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ACTES

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DIRECTION
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The State of Indigenous Affairs During the John F. Kennedy/ Lyndon B. Johnson Administrations (1961–69)

A Federal Change of Heart from Termination to Sovereignty

Sophie Croisy

Après un examen concis de l'histoire des relations entre les peuples autochtones des États-Unis et le gouvernement fédéral américain, et une évaluation condensée de l'impact de la « Termination Era » des années 50 sur les luttes politiques autochtones pour la justice culturelle et sociale, ce chapitre met en évidence les politiques nationales progressistes à l'égard des autochtones qui ont été promues sous les administrations Kennedy et Johnson. Si le mouvement populaire des droits civiques des années 60 a permis de rendre visibles, aux yeux du peuple américain, les épreuves sociales, économiques, culturelles et politiques auxquelles les communautés autochtones du territoire étasunien font face depuis l'ère coloniale en Amérique, les discours, les programmes et les politiques de justice sociale des administrations Kennedy et Johnson ont aussi participé à cette visibilisation, notamment en promouvant une nouvelle organisation et de nouveaux objectifs pour les institutions fédérales dédiées aux questions autochtones. Ce chapitre cherche à démontrer que ces administrations, malgré des failles certaines, ont été les premières à réellement travailler à la réalisation des promesses historiques faites aux autochtones des États-Unis par le gouvernement fédéral, en termes d'autonomie politique et judiciaire, de justice sociale, et de développement culturel et économique.

Mots-clés : histoire des États-Unis, politiques autochtones des États-Unis, présidence de John F. Kennedy, présidence de Lyndon B. Johnson

A relentless struggle

Since the early days of the U.S. Republic, the indigenous people of the United States have relentlessly struggled to make their political and social

trials visible to the American people. The 19th century was characterized by genocidal wars waged against tribes for the sake of national expansion, and by the removal of remaining indigenous tribes to reservations as the U.S. government claimed their land and natural resources. Despite their incapacity to forestall the removal process, indigenous communities organized multifarious acts of resistance to 19th-century removal policies (military resistance, but also resistance in court, newspapers, pamphlets, letters to Congressmen, etc.), paving the way for 20th century indigenous political activism against federal policies of assimilation. As the five civilized tribes were fighting Andrew Jackson's 1830 Removal Act, Christian reformer and defender of indigenous rights Jeremiah Evarts famously made a prediction concerning indigenous issues: "No subject, not even war, nor slavery, nor the nature of free institutions, will be more thoroughly canvassed" (Evarts ed, 1829: 4) than the fate of the indigenous communities of the United States. This prediction, however, proved false for the remainder of the 19th century and the early 20th century, a period marked by national disinterest in indigenous issues and by severe discrimination and mistreatment on and off reservations. This dismal reality was eventually acknowledged in a report commissioned by Congress on the conditions of indigenous people in the U.S.: the Meriam Report, issued in 1928[1]. The report convinced Franklin D. Roosevelt's administration to make significant attempts at bolstering living conditions on reservations by reversing assimilationist policies: the U.S. Indian Reorganization Act of 1934 renewed the rights of tribes to govern themselves in many areas of life and allowed for the return of reservation land which had been lost in the aftermath of the Dawes Act of 1887[2]. Unfortunately, the early Cold

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1 The Meriam Report of 1928, officially titled "The Problem of Indian Administration," was the first federal, comprehensive study of living conditions on reservations in the United States. It severely critiqued U.S. indigenous policies of the past and denounced the major economic, social, and health problems on reservations as the direct consequences of assimilationist policies that had failed to bring social justice and economic benefits to reservations.

2 The Dawes Act of 1887 authorized the division of tribal reservation land into individual allotments to promote private ownership and cultivation of land as part of the U.S. federal government's assimilationist project targeting indigenous people. This

War period quickly relegated indigenous issues to the background of U.S. politics, as discussed below.

