

AMERICANS AT LAST!

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Abstract

This paper aims at discussing the Indians' citizenship like a phenomenon; because after the creation of America, the Europeans claimed full citizenship, while the Indians were let to the approval of the federal government, according to their behavior: they had to be civilized, because they were considered like savages. But don't evolutionists say that the human being, before being civilized, must be wild, then barbaric? Thus, the forced cohabitation with the Europeans has ended in the civilization of the Indians. Civilized, they deserve the American citizenship. That is why, after many laws, the American citizenship was granted to all the Indians, in 1924. However, it is necessary to specify that long before 1924, this citizenship was selective and granted to them according to criteria defined by the Congress. So, from the Law on the Indians' citizenship, several acts were initiated in favor of a political, economic and social effectiveness of this citizenship. Thus in 1928, the Meriam report already begins to value the Indians' needs and realities. That encourages, in 1934, the reorganization of the Indians. In 1945, the "Assimilation Policy", with its urbanization project, dispatched them in all the big cities. The "Termination Policy" of 1949 came to finish the process of the urbanization and as full citizens of the United States, the time has come for the Indians to take their responsibility. This decisive stage that seems to mark the responsibility of the Indians in the American society can lead anyone to say that they are finally Americans.

Key words: *Indians, Acts, citizenship, activism, Government*

Résumé

Ici nous nous intéressons à la citoyenneté américaine des Indiens des États-Unis comme un phénomène ; parce qu'après la découverte de l'Amérique, les Européens qui se sont définitivement installés pour construire la nation Américaine, réclament la citoyenneté. Quant aux Indiens, leur rang social était laissé à l'approbation du gouvernement fédéral, selon leur comportement : c'est-à-dire qu'ils devaient être civilisés, parce que considérés comme des sauvages. Mais les évolutionnistes ne disent-ils pas que l'homme, avant d'être civilisé, doit passer par l'état sauvage puis barbare ? Ainsi, la cohabitation forcée avec les Euro-Américains a finalisé la civilisation des Indiens. Civilisés, ils méritent donc désormais la citoyenneté américaine. Alors, suite à une série de lois, la citoyenneté américaine a été accordée à tous les Indiens en 1924. Toutefois, il faut préciser que bien avant cette année, cette citoyenneté était sélective et leur était accordée selon des critères définis par le Congrès. Ainsi en 1928, le rapport de Meriam commence déjà à évaluer les besoins et réalités des Indiens. Ce qui occasionne, en 1934, la réorganisation des Indiens. En 1945, la "Politique d'Assimilation", avec son projet d'urbanisation, les répartit dans toutes les grandes villes. La "Politique de la terminaison" de 1949 est venue achever le processus de l'urbanisation et en tant que citoyens des États-Unis, le temps est venu pour les Indiens de prendre leur responsabilité. Cette

étape décisive qui semble marquer la responsabilité des Indiens dans la société américaine peut amener tout un chacun à se dire que ceux-ci sont enfin des Américains.

Mots clés : *Indiens, Lois, Citoyenneté, Activisme, Gouvernement*

Introduction

After the discovery of the Indian lands (by Christopher Columbus in October 1492), the Europeans invaded these lands: some left Europe to escape dictatorial, totalitarian and fascist regimes. In quest of happiness, some fled poverty in their original Europe. After a murderous war against England which imposed itself as the colonizer of these lands, the European settlers got their independence on July 4th, 1776 and gathered thirteen states¹ to create the United States of America². Immediately, all the Europeans in this new country called themselves "Americans". But what's about the people Christopher Columbus found on these lands and called "Indians"?

In fact, in spite of their active contribution to the independence war, the Indians who thought that the citizenship would be immediate, realized the utopia. It was just a dream: they were seen as simple "subjects to the government". As simple "subjects to the government", they were victims of many mistreatments³ favored and encouraged by Treaties and Acts⁴ enacted by the Federal Government – which government adopted the proclamation of independence which clearly says that:

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their creator with certain unalienable rights, that among these are Life, Liberty and the pursuit of happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, that whenever any form of Government becomes destructive of these

¹ Massachusetts, Pennsylvania, Maryland, New Hampshire, Connecticut, North Carolina, South Carolina, Georgia, Rhodes Island, Delaware, New York, Virginia, New Jersey.

