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GENERATIONAL POLITICS AND
AMERICAN INDIAN YOUTH MOVEMENTS
OF THE 1960s AND 1970s

by

Karen Ziegelman

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A Thesis Submitted to the
Faculty of the
COMMITTEE ON AMERICAN INDIAN STUDIES
In Partial Fulfillment of the Requirements
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In the Graduate College
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TOM HOLM
Assistant Professor of Political Science
DEDICATION

I dedicate this thesis to my mother who helped me edit this cumbersome work, and to my advisor Tom Holm who provided the impetus and encouragement needed to embark upon a project of this nature.
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ABSTRACT

The purpose of this thesis is to provide new insight and understanding into the Indian youth movements of the sixties and seventies using Karl Mannheim's generational unit model. This study will focus on the little understood area of generational theory, specifically the issue of intergenerational bonding and consequently depart from past interpretations by social scientists who explained the Indians' agitation as merely an imitation of the student protest and civil rights movements of the sixties. Indian youth, experiencing extreme social dislocation, attempted to form a rapprochement with their elders. This action was in sharp contrast with those experiences of non-Indian American youth who severed their ties with all preceding generations in their rebellion against traditional American values.

Four examples of Indian unrest which appear to illustrate the verity of this hypothesis--the fish-ins, the occupation of Alcatraz, the seizure of the Bureau of Indian Affairs building, and the takeover of Wounded Knee--will be discussed.
CHAPTER 1
INTRODUCTION

The coalition had finally been forged which was to reshuffle Indian affairs beyond recognition. Urban Indian activists seeking an Indian identity and heritage and traditional Indians buttressed by the energies of the young combined forces and made ready to push the Indians who had accommodated the white man off the reservations. Caught between these forces were the tribal chairmen whom the government recognized and the large group of Indian professionals who were operating the programs of the tribes or working in government jobs (Deloria 1974, p. 41).

When Vine Deloria Jr. wrote these words, he was describing a rather unusual, but important human phenomenon: that of intergenerational rapprochement or bonding. Part of a larger hypothesis concerning generational conflict, this intergenerational bonding occurs when one generation, activated by cultural, historical, social, and intellectual change evolves into a generational unit but is frustrated in its attempt to produce its own style. Consequently, this unit attaches itself to an earlier generation because this generation has achieved a more satisfactory lifestyle. In this particular case, Deloria depicts the relationships between three generational groups of American Indians: the activist youth, many of whom were veterans of the Vietnam war, the
middle-aged tribal leader, and the elder who embodies tradition. In reaction to the Indian youths' disillusionment with American society and Indian policy and the conditions of poverty that their people endured, Vietnam generation Indian youth sought a more favorable social and political climate. Thus, they turned to traditional elders for identity, sanction, and a more satisfactory way of life.

The generational unity, consciousness, and style attained by rapproachement with their elders was manifested in the Indian youth movement of the sixties and early seventies. Given the nature of this intergenerational bonding, the movement might be considered to be classically conservative in that it was tradition and community-oriented. This use of generational conflict theories to examine Indian youth movements sharply contrasts with the previous interpretations of the past which are based on the supposition that these youth movements were imitations of the black civil rights or Anglo youth protests of the sixties.¹

In order to understand this new hypothesis, it is first necessary to focus on generational conflict theories which attempt to explain intergenerational politics and

¹Tom Holm's (1984) article on intergenerational rapprochement among Vietnam veterans presented Indian affairs in terms of this perspective.
student movements. The analysis begins with an examination of the two foremost but conflicting generational theory models: the structuralist-functionalist theory as presented by Eisenstadt and Parsons, and the generational unit model as elucidated by Karl Mannheim and their relevancy to the North American Indian situation. It will become evident that the Eisenstadt-Parsons theory or the functionalist model does not adequately explain the Indian youth movements of the sixties and seventies as well as Karl Mannheim's model. The Eisenstadt-Parsons theory can be considered to be rather limited in its scope since it bases its definition of a generational unit solely on biological age.

Although neither model specifically refers to the unique situation in Indian America, Mannheim's theory seems to deal with the phenomenon of intergenerational rapprochement more effectively. In his thesis, Mannheim underscores the importance of other fundamental factors such as specific or common location and social and cultural conditions in the formation of a generational cohort or group.

"Intergenerational Rapprochement Among American Indians" (Holm, 1984), will function as an example of a study done focusing on the American Indian population. His article examines intergenerational politics and the American Indian using Mannheim's generational unit model.
In the following chapters, an analysis of the four specific expressions of Indian unrest: the Fishing Rights Controversy, the Alcatraz Occupation, the Bureau of Indian Affairs Seizure, and the Wounded Knee Takeover will demonstrate the verity of this hypothesis.
CHAPTER 2

A STUDY OF INTERGENERATIONAL POLITICS

According to Richard G. Braungart, author of the article "The Sociology of Generations and Student Politics," a number of theories explaining youth politics and movements have emerged in the sixties. He identifies the following as the most noteworthy of them all:


The generational conflict theory, elucidating student activist behavior, received considerable attention in the sixties. Although very popular, it also received much criticism in its interpretation of student movements. Two conflicting models of the theory emerge which attempt to analyze its relevance to modern society. On the one hand, both Eisenstadt and Parsons present a structural functionalist model, while on the other, Karl Mannheim elucidates a generational unit model (Braungart 1974).
The Eisenstadt-Parsons model is premised on the interpretation that intergenerational conflict is the product of "...weak integration between the age groups and society" (Braungart 1974, p. 35). Eisenstadt declares: "...age serves as a basis for defining the cultural and social characteristics of human beings, for the formation of some of the mutual relations and common activities, and for the differentiation and allocation of social roles" (Eisenstadt 1963, p. 24).

Generational conflict may occur during the youth's natural process of growth and development. The youth must challenge and then replace the older generation's position of authority in society in order to realize their full potential, personal identity, and maturity. A transitional period between childhood and adult life, the stage of youth is characterized by the development of the youth's political and social identity and the acquisition of a future orientation. Essentially, this period prepares the youth to take on the responsibilities of the adult world while at the same time providing for the establishment of a linkage between their "personal situation and social-cultural values" (Eisenstadt 1963, p. 28) of the society at large. The more complex a society the more severe the conflict since integration into the social order is determined by the social structure itself (Bettleheim 1963; Holm 1984).
In a "primitive" or tribal society, one which places a stronger emphasis on kinship ties and has a more homogeneous value system, all age groups seem to participate to a greater degree in both the activities and the ceremonials of the society. In essence, each generation is functional in the political, ceremonial, economic, and social aspects of life. This active participation in the larger social order and its activities "...facilitates the transition between youth and adulthood and the integration between the family and the total society" (Braungart 1974, p. 36). As a result, intergenerational conflict is noticeably absent from this type of society (Braungart 1974, p. 36).

In contrast to that of the tribal society, the middle generation aged 35 to 65 of a modern society emerges as the central dominant group because it refuses to relinquish its position of power, authority and responsibility. Thus, both the "past-oriented" elders and the youth are pushed aside. Superseded by the middle generation group, the eldest generation no longer serves in any political, social, or cultural capacity. The youngest generation, as well, is barred from active participation in the growth and development of society because of the formidable power of the middle group. Therefore, the complex society experiences discord. Fragmentation of each generational groups' defined roles in society subsequently
occurs and this ultimately affects the harmonious integration of all age groups into society. Consequently, generational conflict ensues. Braungart describes the impact that this development has had on the society:

a) the economic need for youth decreases, b) discrepant orientations exist between the family and society, and c) additional demands are placed on each succeeding generation—all of which encourage the segregation of youth from the adult world... (Braungart 1974, p. 36).

Bettleheim further expounds on this condition:

Because of historical displacement youth are no longer needed today. [Their] contributions...are not as highly valued in a modern mechanized society as they once were in 'primitive society.' In the eyes of the older generation, youth as an age-group have become isolated from participation in the larger social order. If youth are to take their place in modern society, they must compete with the older generation who generally refuse to step aside (Bettleheim 1963, p. 75).

