply vulnerable to new discoveries and interpretations of the past. This vulnerability was clear before the Hofmann affair gained national publicity. Just a few days before the October 15 bombings, at the 1985 annual church conference, a Mormon authority had warned the faithful against questioning the past. There might well be "spir-

itual peril," said Elder James Faust, "when publicly disparaging the prophetic calling of Joseph Smith or his successors, or any of the fundamental, settled doctrines of the church." Even before the publication of the "white salamander" and "clever spirit" letters, several church leaders had "been harshly critical of the methods and motives of [Mormon] scholars who attempt 'objective' histories of the Church." Particularly troubling, they felt, are efforts "to place what are supposed to be divinely inspired church doctrines in a relevant social and historical context." Mormon history, said Elder Boyd Packer in 1982, should be a sacred narrative, in which readers can "see the hand of the Lord in every hour and every moment of the Church from its beginning till now." If that meant writing history "selectively," so be it, said Packer, criticizing historians who "write history as they were taught in graduate school, rather than as Mormons." With this background, it hardly came as a surprise when the police investigation of the Hofmann case "revealed the church's hierarchy to be obsessed with stopping any tampering of the church's official accounting of the past."<sup>10</sup>

Historians were not, however, the only "problem population" who refused to let the more awkward aspects of the church's past disappear. Splinter groups of Mormons had continued to insist that plural marriage was a sanctified element of true Mormonism; even if the rest of the church abandoned it, a few would stay faithful. After church leaders under considerable pressure renounced polygamy in 1890, "plural marriage," the historian Jan Shippy noted in 1978, "persisted on the underground nevertheless. In the past decade it has reappeared as the major tenet of an undertermined number of LDS fundamentalist sects with a total membership estimated between 3,000 and 20,000." One fervent believer was Royston Potter, who was fired from the Murray City, Utah, police force in 1982. Although an exemplary policeman, Potter at the time of his firing had two wives; he later married a third. Plural marriage, he and his attorney argued, was an essential part of his religious belief. Asking that Utah's antipolygamy laws be declared unconstitutional, Potter sued. "The practice of polygamy," ruled U.S. District Judge Sherman Christensen in April 1984, in a decision upheld by the appeals court

in May 1985, "is not a fundamental right constitutionally protected by . . . the First Amendment." Christensen drew the same liberty under the 14th Amendment. "Christensen drew the same distinction between belief and action that had been used in nineteenth-century rulings against polygamy. 'Freedom to believe or not to believe is absolute,' he said. 'Freedom to act, however, is not absolute but limited or qualified by the power of the state. . . . Potter was demonstrating continuity in one track of Western history; Judge Christensen was demonstrating it in another. Was the prohibition against polygamy a continuation of social prejudices of the nineteenth century? Was the nation, in the matter of Royston Potter and his three wives, allowing anachronistic, vestigial attitudes to set policy in a more tolerant age?'<sup>11</sup>

Polygamy and persecution, the historian Sterling McMurrin has explained, gave Mormons a great thirst for respectability. "Then and now," he said in 1983, "the leadership wants the people of America to see Mormons as utterly respectable people." But other groups remained equally determined to deny Mormons the respectability of the mainstream. A story about Mormons in a Western newspaper was almost sure to elicit a certain brand of letter to the editor. "I feel the main point that needs to be cleared up and understood is that Mormons are not Christians!" said a typical specimen in February 1986. "Clearly, if words are to have any meaning," said another, "Mormons are not Christians." An incident in Vail, Colorado, in 1985, brought the issue to a focus. With a shortage of church buildings, Lutherans, Episcopalians, Baptists, Roman Catholics, Presbyterians, Christian Scientists, and Jews shared an "interfaith chapel." When this ecumenical group was asked to allow the eighty-two Mormons in Vail to use the chapel, a firm majority said no. The chapel, said the Baptist minister, was "interfaith," not "intercult." The Mormon tenet that believers could move toward godhood meant, the minister explained, that they were polytheists, not monotheists like the other users of the chapel.<sup>12</sup>

In a similar incident in March of 1986, the Church of Latter-day Saints invited Protestant and Catholic clergy in Denver to an open house at their soon-to-be-completed temple. A group of clergymen rejected the invitation and even circulated a letter

urging others to refuse it. The Mormons, explained a Lutheran minister, are "a threat" to other congregations "in terms of proselytizing their members." If it is the ministers' responsibility to take care of their flocks, then, "if there's a wolf loose in the area, we feel we should let them know."<sup>13</sup>

"Falsehoods are swirling everywhere about the true saints of God," said Elder George Lee at the 1985 conference. In many ways, the most unsettling threats came from the unsubdued past, from the prospect that historical "research into the church's past could undermine members' faith." "Religions have an almost infinite capacity to explain things away," said Jan Shippis.<sup>14</sup> Still, it was no pleasure to official Mormonism to have the past come back and ask for explanation. The Mormon problem stood for the larger one of Western history. Celebrating one's past, one's tradition, one's heritage, is a bit like hosting a party: one wants to control the guest list tightly and, as the Mormon elder Boyd Packer put it, "selectively." To celebrate the Western past with an open invitation is a considerable risk: the brutal massacres come back along with the cheerful barn raisings, the shyesters come back with the saints, contracts broken come back with contracts fulfilled.

