

# Francis A. Walker and the Indigenous Peoples of North America

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## Abstract

Francis A. Walker (1840-1897) – first President of the American Economic Association (1885-1892) – served as director of the 1870 Census from 1870 to 1872, and the Office of Indian Affairs (OIA) in 1871-1872. His *Statistical Atlas of the United States* (Walker 1874c) was instrumental in helping Americans see their nation as a continental power just as westward migration increased in the wake of the Civil War.

Just as Walker took responsibility for the OIA, Congress terminated all treaty obligations with indigenous peoples in the 1871 Indian Appropriations Act, providing the legal pretext to push indigenous peoples onto reservations via military intervention. In 1874, two years after completion of his service in the Office of Indian Affairs, Walker published *The Indian Question* (Walker 1874d), which provided a defense of the movement of all indigenous peoples who were not capable of joining the general population of the United States onto a couple large reservations in the American West. His intention was to have the OIA commissioners use the isolation on reservations to prepare indigenous peoples to enter industrial society. The result, however, was not what Walker had envisioned. Good intentions, even backed with statistical analysis, were not enough to prevent the inevitable military-led push of indigenous peoples onto reservations across the West, without concern about their culture or their preparation for integration into industrial society.

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## Francis A. Walker and the Indigenous Peoples of North America

*The United States will be judged at the bar of history according to what they shall have done in two respects, by the disposition of negro slavery, and by their treatment of the Indians.<sup>1</sup>*  
(Walker 1874c, 146)

Tim Leonard tells us that “The Progressive Era founders of American economics neither wrote nor pretended to write only for the applause of their peers. They intended to influence affairs ....” (Leonard 2015, 51). Francis Amasa Walker, who served the American Economic Association as its first President from 1886-1892, was one of the best retailers of economic expertise in the nation from 1870 to his death in 1897. He came to America’s attention with the first *Statistical Atlas of the United States* (Walker 1874c), which captured the imagination of a nation yearning to see a bright future following the costly defeat of the confederacy. In the *Atlas*, Walker provided multi-colored maps that showed not only the distribution of population from the 1870 Census (which had been completed under his direction), but also North America’s geological resources and climatic conditions, as well as recognition of the existing territories held by European powers.<sup>2</sup> He recruited experts in all the features of the *Atlas* to elaborate on the scientific knowledge of the North American continent in a series of essays that accompanied the maps. His own contribution to the *Atlas* was entitled “The Progress of the Nation, 1790-1870” (Walker 1874e). There Walker showed in data, maps and words the gradual expansion of the American “constitutional” population prior to 1870, and predicted the inexorable march of the white population across a West largely empty of people during the remainder of the 19<sup>th</sup> century (see, also, Walker 1874d). Indigenous peoples’ lands, including Indian Territory and other lands created by treaty, appear only as isolated yellow/orange spots on the map, giving the appearance of being ready to be swept aside (Garfinkel 2021; Kinnahan 2008).

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<sup>1</sup> The term “Indian” will be used here only in the context of Walker’s writings, and US government agencies, laws and actions, which originally used it in their titles and documents. Occasionally the word “tribe” will be used because in context it was the term used by the Office of Indian Affairs or Francis A. Walker. Otherwise, the terms “indigenous” and/or “indigenous peoples” will be used because they are more inclusive.

<sup>2</sup> Walker’s audience would be well aware of the contestation for those territories that was looming as the post-Civil War population surged westward.

Walker's economic vision was backed by his incessant action as an institution builder. His work at the US Census Office ensured the constitutional mandate to complete a decennial census survived the political battles that emerged out of the Civil War.<sup>3</sup> His statistical work led to membership in the American Statistical Association, for whom he served as President for sixteen years (1883-1896). He agreed to become the founding President of the American Economic Association at the same time, serving in that capacity from 1886 until 1892.<sup>4</sup> And he was the third President of the Massachusetts Institute of Technology (1881-1897), playing a critical role in maintaining MIT's independence and raising its stature to rank among the nation's most important institutions of scientific education.

More to the point of this paper, Walker's book *The Indian Question* (Walker 1874d) laid before the American public the case for a) not giving up on "civilizing" many indigenous peoples; b) rejecting President Grant's proposal to move all indigenous peoples onto a single very large reservation in the territory already known as "Indian Territory"; c) moving indigenous peoples who were not ready to become American citizens onto two reservations; and d) employing the strategy of separation and seclusion to prepare them to become American citizens and/or to isolate them from the American public to protect them from corrupting influences. The result, however, was not what Walker had envisioned. Good intentions, even backed with statistical analysis, were not enough to prevent the inevitable military-led crowding of indigenous peoples onto existing reservations across the West. Nor were Walker's plans for reservations to be places of separation, seclusion and education for participation in American life sufficient. Reservations left indigenous peoples without land, without resources, without education, and without hope of a place in a "Progressive" nation.

### **The Office of Indian Affairs**

Within five years of the end of the US Civil War, the movement of non-indigenous peoples into regions beyond the Mississippi had begun to put enormous pressure on the political framework established early in the nineteenth century for relations between the United States government and North America's indigenous peoples. In the early framework, the executive branch of the United States government was central, using its constitutional authority to sign treaties with foreign nations as the justification for negotiating similar treaties with indigenous peoples. The treaties signed with indigenous peoples usually involved the exchange of their traditional lands for protected status by the United States government on land elsewhere. The Office of

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<sup>3</sup> The US Congress defunded the 1870 Census in 1871.

<sup>4</sup> Walker is the only person to have been President of the American Economic Association for more than a single year.

Indian Affairs (OIA), established in 1824, became the guardian of these newly recognized “domestic dependent nations.”<sup>5</sup> The removal of the five major indigenous peoples of the Southeast during the 1830s is the most famous of the forced movements.