At the dawn of the Civil Rights Era, the historical marginalization of indigenous voices and experiences by a national rallying tale that had chartered dominant U.S. values and identity away from its indigenous connections – a marginalization which had been the norm since the colonial era – was finally acknowledged and critiqued by U.S. historians. In his study of indigenous politics under Harry S. Truman, Brian Hosmer states: "Historical treatments of Indians replicate patterns that relegate Native people to the margins of American life, where Indian history is seen as apart from, rather than a part of, national narratives" (Hosmer ed, 2010: 14). The systematic erasure of indigenous people and values in nation-building narratives, illustrated in federal policies of assimilation implemented in the late 19th century and early 20th century, rendered difficult the organization of indigenous activism. The disorganization of tribal structures effected by these policies of assimilation hindered the development of national movements of resistance to these policies. Prior to the 1960s, indigenous communities had not succeeded in raising public and government awareness of and interest in their living conditions and political struggles on and off reservations. This lack of interest can be explained by the general perception of indigenous people by the U.S. population, one characterized by an ignorance of or indifference toward the social reality of indigenous communities, and by stereotypical representations of either marginalized or defeated and assimilated people. Another relevant explanation to indigenous people's struggle with national visibility prior to the Civil Rights Era is that indigenous activism had never been primarily about equal rights and opportunities as citizens of the United States (which they officially became in 1924). Indeed, what indigenous people had asked Congress all along was not equal rights like Black Americans had, but the upholding and preservation of the special rights their ancestors had negotiated in the context of the treaty-signing process that had taken

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law resulted in loss of tribal land as it stipulated that the remaining land, after the partitioning and distribution to reservation dwellers, was available for public sale. The law considerably weakened tribal structures and had traumatic effects on indigenous life. It struck a long-lasting blow to indigenous political rights, economic organization, and cultural legacy.

place between tribes and the American government from the early days of the Republic until the 1870s, a process which forcibly led indigenous people who had survived the U.S. expansionist agenda to the very places – the so-called reservations – they were calling home in the 1960s.

While the Roosevelt administration partially succeeded in reversing political attempts, strong since the 1880s, at assimilating tribal people into the American mainstream, the Termination Era[3] which spanned from the mid-1940s to the early 1960s reversed that trend. The early Cold War period was a setback in terms of indigenous rights, as fear of the spread of communism loomed large and further geared federal indigenous policies toward assimilation of indigenous people into mainstream U.S. society. The Termination Era encompassed the administrations of Truman and Eisenhower during which the U.S. federal government implemented a series of policies designed to terminate the tribes' rights (granted in the hundreds of treaties signed with the federal government during the 19th century) to manage reservation lands and preserve their political autonomy on reservations. The result of these policies was the imposition of state jurisdiction on indigenous life and land as all reservations and tribes were to be disbanded, thus making the cultural, political, and judicial assimilation of indigenous people into mainstream society, a process repeatedly attempted in the past, definite and irrevocable.

At last, the multifarious historical trials of the indigenous people of the United States became steadily visible during the Civil Rights Era. In the 1960s and 1970s, indigenous civil rights activists managed to

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[3] The Termination Era is characterized by a reversal of Roosevelt's policies of self-government and the termination of the federal government's special relationship with tribes. 1953 House Concurrent Resolution 108 terminated a first series of tribes and planned for the formal termination of all tribes the next year. Over 100 tribes were terminated because of this policy, with about a million acres of land removed from federal trust status as a result. Some of these tribes managed to regain tribal status in the aftermath of Termination, others did not. In this context of Termination, relocation programs were implemented to remove indigenous people from reservations into urban areas for professional training and employment. That same year, 1953, Public Law 280 extended state criminal and civil jurisdiction to Indian country where only tribal and federal jurisdiction had applied before, thus further limiting the sovereignty of tribes in this context of federal attempts at terminating reservations.