Karl Mannheim's model, on the contrary, depicts a generation as based not only on its biological age, but on its specific location. "Location bound" is an important factor because it provides those who are exposed to similar experiences with the same mode of thought and behavior. Mannheim writes:

...both [age group and background] endow the individuals sharing in them with a common location in the social and historical process, and there by limit them to a specific range of potential experience, predisposing them for a certain characteristic and mode of thought and experience, and a characteristic type of historically relevant action (Mannheim 1952, p. 291).
In agreement with the assertions of Feuer (1969), Ortega y Gasset (1958), Davis (1940), and Eisenstadt (1956), Braungart claims that "generations have played an important role in the creation of new social and historical forms" (Braungart 1974, p. 41). Arguing that intergenerational unity is not "automatically" based on the simple fact of birth nor does it "inherently create a willingness to challenge and displace the older generation," (Holm 1984, p. 163) Mannheim asserts that this unity is based upon an historical and sociological place, "the common location" (lagerung), and the development of an "entelechy" or generational style (Mannheim 1952). "...'generation' represents nothing more than a particular kind of identity of location, embracing related 'age groups' embedded in a historical-social process" (Mannheim 1952, p. 292). Indeed, the "fresh contacts" with ideas, customs, and political institutions that the young people make within the context of their social conditions and the historical period in which they live are more instrumental in the cultivation of this generational unity.

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1Mannheim defines the generational cohort: Youth experiencing the same concrete historical problems may be said to be a part of the same actual generation. While these groups within the same actual generation which work up the material of their common experience in different specific ways constitute separate generational units (Mannheim 1952, p. 304).
Stronger than the biological generation, the generational cohort, once it develops its own historical identity, unity, and style, can effect generational conflict. This overall developmental process may or may not occur depending upon the historical, social, political, and cultural conditions of the time. Braungart states: "Natural data [or the 'biological rhythm of birth and death'] receive their shape and form from the emerging social, cultural, and historical processes" (Braungart 1974, p. 42).

Social and intellectual trends play a major role in the development of the generational style which in turn tempers the basic behavior and attitudes that exist within the generation. In effect, these intellectual trends along with the particular political mentality of the period whether it be conservatism or liberalism are strongly influential in the formation of youth movements and these factors are expressed in the movement's dominant force or "Zeitgeist" (Mannheim 1952).

Social and cultural change also play important roles in the developmental process of generational units and the formation of a generational style. In a society which is static or slow changing, "generational cleavage" and thus generational units with collective styles sharply set off from older generations do not exist. Rather, the society is harmoniously balanced as one generation
naturally evolves from the other and all maintain a homogeneous set of values. The quicker the tempo of change, however, the more likely it is that generational units will form. Braungart declares:

During periods of rapid social and historical change, attitudes take on new meaning and quickly become differentiated from traditional patterns of experience. As these newly emerging patterns of experience consolidate, they form fresh impulses and cores for generational configuration which result in unique generational styles (Braungart 1974, p. 43).

Nevertheless, too quick a tempo of change can hinder a generational unit's formation of its own style. Mannheim relates this problem:

It is conceivable that too greatly accelerated a tempo might lead to mutual destruction of the embryo entelechies...we can observe...various finely graded patterns of response of age groups closely following upon each other and living side by side. These age groups, however, are so closely packed together that they do not succeed in achieving a fruitful new formulation of distinct generational entelechies and formative principles (Mannheim 1952, p. 310).

Taking this assertion one step further, Mannheim claims that although generational units share both a common destiny and a similar location, intragenerational conflict may occur and is quite common among members within the same generation who react to cultural and social stimuli in different ways. From the 18th century on this rivalry manifested itself in two opposing political mentalities: "The romantic-conservative" and "the rationalist-liberal" (Mannheim 1952).
In his article, "Intergenerational Rapprochement Among American Indians: A Study of Thirty-Five Indian Veterans of the Vietnam War" (1984), Dr. Thomas Holm suggests that the Vietnam generation Indian youths' conflict with American society and their subsequent rapprochement with the eldest generation could be explained in terms of the intergenerational politics theory. Focusing on the little understood area of generational theory, specifically the issue of intergenerational bonding, Holm proposes that while American youths underwent intergenerational conflict during the sixties and seventies, Indian veterans and non-veterans alike experienced the opposite: generational rapprochement. This intergenerational bonding is documented in interviews that he conducted with Indian veterans of the Vietnam War. Holm argues that in an era of extreme "conflict and factionalism," Vietnam generation Indian youth grew dissatisfied with American society and sought consequently, "a more favorable social and political climate." Thus, "they turned to traditional elders for identity, sanction, and a more satisfactory way of life. Their experiences," Holm concludes, "tend to confirm Karl Mannheim's suggestion that some generations, unable to form their own 'entelechies,' attach themselves to earlier generations which have developed a satisfactory form" (Holm 1984, p. 161).
Simultaneously, the "youth cult" as one author termed it, emerged. This group consisted of American youth from the white middle- and upper-middle classes. Protesting the Vietnam war, the "exploitation of the environment," and the system's unfair treatment of minority groups in the United States, this group, or "student movement" (Feuer 1968) dedicated itself to fighting against the elder or middle generation or "establishment" using verbal or physical means. Experiencing acute feelings of alienation, they isolated themselves from American society and grew extremely distrustful of anyone over thirty (Laing 1967, Adelman 1972, Lipset 1972, Feuer 1968, Bashir and Strauss 1978).

In order to explore and then discuss intergenerational conflict among American Indians, it is necessary to first analyze the distinctive and special nature of tribal societies. A tribe by definition is a society whose social structure is based on kinship. Specifically, an Indian society is based on tradition. Authority rests in tradition. Since the elders are direct links to the tribes' "historical identity and continuity of the tribe," (Holm 1984, p. 162) and they are the guardians of tradition, they hold revered positions in society. Nevertheless, they do not necessarily hold authority. Rather, they give sanction to "political structures and social relationships" (Holm 1984, p. 162) within tribal
society and interpret tradition whenever the tribe is confronted with a social, political, or cultural problem. Their interpretations, however, are subject to the tribe's rejection if they believe that the elders' observations are radical in nature (Holm 1984).

In contrast to Feuer's definition of a tribal society as that which has a "gerontocracy" and holds "deep antagonisms between the generations..." (Holm 1984, p. 162), within its society, an Indian tribe may have a gerontocracy. It also could be administered by a matriarchy, a military committee, or a priesthood depending upon tradition or the kinship system. Yet, as mentioned previously, authority lies in tradition and it is the role of the leaders to interpret tradition. Thus, there exists no one group which holds both power and authority over the people. Therefore, no conflict exists between generations. These factors are characteristic only of the peasant societies and tribal societies outside of North America that Feuer described in his book, The Conflict of Generations: The Character and Significance of Student Movements (Feuer 1969, pp. 173, 253-4).

The functionalist model of the generational conflict theory discussed earlier applies somewhat to the present condition of American Indian tribes (Bettleheim 1963, Eisenstadt 1963, Erikson 1968, Braunhart 1974). Like the "primitive" societies mentioned in the functionalist
theory, the Indian society is based on kinship and strongly emphasizes the retention of traditional values. In outward appearance, Indian societies seem to be primitive societies in transition because they appear to be undergoing a process of change from simple to more complex societies in terms of technological advancement. For example: Indians are acquiring an Euro-American education. Almost half of the population is relocating into Urban centers and there exist major corporations on reservations to exploit untapped natural resources. Indian youth unrest during the last thirty years or so might be attributable to this increased social change, dislocation, and cultural conflict (Holm 1984, p. 163).

Nevertheless, the functional model does not offer any explanation for the development of an intergenerational bond between the youth and their tribal elders which has helped the former to gain an identity, sanction, and a code of values to live by. On the contrary, the model stresses that the major reason for youth unrest stems from the inability of the youth to usurp the position of authority from the middle generation. In other words, according to the functionalist theory, the youth are supposed to be actually modeling their social and political behavior after that of the middle generation who, in turn, supposedly superseded the elder generations' societal position and power. Such was not the case, however, in Indian
societies during the sixties and seventies. Not only are all generational groups still partially functional in the political, ceremonial, economic, and social arenas in Indian society, [Even though the tribe has undergone a tremendous amount of change due to the schizophrenic nature of Indian policy and its goals of assimilation] but the youths' rapprochement with the eldest generation can not be explained by the functionalist theory as merely a simple coalition of social and political outcasts given the nature of the generational bond (Holm 1984).