## II

On a sandbar along the Arkansas River, not far from downtown Tulsa, Oklahoma, contracts made in the past brought forth an unusual modern fulfillment. The sandbar was one remnant of tribal land assigned to the Creeks, or Muscogees, after their removal from the Southeast in the 1830s. For decades, the sandbar seemed to be of no use at all. Then, beginning in 1979, a new use of Indian territory appeared, starting with the Seminoles in Florida. By the early 1980s, high-stakes bingo had become one of "the hottest issues on Indian reservations across the country"; over one hundred reservations were involved. Bingo was "an economic godsend for tribes that have limited resources, minimal capital and high unemployment." This godsend was made possible by the distinctive legal condition of a reservation. State prohibitions and regulations on gambling, the lower courts held, did not apply to reservations. In Indian country, a special

tribal sovereignty still prevailed, held separate from state regulation by "a unique status as sovereign nations within the nation." Non-Indian state and county law enforcement agents brooded about this turn of events: Indian reservation bingo games stole opportunity from the tightly regulated church and charity bingo, argued the critics; they were liable to be infiltrated by organized crime; they made a mockery of state laws. Perhaps most frustrating, reservation income from bingo could not be taxed; already strapped for revenue because of the downturn in oil, the state of Oklahoma found the tax angle a particular mortification. On their formerly useless sandbar, the Creeks had erected a \$2 million bingo parlor, seating 1,350 and bringing the tribe a reported \$100,000 a month in profits. With their bingo bonanza, the tribe had joined what the *New York Times* called "the largest legal but unregulated and unaudited cash business in the country." The sandbar was still "Indian country," a term that had changed—but not lost—meaning since the nineteenth century.<sup>15</sup>

It is a common exercise in guilt to berate white America for its record of broken Indian treaties. The exercise has lost considerable potency since the 1960s. Certainly, many treaties were ignored, but there is a world of difference between a treaty ignored and a treaty erased. The treaties stayed on the books, where Indian activists and lawyers of a new era could find them. The process of reviving claims got a major push with the Indian Claims Act of 1946, setting up a procedure for tribes to file claims for past losses. The process got an even greater push in the 1960s, with the training of a significant number of Indian lawyers. The *New York Times* noted the result in 1986: "American Indians are fighting today much the same battles over tribal sovereignty and the ownership of land and natural resources that they waged in the 19th century. The difference is that this time . . . they are winning."<sup>16</sup>

Consider, for instance, the fateful words included in the principal nineteenth-century treaties made in the 1850s in the Pacific Northwest: "The right of taking fish at all usual and accustomed grounds and stations is further secured to said Indians in common with all citizens of the Territory." The reasons for including the provisions were hardly a mystery; fish were as

central a resource to the Northwestern Indians as buffalo were to the Plains Indians. Retaining the right to fish was in some ways more crucial than retaining the land. Over the next century, first commerce and then sport drew more and more whites into competition with Indian fishing. By the twentieth century, if Northwestern whites knew anything about the guarantees in

**Use Indians with their attorney in 1910, foreshadowing the twentieth-century shift from conflict on battlefields to conflict in courtrooms.** *Courtesy Colorado Historical Society*



the Indian treaties, they thought of them as outdated promises, broken to serve the interest of the new majority.<sup>17</sup>

In the resurgence of Indian activism in the 1960s, the Pacific Northwest was a key region. When state fish-and-game wardens attempted to impose state laws on Indian fishermen, they set the stage for a prolonged, determined movement of resistance, as Indian people held to their rights, both in “fish-in” protests and in a long series of courtroom battles. The contest went beyond legal arguments; there were raids, shootings, and incidents of boat ramming. In one case, in October 1965, Washington state game wardens in a powerboat intentionally rammed a dugout “carrying two Indian fishermen, two little boys, their dog, and a newspaper cameraman.” The “free-swinging battle” that followed, between Indian protesters and game wardens, provided newsmen with “dramatic stories to write and pictures to show of the wardens’ brutality.”<sup>18</sup>

In a 1974 landmark decision, Federal Judge George A. Boldt ruled unambiguously in favor of the Indians. A close examination of the treaties, especially of the phrase “in common with all citizens of the Territory,” persuaded him that the treaty required the catch to be divided between the two groups. “Accordingly,” in the words of Alvin Josephy, Judge Boldt “upheld the right of the treaty tribes to fish and manage the fisheries in their traditional fishing places and ordered that they be given the opportunity to take 50 percent of the harvestable fish.” Neither the state of Washington nor many of its white citizens took the Boldt decision peacefully. Some discontented white fishermen threatened Judge Boldt personally; some of them attacked Indians. The state of Washington resisted compliance, with an intransigence that reminded many observers of the white South’s resistance to desegregation.<sup>19</sup>