expose to the American people the social and political trials and losses they endured because of politically, culturally, and economically harmful federal policies spanning from colonial to contemporary times. The urgency to denounce and end the Termination Era boosted political activism of both young and historical indigenous organizations such as the National Congress of American Indians (NCAI, born in 1944) and the Association of American Indian Affairs (AAIA, born in 1922) which managed to bring tribal leaders together despite the disorganizing effects of assimilation policies (Cobb, 2008). These organizations fought as best they could for treaty rights, tribal sovereignty, and voting rights as they tackled Termination legislation in the 1960s and 1970s. This fight for survival against Termination policies also nourished the maturation of a pan-indigenous social movement, led by young indigenous people, and guided by theories of civil disobedience promoted in parallel by Martin Luther King Jr. and his peaceful movement for Black Americans' civil rights. This pan-indigenous social movement became known as the Red Power Movement and encompassed new organizations such as the American Indian Movement (AIM, born in 1968) representing mostly displaced, urban indigenous people across the country and organizing protests to fight police violence and systemic racism in American institutions. The Red Power Movement and the many organizations born out of this movement embodied and illustrated the early phase, in the 1960s, of a progressive time in U.S. indigenous history: when government and law rather steadily listened and responded to indigenous demands for self-determination and the stoppage of systematic discrimination and injustice on and off reservations. The exposition of the indigenous civil rights' fight, often characterized by high-profile actions in the media, participated in the long-awaited entrance of indigenous experiences, previously ignored or misrepresented by the American media and American historians, into the complex American historical experience. This media exhibit of radical actions[4] shed light on pervasive racist representations of

[4] The occupation of Alcatraz in 1969 by the AIM and the standoff at Wounded Knee, South Dakota, in 1973 between the AIM and U.S. federal forces are some vivid examples of indigenous civil disobedience actions that marked the Civil Rights Era.

indigenous communities in the U.S., the broken promises of the federal government to U.S. tribes regarding treaty rights with dire consequences on living standards, the corruption of the Bureau of Indian Affairs (whose role was to manage reservations for the benefit of the tribes), the traumatic effects of acculturation policies on boarding school generations and on indigenous tribes and individuals targeted by termination policies, and the list of grievances goes on.

In this context of unrest and protest, progressive national and indigenous policies of social and economic justice were promoted and implemented by the Kennedy and Johnson administrations, the political and social advances of which are intricately tied. If the civil rights tumult of the 1960s made visible to the U.S. nation the social, economic, cultural, and political trials of U.S. indigenous communities past and present, the social justice discourses, programs, and policies of the Kennedy/Johnson administrations fostered indigenous visibility and led to democratic changes in the organization and scope of indigenous affairs. These administrations, however imperfectly, worked toward the fulfillment of federal government promises (signed into treaties during the 19th century) to tribes in terms of autonomous organization, social justice, and cultural and economic development.

The Kennedy/Johnson administrations: 1961–3

John F. Kennedy's campaign speeches and presidential declarations in the early 1960s clearly redirected federal policies toward reversing Termination and supported the protection of treaty rights and the goal of self-determination for indigenous people. Kennedy's "New Frontier" political slogan and vision for the 1960s, which underscored the necessity to challenge prejudice and poverty, bore upon indigenous communities of the U.S. In his "Letter on Indian Affairs from Senator John F. Kennedy to Mr. Oliver La Farge, President of the Association of American Indian Affairs," Kennedy (1960) the presidential candidate makes a number of promises to U.S. indigenous people:

> My administration would see to it that the Government of the United States discharges its moral obligation to our first Americans by inaugurating a comprehensive program for the improvement of

> their health, education, and economic well-being. There would be no change in treaty or contractual relationships without the consent of the tribes concerned…There would be protection of the Indian land base, credit assistance, and encouragement of tribal planning for economic development.

The land protection and development promise of the presidential candidate were supplemented by acknowledgements of historical and cultural misrepresentations by the president elect in his introduction to the 1961 publication *The American Heritage Book of Indians* (Brandon, 1961), a panorama of Indian nations and histories across America. In this text, Kennedy confirmes and regrets the U.S. nation's historical mistreatment and misrepresentation of indigenous people, and he encourages Americans to learn about indigenous history and heritage in America to participate in the righting of the social wrongs produced by harmful misinformed perspectives of and misguided political decisions about indigenous people in the U.S. and beyond.