The OIA’s primary responsibility was the allocation of funding provided by Congress for the provision of food, housing and other services to indigenous peoples who lived on their newly acquired tribal lands, provided through civilian agents. Incentive incompatibilities made opportunities for corruption plentiful, with violent actions on both sides. The aftermath of the Civil War raised the stakes even more as conflict flared across the western territories. When Ulysses S. Grant assumed the Presidency in 1869, he surprised the nation with a new plan to reform US policy toward indigenous peoples. President Grant’s “Peace Policy” focused on increasing funding for indigenous peoples (through the OIA) to provide them the means to either move into the general American population or onto land already designated as Indian Territory. President Grant’s plan also sought the help of religious groups (generally Protestant Christian denominations) to provide government agents from their membership, believing them better suited to care for, and improve the lot of, indigenous peoples. The goal was to make reservations the sites of cultural adaptation to Protestant Christianity and American life in order to speed their assimilation into the American public.<sup>6</sup> Shortly after his inauguration, President Grant agreed to the creation of a Congressionally appointed Board of Indian Commissioners (BIC) that would oversee the appointment and performance of commissioners in order to bring them into compliance with federal mandates. Perhaps conflict between the OIA and the BIC was inevitable because of their overlapping mandates, but President Grant’s appointment of his friend, Ely S. Parker, as Director of the OIA made it inevitable. Parker was himself indigenous,<sup>7</sup> and quickly became the focal point of BIC conspiracies. In the midst of an extended court case brought against him (and despite the fact that none of the accusations held up), Parker stepped down and returned to private life. Absent Parker, Congress moved quickly to end even the semblance of sovereignty for indigenous peoples over territories they had

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<sup>5</sup> The “domestic dependent nation” status was first articulated by Chief Justice John C. Marshall in the *Cherokee Nation v. Georgia* (Supreme Court of the United States 1831) and the *Worcester v. Georgia* (Supreme Court of the United States 1832) cases.

<sup>6</sup> The notion that President Grant’s policies were, under Parker’s and Walker’s administration, carried out in an “enlightened” fashion (Witzel 2006, 876), misses the point that they contributed to the rapid devolution of conditions for indigenous peoples that followed.

<sup>7</sup> President Grant and Parker (a Senecan engineer and lawyer) were acquainted prior to the Civil War, and Grant asked Parker to assist him as an engineer during the final campaign of the Civil War. Parker also accompanied Grant to Appomattox Court House on April 9, 1865 to transcribe the final agreement of terms for General Lee’s surrender. See Stockwell (2019) for more on President Grant’s policies and his friendship with Ely Parker. Parker served as OIA director from 1869 to 1871.

been granted through treaties during the previous fifty years. In early March 1871, the House of Representatives passed a new Indian Appropriations Act (IAA) incorporating a clause that terminated the treaty obligations of the previous fifty years (U.S. Congress 1871).<sup>8</sup> Following their appropriation for the Yankton Tribe of the Sioux, the House Appropriation Committee inserted:

Provided, That hereafter no Indian nation or tribe within the territory of the United States shall be acknowledged or recognized as an independent nation, tribe, or power with whom the United States may contract by treaty: Provided, further, That nothing herein contained shall be construed to invalidate or impair the obligation of any treaty heretofore lawfully made and ratified with any such Indian nation or tribe. (*Indian Appropriations Act of Mar. 3, 1871, Ch. 12 1871*)

When the Senate approved the IAA without significant changes, and President Grant signed it into law, indigenous peoples lost any claim to control of their own affairs. While agreements could still be made, the US government was free at any time to disregard them. What had started as a “peace policy” by a well-meaning President, turned quickly into conflict. President Grant’s two terms of office saw the undoing of his ideas for peace as indigenous peoples who moved onto reservations found their own traditions dismissed, and those who resisted being moved faced the US Army.

Just before these significant changes to the status of indigenous peoples, Congress also reduced the funding for the completion of the Ninth Census (1870), which Francis Amasa Walker (1840-1897)<sup>9</sup> had been selected to lead. As we know from contemporary debates, counting people can be encouraged or discouraged!<sup>10</sup> The defunding of the

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<sup>8</sup> The clause in the 1871 IAA was a Congressional response to the Supreme Court’s decision in *The Cherokee Tobacco Case* (1870) that specified that indigenous peoples’ economic and other activities could be included under the scope of Congressional laws (see Prucha 1994).

<sup>9</sup> In 1869, following his recuperation from injuries suffered near the end of his Union Army service in the Civil War, Walker joined the US Treasury Department upon the recommendation of David A. Wells, Special Commissioner of the Revenue, who then appointed Walker as his Deputy. In the same year, Walker assumed responsibility for the new Bureau of Statistics. In 1870, he was appointed Superintendent of the Ninth Census, followed shortly after in 1871 as Commissioner of Indian Affairs (see Lowell 1900, 5; Wright 1897). For an extended discussion of Walker’s role with the Census and its connection to his vision of the role economic expertise and government could play in economic life, see Hannah (2000).

<sup>10</sup> Walker himself eventually responded (in 1878, before Congress) to the charges brought against the 1870 Census that he had directed:

Census left it without staff; the funded OIA was without leadership. The Secretary of the Interior, Columbus Delano, therefore approached Walker with a suggested solution: Walker would agree to head the OIA, but could also continue to work on the Ninth Census Report, albeit without compensation (both were in the Department of the Interior and had offices near each other). Walker agreed with Delano's proposal; officially resigning the position of Superintendent of the Ninth Census on November 22, 1871, while at the same time accepting the post of head of the OIA. Within the Interior Department, it was commonly understood that Walker was taking over at the OIA while finishing his supervision of the 1870 Census without pay (Munroe 1923, 120).

Walker had already had been given a glimpse of the immense task he was adding to his workload. At the suggestion of Secretary Delano, before accepting the post with the OIA, Walker made a trip via train earlier in the fall of 1871 to reservations along the Platte River near the borders of the Nebraska and Wyoming territories (Munroe 1923, 127). The purpose of the trip was to meet indigenous leaders, to see and learn about the Indian agencies he would oversee, and also to inspect their books. Walker brought back evidence of rampant fraud among the agents and commissioners. As for the subsequent year, the "Account of the Tribes" (Walker 1874a) and the articles he wrote following his departure from the OIA (Walker 1873; 1874b) show he did not take his appointment as a mere convenience to fund his statistical work. Nevertheless, his time as OIA Commissioner ended a year later, during the Modoc War in the Northwest (Garfinkel 2021), and while numerous incidents of fraud among commissioners remained to investigate. From Walker's perspective, the departure from both of his positions followed upon the completion of the 1870 Census Report (Walker 1872a; 1872b; 1872c) and his Report as Commissioner of the OIA (Walker 1872d) to Congress in November 1872.

