

## Book Review Essay

*Reviewed texts:*

*The Politics of Minor Concerns: American Indian Policy and Congressional Dynamics*, by Charles Turner. University Press of America, 2005.

*Taking Charge: Native American Self-Determination and Federal Indian Policy, 1975-1993*. George Pierre Castile. University of Arizona Press, 2006.

Why has there been so little social science research trying to explain recent changes in Federal Indian policy, particularly given the dramatic shifts of the last 40 years? Since 1970 the previous policy of termination gave way to an evolving self-determination policy, a dramatically expanded role for tribal governments, and the emergence of large scale Indian gaming. Even with these striking changes - and the expansion of Indian affairs as a policy area - there have been only a handful of social science analyses of the Indian policy domain (most notably Gross 1989). Much recent scholarship in the area has been primarily descriptive or interpretive (Castile 1992, Bee 1992), with research commonly driven by area expertise rather than guided by policy related theory. In his nuanced and theoretically-driven account, Charles Turner argues that Indian policy, like many other areas, is a "minor concern" to both policymakers and policy analysts. As such, Indian policy often doesn't fit the conditions or provide the variables featured by main theoretical approaches to explaining policy outcomes more generally. Unlike most analyses, Turner gathers and utilizes quantitative data to explore Indian policy outcomes. The strength of the analysis is that Turner challenges and tests a number of widely asserted interpretations of Indian policy

formation. Most centrally, he examines the common understanding that Indian policy is bipartisan. Turner examines Congressional roll call votes between 1947-2000, as well as party platform rhetoric. Turner finds that party membership matters, but in changing and contextual ways. Voting on Indian issues was partisan both before 1967, and – against common wisdom – after 1978. Turner casts the intervening period as one in which uncertainty about the unfolding policy changes generated uncertain interests, alliances, ideologies, and party positions. After this, however, the central tenets and overall framework of Democratic and Republican Indian policy positions become taken-for-granted. Periodic increases in media attention to Indian affairs function to provide incentives for parties to develop a distinct identity or position. Subsequently, partisan-identified positions shape voting by providing a guide to the vast majority of policymakers, who are generally ignorant of Indian policy issues. With Indian legislation often offering risks but little rewards, risk-averse individual lawmakers can play it safe by following partisan frameworks and voting patterns.

By the 1980s, Turner asserts, Indian affairs was a stable national policy area (though still a minor one). Since that time, party membership and region of country have loomed large in explaining votes, with Democrats and legislators in Western states more likely to support Indian interests. But while votes have become more partisan since the decade of dramatic policy change that ended in the late 1970s, party platforms have in general converged. Curiously, as Democratic platforms have given very limited attention to Indian issues since 1988, Republican platform statements about Indian affairs have increased. While Democrats' recent minimalist statements (in

the years they have addressed Indian policy) have emphasized upholding treaties and acting with cultural sensitivity, Republican's predominant message over the past two decades has highlighted political self-determination and economic self-sufficiency.

Turner's findings about the temporal and shifting nature of partisan Indian affairs voting is an important contribution to the study of Indian policy. Testing the assumed nonpartisan nature of Indian policy is a clear example of doing systematic research to challenge conventional wisdom. Similarly, Turner's data-guided speculations about the effects of media attention to Indian policy voting is also a welcome addition. Overall, his grasp of relevant Indian policy and Indian affairs makes him well-equipped to interpret his quantitative findings in an appropriately contextualized fashion. Similarly, his willingness to accommodate the ambiguities and complexities of Indian affairs in conceptualizing his hypotheses and interpreting his data is refreshing, particularly for a scholar producing theoretically framed research. Indeed, one easily imagines that the complexity of Indian affairs (i.e., 550+ distinct tribal nations) and the lack of systematic or comparable data are factors keeping some policy-oriented scholars at arms length. Yet while doing so Turner simultaneously advances conceptual understanding of "minor concerns."