² The name "America" was given to this new land after Amerigo Vespucci.

³ The Indians' cohabitation with the Europeans seems to be a real deception ; because they were spoliated of their lands, decimated by wars and massacres, dehumanized and finally treated as subjects to the federal government ; because their nations were given a quirky and ambiguous name : Domestic Dependent Nations. How can a nation, even inside another, be dependent to the latter ? Because of this designation, the Indians' lands were taken, they were displaced from one place to another without taking into account their cultural and linguistic realities after having being victims of massacres which visibly resemble genocides and ethnicocides.

⁴ During its first century of existence, the America government signed more than 350 treaties with the Indian tribes. In these treaties, generally signed under constraints, the Indians ceded lands. Acts were also enacted, supposed to be in favor of the Indians. One of these Acts is the Indian Citizenship Act which made the Indians particular citizens.

ends, it is the right of the people to alter or to abolish it, and to institute a new Government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to affect their safety and happiness⁵.

One can thus considerably take into account Nelcy Delanoë et Joëlle Rostkowski's remark which underlines that: « le nationalisme américain se légitime d'autant qu'il délégitime le statut des Indiens comme Nation »⁶. But fortunately, the Indians won't remain forever the "simple subjects to the government" and be in margin of the prosperities of this new nation created on the lands of their ancestors'. Even if that is to be true, they can at least be considered as part of this emergent nation. Thus progressively, the Indians were all recognized as Americans. This citizenship was first given to them individually because of services to the government, treaties, their contribution or participation to wars and finally – in 1924 – to all the Indians born in the territorial limits of the United States of America.

Using at a time historical criticism, political criticism and socio-criticism, this paper aims at trying to trace the Indians' walk toward the american citizenship and the immediate demonstrations of that citizenship. But, before closing this page, it is important to pinpoint an element: the exclamation mark in "American at last!". The exclamatory form of the theme seems to show a feeling of astonishment, of surprise, like nobody expected that one day the Indians, in their majority, can become American citizens. Like a happy surprise, an unexpected victory.

I – The concept of citizenship

The theme "American at last!" obviously questions the notion of citizenship and precisely the finality and effectiveness of the Indians' american citizenship. In other words, one is about to say that the Indians have finally become Americans. Through this angle of the situation, the following questions are pressing: who was American before 1924⁷. How

⁵ Howard Cincotta, *An Outline of American History*, United Information Agency, May 1994, p.73.

⁶ The american nationalism legitimizes itself while it unlegitimises the the indians' status as nation.

Nelcy Delanoë et Joëlle Rostkowski, *Voix indiennes, voix américaines : les deux visions de la conquête du nouveau monde*, Albin Michel, Paris, 2003 p.118.

The translation is of us

⁷ 1924 is the year in which all the Indians born in the territorial limits of the United States were granted, by the Congress, the american citizenship.

did the American government define citizenship? To try to bring probable answers to the questions above, it seems necessary to have a perfect knowledge of citizenship as a notion.

According to the Cambridge Advanced Learners' Dictionary, citizenship is « the state of being a member of a particular country and having rights because of it ». This member is then called a citizen of this particular country. But how to be an entire member of a particular country? According to Veerallona Iija⁸, citizenship, to be absolute and total, covers three dimensions: social, legal and political.

The sociologist T.H Marshall in 1950, defined citizenship as « a status bestowed on those who are full members of a community. All who possess the statute are equal with respect to the rights and duties with which the status is endowed »⁹.