According to Holm, Karl Mannheim's generational model, on the other hand, provides a clearer perspective on American Indian conflict and the rapprochement which existed between the Vietnam generation youth and their elders. These Indian youths were born and grew up in an extremely disruptive, traumatic, and problematic period in American Indian history. World War II marked the enlistment of well over 25,000 Indians in the military service and the migration of nearly 40,000 Indians to urban centers to work in war-related industries. After the War, the federal government passed legislation which called for the termination of all Indian groups and the relocation of many, once trained in vocational skills, into cities. The inception of these programs marked renewed efforts by the federal government to assimilate the Indian into American society. Essentially, both policies had the effect of
dismantling tribal society and ensuring the break down of the tribal land base even further. In some cases termination led to the end of tribal/federal relations and the subsequent elimination of the Indians' land (Holm 1984).

The Indian youths who lived in the cities of Los Angeles, Chicago, Minneapolis, and other urban areas made "fresh contacts" with poverty and their impending assimilation into the urban ghetto which represented American society. Unsettled by the American way of life, they soon reaffirmed their identity as Indians, embraced their culture and heritage, and looked to the tribal elders with a renewed sense of respect and admiration in order to ensure their survival. The youngest generation formed this rapprochement with their tribal elders because they were closer to the old ways. Holm declares: "Tribal traditions offered personal identity, an organic affinity with a reservation homeland, and social controls not found in the often chaotic life-styles of a large, urban area..." (Holm 1984, p. 164). It is significant to note here that the Indian elders themselves grew up during a period of social dislocation, change, and turbulence. The federal government had just passed the General Allotment Act as part of a campaign to assimilate the Indians. The legislation's goal was to break up the reservations, undermine tribal sovereignty, immobilize the Indians
socially and culturally, and take children far away from the reservation to boarding schools in order to educate them in the white man's way. Nevertheless, to the chagrin of policymakers, the elders stubbornly clung to their identity and traditions through preservation of what little land base and tribal institutions they had left. Holm concludes:

In any case; it was to these tribal traditionalists that many Vietnam generation Indian youths turned for religious guidance, tribal identity, and a more satisfactory way of life. Indian elders, in turn, hoped that the younger generation would retain tribal traditions, in spite of the unfavorable social and political situation (Holm 1984, p. 164).

This urban group, along with the disillusioned rural Indians born between 1943 and 53, formed a generational unit. Despite their different tribal and cultural backgrounds, they were part of the same social and historical location. They were alienated from their parents who also had grown up during a period of social change. Yet, their parents were able to accommodate themselves to the demands of American society. The key to the survival and adaptability of the middle generation was their ability to develop and retain their own set of cultural patterns and identity. The identity of the middle generation had been intact before they took jobs in the city. Then, they underwent changes. They viewed their employment sheerly in terms of economic support and therefore, their accommodation to American society was
satisfactory. As products of the Depression and the Second World War, they either took jobs as wage laborers away from the reservation while maintaining their contacts with the community, or remained on the reservation. Yet, their lifestyles differed from those of their "traditionalist" parents. This middle generation advocated economic development as the cure for both the social and economic problems which plagued urban and rural America. Their values as well were in sharp contrast to those of their children. The youngest generation was strongly against economic development because they viewed it as a source of economic woe. Also, where the middle generation accepted the federal government's policies, the Indian youth were frustrated and cynical. Youths from urban and rural areas shared other disillusions as well. For example, according to Holm, Vietnam generation Indian youth were unhappy with the education system and dissatisfied with American society overall (Holm 1984).

Although the Vietnam generation Indian youth formed a generational unit, the tempo of social change was too accelerated for them to cultivate a generational style. Mannheim mentioned this problem. According to Holm, the changes in federal Indian policy and programs were happening too fast from 1950-65. First, the government advocated Termination and Relocation; and then after several years, policymakers reversed their stand and
supported policies which reinforced tribal societies and their relations with the federal government. In addition, the government established welfare and education programs to serve the needs of the Indians at this time. Furthermore, Vietnam generation Indian youth were born at a time that changed substantially a few years later. Finally, the war created a split within the "biological cohort" of the youngest generation (Holm 1984).

The unit's historical destiny, however, did not come about until the youth formed a rapprochement with the elders. "...their generational consciousness focused on tribal cultural retention and/or revitalization" (Holm 1984, p. 167). The youth believed that the adoption of traditional values was the key to a better way of life. Their personal crisis would not be solved by their bond with the elders because a new set of interpersonal relationships would supersede their reliance on impersonal institutions. "Indian veterans and non-veterans alike turned to tribal elders and discovered their 'real' identities and common intergenerational roots" (Holm 1984, p. 168-9). Mannheim explains this process: "Such generations, frustrated in the production of an individual entelechy, tend to attach themselves where possible, to an earlier generation which may have achieved a satisfactory form" (Mannheim 1952, p. 310).
In summarizing, the generational cohort of American Indians essentially formed a generational unit. This process did not develop in the usual manner. Rather this generational cohort achieved unity and a generational consciousness by looking to a preceding generation who embodied a more satisfactory way of life and then forming a rapprochement with them. This unity and consciousness manifested itself in the Indian movements of the late sixties and early seventies. Essentially, the generational cohort's unity was not based on an historical or sociological location and the development of a generational style, but rather it rested upon the adoption of those values and traditions of the eldest generation whose style was more satisfactory.
CHAPTER 3

THE FISH-IN CONTROVERSY

This Is My Land

This is my land
From the time of the first moon
Till the time of the last sun
It was given to my people.
Wha-neh Wha-neh, the great giver of life
Made me out of the earth of this land
He said, 'You are the land, and the land is you.'
I take good care of this land,
For I am part of it.
I take good care of the animals,
For they are my brothers and sisters.
I take care of my streams and rivers,
For they clean my land.
I honor Ocean as my father,
For he gives me food and a means of travel.
Ocean knows everything, for he is everywhere.
Ocean is wise, for he is old.
Listen to Ocean, for he speaks wisdom.
He sees much and knows more.
He says, 'Take care of my sister, Earth,
She is young and has little wisdom but
much kindness.'
'When she smiles it is springtime.'
'Scar not her beauty, for she is beautiful beyond all
things.'
'Her face looks eternally upward to the beauty of sky and
stars,
Where once she lived with her father, Sky.'
I am forever grateful for this beautiful and bountiful
earth
God gave it to me
This is my land.

-Clarence Pickernell
Quinault, Taholah
(American Friends
Service Committee
[AFSC] 1970, preface)
The effects of this intergenerational rapprochement can be studied as it appears in the fish-ins in Washington State. These demonstrations were the first major expressions of Indian unrest in the sixties and tend to support Mannheim's theory of intergenerational bonding. Throughout the sixties and early seventies, the National Indian Youth Council (NIYC), a major Indian activist youth group, staged a series of fish-ins with both the invitation and sanction of Washington tribal elders.¹

In February of 1964, concerned about the State's violation of the Makah tribe's off-reservation fishing rights in Washington, the tribal council passed a resolution which called for the unification of all small fishing tribes throughout the state. Makah elders then appealed to members of the NIYC to aid them in their cause and to provide leadership. They were joined mainly by the Nisqually, Puyallup, and Muckleshoot tribal members and elders. The coalition decided on a fish-in as the most effective means of protest (Steiner 1968).

These demonstrations were many in reaction to the State's actions concerning the Washington tribes' fishing

¹The Survival of the American Indian Association (SAIA), an organization dedicated "To the assertion and preservation of off-reservation fishing rights" (AFSC 1970, p. 108) also played an important role in the organization of the fish-ins. A coalition of Washington Indian fishermen of all ages, the Association was heterogeneous.
rights. The State, by imposing increased control and strict enforcement of the use of traditional equipment off the reservation, had violated the Treaties of Medicine Creek and Point Elliot. Signed in 1854 and 1855 respectively, both treaties included provisions for fishing rights:

The right of taking fish at all usual and accustomed grounds and stations is further secured to said Indians in common with all citizens of the Territory, and of erecting temporary houses for the purpose of curing. . .provided, however, that they shall not take shell fish from any beds stalked or cultivated by citizens (AFSC 1970, p. 83).