In June 1961, the American Indian Chicago Conference, planned by the NCAI, gathered representatives from 90 U.S. indigenous tribes to share information about the state of indigenous affairs and devise plans for the future of indigenous communities. The outcome was the drafting of "The Declaration of Indian Purpose," a watershed in the history of Indian affairs as U.S. indigenous people called for an end to federal paternalism and bypassed the federal authority in indigenous matters, the Bureau of Indian Affairs, as they defined autonomously from it, in this declaration, the tied objectives of self-determination and the enforcement of treaty rights. This call was backed up by the 1961 report issued by the Commission on the Rights, Liberties, and Responsibilities of the American Indian whose conclusions supported "a more flexible and decentralized policy that will involve the Indians themselves in the decisions that affect their future" (Eggan, 1967). The declaration was presented to the Kennedy administration when delegates from the American Indian Chicago Conference were invited to the White House on August 15, 1962. In his "Remarks to Representatives of American Tribes" gathered on that day to discuss the future of indigenous communities, Kennedy, conscious of the hard blows recently inflicted to

indigenous people in the context of Termination, stated the need to remind "all Americans of the number of Indians whose housing is inadequate, whose education is inadequate, whose employment is inadequate, whose health is inadequate, whose security and old age is inadequate – a very useful reminder that there is still a good deal of unfinished business" (Kennedy, August 1962).

There is ample evidence to support the argument that meaningful, concrete attempts at making systemic changes to the condition of indigenous people in the U.S. characterized the Kennedy administration. These efforts did not translate into successful achievements under Kennedy due to the short lifespan of his administration. However, they set subsequent administrations and the federal government on the path toward supporting indigenous sovereignty, which remains the objective of federal legislation and decisions in indigenous affairs nowadays. In September 1961, Kennedy appointed Philleo Nash Commissioner of the U.S. Bureau of Indian Affairs (BIA)[5]. After Kennedy's death, President Johnson proceeded with Kennedy's indigenous policies and trusted Nash to continue his work at the Bureau until 1966. Nash's plans for change were long-term projects which rekindled the trust relationship between tribes and the U.S. government as Nash began a reform of the red-taped bureaucracy of the BIA when he "shifted the focus of the Bureau of Indian Affairs from custodial care to economic development" (DeJong, 2021: 311) and encouraged tribal self-sufficiency through economic development, education opportunities, and housing improvement. With Nash, for the first time in U.S. history, the strategy of the BIA fostered active participation of tribal communities in decisions and programs that concerned them. Nash was a member of Kennedy's Task Force on Indian Affairs, a committee appointed in 1961 which perdured under Johnson. With the support of fellow members of the committee, Nash promoted the creation of "Indian desks" in the various departments (commerce, agriculture, housing, education, etc.) that made up

[5] The Bureau of Indian Affairs (BIA) is the administration within the Department of Interior that implements indigenous federal policies. For more information about its mission statement and history, go to the Indian Affairs website: https://www.bia.gov/bia.

the federal institution, thus decentralizing Indian affairs from the BIA to place responsibility for action on federal administrations. On June 19, 1963, Kennedy submitted to Congress the Civil Rights Act of 1963 which, among many other things, sought to forbid discrimination in federally assisted programs, thus further inscribing in the federal establishment the responsibility to include indigenous people, and historically minoritized populations, in federal development projects.

Nash's strategy participated in the Kennedy administration's comprehensive development project for indigenous people, such as financing the construction of low-rent government housing on reservations, starting with the Oglala Reservation, South Dakota, in 1961, after Kennedy signed an Executive Order that made tribes eligible to participate in the U.S. public housing program, and led to the creation of housing authorities on reservations, managed by tribal members. Thus, it is during Kennedy's presidency that housing and urban development programs dedicated to indigenous communities were first crafted (the National Housing Act of 1937 had not, until that point, benefited indigenous people). Such programs grew both in size and scope during Johnson's presidency thanks to the joint work of the BIA, the Indian Health Service (IHS), and the Public Housing Administration (Biles, 2000). Imperfect as they were (insufficient funding, poor maintenance of housing, access restricted to low-income families, culturally neutral buildings, etc.), these programs invested substantial resources to build public housing on federal reservations, and they got tribal communities started on the path toward tribe-controlled housing development, as tribes participated in the decision-making process.