According to Law:

The legal definition of citizenship refers to a “legal link” between an individual and a nation, state or town that entitles the individual to certain protections, rights and privileges, and makes the individual subject to certain obligations and allegiance to that government. The government – and the people in government – decide who gets to be a citizen and who doesn't.¹⁰

Politically, citizenship is seen as;

a key concept for democracy in that it defines the demos, or the democratic subject, or the sovereign, in a legal and political sense in every democratic system. But the concept of citizenship does not only include the definition of who belongs to the demos, it also aims at what the demos does. It always implies a certain political activity of the citizens – be it that the citizens vote, discuss, demonstrate or can become members of political parties. Finally, the concept of citizenship in most cases hints at the conditions linked to the adherence to the demos, namely citizenship rights and duties. These

⁸ Veerallona Iija, *An Analysis of the Concept of Citizenship: Legal, Political and Social Dimensions*, University of Helsinki, Faculty of Social Sciences Social and Moral Philosophy
Master's Thesis
December 2011

⁹ Marshall 1983 [1950] : 253

Sian Lazer, University of Cambridge, initially published 1 Sept 2016,
<http://doi.org/10.29164/16citizenship>

¹⁰ Source: What is Citizenship? The Legal Perspective

By Nancy and the Other Nancy

Nancy Leifer and Nancy Maxson, Co-Presidents of the League of Women Voters of Missoula

http://www.charkoosta.com/news/what-is-citizenship-the-legal-perspective/article_6cf7d552-cd14-11ea-b253-9397a9c1a899.html

Consulted 06/14/2021

also set the formal conditions for the citizens' political activity, and hence also for debate and discourse. Today this classical conception is challenged by an Inter-, Supra- and Transnationalisation of Citizenship in the EU.¹¹

From these different definitional approaches of the word "citizenship", we conclude that it is about a statute which permits a member of a particular country/community to be granted the right of rights and duties. Leaning on the same definitions and considering the America's declaration of independence, we can wonder whether America has its particular conception of citizenship.

In this aspect, Marshall's conception of citizenship becomes a real cornerstone in this study; because, as a multiracial country, America had, at the beginning, chosen a category of its population to be considered as citizens. In this case, it becomes important to go back in the history of America, even from the motivation of the building of this nation.

In fact, encountered in 1492 by Christopher Columbus¹², America was considered as "the Indies". The inhabitants were thus falsely¹³ called "Indians". But the Italian navigator Amerigo Vespucci (Americ Vespuce in French) comes to correct the former's mistake by precisising that, that land was rather a "New World"¹⁴; not "the Indies". This scientific remarkable contribution honored him and in 1507 the German geographer Martin Waldseemüller wrote across the map of this "New Land" "America" after Amerigo Vespucci. This title of "New World" became a catalyst for the imperialistic instinct of the Europeans:

¹¹ Citizenship as a Political Concept

Panel Number:

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Panel Chair

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¹² At 2:00 A.M, Friday October 1492 Christopher Columbus and his expedition touched the ground of the island in the Bahamas called Guanahan by Natives and San Salvador by Europeans.

¹³ In fact, at 2:00 am Friday October 12, 1492¹³, Christopher Columbus made the first recorded discovery of America. But he never understood that what he had really discovered. He thought it was India, because – like many earlier navigators – he wanted to find a route, not a region. And because of that mistake, many people did not consider him as the real discoverer of American. That is why the credit for that discovery was awarded to the Florentine navigator Amerigo Vespucci, who mentioned the region not as India (like Christopher Columbus) but as a “New World”. In fact, contrary to Christopher Columbus, Vespucci wanted to discover a new land.

¹⁴ In his notes, he even wrote: “We arrived at a new land which ... we observed to be a continent”.

Source: Vendlar, Helen, *The Harper American Literature*, New York: Harper and Row Publishing, 1987, P367.

Spanish, Portuguese and English were the first; then came the French and many other Europeans.