When Walker took up a position at Yale University's Sheffield School of Science after he completed his time as OIA Commissioner, he turned to the task of completing his own addition to the presentation and evaluation of the Census -- the *Statistical Atlas of the United States* (Walker 1874c). The *Statistical Atlas* became a sensation (Kinnahan 2008), and led to his involvement in the 1876 Centennial Exposition in Philadelphia and the 1878 Paris Exposition. Asked to return to direct the 1880 Census, Walker accepted. But

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It is exceedingly undesirable to bring anything into the census which is not thoroughly trustworthy.... The censuses of 1850, 1860, and of 1870 are loaded with bad statistics. There are statistics in the census of 1870 ... where some of the results are false to the extent of one half. They had to be published then, because the law called for it; but I took the liberty of branding them as untrustworthy and in some cases giving the reasons therefore at some length (Congressional testimony, quoted in Steckel 1991, 583-84).

in the spring of 1881, he resigned in order to become the third President of the Massachusetts Institute of Technology (MIT), a position he held until his death in 1897.

By the 1880s, Walker's work and his ability to build institutions was esteemed by the American economics profession and the public. He had rebuilt the Bureau of Statistics, accepted the challenge of completing the US Census at a difficult time in the country's history, and ensured that it entered the last decades of the 19<sup>th</sup> century with a revitalized public purpose. The impact of his stunning *Statistical Atlas* (Walker 1874c), with its topographical distillation and display of data, had brought to life for American and European audiences the prospect of a country that would span the continent. For Walker, statistics were always the starting point, and were seen as a necessary accompaniment to economic analysis, as well as for organizational planning and administration. His statistical and theoretical work were valuable to a discipline seeking to play an increasing role in economic discussions ranging from labor issues (Walker 1876; 1878) to money (Walker 1878; 1889; 1895; 1896a), and immigration (Walker 1891; 1892; 1896b). He went on to build the foundation that enabled MIT to become a powerhouse in economics as well as the applied sciences generally in the twentieth century. It was natural, then, for the emerging profession of economics to name Walker as the first President of the newly founded American Economic Association, serving from 1886 to 1892.<sup>11</sup>

### **Walker, the Census, and the Office of Indian Affairs**

As mentioned earlier, Walker became Commissioner of Indian Affairs in November 1871. At about the same time, Congress authorized funding for the OIA to provide services to indigenous peoples, but simultaneously ensured that indigenous peoples were no longer considered nations (U.S. Congress 1871). If they no longer had any independence, then they were, for all intents and purposes, obliged to follow laws made for them by the United States, on whose territory they now resided. Forty years before the new law, in the case *Worcester v. Georgia*, the US Supreme Court had upheld indigenous peoples' sovereignty over territories created by treaties between their leaders and the United States. Thus, since the presidency of James Monroe (1817-1825), there had been at least some semblance of compromise in regard to indigenous rights. In most cases, there had been the promise of protected land to the west. But that arrangement was under stress as new settlers flooded toward the West in the aftermath of the Civil War. When the Senate approved the Indian Appropriations Act the House forwarded to them in 1871, and President Grant signed it into law, indigenous peoples faced an unequal legal position *vis a vis* the US government. In place of agreements,

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<sup>11</sup> Walker is the only President of the American Economic Association to serve more than a single year.

there was funding, commissioners with federal authority, and the intent to either integrate indigenous peoples into the American way of life, or force them off lands that had been promised to them onto a few reservations where multiple indigenous groups would be in close proximity.

Did the new law change what Walker did as OIA Commissioner? He continued the work that his predecessor had done, tried to avoid disputes with the BIC, and sought to reduce fraud among commissioners. As far as we know, he had no further direct contact with indigenous peoples after the railroad trip west prior to accepting the office. One thing he obviously spent time on was figuring out how to count indigenous peoples, especially in regards to the 1871 IAA. Earlier censuses had haphazardly counted indigenous peoples, if at all. In 1860, there had been an attempt to provide specific rules for including “Indians” in the Census. However, despite having created rules for counting them, the 1860 Census *form* did not have an option to identify someone as “Indian.” In the absence of such an identifier, the enumerators for the 1860 Census had been instructed to count only families that renounced tribal rule and lived as citizens under the law of a state or territory. Indigenous peoples who lived either on treaty land or elsewhere, were not enumerated. The 1860 Census, therefore, had not provided much of an indication of the indigenous population of the United States.

As Commissioner for the 1870 Census, Walker set out to ensure that the rules for counting indigenous peoples were better specified for enumerators than they had been in the 1860 Census. However, the best he was able to achieve was an official count that used the same rules that had created the unofficial numbers in 1860 (Collins 2006). That is, Census agents only counted as “Indians” indigenous people who had abandoned tribal lands and, like other Americans, were taxable. Thus, it was not until the 1880 Census, which Walker started before leaving to become President of MIT, that a new category was introduced on the form Census-takers used – “Indians not taxed.” Between 1860 and 1880, Walker’s plans for more accurate enumeration increased the percentage of indigenous peoples who were included in the Census. His results are supported by modern demographers, who estimate that *enumerated* indigenous peoples in the period between 1860 and 1880 rose from about 8% of the total indigenous population to approximately 22% (Collins 2006).