The Johnson administration: 1963–9

From 1964 to 1966, the U.S. Congress passed a series of major bills, which President Lyndon B. Johnson pushed through, including Medicare, Medicaid, the Civil Rights Act, the Voting Rights Act, and the War on Poverty. These bills were central elements in Johnson's "Great Society" project which did not specifically target but certainly encompassed the indigenous communities of the United States on and off reservations. What Roosevelt's "New Deal" policies had set in motion in terms of social and economic opportunities for struggling Americans in

a particular context of economic depression, Johnson expanded through "Great Society" structural reforms meant to achieve social and economic equity in a context of economic growth, and the social and economic justice projects of both presidents positively impacted the lives of indigenous people in the U.S. despite a number of missed opportunities and limitations.

In 1964, not only did Johnson sign the Civil Rights Act which had been Kennedy's great nondiscrimination project, but he also signed the Economic Opportunity Act (EOA), centerpiece to Johnson's social policies, to tackle unemployment and poverty. The EOA allowed for the development of Great Society programs (job corps, health centers, adult education programs, help programs for needy families and children, etc.) implemented by community action agencies in the nation's counties. As the NCAI was becoming more vocal and visible in the civil rights fight, the Johnson administration established, in the Office of Economic Opportunity (OEO), an Indian desk which became the Administration of Native Americans (ANA) in 1974. The OEO Indian desk earmarked federal grants for tribes and their local projects with the goal of promoting social and economic development of tribes. Enactment of the EOA was probably the most important accomplishment of the Johnson administration as it secured indigenous participation in development programs, with the implementation of Community Action Programs on reservations. Nowadays, and despite the termination of the OEI in 1970, Johnson's heritage perdures and the ANA continues to promote "self-sufficiency for Native Americans by providing discretionary grant funding for community-based projects, and training and technical assistance to eligible tribes and native organizations"[6]. These projects include language preservation and maintenance initiatives, environmental enhancement projects, social and economic development projects, etc.

Education was one of the signature issues of the Kennedy and Johnson administrations. Through numerous acts of Congress including the Elementary and Secondary Education Act of 1964, both administrations

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[6] To know about the current ANA project, go to the ANA official website and check out current grantees and their projects: https://www.acf.hhs.gov/css/grants/current-grants.

secured federal funding for elementary, secondary, and higher educations, as well as special education. To both presidents, education was not only central to the personal growth and experience of U.S. citizens, it was also "a national investment" that would yield "tangible returns in economic growth, an improved citizenry, and higher standards of living" (Kennedy, February 1962). In several speeches, Kennedy repeatedly put indigenous education at the center of the complex map of social and economic issues that plagued indigenous communities, but he was criticized by indigenous organizations for promoting, like too many of his predecessors, a kind of education that was assimilationist: Kennedy considered indigenous people as "American citizens" first, who should be given the opportunity "to make [their] full contribution to American strength" (Kennedy, 1960). In his August 1962 message to a group Alaska Indians who had been trained in electronics in a New York school and were about to return to Alaska to work in national defense, Kennedy insisted on the importance of such training programs to the country and Alaskan citizens (Kennedy, August 1962). Cold War concerns resonate in this message that promotes national interests at the expense of indigenous needs. It is Johnson's administration that endeavored to tackle the fundamental challenge of providing an education to indigenous communities while considering the cultural inadequacy of past education programs and the traumatic consequences of federal boarding-school education on indigenous children. In that process, he was supported by the Kennedy family. The report entitled "Indian Education: A National Tragedy - A National Challenge" (Senate, 1969), also known as the (Edward) Kennedy Report, documents the historical failure of public schools as well as BIA-operated schools to educate indigenous children. It also insists on the importance of the work of the Johnson administration in promoting Community Action Programs that changed educational practices geared toward indigenous communities. One of these programs was the Rough Rock Demonstration School on the Navajo Reservation in Arizona which was established in July 1966 as a BIA experimental school, in the context of the reformation of the BIA, and controlled by Navajo leaders and elders who shaped the curriculum to combine culture-specific knowledge with mainstream education, and encouraged parent involvement. This contemporary indigenous community-controlled

school emerged as a paragon of self-determination, paving the way for even more progressive and significant federal policies on indigenous education (voted in the 1970s[7]).