When the Supreme Court affirmed Judge Boldt’s ruling in 1979, much of official state resistance dissipated. But individual white people—whether commercial fishermen, sportfishermen, or simply local people made angry by what they saw as archaic special privilege—kept the issue alive. An organization called the Interstate Congress for Equal Rights and Responsibilities, opposed to Indian rights and active in several Western states, found spe-

cial support in the Pacific Northwest. "We would like to terminate all Indian treaties; we would like to terminate all Indian reservations; we would like to terminate the BIA (Bureau of Indian Affairs)," explained one disgruntled sportfisherman. Groups in the region, as a public television documentary reported in 1982, remained "locked in bitter conflict over who has the moral and legal right to catch the fish." Like the Indian wars of the nineteenth century, the twentieth-century "Indian wars" of the courtroom were not going to come to a clear and final resolution. "There are people out there," said John Echohawk, director of the Native American Rights Fund, "who can't believe that we have these rights, and they won't stop fighting."<sup>20</sup>

By the nature of limited resources, the restoration of an Indian right frequently meant the loss of white people's rights. When the loss involved property, especially property long in the use of non-Indians, the best compromise could seem to be this: let the non-Indians keep their property and give the Indians cash. When the Sioux pressed their claim to South Dakota's Black Hills, this struck the courts as the best resolution. The facts of the case were beyond dispute: by the treaty of 1868, the Black Hills were "set apart for the absolute and undisturbed use and occupation of the Indians." Following the Black Hills gold rush, officials bullied some Sioux leaders into renouncing the land, and Congress abrogated the 1868 treaty in 1877. It was a transaction that provoked one court to remark, "A more ripe and rank case of dishonorable dealings will never, in all probability, be found in our history." The government had done wrong; the Sioux were injured, and the courts, estimating the value of the property in 1877 at \$17.5 million, agreed to compensate the Sioux. In 1980, the Supreme Court affirmed the decision and stood by the awarding of interest as well, bringing the total to \$122.5 million. By this point, many of the Sioux had reached a conclusion that differed from the Supreme Court's: money was not land, and they wanted the land. Taking the cash would open a Pandora's box of questions. Should the money be held communally for tribal development projects, or should it be distributed on a per capita basis to individuals? If the former, what kind of tribal enterprises—and for which of the eight Sioux reservations? If



Northwest Indians fishing at Celilo, around 1900; fishing rights would become a major arena of Indian self-assertion. *Courtesy Oregon Historical Society*

the latter, how were the Sioux to determine just who was a certain descendant of the Sioux who had been defrauded in 1877? Most important, if the tribes took the money, it might well be gone in a generation. The land, by contrast, would be an enduring resource.<sup>21</sup>

In the 1980s, Indian tribes had a special reason to weigh carefully all questions involving their resources and their economic future. The Reagan austerity program deeply affected the group with the longest record of dependence on the federal government. Indians were also, of course, the only group that had secured federal help with treaties, solemn promises, and

essential property transactions. President Reagan's staff seemed to have a weak grasp of Indian history. In 1983, James Watt, Reagan's first secretary of the interior and overseer of the Bureau of Indian Affairs, said, "If you want an example of the failure of socialism, don't go to Russia. Come to America and go to the Indian reservations." Bewildering as it was, Watt's remark was also a dazzling demonstration of the power of ideology to overrule an understanding of history.<sup>22</sup>

Far more serious than the gaffes of the secretary of the interior were the budget cuts brought by the Reagan administration. "Economic development" of the reservations, "without subsidy," requires "a radical break with the past dependency on the Federal Government," the Reagan planners explained. "There has been too much of a dependency on the Federal dollar" in Indian affairs, said a BIA spokesman, "and we're saying that can never happen again." The goal, instead, was Indian self-sufficiency. There was nothing new about this goal; it had been the declared intention of Indian policy through most of the nation's history. But in the Reagan years, the policy cliché intersected with the fervor to cut domestic programs. Programs benefiting Indians entered an era of austerity. As had often happened in Indian policy, the Reagan administration presented the retreat on funding as if it were a service provided with the Indians' interests in mind, a change made for their own good. The Indians would be induced to stand on their own feet "by reducing Federal outlays and encouraging closer ties with the 'private sector'—a private sector theoretically on good behavior, weaned from its historical habits of exploiting Indians and their resources."<sup>23</sup>