The analysis does suffer from a number of limitations and weaknesses. To its credit and disadvantage, Turner keeps the scope of his analysis consistent. This is a book identifying and explaining some general patterns of Congressional activity (primarily floor and committee voting) regarding Indian policy. Very rarely does Turner make claims beyond the data. One of

the few times is his assertion that by the 1980s Indian issues had come to represent merely another interest group rather than a national phenomenon of larger significance. While some shift in public opinion is quite likely, I suspect that this characterization simplifies and overstates a complex shift that involves the symbolically charged backlash that Turner also notes (but doesn't discuss in detail). More to the point, the reliance on a singular quote by former Colorado Representative Ben Nighthorse Campbell does not sufficiently support this claim. Scholars and the public interested in Indian policy may be disappointed to learn that the book does not attempt to explain any particular outcomes, as the author confines the analysis to understanding general patterns of this particular domain of minor concerns. More limiting, though again understandable, given Turner's commitment to systematic quantitative analysis, is the lack of attention to how the respective partisan frameworks and voting patterns emerged and stabilized. If partisan patterns guide the ignorant lawmaker, how, why, and by whom did these broad patterns become taken-for-granted? The importance of these questions calls out for qualitative historical scholarship to complement the important research Turner has produced. The other Indian policy research agenda the analysis suggests, and which Turner mentions amidst a number of more theoretically-oriented research questions, regards the impact of gaming-generated political contributions on (partisan) voting behavior. With well over a decade of largescale Indian gaming revenues by an increasing range of tribes, and similarly increasing political contributions, there will be much to examine in the years ahead even within a focus on Congressional policymaking.

In *Taking Charge: Native American Self-Determination and Federal Indian Policy, 1975-1993*, George Castile also provides an important addition to the limited existing attempts to examine, describe and explain contemporary federal Indian policy development. A long time scholar of American Indians and federal Indian policy, Castile draws on a very different source than Turner for his original data, through extensive archival work in the Presidential libraries of Jimmy Carter, Ronald Reagan, and George H.W. Bush. Castile's masterful grasp of federal Indian policy infuses the book, making the often byzantine topic extremely clear. The book is tremendously accessible and provides a firm outline of the big picture to the new student of federal Indian policy while also conveying countless subtleties.

Like *To Show Heart* (1998), Castile's previous book on the foundations of self-determination policy, *Taking Charge* has a narrative structure, as the author follows the main developments blow-by-blow. In terms of explanation, such a structure has advantages and disadvantages. Most beneficially, it allows Castile to present a coherent and consistent account of the changes as they unfold. For many readers interested in a sophisticated baseline understanding of federal Indian policy, this will fully satisfy. Others, and in particular social scientists looking for a different type of explanation, may have more reservations and questions about the analysis. For scholars interested in a more explicitly causal analysis, Castile's account appears to provide a series of ad hoc explanations of particular events and actions. No theoretical framework is employed to guide the interpretation of these developments or to provide the basis of the causal claims made, often implicitly, through the narrative.

In this sense, *Taking Charge* is the analytical foil – or complement – to Turner’s theory-driven analysis. The two books highlight the trade-offs of narrative case analysis versus a theoretically-based analysis. Whereas Turner’s analysis can only partly incorporate the larger, and shifting context, Castile’s has other – and distinctively narrative-based – weaknesses. A convincing narrative is best at explaining why a particular thing happened; what it struggles to do is to explain why other things did not. Castile does not choose to seriously explore any counterfactuals (what might have been) and consider why they did not occur. For example, how did self-determination, and its focus on tribal governments, become the only legitimate federal policy approach? In 1971, the Alaska Native Claims Settlement Act bypassed traditional Native social and political structures and constructed nonprofit corporations as holders of particular Native revenues. Why does this structure not gain more consideration as a model for reforming federal Indian policy? Similarly, in the late 1970s the first of a wave of backlashes to Indian right arose in the west; why have these been so ineffectual in altering federal policy?