The Fish and Game Departments were powerful groups which represented the interests of their constituencies, the commercial and sports fishermen. They attacked the Indians' special status concerning fishing rights by exerting pressure on the state to pursue measures which would put an end to this special status. Consequently, state officials began to arrest Indians for fishing off the reservation during certain seasons and at places which were illegal for other citizens to do so. The State Supreme Court cooperated with the Fish and Game Departments' demands, convinced that the Indians had no rights. Their decisions tended toward an increasingly narrow interpretation of treaty-protected off-reservation fishing rights. The Court's convictions of Indians who had been arrested while fishing also increased. In addition, both state officials and sports fishermen resorted to harassing the Indian fishermen. Thus, violent confrontations on the river occurred repeatedly and some
activists died in these clashes. Furthermore, the State damaged or confiscated expensive fishing equipment and failed to return it even when the court dismissed the charges. Essentially, the State's policies had the effect of undermining Indian fishing and marketing of the fish. The State defended its policies in terms of the need for conservation. The Indians, on the other hand, tenaciously clung to their rights by continuing to fish while seeking retribution in the courts (AFSC 1970, Deloria 1974).

In order to call attention to these unfair conditions caused by violation of treaty rights, both Dick Gregory and Marlon Brando participated in a series of fish-ins organized by the National Indian Youth Council (NIYC) during the 1960s in different parts of the state (Franks Landing, Olympia, and the Nisqually, Green, and Puyallup Rivers). In the protest staged at Olympia, Washington in 1964, a dramatic confrontation between the state game wardens and the Indians took place. Although the Court later dropped the charges, it severely reprimanded both Gregory and Brando for interfering in the affairs of and agitating the State's Indians (Deloria 1974, AFSC 1970).

The tribal governments, however, opposed the fish-ins. They too had fought against the State over fishing rights in the past and subsequently viewed these renewed protests and demonstrations as threats to the informal and
tentative nature of the agreements they had reached with the State. Deloria asserts:

The larger tribes had, in effect, sold out the rights of the smaller tribes by promising to police their own members. In return, the state mysteriously avoided confrontations with the larger tribes and concentrated its efforts on the smaller tribes, which were virtually helpless to defend themselves. Suddenly, it seemed as if the whole balance of power and status quo could be upset and the fishing rights issue on the basis of treaty promises would have to be litigated once again. The course of action had already been used by the larger tribes, and they didn't want to go through the whole thing again. So they opposed the fishing demonstrations (Deloria 1974, pp. 26-27).

Nevertheless, the fish-ins triggered a series of Indian protest movements in the Pacific Northwest against any further state violation of treaty rights. Resistance spread from Washington to Oregon and then Idaho concerning the issues of fishing and, later still hunting rights. In reaction to this upheaval, state officials arrested Indians, and soon the state courts were inundated with cases involving the interpretation of Indian treaties. In Washington state specifically, to bolster the prosecution's case, attorneys from the Departments of Game and Fish challenged the tribal status and even the existence of the Nisqually, Muckleshoot, and Puyallup tribes (AFSC 1970). In effect, the State was determined to limit the Indians' fishing rights to the reservation only.

After a decade of court cases and acts of civil disobedience, Indians were still being arrested. As
resentment grew, conditions became more volatile and the fish-ins often ended in shoot-outs between the Indians and the Euro-Americans.

Amidst this environment of extreme tension and violence, members of the Medicine Creek Nation or Puyallup tribe led by the NIYC established a fishing camp off-reservation on the banks of the Puyallup River during the fall of 1970. Protesting the State's closing of the river to Indian fishermen for salmon spawning purposes, the Puyallups demonstrated against the violation of treaty rights. They were determined to stay at the camp and continue to fish until the State met their demands.

Puyallup tribal council member Ramona Burnette declares:

We are fishing. We are armed and prepared to defend our rights with our lives. If anyone lays a hand on that net, they are going to get shot... We're serious. There are no blanks in our guns. First, they disease our air and now they want to disease us ("Indians Ask Protection, Get Clubs, Gassed Instead. 60 Arrests in West Coast Fight for Survival" October 1970 Vol. 2, No. 6).

In a manner similar to official actions of the past, wardens appeared at the campsite dressed in riot gear and carrying clubs. They cut the fishing net and confiscated equipment. The Indians protested and then fired a few warning shots which hit the river. Soon after, there was chaos. The police threw tear gas, charged, and brutally beat men, women, and children. Someone then hurled a fire bomb and the officials arrested 54 Indians and jailed them.
while they awaited hearings. After the camp was abandoned, the State leveled it with a bulldozer, justifying these actions in the name of conservation ("Indians Ask Protection, Get Clubs, Gassed Instead" October 1970, Vol. 2, No. 6).

Up to this point, although the Bureau of Indian Affairs had announced in 1965 its position in support of the tribe's rights both to fish off reservation at "usual and accustomed places" and to regulate such fishing, the Bureau did not take the initiative to introduce cases dealing with these rights. The BIA, in effect, had been rather inconsistent and sluggish in its commitment to defend Indian fishing rights. This negligence can be attributed to the confused nature of Indian affairs which existed between the federal government and the state of Washington. Under Public Law 280, the state of Washington had jurisdiction over Indian affairs within the state. Yet by virtue of its special treaty relationship with the Indians the federal government is obliged to assist them in their claims against the State. This situation created a conflict of interest between the state of Washington and the federal government. However, this problem goes beyond the question of state jurisdiction versus federal jurisdiction. This is demonstrated by the conflicting loyalties of the BIA. A conflict arises from the position of the BIA within the federal government system. Since it is administratively housed
within the Department of Interior, the BIA should coincide with the objectives of that branch. The Department of Interior's goals basically are the exploitation of the United States' natural resources. The BIA, on the other hand, must defend the Indians' sovereignty over their land (Talbot unpublished, p. 14). The crisis at the Puyallup River prompted the BIA to become more actively involved in the protection and defense of Indian fishing rights.²

The source of confusion and conflict which existed between the citizens, the state officials, and the tribes concerning Indian fishing rights can be traced back to the Treaties of Medicine Creek and Elliot Point. The Indians' position was solidly founded upon these treaties, which were written by the citizens' forefathers, and agreed upon by the Indians' ancestors. Unbeknownst to the citizens of the State, the treaties' provisions still exist. Peter Collier, in his article "The Indians vs. The State of Washington," claims that:

Like other episodes in contemporary Indian affairs, this confrontation involved forces set in motion by history now coming home with all the inexorability of the original sin. The battle lines were drawn long ago, before Washington was yet a state, in the

²For more information concerning this statement, see AFSC 1970, pp. 140-2. Also in terms of the Department of Justice's role or lack thereof in defense of the Indians in the fish-ins, see "U.S. Had Warning of Indian Wrath on Fishing" William Greeder, Washington Post Friday September 25, 1970, and "Indians Need U.S. Legal Aid Says Kennedy" Washington Post 1970.
In the 1850s, when homesteaders began rolling in to all parts of the Pacific Northwest to claim up to 320 acres each...In 1853 the Territorial Governor, Isaac Stevens...engaged in a blitzkrieg of negotiations, and in less than a year had obtained title to what is now most of Oregon, Idaho, and Washington in exchange for a series of treaties and some modestly sized reservations (Coller 1971, p. 1).

The net result (pun intended) of the treaty-signing process was that many Washington tribes had no reservations assigned to them and other tribes were not specifically recognized as parties to the treaties. These two legal points caused much contention in the fishing controversy of the 1960s (Collier 1971).