The first intentions of these Europeans was the massive exploitation of the Indians' natural lands and resources. They individually wanted vast parcels of land. But the exploitation of these vast parcels required a sufficient and especially free work hand. To satisfy this ultimate need, their look turned towards Africa. Thus, in 1619, they established a system which offered that brave, abundant and free work hand, compelled to a manual work without relaxation. The Africans were then deported to America to serve as slaves in the plantations.

The desire to possess vast portions of land conducts first to a rough competition between the Europeans and then to a spirit of leadership which became the basis of many wars, in the one hand between the European powers and on the other hand against the Indian tribes. Finally, the leadership will be on the side of the English who definitely denied their original England – after a long and murderous war. In 1776, they declared their independence and called themselves "American" citizens. But what about the original inhabitants of the lands? What do they represent in this new nation?

This question conducts us to reexamine the different definitions of the word "citizenship". So it becomes compulsory for us to try to adapt the Indians to the three different dimensions of this notion to see whether at that moment, they were eligible to the American citizenship. We also have to question the evolution of the Indians in that american society.

II – The different statutes of the Indians before 1924

Before 1924, "Les amérindiens n'étaient pas considérés comme citoyens américains jusqu'en 1924!"¹⁵. This way of talking about the owners of the American lands forces us to try to go back to the origin of the whites' presence there. And this flashback awakes our memory to see that Christopher Columbus "accidentally discovered America"¹⁶.

¹⁵ "Native Americans were not considered as American citizens until 1924"

¹⁶ Vendler, Helen, Op. Cit., P.58.

In fact, at 2:00 am Friday October 12, 1492¹⁶, Christopher Columbus made the first recorded discovery of America. But he never understood that what he had really discovered. He thought it was India, because – like many earlier navigators – he wanted to find a route, not a region.

Amerigo Vespucci claimed the ownership of that discovery and called that region a “new world” because of its primitivism and its association with the garden of Eden¹⁷. But in reality, it could not be a “new world” because they had found there some people who even if, were “completely nude, men as well as women, without covering their shame ... with no law or faith, and lie according to nature”¹⁸, can be considered as the original inhabitants of these lands.

This way of seeing these individuals gave them a certain label: that of under-human. The Indians were, because of this opinion, seen in the American society, as less than human beings and had been, for a long time, set in margin of the prosperity of the nation created on their own lands. This qualification, de facto, denied them all political, economic and judicial rights. What could be more normal, since they were not citizens of the United States of America. In fact, the Whites viewed in them people with whom and through whom nothing can generate, if they are let alone. That is why, they thought that these infidel and savage people should be converted to Christianity and placed under the English King. Thus progressively, those who Christopher Columbus called Indians lost their authority on their own land and even did not have the right to appoint their own chiefs. They deserve this treatment because at the very beginning, they were seen as savage and barbarous. For, “in 1776 the people who decided to form the government that would become the United States were all property owning, Christian, white men. They limited the status of “citizenship” to men who looked like them and came from the same economic class”¹⁹. But, at a certain moment of their cohabitation with the Euro-Americans, they became the “Noble Savage”²⁰. This oxymoron can be clearly understood as the expression of the white men’s pride and embarrassment: we think so because they consider themselves so superior to the Indians that it seems impossible for them to recognize directly the positive aspect of the Indians’. Noble

That is why the credit for that discovery was awarded to the Florentine navigator Amerigo Vespucci, who mentioned the region not as India (like Christopher Columbus) but as a “New World”.

¹⁷ History of the five Nations, from *An early American Reader*, United States Information Agency: Washington, 1988, P. 407.

¹⁸ Vendler, Helen, Op. Cit. P.3.

¹⁹ By Nancy and the Other Nancy, Op.cit.

²⁰ The term « Noble Savage » was used by John Dryden to give a wider view of the Indian. In his play *The Conquest of Granada*, acted in 1670, he wrote: “I am as free as nature first made man / Ere the base laws of servitude began / when wild in wood the Noble Savage ran”. Thus the idea of the noble savage became archetypal. Calwallader Colden also used the term to popularize his view of the Indian.

and savage at the same time. They are savage, but at a certain level interesting, good looking and helpful; so somewhere useful.