Walker resigned as Commissioner of Indian Affairs one year after he started, in November 1872, following the submission of his Commissioner’s Report to Congress. He used the opportunity provided by his Report to expand the information available to Congress and the American people regarding indigenous peoples (Walker 1872d). Aware that American legislators and others needed information to assess the monumental change provided by the 1871 IAA, Walker said that “without attempting

anything like a scientific contribution to the history of ethnology of the Indians of this continent," he had:

... thrown together as much information as possible relating to their present condition, habits, and temper, giving especial prominence to those facts of the situation which may properly go to determine the judgment of the legislator and the private citizen upon the practical questions: What shall be done with the Indian as an obstacle to the progress of settlement and industry? What shall be done with him as a dependent and pensioner on our civilization, when, and so far as, he ceases to oppose or obstruct the extension of railways and of settlement? (Walker 1872d, 3)

And that might have been the end of the story. Having resigned from the OIA and completed the 1870 Census report, Walker had no reason to stay in Washington. Thus, in 1872, he agreed to join his brother-in-law's shoe manufacturing business in central Massachusetts. Before the move was completed, however, Walker received an offer from Yale College to replace Daniel Coit Gilman<sup>12</sup> in Yale's newly incorporated Sheffield Scientific School. He immediately accepted, sent messages to divert the household goods that were en route, and headed to Connecticut (Munroe 1923, 140).

### *The Indian Question and Indian Citizenship*

Two years after he completed his service with the OIA,<sup>13</sup> Walker published two essays dealing with the question that he had raised in his final Report – "What shall be done with the Indian?" The first essay, bearing the title "The Indian Question," appeared in the *North American Review* (Walker 1873); the second essay, on "Indian Citizenship," in the *International Review* (Walker 1874b).<sup>14</sup> When the two essays were published together as a book, Walker (1874d) added a revised version of the detailed commentary on the population of indigenous peoples in the United States that first appeared in his Commissioner's Report, re-titled "An Account of the Tribes" (Walker 1874a).

"The Indian Question" and "Indian Citizenship" evaluated the consequences of the 1871 Indian Appropriations Act in terms of two goals. The first and foremost issue was the constitutional and legislative context which it provided for the civilizing of

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<sup>12</sup> When Noah Porter III was appointed Yale's President in 1871, Gilman resigned the following year to become the third President of the University of California, Berkeley.

<sup>13</sup> During the two years (remainder of 1871, 1872, and beginning of 1873), Walker completed the compilation of the *Statistical Atlas* (1874c), alongside his teaching responsibilities at Yale.

<sup>14</sup> The *North American Review* is the oldest literary magazine still in operation in the United States today. Founded in Boston in 1815, it is now managed by The University of Northern Iowa. The *International Review* was published in New York City between 1874 and 1883.

indigenous peoples; the second was relieving tensions emerging from the push of non-indigenous peoples toward the West. The era of treaties with “independent dependent nations” had ended. What political context would provide the means to the goal of “Indian citizenship,” while protecting the process of integrating indigenous peoples into the general population of the United States. If citizenship was the goal, what should be the means to its accomplishment?

Walker’s audience, of course, were his contemporaries: educated whites, generally located in New England or in the states of the mid-Atlantic. In other words, his audience was at some remove, geographically, culturally, and genealogically, from Indian Territory and other places from which indigenous peoples had been, and were being, removed. He also made few comments directly aimed at the operation of the OIA, its Christianizing function under the operation of the Congressionally-appointed BIC, or the role of the Army in the ongoing Indian Wars. What he did do was argue that the nation faced a choice: (i) immediately let indigenous peoples assume their place among American citizens as individuals with all the rights and benefits provided to others, or (ii) move indigenous peoples onto a couple large reservations -- one occupying the existing Indian Territory and another elsewhere in the West. Walker believed many indigenous people would choose the citizenship option. For the rest, he argued, expediency as well as humanitarian concerns encouraged consolidation.

Before diving into a structured account of his argument, however, the reader should be reminded of a remark Roger Backhouse (1995, 101) once made regarding Walker’s later economic writings. Walker’s explanatory method, Backhouse suggested, bore a specificity that economic theory generally avoided. Indeed, Backhouse suggested that reading Walker’s writings resembled sailing along a coastline, following the variegated landscape. *The Indian Question* is full of this kind of peripatetic analysis. Again and again, Walker follows lines of analysis that take him back into his statistical details before he will make a generalization, which is immediately qualified with another dive into the details. Walker would often rather pursue another example or fact than reach a conclusion. The *Statistical Atlas* (Walker 1874c) contributed as well to this form of analysis, focused on details more than generalizations. The goal in both his writings and the *Atlas* was to stir the imagination; the actual work, however, was steeped in historical and statistical detail. Perhaps, then, it is not accidental that when generalizations are made, they are anything but cautious approximations of the analytical conclusions.

Walker began *The Indian Question* by reminding his readers of the new situation created by the clause inserted in the 1871 IAA. Back in the early 1820s, indigenous peoples still controlled lands via treaty covering

no less than the entire States of Ohio, Indiana, Illinois, Georgia, Florida, Alabama, and Mississippi, with considerable portions of Tennessee, Michigan, and Wisconsin. And these treaties were not a mere form to amuse and quiet savages, a half-compassionate, half-contemptuous humoring of unruly children. (Walker 1874d, 8)

Thus, when treaty-making began, the United States could not under-value the lands treaties covered. Indigenous peoples were acknowledged to hold the land rights and often also had enough power to push the United States toward fair terms.

The United States were clearly the stronger party in every such case; but the Indians were, in the great body of instances, still so formidable, that to wrest their lands from them by pure, brutal violence would have required an exertion of strength which the government was ill prepared to make. So that, while it is true that the Indians were generally made ready to negotiate by the use of military force and by the pressure of white settlements, it is not true that the considerations and privileges accorded them in these treaties were a gift out of good-nature. (Walker 1874d, 9)

Since the 1820s, however, treaty negotiations had not only made indigenous peoples dependent on the United States, but often required them to trade their original territory for new territory elsewhere. Thus, between the 1820s and the 1870s, treaties had increasingly required indigenous peoples to move to new lands in the West; a transition often requiring force and violence.

Quoting from his own OIA Report (Walker 1872d, 83 and 84), Walker admitted that

“it is not to be denied that wrong was often done in fact to tribes in the negotiation of treaties of cession ... but, formally at least, the United States accepted the cession successively of all lands, to which Indian tribes could show color of title, which are embraced in the limits of any of the present States of the Union except California and Nevada” (Walker 1874d, 11).