The timing for this "new" approach seemed either inept or cruel. Reservation unemployment in the mid-1980s was a staggering 50 percent on average and as high as 70 percent and beyond on particular reservations, including the Pine Ridge and Rosebud Sioux reservations. Most reservations also suffered a chronic shortage of capital. Because reservation land is held in trust by the federal government, it cannot be used as collateral for loans. Conventional credit is therefore difficult to secure. Reservations are usually remote and, therefore, unlikely sites for

industrial relocation. Often dependent on natural resources—minerals or timber—they are tied to the unstable boom/bust cycles of the Western economy. With those cycles in a downturn, the 1980s seemed a dangerous time to force through a break with federal dependence.<sup>24</sup>

Determined to cut the budget, Reagan officials sliced not only at job-training and small-business support programs but also at the Indian Health Service. Their timing, here as well, was ignorant or calloused. An Office of Technology Assessment report in 1986 confirmed much of the bad news about Indian health. Indians were "three times more likely to die young" than were other Americans. They were twice as likely to die from pneumonia or influenza, and they were afflicted with cirrhosis at a rate 4.2 times higher than the country's general rate. Perhaps the most disturbing news in Indian health involved adult-onset diabetes. Fully half of the Pimas and Papagos over the age of twenty-five developed diabetes, the *New York Times* reported, as did a fourth of the Zunis over the age of thirty-five. Members of some Indian tribes in the West had become "7 to 10 times as likely as non-Indians" to contract diabetes. Some researchers posited a "thrifty gene" theory to explain this rising epidemic. In the centuries before white contact, Indians "evolved so that they could store fat efficiently, enabling them to survive long periods of famine between harvests or successful hunts. Now that they live in a cash economy, where work is less strenuous than hunting or running great distances, the genetic asset that allowed their ancestors to survive has been turned into a disability," bringing on the devastating incidence of diabetes.<sup>25</sup>

With many of the old problems still unsolved and several new ones on the rise, it was an unfortunate time for cutbacks in medical services. Beyond cutting funding for particular programs (including a successful one that sent paramedics for regular visits to Indians in remote locations), the Reagan administration's strategy was one of cutting eligibility. In a proposal in 1986, the Indian Health Service announced a plan to change the definition of Indian. If the new definition went through, an Indian would be "a person who is a member of a federally recognized tribe, or eligible to be a member, lives on or near a reservation,



and has at least one-quarter Indian blood." It was this matter of the blood quantum that aroused the most controversy. An essential element of a tribe's sovereignty, Indian leaders argued, was the power to determine its own membership. From that angle, the revised definitions of the Indian Health Service threatened to crack the bedrock of tribal self-determination. Moreover, the change carried the added threat of making Indianness a racial definition rather than a category of political nationality. Set the blood quantum at one-quarter, hold to it as a rigid definition of Indianness, let intermarriage proceed as it had for centuries, and eventually Indians will be defined out of existence. When that happens, the federal government will be free of its persistent "Indian problem."<sup>26</sup>

If one could not always tell who was an Indian, it was at least possible to tell who was not. The non-Indians could be most easily identified in regions affected by Indian lawsuits; they were the ones fearful that they would lose their land, their water, their chances to fish or to hunt, or their profitable opportunities to lease reservation timber, oil, mineral, or grazing resources. Among non-Indians at a distance from these matters, late-twentieth-century attitudes toward Indians were often vaguely favorable. Americans held a generalized fondness for the Indian as a symbol of ecological restraint and primal wisdom, a ritualized regret for "what we did to them," and sympathy for past sufferings. Closer to the epicenters of the claims disputes, however, the sense of injury turned in the opposite direction.

Non-Indians who found their profit or property threatened by Indian assertiveness cast themselves in a familiar Western role, that of the innocent victim. "We all feel that we're getting a real raw deal out of it," said a non-Indian who had, for twenty-five years, leased resort land on the Fort Apache Reservation at an absurdly low rate. Now the lessee was shocked to learn that the tribe was determined not to renew the leases. "Granted, what the Government did to the Indians a 100 years ago was not right," said a non-Indian woman whose farm in Minnesota was involved in a Chippewa land claim, "but why make the people who own the land now pay? We had nothing to do with what happened back then."<sup>27</sup> Selective amnesia had its uses, even in a nation devoted to the memory of its frontier origins.