If the year 1966 was a landmark in matters of indigenous education and indigenous affairs in general, it was partly because Johnson appointed Oneida tribesman Robert Bennett as Commissioner of Indian Affairs, the second indigenous man to ever occupy that position[8], on April 24. Bennett was a lawyer and he had worked for the Bureau since 1933. Johnson wanted to "put the first Americans first" on his administration's agenda and, like Kennedy, "put an end to substandard housing and to substandard programs" (Johnson, 1966) for indigenous people as part of his overarching social justice project for American people. Johnson asked Bennett to work toward achieving these goals through the joint work of the BIA, the Department of the Interior which housed the Bureau, and all the relevant departments and agencies in his government. Johnson promised Bennett the full support of the presidency in his endeavors toward indigenous social justice. Between 1966 and 1969, Bennett transformed the BIA from a controlling, subjugating federal agency into an advising and assisting institution (in line with the vision of his predecessor Philleo Nash), a partner to a multiplicity of federal agencies in indigenous matters, and a partner to Congress and to the tribes in helping the latter achieve self-determination. To meet this goal, and at the occasion of the November 14, 1966 annual convention of the NCAI in Oklahoma City, Bennett issued a press release promoting the active participation of the NCAI in federal indigenous

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[7] Such as the Indian Self-Determination and Education Assistance Act of 1975, which made self-determination the focus of federal action as tribes were able to receive grants directly from the Secretary of Health, Education, and Welfare, and control these grants for the purpose of developing home-made, tribe-controlled educational programs.

[8] The first was Seneca tribesman Ely S. Parker, appointed by President Ulysses S. Grant to this position he held between 1869 and 1871. Grant and Parker tried to implement a "peace policy" toward indigenous communities and worked toward indigenous citizenship as well as the protection and improvement of the living conditions of indigenous communities on reservations. In the 19th-century context of U.S. expansion, their actions never met their expected hopes for success.

affairs: "This is the time… to take a close look at NCAI's present role in Indian affairs and to make whatever changes in policy and procedure are necessary to ensure that its activities will accrue to the maximum benefit of the Indian people. As the voice of the Indian people, together, its force can be mighty" (Bennett, 1966). To Nash, getting the NCAI involved in policymaking about indigenous development was an essential aspect of a necessary process toward self-determination as the NCAI represented the tribal people of the U.S. who could negotiate with the federal government, with a unified voice, their increased autonomy and shape the policies and laws that applied to them. Despite pressure by those Congressmen who had not given up on Termination, Both Nash and Bennett, when they were appointed to the office of BIA Commissioner, worked to reverse the Termination policies, and repeatedly recalled the federal government's social and economic development responsibilities toward tribes based on treaties, while promoting a necessary transition from federal paternalism to tribal sovereignty. Bennett's perspective on indigenous sovereignty implied the partnering of federal, state, and local governments with tribes for the benefit of all. In the area of public land management, Bennett supported tribal participation in the management of tribal land, whether it was held in trust by the federal government or had been transferred to States in the context of Termination. For Bennett, sovereignty was central to the achievement of social and economic opportunities and benefits for indigenous people in the U.S. whose systematic impoverishment had been the consequence of long-lasting, paternalistic federal policies.