When representatives from the Nisqually, Muckleshoot, and Puyallup tribes signed the Medicine Creek and Point Ellion treaties, they made sure that the agreement included a provision which retained their right to fish in their "usual and accustomed grounds in common with other citizens of the territory" (Collier 1971, p. 2). A solemn promise between two sovereign nations, this agreement, the Indians believed, would ensure their right to fish in all the habitual places. A vital part of the Washington tribes' survival, fishing was important to the Indians. They based their social structure and kinship on the salmon, which was the focal point of their daily lives, their culture, religion, and art, and even the rate of exchange in trade. Indeed, the salmon was so integral to the Washington tribes' sustenance that the Indians had extensive ceremonies.
honoring the fish so that the species would replenish itself and be available to sustain the people. Eighty percent of the Puyallup diet, in fact, was based on the salmon. The Euro-Americans, on the other hand, viewed the aforementioned clause as a means by which to quell Indian opposition to the seizure of their lands. Peace between the two races did not last for too long. Within 50 years the Euro-Americans discovered the economic potential of the fishing industry and began to violate the treaties (AFSC 1970).

In some cases the State did not harrass those Indians whose accustomed fishing places mentioned in the treaties were located within the existing boundaries of the reservations. Also, in this particular circumstance, the State did not press for jurisdiction over these federal lands either. The State government ignored these tribes because they lived in areas marginal to the economic development of the State. On the other hand, those tribes located in the Puget Sound region among others had little or no tribal reservation land base left because they lived in an area of great commercial and industrial potential. Hence, they experienced the greatest attack from State officials because their fishing grounds were located off the reservation. Since the State viewed the Puyallup Indians, among others, to be obstacles to the development, effective management, and operation of the growing fishing industries,
the Indians suffered constant harassment of their treaty rights (Collier 1971).

Believing that the Nisqually, Puyallup, and Muckleshoot Indians had no rights whatsoever to fish off-reservation, the State, especially the Departments of Fish and Game, its lawyers, and representatives of the State Court System were determined to eliminate the Indians' special status vis-a-vis their fishing rights. Thus, in the face of this formidable opposition, tribes such as the Puyallup who had a woefully inadequate land base depended upon the treaties to legitimize their fishing rights.

Collier describes the State's position:

The State of Washington holds the interpretation that the treaties [were] intended only to give [the Indians] the right to fish alongside white sportsmen, with a hook and line and subject to the [state's] regulation as to time and place. This interpretation has been backed up with police power. When the courts insisted that the Indians do have special rights, the state began to regulate the exercise of these rights in the interests of conservation rather than as a naked and arbitrary display of power. Either way, the result is the same (Collier 1971, p. 2).

The Indians strongly disagreed with this point of view. Their right to fish was not a right granted by the State but an aboriginal right which had preceded the establishment of the State. In the treaty, the Indians had simply agreed to share this right with other citizens (Gaillard 1970). John Redtail, 20, proclaims his people's rights as interpreted from the Medicine Creek Treaty of.
1854. "Our people will fish when the fish are running. This is our right by the Medicine Creek treaty. It gave us first water rights in the State and the right to fish any time in return for our land which was confiscated. We will die here" (Jarrell September 4, 1970).

Consistent with its goals based on Public Law 280, the State's Indian policy also downplayed the importance of fishing. Encouraging the pursuit of agriculture rather than fishing the State offered economic assistance in the form of agricultural implements even though the reservation lands were ill-suited for farming. State officials outwardly justified this policy on the premise that a small group could not be allowed special rights to a public resource. More importantly, though, since salmon was the major resource contributing more than 100 million dollars annually to the economy of the State and the fish were becoming more scarce, the State did not want the Indians to appropriate the fish (Collier 1971).

By the 1950s and 1960s, as a result of the State's Indian policy, Indian life was in a deplorable state. The combined pressure of federal neglect and state coercion had taken its toll, and many Indians had abandoned fishing

3Public law 280 gave the State of Washington jurisdiction over the formation of Indian policy and the right to control law and order on the reservations.
altogether. No longer pursuing a guaranteed level of subsistence, many Indians not only experienced acute poverty, but also lost a great deal of the culture and heritage. In addition, the loss of their identity was attributed to their increasingly diminished tribal land base. Nevertheless, the Indian community persisted. It continued to survive underground, heightened by an increased desire on the part of the Indian people, especially the youth, to reassert their Indian identity and culture in an effort to combat the inevitable: a lifestyle filled with poverty at the bottom of the social order in American society (Collier 1971).

The fish-in demonstrations provided Washington Indian youth with a means to express their disillusionment and dissatisfaction with American society and also as a vehicle to actively protest the terrible social conditions endured by their people. Even before the problems with the fish-ins arose, however, there had been a general feeling of unease experienced by Indian youth nationwide who suffered extreme dislocation from mainstream American society.

The National Indian Youth Council was one of the major forces behind the fish-ins. An active coordinator and organizer of these demonstrations in the 1960s, the NIYC along with the American Indian Movement were the two principal Indian youth activist groups of the period (Holm 1984). The National Indian Youth Council consisted of
university-educated Indian youth currently living in urban areas. Tracing its origin back to the 1950s, the council became a forum for Indian youth to express their frustrations and disillusionment with American society, and a place to voice their objections to widespread poverty in both urban and rural areas. The council also provided the youth with a means by which to exercise action in order to effect reform (Steiner 1968).

The students who initially organized this group were apprehensive about university education. They feared that the university system was educating them to exist ultimately in a "no-man's land" between two cultures where they would be integrated neither into American society nor into the reservation community. Reinforcing their dilemma was the confusion concerning their status in regards to the tribe. Once they had been students at the university, would the tribe consider them to be outsiders, insiders, or somewhere in between? Thus, these Indian students, or the "New Indians," sought out their parents and especially their grandparents in order to address some of their fears, confusion, and conflict surrounding the inconsistencies that existed between the professors' teachings and the instructions of their elders. In short, the university Indian youth were not at all sure either of their college or their tribal future. Yet, although they emerged from this meeting with some satisfaction and a renewed energy to continue
their studies because of their elders' approval, the Indian youth were still restless and disillusioned with existing social conditions and American society overall. They viewed the official Indian leaders, the middle-aged generation or "Uncle Tomahawks," as traitors who had compromised away many Indian rights. Discouraged with the middle generation's lack of aggressive leadership in dealing with the outside society, and disillusioned with federal Indian policy in general, Indian youth held their own caucuses. Clyde Warrior, a Ponca Indian in his twenties and a founder of the National Indian Youth Council, relates his discontent with the "system." "White colonialists, racists, fascists, Uncle Tomahawks, and bureaucrats staffed the U.S. Government agencies dealing with Indians. The officials were concerned only with procedure, progress reports, and regulations. And couldn't care less about the average Indian" (Steiner 1968, p. 72).

The youths' statement of purpose drawn up during one such caucus underscored their bitter feelings concerning the outside society's ill treatment of the Indians. Also, this statement depicted one youth's determination to combat this condition while at the same time looking to the elders for identity, sanction, and a more satisfactory way of life.

Steiner presents their declaration:

We, the majority of the Indian people of the United States of America, have the inherent right of self-government and the same right of sovereignty. The
tribes 'mean to hold the scraps and parcels [of their lands] as earnestly as any small nation or ethnic group was ever determined to hold to identity and survival,' it declared. 'Our situation can not be relieved by appropriated funds alone.' It continued. 'The answers we seek are not commodities to be purchased, neither are they automatically through the passing of time...What we ask of America is not charity, not paternalism, even when benevolent. 'The effort to place social adjustment on a money-time interval scale which has characterized Indian administration has resulted in unwanted pressure and frustration,' the statement said. It reaffirmed tribal values-'a universe of things they knew, valued, and loved.' And it requested fictional and financial assistance like 'any small nation' (Steiner 1968, pp. 37-8).

According to Herbert Blatchford, another founder of the NIYC, the New Indian Movement started with the old people. The venture was never disjointed. The youth always met on Indian land with the sanction of the elders, who even attended the meetings.

Strongly in favor of retaining traditional Indian values and advocating an education which would allow the Indian youth to adopt the best of both worlds, a synthesis which would contribute to the development of their "Indian-ness," members of the council envisioned a new Indian society which intermeshed elements of the old tribalism with the new. By maintaining strong ties with the elders, Indian youth hoped to recreate Indian life in a modernized twentieth century version to fit the needs of the tribes in today's urban-oriented society. Asserting their sovereign status, the New Indians also called for a federal policy of self-determination. This proposed legislation would empower
the tribes with full control over the administration and management of all tribal programming and thus the destiny of their people. These reforms, the New Indians believed, would help to alleviate the conditions of poverty which plagued their tribesmen (Josephy 1971, Steiner 1968, Burnette 1974, Deloria 1974).