However, all these qualifications attributed to the Indians can be justified; because of the way they were pictured by the very first Whites to set foot on the land and who had never thought of human beings who, like themselves, lived with desires, needs, fear, appetites and passion. But time will, progressively, favor some evolution as far as the presence of the Indians near the Whites is concerned: many Acts²¹ will be enacted to booster the Indians' integration to the American society. But, if looked at closely, these Acts are rather strategies to promote individualism among Indians and impose capitalism [upon them]; killing in them what they still consider as the expression of their indianness. A specific Department was even created to manage the affairs concerning the Indians; a department – attached to the war department – which serves as the umbilical cord between them and the federal government to which they are directly linked: the BIA (Bureau of Indian Affairs) on March 11, 1824.

This BIA is to manage the relationship between the Indians and the white men in general and in particular the federal government. But, despite this specific management, of their presence in America, the Indians, like women,

African Americans, Asian Americans, people who didn't own property and people with disabilities have all had to fight for the privileges (voting) and protections (equal protection under the law) of full citizenship. They have had to make the case in courts, legislatures and to Congress that they deserve full citizenship status under the law²².

Thus, as Frederick Douglass²³ said “where there is no struggle there can be no progress”, the American Congress realized their frustration and, through the 14th amendment of the constitution, in 1868, some opportunities were offered to the minorities. Thus,

²¹ Thus, they passed the Removal Act in 1830²¹ (which stated that the Indians could be moved from their inhabited land at any moment), the Homestead Act in 1862, the Economic Opportunity Act in 1864 (to fight poverty in the Indian communities) the Indian Homestead Act in 1884, the General Allotment Act²¹ in 1887,

²² By Nancy and the Other Nancy, Op. Cit

²³ His original name was Frederick Augustus Washington Bailey, (born February 1818, Talbot county, Maryland, U.S. – died February 20, 1895, Washington, D.C.), African American abolitionist, orator, newspaper publisher, and author who is famous for his first autobiography, *Narrative of the Life of Frederick Douglass, an American Slave, Written by Himself*. He became the first Black U.S. marshal and was the most photographed American man of the 19th century.

Source :<https://www.britannica.com/biography/Frederick-Douglas>

Since the passage of the 14th Amendment to the US Constitution, children obtain their citizenship at birth through the legal principle of *jus soli* (“right of the soil”) – that is, being born on U.S. soil, or *jus sanguinis* (“right of blood”) – that is, being born to parents who are United States citizens. This is called “birthright citizenship.” The 14th amendment gave citizenship to African American former slaves²⁴.

To be clear, this amendment provided that "All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside". A good resolution to live the happiness of being considered by the American government. Unfortunately, on the list of those who are eligible for this new opportunity, the Indians were absent. So, obviously and consciously, the United States "denied American Indians citizenship, even though Native Americans had deeper roots in this country than the white men politicians who passed the amendment"²⁵. African Americans, Asian Americans – foreigners and opportunists – with this amendment, are more valuable than the Indians, the owners of the lands. This sounds astonishing, but it is simple to understand: if the owner of the lands is granted [earlier] the citizenship, he will claim the land. But to some extent, the case of the Africa Americans can be indisputable, since the arrival of their ancestors in 1619, they have no idea of what Africa is/can be like. It is the duty of America to take care of them. But what’s about the Asian Americans? They were not forced to come; they came for better living conditions.

The Indians continue to go with the selective criteria as far as their American citizenship is concerned. Thus, when the First World War broke, the federal government caught the occasion to increase its military strength and pay homage to all non-citizens who had fought. At the end of the War in 1918, all the Indians volunteers were rewarded: their sense of nationalism, their idea of patriotism and the demonstration of their bravery during the fights granted them the American citizenship – even if it, in the society, seems to be a deception.