## III

In the 1980s, a place called the Soccer Field became a routine stop on the itineraries of journalists writing about the problems of the American West. The Soccer Field was an open flat area near Tijuana, where hundreds of people gathered every night. After dark, Mexicans would begin their walk from the Soccer Field into the United States, while the Border Patrol deployed men, vehicles, and heat-seeking surveillance devices to intercept them. The odds of the game were heavily weighted against the home team. Along the nearly 2,000-mile border, for every illegal entrant the Border Patrol caught, two or three (or more) got through. Returned to the Mexican side of the border, the apprehended ones could simply try again. "It doesn't really matter what percent we catch because eventually 100 percent get through," explained one Border Patrol officer. All along the border, American officials and Mexican job seekers played a "nightly game of hide-and-seek," an exercise that carried a repeated, morale-eroding lesson for the Border Patrol, stuck playing doorkeeper to "a revolving door": "There's just too many of them, and not enough of us."<sup>28</sup>

The regulation of the Mexican-American border was not a case study in progress. In the 1980s, Mexico's economic troubles caused the numbers of border crossers to escalate. "We are seeing the greatest surge of people in history across our southern border," Alan Nelson, the commissioner of the Immigration and Naturalization Service, said in 1986. Border apprehensions in 1986 were up nearly 40 percent over the preceding year; officials expected to intercept at least one and a half million illegal entrants in 1986, meaning that two or three times that number would elude them. Even more distressing, there had been a comparable upsurge in the smuggling of drugs. As legitimate forms of income dried up in Mexico's recession, the drug business gathered appeal. A backpacker carrying sixty to one hundred pounds of marijuana across a remote section of the border could earn \$250 for his trip, certainly an attractive option for men who planned to take the trip anyway. This increase in the Southwestern drug business was the ironic outcome of success in enforcement elsewhere. A "prolonged crackdown on drug smuggling in

the Southeast," especially in Florida, had pushed the problem westward.<sup>29</sup>

With drugs in the picture, and with the increased numbers and desperation of immigrants, crime and violence also seemed to be rising. "Law-enforcement officials," the *New York Times* reported in June 1986, "say that almost every day they find the bodies of shooting victims in the bushes or floating in the Rio Grande, some of them immigrants robbed while trying to cross the border, some of them victims of smuggling deals that went wrong. The officers say, furthermore, that they are frequently caught in battles with drug and weapon traffickers using machine guns."<sup>30</sup>

The border was violent and out of control; drugs and job seekers met no major obstacles in entering the country; then why, Americans started to wonder, could terrorists and spies not take advantage of the same opportunities? Questions of national security began to arise; the open border seemed to make the nation deeply vulnerable to its enemies. Many Americans began to feel like householders who feared intruders and yet lived in a house without doors.

A compelling logic drove the "intruders" to defy the border. A day's labor in the United States was dramatically more rewarding than a day's labor in Mexico. In Mexico in 1984, "the minimum wage" was "the equivalent of 55¢ an hour for those lucky enough to find work." In the United States, their rate of pay would be nearer to the \$3.35-an-hour minimum wage. In villages in the interior of Mexico, the news that one could make "\$200 a week" took "the breath away." "You're talking about one of the world's highest-wage countries in juxtaposition with a middle-developed country that nonetheless has one of the lowest wage scales," said the border expert Wayne A. Cornelius. "There's simply no legal or police remedy to that." The lure was vastly stronger than the deterrent. In defying the border, Mexico's immigrants had "little to lose and everything to gain."<sup>31</sup>

A variety of Hispanics and Anglos found other ways to gain from this search for opportunity. Smugglers, or "coyotes," charged \$250 or more to pilot an immigrant into the United States. There was "big money" in this international escort service. There was

also freedom. Operating beyond any government's regulation, the "coyotes" sometimes robbed, beat, or raped their clients. Bandits lay in ambush to attack and rob the immigrants, especially in the desert canyons south of San Diego. In a more sophisticated version of banditry, "lawyers and pseudo-lawyers" in New Mexico in 1984 played on rumors that the U.S. government might soon pass a law providing amnesty to some illegals. For cash up front, these shysters promised, they would make sure that the illegal alien qualified for amnesty. In less crafty schemes, many employers simply cheated illegal aliens, reducing promised wages or refusing to pay them at all. Most of these forms of criminality stayed beyond the reach of penalty and punishment. Fearing deportation, illegal aliens were very reluctant to testify against their tormentors.<sup>32</sup>

In the immigration debates of the 1980s, a number of experts argued that the whole nation gained from the presence of the aliens. The foreign workers supplied essential labor, filling jobs few American citizens would want. Even if the border could be controlled, these experts did "not expect American citizens to replace illegal workers in the low-paying jobs most of them would vacate."<sup>33</sup>

Illegal aliens enrich the American economy and add to its productivity, said one study. Illegal aliens weaken the economy, sap taxpayers' money, and steal jobs from needy American citizens, said another. In 1986, the state of knowledge about aliens was abysmal. One could not unearth so basic a fact as the number of illegal aliens in the country; estimates ranged from two to twelve million. One could certainly not look to the Immigration and Naturalization Service for "the facts"; funding, morale, and record keeping at the INS were, at best, in a state of low-level crisis.<sup>34</sup>