Warrior, an embittered youth, laments the overall predicament of his people: the frustrated attempts of the youths to succeed in urban areas and the ineffective leadership of the middle generation at the tribal government level. Reminiscing about the past, he wrote:

Most members of the NIYC can remember when we were children and spent many hours at the feet of our grandfathers listening to stories of the time when the Indians were a great people, when we were free, when we were rich, when we lived the good life...We today are not free. We do not make choices. Our choices are made for us; we are the poor. For those of us who live on reservations these choices and decisions are made by federal administrations, bureaucrats, and their 'yes men,' euphemistically called tribal governments. Those of us who live in non-reservation areas have our lives controlled by local white power elites. Many of our young people are captivated by the lure of the American city with its excitement and promise of unlimited opportunity. But even if educated they come from powerless and inexperienced communities and many times carry with them a strong sense of unworthiness. For many of them the promise of opportunity ends in the gutter on the skidrows of Los Angeles and Chicago. They should and must be given a better chance to take advantage of the opportunities they have. They must grow up in a decent community with a strong sense of personal adequacy and competency (Josephy 1971, p. 72).

Echoing these sentiments, Robert Burnette, the leader of the American Indian Civil Rights Council,
described the dynamics of the Red Power Movement of the sixties and seventies triggered by the NIYC: "There is a new mood. In the last few years there has been an upsurge of young Indians. And the old Indians are joining them. And they will drive the corrupt out of their lands" (Steiner 1968, p. 47).

More specifically, the NIYC was searching for a target area to vent its hostilities and to effect change. The Fishing Rights Controversy in the Pacific Northwest provided just the outlet. Up in Washington State, young Indian people were also dissatisfied with American society in general and the social conditions of the tribes in particular. Unhappy with their lives, these youths sought ways in which to combat the system in order to effect reforms. One disenchanted Yakima teenager blamed the State's violation of the treaty rights, the scarcity of fish, and the overall plight of the tribes on the colonial tendencies of the State. Alienated from and soured by American society, she declared:

Over ten years ago, a dam was built in the Dalles, Oregon. Before this dam was constructed, ten miles up the river was Celilo Falls. The Yakimas and Indians of many tribes went there to live, stock up on fish, and earn a living. Today, fish are getting scarce. The Indians are rapidly losing all their fishing rights. The Dalles dam forced us to abandon our homes at Celilo Falls. Even after the dam was built the Indians continued to fish in various spots along the Columbia River, but the white man became hostile. The Indians were thrown in jail and fined for fishing. It should have been the other way around. Indians should put white men on
reservations and give them only certain privileges (Steiner 1968, p. 49).

David Leach, a 24-year-old Colville Indian, discussed his sentiments concerning the state's ill treatment of the Indians:

This state is one of the worst places for an Indian. Indians get treated here like blacks in the South. What's going on now on the rivers isn't that much different from things happening to Indians all over the country. The whites just don't want us to have anything at all we can call our own...Washington wants the Indian to just disappear and it figures the best way to make this happen is to keep us away from the fish. But wherever you are, it's just one big fight to survive (Collier 1971, p. 21).

Another Indian youth, Alvin Jame Bridges, expressed his contempt for the failure of the State's legal system both to uphold Indian fishing rights in the Courts and to provide for those Indians who were victims of numerous State Game and Fish Department infractions of the law.

I went to jail last year to test the state's jurisdiction and was treated by the Supreme Court of Washington state as an animal with no rights whatsoever...New devices are dreamed up to place us in jail, further impoverishing and humiliating our position...the State of Washington is attempting to deprive us of our fishing rights, using illegal chicanery, political minded judges, and the militant Nazi-like Game and Fisheries Departments as weapons against us...(Steiner 1968, p. 52)

Finally, Janet McCloud, a member of the Tulalip tribe who later became one of the fish-in leaders, insisted: "They promised us that we could fish 'long as the mountain stands, the grass grows green, and the sun shines'...but now the state of Washington had decreed that the steel head
trout is a white man's fish. They must think the steel head
swam over behind the May Flower" (Steiner 1968, p. 55).4

From the above passages, it is apparent that in
Washington State social upheaval was imminent. Although the
tribal leaders from tribes such as the Nisqually, Puyallup,
and Muckleshoot desired more off-reservation rights as well,
this particular group which represented the middle gener­
ation did not actively support the "militant" fish-in demon­
strations. Afraid of "rocking the boat," these leaders
viewed this form of protest as a threat in regards to the
State, but also the fishing rights agreements signed in the
past. The Nisqually River protest, for example, illustrated
the split between the "renegades" and the middle generation
or establishment. In one particular instance, the Nisqually
tribal chairman, Elmer Kalama, reflecting the position of
the State, openly criticized Dick Gregory for participating
in the fish-in and later acted as a key witness for the
prosecution in the former's trial. Later on, however, the
tribal council of the Puyallup Indians passed an ordinance
which would close all of the Puyallup River and parts of
Commencement Bay to Anglo fishermen (Jarrell 1970).

4The statement of Sidney Mills, "I am a Yakima and
Cherokee Indian, and a Man," made on October 13, 1968,
epitomizes a young Vietnam generation Indian youth's
alienation from and disillusionment with American society.
The youth's leadership of the fish-ins and the elders' sanctioning of both the demonstrations and the youth's position of authority provide evidence that a generational nexus formed between the youth and the eldest generation. On the one hand, the youth looked to the tribal elders for identity, sanction, and a more satisfactory lifestyle, perceiving themselves as the new warrior society who would lead the tribe into battle against the outside society. This conception was rooted in the older ways. "Heirs to a tradition, the university students of the youth council were building their image of twentieth-century tribalism on the inherited ways of the old tribalism" (Steiner 1968, p. 60). In spite of past disputes between old and young concerning the best way to deal with the Americans, the youth revered their tribal elders and the values and traditions they held. Bernadine Eschief, a Shoshone-Bannock youth and NIYC leader, remarked: "We should nevertheless heed the wisdom and experience of the elders" (Steiner 1968, p. 60). Shirley Witt, a Mohawk student, agreed: "We should listen to and respect and honor the experience and advice of our elders" (Steiner 1968, p. 61). Clyde Warrior, while urging bold, outspoken leadership, asserted: "It should be done with great deference to the elders" (Steiner, 1968, p. 60). In effect, according to Mel Thom, one of the leaders of the fish-ins, the youths were dedicated to the modernization and preservation of tribal
society to ensure the survival of the Indian people. The elders, in turn, recognized the youth as important leaders in tribal society. They knew that with the youngest generation lay the future of the tribe and its preservation. Thus, they hoped that the youth would retain the tribal traditions in the face of unfavorable social and political situations. Articulating the phenomenon of intergenerational rapprochement as exhibited in the fish-in demonstrations, Stan Steiner vividly recreates the moment of truth:

Hundreds of Indians stood on the banks of the river, watching the fishermen row out. The winds of Puget Sound tore at them. On the Quiayute River the Indians were uneasy. The tribe was small. It had never done anything this bold, for fishing off the reservation without licenses, was an act of civil disobedience to the game laws, and to the State Supreme Court decisions that confined net fishing by Indians to their reservation. And the wardens were white with wrath...It [the fish-in] was uniquely Indian: the respect for the elders by the youth, the recognition of the youth by the elders. And it was what enabled the once politically apathetic tribes of the State of Washington to influence the federal government in defending their treaty rights and their fishermen (Steiner 1968, pp. 50, 61).
Indians of All Tribes greet our brothers and sisters of all races and tongues upon our Earth Mother. We here on Indian land, Alcatraz, represent many tribes of Indians.

We are still holding the Island of Alcatraz in the true names of Freedom, Justice, and Equality, because our brothers and sisters of this Earth have lent support to our just cause. We reach out our hands and hearts and send spirit messages to all Indians.