In spite of all the Acts of the 19th century, the Indians enter the 20th century as Indians, not Americans. These Acts just shape the kind of Indian the whites want: Another class of American, red in the skin

²⁴ By Nancy and the Other Nancy, Op.Cit.

²⁵ By Nancy and the Other Nancy, Op.Cit..

and white inside with no citizenship right because the Act dispatched them in all the big cities, showed them the realities of civilization, refused them citizenship on the basis that they are not taxed and mixed them to the parts of the American population. On February 8, 1887, the General Allotment Act/Dawes Act was signed to divide common land into individual land; just to destroy their patterns of living and thinking for a perfect and rapid Americanization of the Indians. For Jean-Marie Adiaffi "la vérité de la vie est en graine de piment", "quand on met du piment dans tes yeux, sois reconnaissant à cette main criminelle. Elle est en train de les ouvrir pour te dévoiler le monde. Pour te faire découvrir la profondeur abyssale de la vie"²⁶. That proverb of Adiaffi's helps us to understand that all these new aspects and demands of America, instead of perturbing the Indians, gave them new ideas to adopt and adapt themselves to that civilization process. Thus,

In 1911, a group of American Indian intellectuals organized what would become known as the Society of American Indians, or SAI. SAI members convened in annual meetings between 1911 and 1923, and for much of that period the Society's executive offices were a hub for political advocacy, lobbying Congress and the Office of Indian Affairs (OIA), publishing a journal, offering legal assistance to Native individuals and tribes, and maintaining an impressively voluminous correspondence across the country with American Indians, "Friends of the Indian" reformers, political allies, and staunch critics. Notable Native activists, clergy, entertainers, professionals, speakers, and writers – as well as Native representatives from on- and off-reservation communities – were active in the Society. They worked tirelessly to meet daunting, unrealistic expectations, principally to deliver a unified voice of Indian "public opinion" and to pursue controversial political goals without appearing too radical, especially obtaining U.S. citizenship for Indian individuals and allowing Indian nations to access the U.S. Court of Claims. They maintained their myriad activities with scant financial resources solely through the unpaid labor of dedicated Native volunteers. By 1923, the challenges exhausted the Society's substantial human and miniscule financial capital.²⁷

²⁶ "The truth of life is in pepper seed" "when someone puts pepper in your eyes, be grateful to this criminal hand. It is opening them to reveal the world to you. To help you discover the abysmal depth of life".

Jean-Marie Adiaffi, *La carte d'identité*, ed. CEDA, 1980.

The translation is of us.

²⁷ The Society of American Indians

Before closing this chapter, we can remember the Commissioner of the Indian Bureau – Cato Sells – who, in 1917, because of the progress of the Indians in the American society, qualified them as "potential citizens". Let us see whether he did not make a mistake as a specialist in Indian Affairs.

III – The Indian Citizenship Act and its direct aftermaths

The Indians have undergone many humiliating situations in America, as far as their administrative position is concerned in the United States; and until 1923, in spite of the SAI's (Society of American Indians) actions, when "the challenges exhausted the society's substantial and miniscule financial capital"²⁸, the Indians are still not American citizens yet. What do the American authorities really want? Does the Declaration of the American independence not say that:

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their creator with certain unalienable rights, that among these are Life, Liberty and the pursuit of happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, that whenever any form of Government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute a new Government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to affect their safety and happiness²⁹.

This declaration, as the basis of the American existence, deserves to be cited or be called all the time. Because it can be seen as the guarantee of the Americans' unity. In fact, it unites people of different racial and religious sources. It also precise clearly that government are established among people to guarantee these rights: Life, Liberty and the pursuit of happiness. The governed should be served and not the contrary; because they are citizens but not subjects. The declaration itself pinpoints that "We hold these truths to be self-evident, that all men are created equal". To these natural realities, the international organizations

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²⁸ K. Tsianina Lomawama, Op. Cit

²⁹ Howard Cincotta, *An Outline of American History*, United Information Agency, May 1994, p.73.