By 1984, Agent Alan Eliason, head of the Border Patrol division that included the famed Soccer Field, was at the end of his rope. "We are overwhelmed," he said. "Congress has to come to grips with the problem." Agent Eliason was one among many Americans who felt that the federal government and its policies had to be held responsible for the immigrant crisis. Many school systems, under pressure from a 1982 Supreme Court decision

declaring that America's schools had to educate the children of illegal aliens, thought that the federal government should pay for this extra expense. A city like El Paso, Texas, with a massively overburdened public hospital, held that the federal government should pay the bill for treatment of illegal aliens. The regulation of immigration was a federal responsibility; if the feds were not doing their job, they should pay for the consequences.<sup>35</sup>

But what were the feds to do? Beginning in 1982, Senator Alan Simpson of Wyoming tried to answer the question with an immigration reform bill. Over the next years, Senator Simpson became Congress's Sisyphus, annually rolling the rock up the hill, and annually watching it roll back down. To Senator Simpson, the problem was clear: "The United States cannot perform the most basic function of a sovereign nation, which is to control the entry of aliens across its borders. Immigration to the United States is out of control." The solution, he felt, was nearly as simple. The United States must not only strengthen its Border Patrol but also attack the problem at its root. The jobs lured the immigrants. To immigrate illegally was a federal crime, but to employ an illegal alien was not. The solution was thus to design sanctions against employers of illegal aliens. By disciplining the employers, you would remove temptation from the immigrants, and thus, in the happy ending of the Simpson Immigration Bill, the illegal aliens would stay home and the border would return to American control.<sup>36</sup>

Immigration, the *New York Times* noted in an observation that Senator Simpson's experience would certainly confirm, "has always aroused strong passions." The most persistent and vocal opponents of the Simpson bill were Hispanic leaders who felt that sanctions would cause employers to "reject all foreign-looking applicants, particularly those with Spanish accents." Even more persistent were Western growers of fruits and vegetables, who insisted that low-cost foreign labor was essential to the smooth and affordable harvesting of their crops. With this opposition, the bill seemed, in September 1986, to be dead—"a corpse going to the morgue," one congressman said. Then, abruptly, it returned to life, approved by Congress late in October—and, not coinci-

dentially, just before midterm national elections. The Americans people wanted their borders controlled, said the representatives and senators, who answered the demand with the Immigration Reform and Control Act of 1986, providing employer sanctions (with, however, special concessions for Western growers) and amnesty (permanent-resident status and possible citizenship) for aliens who could prove continuous, unlawful residence in the United States since before January 1, 1982.<sup>37</sup>

Was this the solution? The law began its life in a forest of doubts. The amnesty provision seemed far too generous to many conservatives; in their eyes, it gave a direct reward to persistent lawbreaking. Even for those who supported it, amnesty had a significant structural irony. Before the passage of this law, illegal aliens had done their best to be invisible and leave as little record of their presence as possible. Now the rules of the game were reversed, and they were faced with a demand for evidence they had done their best to avoid accumulating. What, after all, would constitute definite proof of prolonged residence? Most of the appropriate documents—pay stubs, rent receipts, tax forms—could easily be forged. Perhaps most ironic was the situation confronting *legal* aliens, people who had followed the procedures, filled out the forms, and joined in the long waiting line for citizenship. These people gained no advantage at all and watched in frustration as the new law moved long-term illegal aliens to a special place at the head of the line.<sup>38</sup>

Much of the same confusion attended the implementing of the employer sanctions. With the new law, critics charged, the federal government was admitting that it could not control illegal immigration. It was, instead, transferring the responsibility to private sector employers, who had no training for this kind of police work. How, after all, were employers to distinguish an illegal alien from a U.S. citizen or a legal alien? They were to ask to see a variety of identification papers. The employer was not expected to authenticate those papers; his legal obligation was to make sure the applicant could produce them. The one certain outcome of the 1986 law, nearly everyone agreed, was a fine new opportunity for creators of fake documents. "Forgers [were] expected to do a land-office business", even before the act was

in effect, "fake rent receipts, utility bills, income tax forms, driver's licenses, birth certificates and the like [were] being tailored to the requirements in the legislation."<sup>39</sup>

Even if federal officials could come up with a foolproof way of identifying forgeries, the Immigration Act was going against the grain of a basic pattern in the Southwest, where "the presence of illegal aliens has been institutionalized in many ways and is accepted, indeed welcomed as essential to the economy." To many people living near the border, wrote a perceptive *New York Times* reporter, "the bill reflects a world that is far more black and white than the crazy quilt of Mexico and America that exists at the border." The law had been designed, written, and approved at a considerable distance from people like Ismael Medina, a forty-two-year-old father of seven, who could not feed his family on his \$5-a-day wage in Mexico. Interviewed in Tijuana, near the border, as the new law awaited the president's signature, Medina told a reporter, "It doesn't matter what the law says; we will cross."<sup>40</sup>