Our anger of the many injustices forced upon us since the first white men landed on these sacred shores has been transformed into a hope that we be allowed the long suppressed right of all men to plan and to live their own lives in harmony and cooperation with all fellow creatures and with nature. We have learned that violence breeds violence and have therefore carried out our occupation of Alcatraz in a peaceful manner, hoping that the government will act accordingly. Be it known, however, that we are quite serious in our demand to be given ownership of this island in the name of Indians of All Tribes. We are here to stay; men, women, and children. We feel that this request is but little to ask from a government which has systematically stolen our land, destroyed a once beautiful air and water, ripped open the very bowels of the earth in senseless greed, and instituted a program to annihilate the many Indian tribes of this land by theft, suppression, prejudice, termination, and so-called relocation and assimilation.
We are a proud people! We are Indians! We have observed and rejected much of what so-called civilization offers. We are Indians! We will join hands in a unity never before put into practice. Our Earth Mother awaits our voices. We are Indians of ALL TRIBES!!! -Indians of Alcatraz vow they won't give up.

--A manifesto proclaimed by representatives of Indians of all tribes who occupied the island of Alcatraz in San Francisco Bay from November of 1969 to June of 1971 ("Indians of All Tribes" March 15, 1971)
Amidst the student and civil rights movements of the sixties, on November 19, 1969, 300 Indian youth from San Francisco and the Bay area landed on Alcatraz Island, demanding that the federal government give them title to it. The media gave the incident world-wide publicity. This was not the first time that Indian youth had tried to occupy Alcatraz. In 1964, shortly after the State had closed the island's prison, a group of Sioux Indians living in the Bay area had landed on Alcatraz and claimed the island under a provision of the 1868 Fort Laramie Treaty. This treaty stipulated that title to all unused federal property in the Northwest would revert back to the Oglala Sioux. Another attempt was made by 19 University students from San Francisco State and Berkeley to seize the island. Both these efforts failed (Deloria 1973; Caldwell December 10, 1969).

The 1969 event was the culmination of much effort and frustration. Earlier that year, members of the Indian community had made plans to land on the island in order to reverse the "doctrine of discovery" (Deloria 1973) in favor of the Indians ("Alcatraz Fighting for Life and Land" November 20, 1970). Yet these plans had not been carried out at the time because of a lack of unity among Bay area...
Indian groups. The event which acted to spark the groups to rally in protest was the destruction by fire of the San Francisco Indian Center, an integral part of the community which had served as a meeting place, provided emotional support, social programming, and other services to urban area Indians. A focal point of the community, the center was the place where the urban Indian could receive aid and social services. Federal funding earmarked for the reservation did not cover Indians living off the reservation. Just the day before this fire, as a matter of fact, a large contingent of Indians had met at the center to establish a national organization to serve as a support system for Indians living in urban areas throughout the country. Thus, feelings were running high and the stage was set for the invasion (Deloria 1973).

The activist Indian leaders' intent was to establish on the site of the old prison a holistic community based on traditional values and culture. Once created, this spiritual center would "redeem [the island] from its tragic past" (Deloria 1973, p. 15). To achieve this goal they envisioned the development of an ecological center to replace the barren, antiquated prison buildings. Among other innovations 1) they hoped to plant sacred plants from all tribes for ceremonial healing purposes; 2) they planned the establishment of an Indian university which reinforced Indian heritage and identity and stressed "the true history
of the inner relationships of various cultures..." (Deloria 1973, p. 17); 3) they intended to provide a job training center to support the operations of the whole community (Caldwell December 10, 1969). Beyond all this, the Alcatraz invasion "...was an effort to establish a totally Indian community for emphasizing the inherent strengths of the respective tribal communities across the nation" (Deloria 1973, p. 17). Hence, according to Deloria,

Alcatraz became the focal point of Indian protest and the inspiration of Indians everywhere. Many Indians regarded the capture of Alcatraz as the beginning of a new movement to recapture the continent and assert tribal independence from the United States, and it was finally this issue that Alcatraz came to symbolize (Deloria 1971, pp. 37-8).²

Led by Richard Oakes, 27, a Mohawk from New York, and Adam Norwell, a Chippewa from Minnesota, both Indians from the university and the San Francisco area, settled on the island and were determined to stay there permanently. The appeal of the Alcatraz incident was so great that even many non-Indians nationwide supported and sympathized with the Indians, sending money, food, and other supplies to the island. Soon Alcatraz became a tourist attraction as well, as both reservation and urban Indians from many tribes came to live either temporarily or permanently on the island (Josephy 1971; Hendrick Thursday December 4, 1969).

²See also "Alcatraz War--Both Sides Dig In," San Francisco Chronicle 1970, Carroll for more information.
The reaction of the government was twofold in nature. First, in immediate response to the Indians' invasion of Alcatraz, it diverted funds from the Office of Economic Opportunity and directed them to urban area Indian programming. Secondly, however, even though it allowed Indians to remain in order to avoid a confrontation, the federal government's ultimate intent was to oust the Indians. In order to diffuse the impact of the occupation on Indian groups around the nation, the government made arrangements to fund an "umbrella group" in the San Francisco Bay area instead of financing the Alcatraz cohort directly (Deloria 1974, p. 74) and this decision underscored the inability of the government to understand the nature of the movement (Caldwell May 29, 1970). Indeed, members of several government agencies who handled the Alcatraz affair attempted to exploit the issue for their own political advancement. Each vied for the "inside track" (Deloria 1974, p. 38) in case the administration should rule in favor of the Indians (Caldwell August 15, 1970). The Indians, in turn, were unable to discern their impact on or position in relation to the federal government. During the occupation the basis for the activists' demands changed.

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3See the San Francisco Chronicle's "Coverage of the Incident" from 1969-71 for more information.
Initially, the mandate to restore tribal lands was ideologically based on treaty relationships with the federal government. This foundation, however, began to break down as Indian activists now viewed the treaties merely as an excuse for protests rather than as a means by which to clarify the existing definition of their federal relationship. This erosion ultimately resulted in not only the deterioration of the Alcatraz demonstration, but it also affected all subsequent Indian movements. Sporadic landings on unoccupied federal property accompanied by demands that the federal government turn over title under the Sioux and Arapaho Treaty of 1868 characterized this frenetic and ineffectual form of Indian protest (Deloria 1974).^4

As time wore on other disturbing factors contributed to the breakdown as well. The Indian population in the island became more migrant and fluctuated greatly. Furthermore, the media, in its coverage of the occupation, had blurred the original intent of the movement and stressed the "physical exploits of the invaders" (Deloria 1974, p. 38). This perspective had a tremendous impact on the activists themselves, causing them "to overestimate their input and make mistakes" (Deloria 1974, p. 38). Finally, the Indian activists alienated the tribal governments because the

^4See also later newspaper articles put out by Akwesasne Notes which document the erosion of this movement.
the latter had dealt with the federal government long enough to know that it was impossible to sue for land in this manner. The tribal leaders, who were members of the middle generation, were fully cognizant of the fact that the activists would not be successful in their endeavors to gain title to Alcatraz merely because they had seized federal lands and appeared on television. On the contrary, to take permanent possession of restored lands required a legal entity such as the tribe to receive title in trust. In addition, tribal councils representing tribes nationwide were unsympathetic to any more action concerning treaty rights. These councils were aware that more rights might possibly be achieved through the activists own interpretation of the treaties, they saw no tangible benefits from these demonstrations (Deloria 1974, p. 78). All these factors contributed to the Alcatraz movement's ultimate demise.

Ironically, the Alcatraz incident in its struggle for tribal sovereignty was nothing new. For many years traditionalist tribal elders nationwide had been demanding that the federal government reinstate lands which had been taken away from the tribes and used for national parks and other purposes at the beginning of the century. Although they had failed to realize that the struggle for the possession of Alcatraz could be utilized as a "symbolic and political expression" (Deloria 1974, p. 42) of the problems
Indians had encountered with the federal government's lack of cooperation concerning land restoration, these elders still had strengthened the movement when they condoned the proceedings and even actively participated in the occupation (Caldwell December 10, 1969; "Indians Demand Alactraz Cultural Center" December 4, 1969). Deloria writes:

But a different force began to assert itself on Indian affairs as the discussions of treaties grew. Each reservation had a number of traditional Indians, largely fullbloods, who had preserved the tribal government's set-up under the Indian Reorganization Act of 1934 on the basis of treaty rights. These people represented the Indian traditions in the best sense, so were generally leaders in the tribal religious ceremonies, and were eager to see something done about the treaties, and they began to give fairly substantial support to the idea of treaty reform (Deloria 1974, p. 40).