added the right to citizenship for each person. That is to say each human being is supposed to call a part of the earth as his nation. But, for the Indians, the matter of citizenship seems to have no place in the declaration of the American independence; for, "thousands of Indians, however, who refused to surrender their land and resources were denied citizenship until 1924 when Congress, filled with the spirit of Progressivism"³⁰. Is it because they actually know that, once full citizens, the Indians can claim the lands of their ancestors? It is really difficult to understand the attitude of the white government towards the Indians as far as their citizenship is concerned; although, already in 1917, the Commissioner of the Indian Affairs, Cato Sells (1913 – 1921), had seen the latter as potential citizens. If this is really the case, from 1917 to 1923 (after six years), this potentiality of the Indians' American citizenship can be effectively a reality. But, the first quarter of the 20th century brought a promising answer to that problem that has come – at a certain moment – to be seen as a crucial injustice. The 14th amendment to the American constitution, by granting the American citizenship to a category of its population and leaving the Indians promotes a real injustice in the American society.

Since no "oeuvre humaine n'est parfaite, malgré les nombreux amendements, la constitution des États-Unis renferme [encore] des imperfections qui deviennent évidentes en temps de crise"³¹. That is why, at a certain moment of the American history, It has become necessary to complete the legislation in favor of the Indians and especially their status in the American society in the XXth century. Thus "l'Indien vaincu, ennemi d'hier, désormais assisté, se voit offrir progressivement une place nouvelle dans la société américaine"³². But, faced to this citizenship of the Indians whose nations were notified as "Domestic Dependent Nations", two basic questions are pressing: what does the constitution say about the Indians and why did this same constitution bring additional legislation in favor of the Indians? In fact, although "originally, the Constitution's Article I said that "Indians not taxed" couldn't be counted

³⁰ <https://scholars.law.unlv.edu/cgi/viewcontent.cgi?>

³¹ No human work is perfect, despite the numerous amendments, the constitution of the United States still contains imperfections which become evident in time of crisis.

The translation is of us.

Une esquisse du gouvernement Américain, United States Information Agency, 1989, p.11.

³² "The defeated Indian, yesterday's enemy, now assisted, is gradually offered a new place in the American society".

The translation is of us.

Nelcy Delanoë, Op.Cit. pp.124-25.

in the voting population of states (while slaves were counted as three-fifths of a person)"³³, Indians think that they were "granted citizenship as a reward for fighting in the first one (World War)"³⁴. But, if we look at the situation closer, the citizenship given to the Indians is, in a great part, due to their new behavior in the American society by the end of the XIXth century and the very beginning of the XXth century. To justify this point of view, let us say that the massacre of Wounded Knee in 1890, had marked the end of the Indians' armed resistance. They were weakened and became very docile and submissive. Because of that, by the 1990, the "Indian Wars" had been declared to be over, and large-scale relocations of Native American populations were no more.

Obviously, the new behavior of the Indians, added to their active contribution to the First World War, permit the American Congress to vote a law – known as the Indian Citizenship Act or Snyder Act – that gave full citizenship to all the Indians. How can we understand that the owners of the land should wait for 148 years (1776 – 1924) to be recognized as citizens of the country built on their ancestors lands? Anyway, better late than never. They are citizens now and supposed to have the opportunity to manage their affairs themselves. Unfortunately, this citizenship seems to be particular, because ;

The Frank Harrison, Elizabeth Peratrovich, and Miguel Trujillo Native Native American voters continue to face unique challenges when exercising their right to vote American Voting Rights Act of 2021 (NAVRA) is bipartisan legislation. It was introduced in the Senate on August 10, 2021, and in the House on August 13, 2021. The United States has a trust responsibility to enact voting rights legislation to protect the constitutionally guaranteed right of Native Americans to vote. Despite the Indian Citizenship Act in 1924 and the Nationality Act in 1940³⁵.