Would the law work? Perhaps more important, *should* it work? Was *this* the time to close the border? Senator Paul Simon of Illinois raised the question in debate. If we, by eliminating jobs, "aggravate the economic situation that Mexico faces," he said, "we could have some very serious problems south of the border." A look at the Mexican economy made the dilemma clear: Senator Simpson and his bill were instruments of terrible timing. In 1982, financial troubles caused Mexican officials to devalue the peso and worry about whether they could keep up interest payments on their immense foreign debt. In that same year, oil prices began their decline, plummeting in late 1985. Like American oil operators, Mexico had been banking on higher prices, expecting them to rise to \$60 per barrel or beyond. Like American farmers, Mexico had borrowed optimistically in the late 1970s. In 1986, Mexico faced shrinking oil revenue, enormous poverty in both countryside and city, and nearly \$100 billion in foreign debt. Its interest payments in 1986 were expected to be near \$9 billion. In that hard-pressed economy, the estimated \$1 billion or more in income sent home by illegal aliens in the United States was a crucial form of underground foreign aid. In late-twen-

tieth-century Mexico, Frederick Jackson Turner's old concept of the frontier as safety valve had a direct and vital meaning. In the midst of Mexico's increasing hardship, jobs in the United States provided an essential safety valve for desperate men and women.<sup>41</sup>

In the crisis of the 1980s, some American experts began to worry about Mexico's stability. By 1986, Mexico was in its "fourth year of imposed economic sacrifices." Would "the patience" of the Mexican people finally break into "large-scale civil disorder and violence"? "Sooner or later," noted a former Latin American correspondent, "turbulence in Mexico would certainly spill across the common frontier." The United States, the political scientist Alfred Stepan has written, "is not insulated" from Mexico's problems, "but we have been lucky—and Mexico's long-term stability has been an extremely important part of this." If Mexico's economy failed to recover, that stability might be threatened. "Imagine, then," Stepan has said, "what it would mean if Mexico erupted in turmoil of the kind we have seen in El Salvador, Guatemala and Nicaragua. Imagine that chaos and violence, magnified a dozen times, on our very border."<sup>42</sup> The time, in other words, did not seem propitious for closing down an essential safety valve.

In 1986, American commentary about Mexico came from two main groups: those who feared for Mexico's political and economic stability and pled for U.S. aid; and those politicians who deplored the porous border, the Mexican failure to prohibit drug smuggling, and the "deadly disunity" sure to follow if the "illegal invasion" were not stopped. The domestic alarmists, many internationalists argued, were worrying "about symptoms—drugs and migration—but not about the underlying disease." The only way to control immigration and drugs was to "help Mexico build an economy that offers jobs and an improved standard of living to its citizens."<sup>43</sup>

"The economic, political and social perils facing the Mexicans," Alfred Stepan has said, "are grave for them and grave for us." The two countries had deep geographical and historical links. When Mexico's economic troubles set in, American border towns—dependent on retail trade with Mexicans—went into a parallel decline; towns like Laredo, Texas, had "little other eco-

conomic reason for being than commerce with Mexico." If Mexico had to default on its loans and interest payments, American banks with Mexican loans would be much shaken. Mexico was a key Western Hemisphere ally and the third-largest American trading partner. Even the most irritating problems stemmed from reciprocal, interdependent causes. Was it, after all, Mexico's fault if the United States had an insatiable appetite for cheap labor and for drugs, and if Mexicans responded to that market demand? Immigration, drug production, pollution from copper smelters on both sides of the border, salinity in the Colorado River, sewage flowing from Tijuana toward San Diego—all of the border problems called for cultural and historical understanding. The conquest of the Southwest might be only "a historical footnote" to Americans, but Mexicans, a reporter in Mexico City noted, "will never forget that their country was defeated by the United States in the Mexican-American War of 1848 and forced to cede half its territory"; the memory of foreign intervention also stayed fresh. Complicating all of the border issues was a sensitive and emotional sovereignty on both sides; the old Western problem of friction between empires and nations still awaited full resolution. History had left the two nations locked into what the former American ambassador John Gavin has aptly called "a marriage without possibility of divorce."<sup>44</sup>

Mexican people were not, after all, "aliens" in the West. Hispanics had been there first and, according to population projections, were going to be there in greater numbers in the future. The Hispanic population of the United States, statisticians reported in 1986, was growing "nearly five times faster" than the general population. A group growing that fast might eventually, some statisticians thought, outdistance blacks and become the nation's largest minority. Hispanics were clearly going to be a political influence to reckon with, and Republicans began a campaign to win their traditional loyalty from the Democrats.<sup>45</sup>

The most volatile domestic issue raised by the growing Hispanic presence involved bilingual education. In 1974, in *Lau v. Nichols* (a case originating in San Francisco), the Supreme Court ruled that schools had to offer special help to non-English-speaking students. *Lau v. Nichols*, the *Washington Post* noted, was