Treaties agreed to under those circumstances were diplomatic triumphs when they were able to “obtain cession on favorable terms” (Walker 1874d, 9).<sup>15</sup> Thus, Walker concluded that there was no question indigenous peoples had the right to use the lands

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<sup>15</sup> Walker admitted of only one instance in which “the United States Government ... extinguished an Indian title ... by right of conquest”, which occurred in 1862 following the Dakota War in what is now Minnesota (Walker 1874d, 11).

they originally occupied, and, hence, they also had rights to the lands granted them in the treaties:

So much for the power of the Indians when they made these treaties. Their right to their lands is quite as well established historically. In the early history of the Western world, the principle was fully recognized, that, while sovereignty rested, not with the Indians, but with the civilized power claiming by virtue of discovery, the Indians were the rightful occupants, with a just and perfect claim to retain possession and enjoy the use until they should be disposed voluntarily to part with it. (Walker 1874d, 9-10)

However, the erosion of indigenous peoples' bargaining power, as well as their shrinking population, meant that over the years, the territories granted to indigenous peoples had grown smaller and smaller. Refusals to move, ensuing violence, and the loss of members once they reached the new territories meant that the indigenous peoples who came later looking for a treaty could not demand more land. Also, as the non-indigenous population of the United States grew, the notion of a sizeable territory just for an increasingly smaller group became harder to defend in front of legislators from new states looking for taxes based on the rising value of land. Indigenous peoples, therefore, lost both population and land to non-indigenous peoples.

Secondly, as Walker well knew, OIA expenditures rose because the increasing number of small treaty-protected lands required more agents to service them than were needed for a few larger lands. As an economist, Walker understood the extensive opportunity for significant personal gains for those agents who used the rules for their own (or their family's) benefit. As he saw in his visit to the west, incentive incompatibilities and the distance from supervision by the OIA office in Washington, D.C. were behind many of the problems the Commissioner of Indian Affairs faced in dealings with the government's commissioners and other agents. He also realized that indigenous peoples who recognized they faced a future of unlimited losses on treaty lands were likely to leave them to move west, and then set up in another place (protected by a treaty or not) where they might gain the upper hand on incentive structures. On western lands outside the territory of the United States, the US government was not going to defend them, but if they experienced trouble, they would probably travel to the closest OIA office, asking for assistance.<sup>16</sup>

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<sup>16</sup> Another aspect of the problem for Walker was what he considered the undue influence that Mormons had on indigenous peoples who moved west. Walker considers this a significant crack in the case for continuing the federal policy. Mormons had success because their actions had had direct benefits for

All in all, for Walker, too much money was being spent chasing too many small problems, and insufficient funds were being used to create coordination across the OIA system. Furthermore, just as the 1871 IAA ended any future for independent indigenous nations, it also, in his estimation, ended the potential for most indigenous peoples to survive as a unified people without some kind of protected status. Individuals and families could survive by moving into the general population, but without their claim to land, indigenous peoples would either disband or survive on the little support they would receive from the US government.

What, then, was Walker's solution?

Before we can answer that question, we need to examine Walker's conception of the potential for indigenous peoples to participate in what he considered to be "civilized" life. I use the word "civilize" and "civilization" carefully here because they were key words for Walker, but today we are often wary to use them. The same problems arise when we look at the word Walker most often used in reference to indigenous peoples, which was *savage*. The verb "civilize" (in both present and past tenses) appears 37 times in *The Indian Question*; the noun "savage" (in singular and plural) appears 49 times. The words "savage" and "civilize" or "civilization" never appear together. When the word "savage" is used with a modifier (about a third of its uses), the following modifiers appear along with it: absolute, irresponsible, hostile, infuriated, insolent, reclaimed, and wholly. One aspect of the "Indian Question," then, was whether "the Indian" could traverse the passage between savagery and civilization.

Walker's optimistic example for the possibility of civilizing indigenous peoples is that of the Cherokee and a few other peoples:

"From the statements made above, all upon the authority of official reports, it will doubtless appear to every candid reader that the Cherokees are entitled to be ranked among civilized communities. Their condition is far better than that of the agricultural classes of England; and they are not inferior in intelligence or in the ability to assert their rights...."

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themselves, as well as for indigenous peoples. But had the impact of the Mormons "been advantageous to the government, or to the white settlers not of the church" (Walker 1874c, 110)? What seems to bother him the most is that the Mormons had taught indigenous peoples not to trust the government of the United States to provide or protect them, and often represented government-provided supplies as coming from themselves.

There are in the Indian Territory several other important tribes, and a number of small and broken bands aggregating forty or forty-five thousand persons, who are in the same general condition as the Cherokees, and are equally – though not, perhaps in every case, with quite as much emphasis – entitled to be called civilized. Nor are the Indians of this class confined to the Indian Territory so called. They are found in Kansas and Nebraska, in New York, Michigan, Wisconsin, and Minnesota, and upon the Pacific coast. The ninety or one hundred thousand Indians thus characterized will bear comparison, on the three points of industry, frugality, and sobriety, with an equal population taken bodily out of an agricultural district in the Southern or border states.” (Walker 1874, 57-58)

Because the Cherokee were already considered one of the “civilized tribes,” Walker then turned to indigenous peoples who were viewed less favorably – some of the Sioux, for example, and, especially, the Pawnee. These indigenous peoples were known for their warfare, but Walker perhaps surprised his audience by identifying them as “semi-civilized,” rather than savage, because they had begun to depend upon the production of corn and wheat, and were also known to raise vegetables and other garden products. They also had children “being carefully instructed in letters and in labor,” and had calmed their feuds with their long-term rivals (Walker 1874d, 61-62).

Thus, Walker was of the opinion that perhaps “Indian civilization is not altogether impossible.” Given that conclusion, he asked his audience to look into the future and consider what policy the United States should take “toward the Indian tribes when they cease to be dangerous to our frontier population, and to oppose the progress of settlement, either by violence or by menace.” What conditions, he asks the readers of his time, would be “most favorable to the growth of self-respect and self-restraint in minds so strangely and unfortunately constituted as is the mind of the North American Indian” (Walker 1874d, 62)?