On March 6, 1968, Johnson issued a message to Congress supporting Bennett's vision and work. In this message, he urged the abrogation of all Termination policies and asked congressional support in promoting tribal sovereignty (i.e. tribal self-determination) as well as the individual rights of indigenous people as U.S. citizens. This message was entitled "The First Americans." It supported Bennett's view of the renewed, partner relationship between U.S. institutions and U.S. indigenous people and the need to "affirm the right of the first Americans to remain Indians while exercising their rights as Americans" (Johnson, 1968). The Voting Rights Act (VRA) of 1965 had focused on constitutional rights

as it prohibited voting discrimination based on race, color, and membership to a linguistic minority. It was significant to indigenous people in terms of exercising their constitutional rights as American citizens and expressing themselves in the context of general elections that had consequences on their day-to-day lives. The Act also established the relevance of minority languages as part of the national reality of multilingualism, at a time when literacy tests were used to bar indigenous populations from voting despite the Indian Citizenship Act of 1924. In April 1968, Johnson signed the Indian Civil Rights Act (ICRA). The ICRA extended the civil rights protected by the Constitution to all indigenous people of the U.S. and reversed the effects of 1953 Public Law 280, one of the most harmful Termination laws, which had established the precedent that most criminal and civil matters that arose on tribal reservations fell under the jurisdiction of the laws of the State in which the tribe was located. Reversing Public Law 280 allowed tribal and federal systems to take back control of judicial matters on reservations.

Both the VRA and the ICRA were voted by Congress to allow indigenous people to fully participate in the democratic institutions of the nation and enjoy the benefits of the Bill of Rights, while still benefitting from their special, tribal rights. These two laws were meant to illustrate the return of the federal government in indigenous affairs as an overarching protective authority for indigenous individuals against State and local interests. Congress drafted the ICRA in a way that sought to strike a balance between indigenous people's civil liberties and tribal sovereignty and interests. To make sure that tribal rights and perspectives remained central concerns in federal decisions and programs geared toward indigenous communities, Johnson issued an executive order in March 1968 that established the National Council on Indian Opportunity (NCIO). The role of the Council, located in the Department of Health, Education, and Welfare, was to better coordinate and reinforce the efforts of existing agencies working toward the development of tribes by securing the maximization of the "use of Federal programs to benefit Indians" by these agencies and implementing in this process the recommendations made by the six indigenous NCIO members in all areas of tribal development including

"administration, education, health, welfare, urban environment, economic development, legal rights, agriculture, housing…" (NCIO, 1970), as stated in the abstract of the 1970 report of the NCIO.

Shortcomings of the Kennedy/Johnson efforts

If the indigenous policies of the Kennedy and Johnson administrations clearly purposed the reversal of the Republican project of Termination (formally ended by President Richard M. Nixon in 1970) and the increased self-determination of tribes in educational and economic development programs, they remained ambivalent, thus imperfect. Their democratic pledge of working toward indigenous self-determination was sometimes counterbalanced by political decisions and actions that were detrimental to that objective, or by the inability of development programs to bring about meaningful change on reservations. The rhetoric of the Kennedy administration was characterized by unconditional support for indigenous demands for self-determination directed at the federal government, but the administration's follow-through with action was not always efficient, particularly in matters of reservation land protection. The construction of the Kinzua Dam on the Allegheny River in Pennsylvania to provide flood control to the area is a striking example of the conflict between discourse and action as Kennedy rejected, in August of 1961, the Seneca nation's petition to put a stop to the construction of the dam, despite the existence of an alternative flood-control plan for the area designed by a prominent civil engineer to avoid the flooding of Seneca land. The operation of the dam led to the loss of 9,000 acres of Seneca land secured by the Pickering Treaty of 1794, which was abrogated by the U.S. government for the sake of building the dam. The project led to the removal of 700 Seneca people who lived on the land that was to be flooded. This broken treaty and the ensuing removal were breaches in Kennedy's campaign promises to uphold the rights of indigenous people and illustrated the redundant prominence of economic over moral concerns in government, as pressure to secure the construction of the dam was put on Kennedy's administration by regional business interests controlled by the powerful Mellon family (Rosier, 1995).