This does not mean that they are completely bared from voting every. But the situation requires the intervention of the federal government ; because in the constitution of the United States, the Indians directly depend to the federal government. It is normal that the

³³ <https://constitutioncenter.org/blog/on-this-day-in-1924-all-indians-made-united-states-citizens>
Accessed : 24 / 10/2023

³⁴ <https://constitutioncenter.org/blog/on-this-day-in-1924-all-indians-made-united-states-citizens>
Accessed : 24 / 10/2023

³⁵ <https://www.congress.gov/bill/117th-congress/senate-bill/2702/cosponsors?q=%7B%22search%3A%22native+american+voting+rights%22&r=1&s=1>

states be recent about their vote³⁶. But the Indians fought and continue to fight for better situation in the United States, as full Americans – aware that "a bird in the hand is worth two in the bush". From the SAI (Society of American Indians) and inspired by the black movements, they created a dynamic pan-indianness through movements like the NCAI (National Congress of American Indians) and the AIM (American Indian Movement).

Conclusion

Throughout this paper, we could notice the evolution of the Indian populations in the white American society. In fact, they had moved from their savage state to adopt the European civilization as the latter had always expected. Thus, because of their new behaviour (adoption of the European civilization and other realities), they have all been elevated to the rank of American citizens in 1924. This assertion permits us to understand that before that year they were not American citizens. What were they then? The majority was just seen as mere subjects to the American government while some among them had the American identity according to particular criteria.

The granting of the American citizenship has confirmed the presence of the Indians in America and then boosted their integration to the American society – politically, economically, intellectually and even demographically. Let us say that this new appearance of the Indians was due to the application of a series of laws enacted in their favor. In fact, the American Indian policy has been victim of many speculations because of their indigenous status.

This series of laws was motivated by the fact that the government had realized that, in spite of this citizenship, the Indians still live in precarious conditions characterized by poverty and insalubrity in the reservations. To these conditions, it is necessary to add racism motivated by the inequalities among the American populations. We do not have to

³⁶ Even with the passing of this citizenship bill, Native Americans were still prevented from participating in elections because the Constitution left it up to the states to decide who has the right to vote. After the passage of the 1924 citizenship bill, it still took over forty years for all fifty states to allow Native Americans to vote. For example, Maine was one of the last states to comply with the Indian Citizenship Act, even though it had granted tax-paying Native Americans the right to vote in its original 1819 state constitution. As reported by Henry Mitchell, a resident of that state, Native Americans were prevented from voting in Maine in the late 1930s.
Sources : <https://www.loc.gov/resource/wpalh1.13150915/?sp=8>

forget their lack of political representation, health care issues, their economic deprivation and their perpetual struggle to preserve their Indian identity and cultures. In quest of appropriate solutions to these pitiful realities, the government turned its Indian policy to an assimilation one in 1945. This "Assimilation Policy" initiated an urbanization system to force the Indians' contact with the big cities. From this contact, there will be relationship between different Indian tribes and other ethnic groups. These new contacts create new visions for the Indians as American citizens. However, this new statute appeared like a new source of concern that Laura Mercado underlines here: "What shall I call myself? American or Indian"³⁷? This question has its true place in the Indians' historical realities. But does Nelcy Delanoë not say that nothing in this world « n'est éternel de ce qui précède de la vie. Tout est transition, mouvement, changement »³⁸. This assertion is a reality for the Indians. For, through movement in the American society, they changed their statutes to become American citizens after having undergone the transition between savage, barbarous and the civilized Indian. Americans at last! And then? What do they concretely represent in the American society as American citizens in the 21st century? Because, we can notice that Native Americans have long struggled to retain their culture. Until 1924, Native Americans were not citizens of the United States. Many Native Americans had, and still have, separate nations within the U.S. on designated reservation land.

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³⁷ *Callaloo – A Journal of African-American and Indian Art and Letters*, John Hopkins University Press, Vol. 17, Number 1, Los Angeles, 1994, p.183.

³⁸ In this world nothing is eternal of what precedes. All is transition, movement and change. The translation is of us.

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