### **Separation and Seclusion: Walker’s Reservation Proposal**

Earlier we asked what Walker’s proposal would be for preparing indigenous peoples for inclusion in the American public. Here the answer begins to emerge. In fact, Walker’s two essays – “The Indian Question” and “Indian Citizenship” – come together on a single solution, despite small differences in their respective arguments. The basic answer was to *separate* rigorously the indigenous population that was not ready to assimilate into the general US population and *consolidate* them onto two large reservations where each indigenous group could be secluded from others as well as the general American population, *prevent them from abandoning* their newly allocated land, and then *educate them for participation* in an industrial society.

### *Separation*

Walker's program would only work, he believed, if it started with the adoption of a "principle of separation and seclusion" (Walker 1874d, 63). The principle will require three things. First, "the reservation system should be made the general and permanent policy of the government" (Walker 1874d, 62). Here, he is not simply talking about respecting land titles given to the indigenous population prior to 1871.

The proposition is that the United States, as the only power competent to receive such lands by cession, or to authorize their sale, should formally establish the principle of separation and seclusion, without reference to the wishes either of the Indians or of encroaching whites; should designate by law an ample and suitable reservation for each tribe and band not entitled by treaty; and should, in any reductions thereafter requiring to be made, provide that such reductions shall be by cutting distinct portions from the outside, and not in such a way as to allow veins of white settlement to be injected, no matter whether along a stream or along a railway." (Walker 1874d, 63)

Walker also argued that each reservation's separation and seclusion required exclusion of any intruders for two reasons. The first was protection against bad influences:

it is unfortunately true, that, when the Indian is, by the powerful attraction of a race which his savage breast never fails to recognize as superior, released from the control of public sentiment which he has been accustomed to obey, he submits himself by an almost irresistible tendency to the worst and not to the best influences of civilized society." (Walker, "Indian Citizenship," in 1874b, 138-39)<sup>17</sup>

The other was to maximize governance, because "an Indian tribe is a singularly homogeneous body, and, if not disturbed by the intrusion of alien and discordant elements, is susceptible of being governed and controlled with the greatest ease and effect" (p. 64).<sup>18</sup> Intrusion meant that trespass into a reservation by any number of

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<sup>17</sup> A similar passage from "The Indian Question" (Walker 1874d, 63-64): "the Indian is unfortunately disposed to submit himself to the lower and baser elements of civilized society, and to acquire the vices and not the virtues of the whites" (p. 63-64)

<sup>18</sup> A similar passage in "Indian Citizenship" (Walker 1874d, 138) reinforces the governance theme: "So long as an Indian tribe is left to its own proper forces and dispositions, free from all foreign attraction, it is not only easily governed, but the whole body obeys the recognized law of the community with almost absolute unanimity."

people – travelers, other tribes, those seeking land further to the west, etc., would be prevented, by military force if necessary, to protect the civilizing process. Thus, separation *and* seclusion were necessary for the government’s Indian agents to best be successful in improving the Indians in their charge – “little by little” (p. 64) – through the authority of government and moral education.<sup>19</sup>

Making the reservation the focus of government policy toward indigenous peoples, however, did not address the question of whether existing reservations were adequate to the task. In fact, Walker believed that existing reservations were neither in the best interest of the government nor of “the Indian.” In the Census, Walker had already measured the movement of population from east to west, and he had shown its consequences in the *Statistical Atlas* (Walker 1874c). Now he made the argument that the current system had too many reservations and occupied more territory that would be efficient given new demands.

It must be evident to every one ... that the reservations, as at present constituted, do not consist with the permanent interests of either the Indian or the government. There are too many reservations: they occupy too much territory in the aggregate; and, what is worse, some of them unnecessarily obstruct the natural access of population to portions of territory not reserved, which others, by their neighborhood, render large tracts of other available land undesirable for white occupation. Indeed, it may be said that the present arrangement of reservations would constitute an almost intolerable affliction, were it to be maintained without change. Nor are the interests of the Indians any better served by the existing order. (Walker 1874d, 65-66)

At this point, we would do well to remember what Walker has already argued about the hodge-podge of territory that early-nineteenth century treaties created by giving each group of indigenous peoples their own land. Walker believed that, in the 1870s, that territory was too large for the indigenous population that lived on it. He had already told his readers that some number of indigenous peoples would choose to join the general population; a point emphasized here by describing indigenous peoples as a shrinking population, even in times of peace. Also, the present system, Walker said, created such a patchwork of reservation and non-reservation land that it “render[s] large tracts of otherwise available land undesirable for white occupation”, as well as

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<sup>19</sup> Although he mentions them from time to time, Walker does not make significant reference to religious (in this case, Christian) individuals as agents on behalf of civilization. In general, he emphasizes the role of institutional constraints (separation and seclusion) and industrial education.

obstructing access to “white occupation” of lands to the west. Of course, he adds that the indigenous peoples are also harmed by the present policy because their reservations are often far from their traditional hunting grounds or fishing privileges, and they may not have natural features on their reservation that provide sustenance. In all these ways, Walker concludes, the present system was “cumbersome and ineffective” (Walker 1874d, 66).

The solution must be a “general recasting of the scheme of Indian reservations.” Walker lays out a policy framework for undertaking this task (see Table 1). First, Indian title to land should not be confiscated, but rather exchanged, ceded, and consolidated on reservations west of the Mississippi. Congressional authority would be required, and should be welcomed by both indigenous peoples and those migrating westward. Secondly, the primary purpose of such a “recasting” should balance the need to preserve tribal boundaries between each other, on one side, with the equivalent need to have “a channel cut through” this largely indigenous territory by a railroad. The railroad would allow both transport of whites to the far west as well as industrial production of white communities near indigenous territory to travel east (Walker 1874d, 67).

Having established his principles for recasting the reservation system, Walker then turns to the evaluation of the competing plans proposed to accomplish that task. The first plan came with the authority of the current President (Grant), and argued for a single reservation for all tribes, unless there were tribes whose members wished simply to become US citizens and divide their land among them. In President Grant’s proposal, “all the Indians within the administrative control of the government” could live and subsist well within “the territory lying between the States of Arkansas and Missouri on the east, and the one-hundredth meridian on the west, and between the State of Kansas on the north, and the Red River, the boundary of the State of Texas, on the south.” The useable land within “Indian Territory” (see Figure 1) was sufficient to provide the equivalent of 120 acres of arable land for each of 250,000 persons (Walker 1874d, 68-69).