Relatedly, there are tensions between elements of Castile’s narrative that go unexamined. One instance of this that is clearly within the scope of the Presidential data he utilizes has to do with the relationship between tribal control of federal policies affecting them – the heart of self-determination – and the affirmation of tribal sovereignty (and a government-to-government relationship). Tribal control of federal policies and tribal sovereignty are not identical, a point made repeatedly by tribal advocates, and which can be seen in the 1977 report by the American Indian Policy Review Commission. Nixon promoted self-determination but did not speak of sovereignty

or a government-to-government relationship. As is (sometimes grudgingly) noted around Indian Country, Reagan was the first contemporary president to explicitly refer to tribal sovereignty. Why didn't Nixon do so (or Carter), and why did Reagan? To date, there is no analysis that persuasively and comprehensively accounts for the emergence of explicit federal policy affirmation of tribal sovereignty from the structure of self-determination, though this author has addressed aspects of this change elsewhere (Steinman 2003, 2004, 2005). Similarly, Castile pays no attention to the Environmental Protection Agency, even though it was the first department or agency to meaningfully implement the affirmation of tribal sovereignty; it was the only one to do so well into the 1990s. How does this uneven acknowledgement and implementation fit into or challenge Castile's account?

A transformation of federal policy as significant as the explicit affirmation of tribal sovereignty was hardly inevitable under self-determination policy, given the many reversals of federal policy and frequently shifting political winds. Indeed, even in the previous Indian Reorganization Act (IRA) reform era, the many branches of the federal government did not revise their understanding and treatment of tribes; for decades the policy had little impact beyond its more narrow provisions (the limitations thereof which are widely known). Why does self-determination, unlike the IRA, develop into a more robust policy and also become implemented beyond the realm of the Bureau of Indian Affairs? Again, a descriptive narrative of changes as they unfolded cannot easily address such more explicitly analytical questions.

One other aspect of Castile's work also directs attention away from these more muddled parts of federal policy development.

Policy development and implementation as conveyed by *Taking Charge* appears to be a very top-down process. Whereas in *To Show Heart*, Great Society federal bureaucrats – listening to and supportive of tribes – drive the action, in *Taking Charge* it is Presidents and their staffs who act. While this focus is understandable given the original data used for the analysis, it is nonetheless problematic in terms of a more integrated and holistic account of policy changes.<sup>1</sup> The logic of explanation in the analysis proceeds from non-Indians needs, concerns, and frameworks. The rise of tribal governments is cast as an issue (and goal) of self-determination policy implementation. What is omitted or downplayed in such a focus is tribes' self-motivated efforts to rebuild Indian governments (Wilkinson 2006). For such a deft and well-written book, this unacknowledged imbalance between the attention given government and tribal actors regarding the development and implementation of policy is problematic. It is also ironic, given the title of the book. While tribes have indeed taken charge since 1975, this book newly reveals less about that process and more about another set of actors' partial, albeit undoubtedly crucial, influences on federal Indian policy.

With its strengths and weaknesses, Castile's book usefully challenges scholars of Indian self-determination, tribal sovereignty, and federal Indian policy to incorporate the roles played by various key parties and processes in shaping contemporary federal policy. Indeed, taken together, Castile two books on the executive branch, Turner's analysis of Congressional dynamics, and Wilkinson's tribally-centered

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<sup>1</sup> Also, Castile surprisingly makes little use of relevant secondary Presidential scholarship, such as analyses of Nixonian policy by Kotlowski's (2001) and Skrentny (1996).



account of the resurgence of Indian nationhood constitute three different prisms through which to understand the extraordinarily complex phenomenon of contemporary federal Indian policy. While balancing these factors in a more satisfyingly integrated account is clearly the task of the whole sub-field rather than achievable through one piece of scholarship, the need is clear. Beyond that, of course, are additional factors, such as the role of the Supreme Court (Wilkins and Richotte 2003, Williams 2005), and more critical perspectives (Biolsi 1992, LaDuke and Churchill 1992, Wilkins 1993). By not accepting the present interpretation of federal Indian policy as a closed topic, scholars can hopefully produce insight into the recent past that also helps illuminate influences on the future.

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