"as significant for non-English-speaking students as *Brown v. Board of Education* was for black students." Many languages were "resented among the four million students with limited proficiency in English," the *New York Times* said in 1985, "but those of Hispanic origin made up three-quarters of the total and constitute an even higher portion of the students who spend four or more years in bilingual education." The funding, method, strategy, and purpose of bilingual education became matters of heated controversy; at the base of the issue was "the question of what role Spanish is to have in the future of this country." "In the modern history of this nation's public schools, nothing except racial desegregation," the *Washington Post* noted ten years after *Lau v. Nichols*, "has so thoroughly entangled the classroom with intense feelings about ethnicity, politics and the meaning of becoming an American."<sup>46</sup>

Bilingual education provided one focus in a key question of Western pluralism: How would Hispanics adapt to the political, economic, and social order of the West, and how would that order adapt to them? Electoral politics in Los Angeles also sharpened the question. Founded in 1781 by Spanish colonists, Los Angeles, two hundred years later had a population 27 percent Hispanic, and not a single Hispanic on the city council since 1962 (when Ed Roybal had left for Congress). A federal lawsuit filed in 1985 alleged that the drawing of districts in Los Angeles had broken up the Hispanic population and thus weakened their vote. In 1985, in a special election following a council member's resignation, Richard Alatorre became the second Hispanic in the twentieth century to sit on the council. But the question of redistricting still waited for an answer.<sup>47</sup>

As the council and the court set out to find that answer, their search led them to an odd echo of one of the earliest problems in the nation's history. When the new lines were drawn, should "the city's large population of illegal Hispanic immigrants . . . be included in the population figures on which the redistricting" would be based?<sup>48</sup> They were not citizens and could not vote, and yet they were residents of the city and affected by its policies. This problem brings to mind the famous three-fifths compromise of the U.S. Constitution. In allocating proportional

representation, the framers of the Constitution wrestled with a comparable question: Should black slaves be included in the population count? Numbers, said the Constitution, "shall be determined by adding to the whole Number of free Persons . . . three fifths of all other Persons." Was the three-fifths compromise the solution for Los Angeles and other cities where the question would be raised? Illegal immigration had revived an old issue that emancipation and Reconstruction had supposedly put to rest. If a group of people lived and labored in this nation and yet were not citizens, what was the nation's obligation to them, and vice versa?

This time, the question was quite distinctively Western. It dealt with Mexicans in a region once Mexican, with people who came voluntarily and not with slaves forcibly imported, and with the West's chronically unsettled contest for legitimacy. In a region shaped by conquest, each arriving group or individual posed the question anew: Who was a legitimate Westerner, and who had a right to share in the benefits of the region? How were people to sort themselves out, and stay sorted, when the cast of characters never stabilized? Consider a description of assimilation in Los Angeles, offered by the urban historian David Clark: "Newcomers could not be absorbed into the majority, for they were the majority." The state of Arizona in 1986 presented a similar picture; "nearly two-thirds of its eligible voters today," the *Christian Science Monitor* reported, "are out-of-staters who moved to Arizona within the last 20 years."<sup>49</sup>

The Bering Straits migration, Spanish colonization, the fur trade, the gold rush, the Plains farming boom, Mexican emigration, the westward push of the middle class in the 1920s, the World War Two employment boom, the Sun Belt migration, the pursuit of jobs, and the pursuit of variant lifestyles: mobility and the transformation of populations never ceased in Western America. Mobility, of course, worked both ways. Some settlements grew, and some declined. In the 1980s the towns that depended on farms, ranches, oil, copper, uranium, and timber all slid down the steep side of the Western boom/bust cycle. Those industries might revive; otherwise the towns would travel the well-established Western path toward the status of ghost town.

Going up or going down, growing or declining, Western areas often left their residents nervously eyeing each other, struggling for turf and legitimacy.

The cast of characters who inherit the West's complex past is as diverse as ever. As Western dilemmas recur, we wish we knew more not only about the place but also about each other. It is a disturbing element of continuity in Western history that we have not ceased to be strangers. The problem of mistaken identity runs from past to present. In incident after incident, whites on punitive expeditions set out to kill Indians—possibly the Indians who had committed the theft or attack about to be avenged, and possibly not. In times of tension, individuals appeared as categories—hostile until proven friendly and, even if friendly, still alien.

One would be happy to consign this pattern of thought to the old frontier West, but the quarantine would not hold. When Anglo-Americans look across the Mexican border or into an Indian reservation, they are more likely to see stereotypes than recognizable individuals or particular groups; the same distortion of vision no doubt works the other way too. The unitary character known as "the white man" has never existed, nor has "the Indian." Yet the phrases receive constant use, as if they carried necessary meaning. Indians, Hispanics, Asians, blacks, Anglos, businesspeople, workers, politicians, bureaucrats, natives, and newcomers, we share the same region and its history, but we wait to be introduced. The serious exploration of the historical process that made us neighbors provides that introduction.