The other plan was of older origin, created in 1825 by then Secretary of War, John C. Calhoun, during the Presidency of James Monroe. Calhoun’s plan was for two large reservations, one in what Americans in the 1820s called the Northwest (today it is the Mid-West) and the other in the same Indian Territory already identified in the Southwest. Walker argued that, while the specific allocations in Calhoun’s plan were irrelevant to the post-Civil War situation, the general concept of “a double Indian reservation still remain in full force,” especially considering the “aversion” indigenous peoples in the north “feel at the thought of moving to the South.” Walker thought it better to move more slowly, perhaps by inviting some of the “Northern tribes” who

“manifest much less antipathy to removal than others” to move south, in part because of “exceptional inconveniences sustained in their present location” – presumably a reference to the fact that their spaces in the upper Midwest were already squeezed by western expansion of farmers and others (Walker 1874d, 72-74).

Having established the case for a two-reservation system, Walker then turns to additional issues that need to be included in a revised plan. Given his recognition that earlier plans had failed because they did not account for the rapid expansion westward of white settlement, he proposed two additional principles that mirror each other. On the one hand, “the intrusion of whites upon lands reserved to Indians should be provided against by legislation suited to the necessities of the case” (Walker 1874d, 74). And on the other, “Indians should not be permitted to abandon their tribal relations, and leave their reservations to mingle with the whites, except upon express authority of law” (Walker 1874d, 77). Given twentieth and twenty-first century uses of alternate passports, labor camps and homelands, Walker’s proposal following the latter sentence undoubtedly makes contemporary scholars cringe:

We mean by this something more than a “pass system” should be created for every tribe under the control of the government, to prevent individual Indians from straying away for an occasional debauch at the settlements. It is essential that the right of the authorities to keep members of any tribe upon the reservation assigned to them, and to arrest and return such as may from time to time wander away and seek to ally themselves with the whites, should be definitely established, and the proper forms and methods of procedure in such cases be fixed and prescribed by law. Without this, whenever these people become restive under compulsion to labor, they will break away in their old roving spirit, and stray off in small bands to neighboring communities. No policy of industrial education and restraint can be devised to meet the strong hereditary disinclination of the Indian to labor and to frugality which will not, in its first courses, tend to make him dissatisfied and rebellious. Nothing but the knowledge that he must stay on his reservation; that he will not be permitted to throw off his connection with his people, and stray away to meet his own fate, unprovided, uninstructed, and unrestrained, – will, under any adequate system of moral and industrial correction and education, prevent a general breaking-up of Indian communities, and the formation of Indian gypsy-camps all over the frontier States and Territories, to be sores upon

the public body, and an intolerable affliction to the future society of those communities (Walker 1874d, 77-79).<sup>20</sup>

### **What Is the “Indian Question”?**

It is tempting, and at points Walker invites us to be so tempted, to think that the Indian Question is whether indigenous peoples really were citizens of the US before 1871, or if they were simply stripped at that point of their right to be both a member of an indigenous people and a citizen of the United States of America. But there is another possibility. At the core of Walker’s treatment of the “Indian Question” is a reflection on a question that comes prior to any argument about whether indigenous peoples are citizens or not, and what policies will best enable improvements in their lives.

The “Indian Question” for Walker was whether indigenous peoples were or could be civilized. Walker provided a qualified “yes” for a few groups (yes, the Cherokee are surely a civilized tribe), and a “maybe, but unlikely,” for the rest. The question is central to his argument. Given the IAA decision that revokes any form of sovereignty for indigenous peoples, Walker believes that the path forward was integration into the American public as individuals. Walker’s goal, then, was the advancement of indigenous peoples to the point where they, individually, would be ready to step forward as American citizens. The reservation was the means to that end, not the end itself.

We conclude, then, that Indian citizenship is to be regarded as an end, and not as a means; that it is the goal to which each tribe should in turn be conducted, through a course of industrial instruction and constraint, maintained by the government with kindness but also with firmness, under the shield of the reservation system. (Walker 1874d, 143)

Walker’s ends with the call to action:

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<sup>20</sup> In the other essay in *The Indian Question* – “Indian Citizenship” – Walker casts the argument in the reverse: “the experiment of citizenship, except with the more advanced tribes, is at the serious risk, amounting almost to a certainty, of the immediate loss to the Indians of the whole of their scanty patrimony, through the improvident and wasteful alienation of the lands patented to them, the Indians being left thus without resource for the future, except in the bounty of the general government or in local charity.” Were that to happen, he argued, “the dissolution of the tribal bonds, and the dispersing of two hundred thousand Indians among the settlements, will devolve upon the present and future States beyond the Missouri an almost intolerable burden of vagabondage, pauperism, and crime” (Walker 1874d, 139-42 passim).

In good faith and good feeling we must take up this work of Indian civilization, and, at whatever cost, do our whole duty by this most unhappy people...; surely we shall be clearer in our lives, and freer to meet the glances of our sons and grandsons, if in our generation we do justice and show mercy to a race which has been impoverished that we might be made rich. (Walker 1874d, 100)

The result, however, was not what Walker had envisioned. Good intentions, even backed with statistical analysis, were not enough to prevent the inevitable military-led push of indigenous peoples onto reservations across the West and the devastation of the indigenous peoples of North America that has followed.