The Johnson administration also fell short of fulfilling some of its War on Poverty promises to indigenous people. Indeed, policies such as Medicaid and Medicare have had limited impacts on indigenous health and life since 1965. The reasons for this lack of impact are numerous: a lack of outreach to inform indigenous people about the programs, literacy issues, cultural barriers, a lack of transportation from reservations for elderly and/or disabled people to access administrations, misunderstandings about indigenous people's right to benefit from the programs, tribal affiliation issues, etc. Through the IHS, the federally funded health agency implemented in 1955 to provide healthcare to members of federally recognized tribes, indigenous people living on or close to reservations were provided with primary healthcare. The need to be provided with more complex healthcare as well as the importance of tending to indigenous people who live away from reservations and/or are not members of a federally acknowledged tribe made, and still make, Medicare and Medicaid programs essential. But because of a general and historical lack of understanding concerning the possible intersections and interactions between the IHS and the Medicare and Medicaid programs, eligible indigenous patients have not been enrolled in these programs, and so the need for outreach initiatives geared toward indigenous populations is still high today (Boccuti, Swoope & Artiga, 2014).

Despite some fallouts, in particular their falling short of officializing a policy of self-determination, Kennedy and Johnson's progressive indigenous policies took a toll on Termination and participated in renewing the broken relationship between indigenous people of the U.S. and the federal government. Their efforts paved the way for major 1970s legal decisions that strengthened indigenous tribal sovereign rights, including three major pieces of legislature: the Indian Self-Determination and Education Assistance Act of 1975 officially assigned self-determination responsibilities to tribes on reservations; the Indian Child Welfare Act of 1978 secured the welfare of indigenous children by giving tribes jurisdiction over indigenous children in cases of adoption, thus preserving the children's ties with their culture and people; and the American Indian Religious Freedom Act of 1978

secured the protection of the religious ceremonial practices of indigenous communities which had previously been prohibited by U.S. law as certain ceremonies required the use of illegal substances or access to ceremonial grounds outside the reservation. In the 1960s, the direction that U.S. presidents and the federal government took in indigenous affairs increased sovereignty, fostered multifarious federally supported self-development opportunities, and pulled back indigenous people and issues into the grand national narrative of democracy and prosperity, a process that was epitomized by the nomination in March 2021 of indigenous politician and climate activist Debbie Halland as U.S. Secretary of the Interior in President Joseph R. Biden's administration. Though much remains to be done to bring social justice to indigenous people on and beyond reservations, her nomination illustrates the growing influence on the national agenda of indigenous concerns in many matters of social justice, including resource protection. However, the re-election of President Donald J. Trump in 2024 is likely to turn the clock of social and environmental justice back, and create again significant challenges for indigenous people across the United States.

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LYNDON B. JOHNSON : ENTRE CONTINUITÉS ET RUPTURES

2025 marque une série d'anniversaires liés à la présidence de Lyndon B. Johnson. En matière de politique étrangère, 1965 voit le lancement de l'opération *Rolling Thunder*, tandis que 1975 est marquée par la déclaration du président Ford proclamant la fin la guerre du Vietnam. Sur le plan intérieur, 1965 est aussi l'année du vote par le Congrès du *Voting Rights Act* et du *Social Security Act*, instaurant Medicare et Medicaid.

L'énigme de la présidence Johnson – législateur aguerri, président impérial, puis président déchu – continue d'interroger. Cet ouvrage explore les multiples arcs narratifs de sa présidence, mettant en lumière l'articulation entre la personnalité de l'homme et les contextes politique et géopolitique d'alors. Car si Johnson a su tirer parti d'un climat social et politique favorable pour insuffler une impulsion législative hors du commun, le contraste est immense avec son bilan désastreux en matière de politique étrangère, résultante de la guerre du Vietnam.

Structuré en trois parties, l'ouvrage s'ouvre sur un regard général porté sur le président et son mandat, se poursuit avec une analyse de la question des droits citoyens et sociaux, et se conclut par une réflexion sur la guerre contre la pauvreté, pilier de sa « Grande Société ». Les contributions réunies ici mettent en lumière l'ampleur du travail accompli par Johnson et son administration, ses limites, et ses résonances dans l'Amérique d'aujourd'hui. La présidence Johnson apparaît alors comme une période de profondes mutations, révélant une société clivée, dont les fractures ne cesseront de s'amplifier.

Juristes, historiens et spécialistes de la civilisation américaine croisent ici leurs approches comparées pour éclairer la complexité d'une présidence dont l'héritage résonne encore dans les débats contemporains.

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