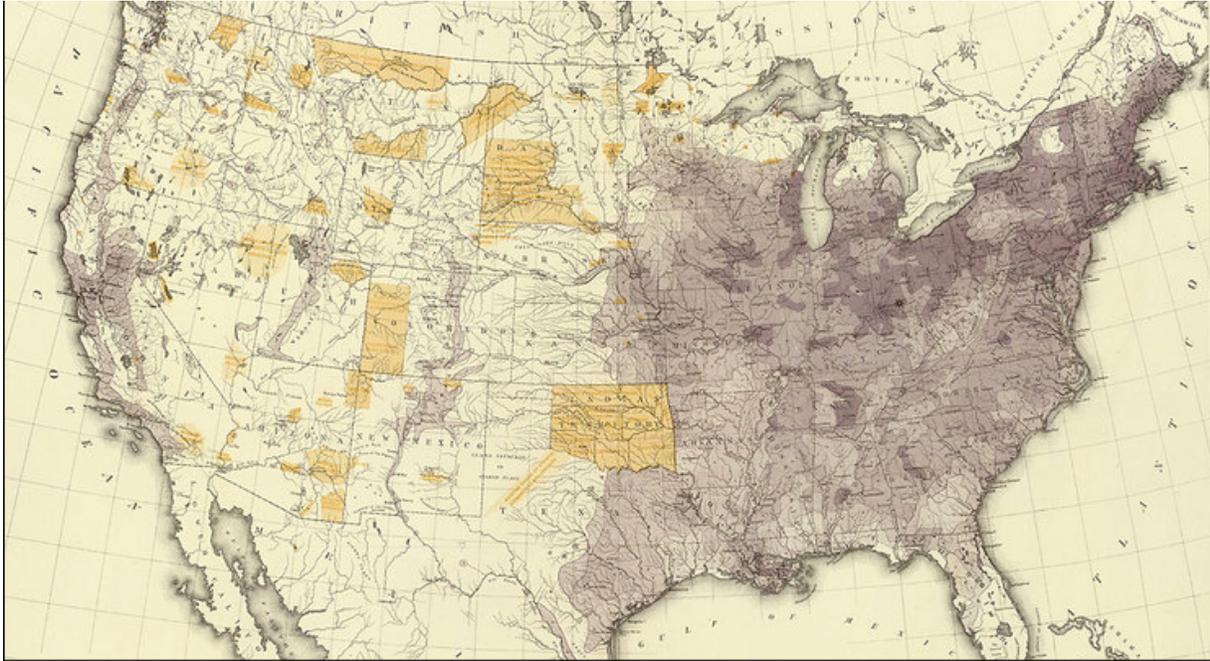
**Table 1:** Walker's Reservation Plan

	<b>KEY FEATURES OF RESERVATION PLAN</b>	(Walker 1874d)
1	<b>Permanent:</b> "principle of separation and seclusion"	pp. 62-67
2	<b>Consolidated:</b> "one or two grand reservations"	pp. 67-74
3	<b>No Intrusion:</b> "intrusion of whites upon lands reserved to Indians should be provided against by legislation"	pp. 74-77
4	<b>No Abandonment:</b> "more than a 'pass system'"; "arrest and return" procedures should "be fixed and prescribed by law"	pp. 77-79
5	<b>Reform:</b> "rigid reformatory control should be exercised by government over the lives and manners of the Indians ... to learn and practice the arts of industry"	pp. 79-80
6	<b>Compensation:</b> "liberal and generous" "provision made by government for the partial subsistence of Indian tribes through the long and painful transition from the hunter life to the agricultural state..."	pp. 80-82
7	<b>Endowment:</b> "endowments ... should be capitalized and place in trust for their benefit, out of reach of accident or caprice"	pp. 83-91

Table 2: Walker's Key Considerations for Policy of Seclusion in "Indian Citizenship"

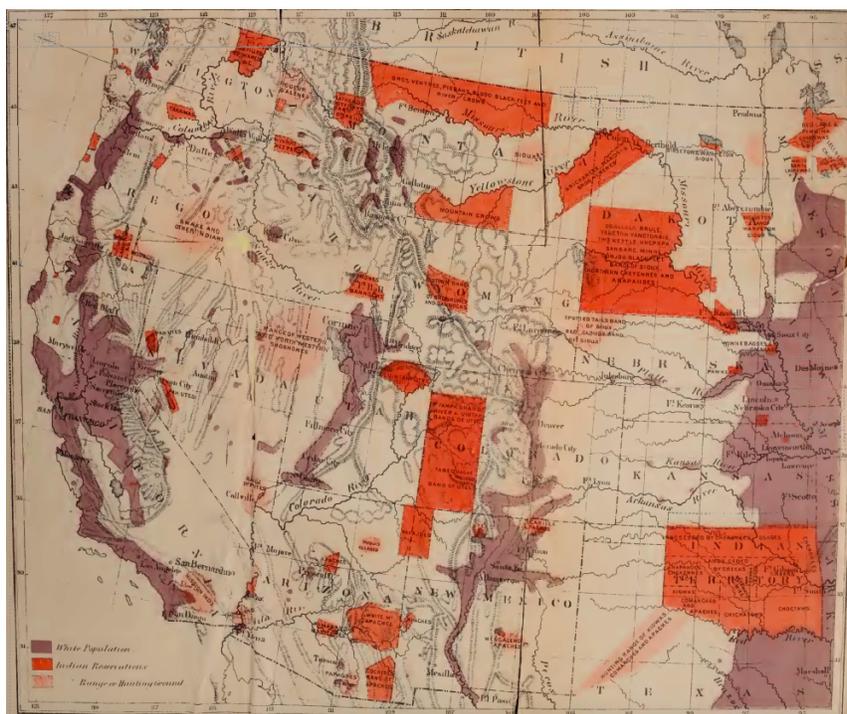
	<b>KEY CONSIDERATIONS FOR SECLUSION</b>	(Walker 1874d)
1	Community Unanimity if Left Alone	p. 138
2	Attraction to Worst, rather than Best External Influences	pp. 138-39
3	Experimenting with Integration will Dissipate Resources	pp. 139-40
4	Dissolution Will Make Matters Worse	pp. 141-42

**Figure 1:** Map of “Constitutional Population,” showing density. Yellow highlights Indian Territory and reservations/hunting grounds.



Source: F.A. Walker, “Constitutional Population of the United States of America,” from (Walker 1874c; Brownstein 2013).

**Figure 2:** Colorized version of the western part of Walker’s “Constitutional Population” Map (see Figure 1), highlighting reservations in red.



Source: Frontpiece, *The Indian Question* (Walker 1874d)

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