The traditionalist elders' sanctioning of the demonstrators' ideals came at a crucial point in the lives of the Alcatraz Indian leaders. Many of the parents of the leaders of the movement had moved far away from the reservations to the urban cities when the activists were children. Thus, these youths had never lived in an Indian community. Instead, they had grown up in the slums of Chicago, Los Angeles, Minneapolis, toughened by the ruthlessness of the street, poverty, and the Euro-American school system. It was only when urban Indians joined the major youth protest

During the sixties, the Indian population in the urban centers of Chicago, Denver, Minneapolis, Los Angeles, and other major cities swelled to more than one-half of one million (Josephy 1971).
organizations in the sixties—the American Indian Movement, the United Native Americans, the NIYC, and the Indians of All Tribes—that they met Indian reservation youth who shared their discontent with American society and their disdain for tribal leaders. Searching for an identity, a legitimacy, and a more satisfactory way of life, the urban Indians viewed the members of their own generation group with awe because the latter had grown up on the reservation and spoke the tribal language. Consequently, these urban youth became extremely interested in the tribal language and traditions and experienced a great desire to return to the reservation to renew their ties to the Indian community. An outgrowth of this behavioral change was their extreme militancy with regards to the importance of retaining and renewing Indian culture and heritage (Josephy 1971).

It can be argued that the occupation of Alcatraz epitomized an important phenomenon—that of intergenerational rapprochement. Tribal elders joined disillusioned urban and reservation youth in their protest against American society. In order to examine the incident in terms of this theory, it is necessary to describe the social, political, and economic environment in which this development took place.
As early as the mid-sixties, urban Indians had organized a Red Power Movement. Propelled by a renewed pride in their Indian heritage and identity, disillusioned urban Indians had strongly advocated the policy of Indian self-determination. They had not only found it difficult to adjust to the alien "mainstream of white culture," but had consistently experienced social and economic problems similar in intensity to those on the reservation exacerbated by the fact that even those few federal services that they would have been entitled to on the reservation were not available to them in the cities. This lack of services intensified the poverty level of the urban Indians because they were not eligible for many federal programs. Consequently, these urban Indians had sought each other out for both spiritual and physical support and reinforcement and thus formed urban Indian centers. Embittered and disillusioned with American society, the plight of their people, and Indian policy in general, these young urban Indians and university students had exhibited extreme hostility toward the Bureau of Indian Affairs (BIA), all other "white oppressors," and especially their puppets, the tribal

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6 The Red Power Movement embodied the philosophies of the members of the NIYC and Indian Youth Organizations of the 60s. This movement consisted of disillusioned Indian youth from reservations, urban centers, and universities who called for "Red Power" in their crusade to reform the conditions of their people.
leaders (Josephy 1971, p. 185). At the same time, these alienated youth displayed an increased loyalty to the tribes and consequently sought reforms in Indian policy based on Indian self-determination for the overall conditions of their people (Josephy 1971).

As part of this movement, Indian students at many colleges had organized clubs, conducted seminars and conferences on Indian problems, exerted pressure on the university administration to establish Indian studies programs, and conducted off-campus lectures to increase the American public's awareness of the conditions of the Indian people. Also, urban Indians had formed activist protest groups: the American Indian Movement, which was under the direction of Clyde Bellecourt and Dennis Banks, Chippewas from Minneapolis, and United Native Americans, led by Lehman Brightman in San Francisco, just to name a few. These groups, along with other urban Indian centers around the country, had formed a nationwide federation, American Indians United, under the leadership of Jess Six Killer, an Indian member of the Chicago police (Josephy 1971).

Amidst the civil rights movement and the student protest of the sixties, Indian demonstrations were inevitable. Their grievances were manifold and reflected their dissatisfaction with Euro-American society and the tribes' economic situation. Alvin Josephy asserts:
Old and new grievances were focused upon. The indifference of the government to long-standing injustices being suffered by the tribes, the continued deafness by official Washington to the demand for self-determination, 'stacked cards' against the Pyramid Lake Paiutes' right to water; the Taos Pueblos' right to their sacred Blue Lake, the Puget Sound Indians' right to fish, the Alaskan natives' right to their lands; exploitation of Indians by white promoters and advertisers, discrimination against Indians by federal, state, and local agencies of government; and the initial realignment of the Bureau of Indian Affairs; which failed to get at the heart of the problems. These and other grievances stirred anger among the steadily growing groups of activists (Josephy 1971, pp. 186-7).

In November of 1969, these urban groups joined the intertribal youth in their capture of Alcatraz and proclaimed it Indian land. They equated its conditions of squalor with those on the reservation and therefore the island came to symbolize reservation life (Josephy 1971). In summary, the Alcatraz movement, in spite of its ultimate disintegration, provided an outlet for both urban and reservation Indian youth to express their bitterness and dissatisfaction with American society. Describing the conditions of the tribes and Indian policy in general, Deloria declares: "The takeover of Alcatraz is to many

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7Adam Norwall, President of the United Council of American Indians, declares: "Alcatraz has become a symbol [of reservation life]. The island is isolated, has no fresh water, inadequate sanitation facilities, no oil and mineral rights, no industry, high rate of unemployment, no health, education facilities, population exceeds land base, soil is nonproductive, and the population has always been held as prisoners and kept dependent on others" (Hendrick 1969, p. 45).
Indian people a demonstration of pride in being Indian and a
dignified, yet humorous, protest against current conditions
existing on the reservations and in the cities" (Deloria
1970).

According to Lehman Brightman, Alcatraz was the most
important event since the Indians had actually stopped
warfare with the Euro-Americans in the late 1800s. "We have
been silent and turned the other cheek too damn long"
("Alcatraz Indian War" November 29, 1969). Adam Norwall, in
his 20s, the President of the United Bay Area Council
Indians, stated that Alcatraz represented a symbol of Indian
attack on the whole system. In addition, John Folster, Vice
President of the Bay Area Native American Council asserted:

Alcatraz now symbolizes 'Indianness' in the eyes of
the entire world. It has given us an opportunity
for the first time to bring to the world the true
picture of our desolation. It is a peaceful effort.
It has hurt no one but the Indians themselves who
have sacrificed much to compel the government to
recognize their rights to land, education, decent
houses, and jobs (Caldwell May 29, 1970).

Likening their struggle to Mai Lai in Vietnam, the
Indian leaders also hoped that Alcatraz would focus
attention on the staggering list of day-to-day problems that
their people endured. As of 1970, infant mortality among
700,000 Indians was more than three times the national
average; the average life span was 63.9 years, which was
less than the national average of 70. The yearly income
averaged $1,500.00. "Their unemployment rate was nearly 40
percent, ten times the national average; fifty thousand
Indian families lived in grossly substandard houses, many
without running water, electricity, or adequate sanitary
facilities;...Fifty percent of Indian school children—
double the national average—[dropped] out..." (Josephy
1971, p. 3). In essence, as Josephy stated: "The Indian
faces a dilemma. If he stays on the reservation, he is
hopelessly mired in poverty; if, as urged by the government,
he moves to the city, he is unskilled and unprepared for
urban life, and so remains mired in poverty" (Josephy 1971,
p. 4).

John Trudell, 24, a member of the governing Indian
Council on Alcatraz, explained the demoralizing impact that
federal Indian policy has had on the reservation Indians.

It is the government's aim to break down our
families and break down our resistance. A lot of
reservation Indian children spend their young lives
separated from their parents in boarding schools.
They separate children from parents with schools
that do not teach. We have seen them trying to turn
us into white people called Indians, stereotyped us,
suppress the history of our heritage and culture in
the books. All this has produced a militancy—a
non-violent militancy. But we're not going to be
put down by the Bureau of Indian Affairs anymore
(Jackson March 15, 1970).

Perhaps this dilemma is most poignantly expressed by
La Nada Means, 24, describing her personal experiences
concerning the plight of the relocated Indian in urban
society.

All types of problems develop when you're on
relocation. The Indian who has come to the city is
like a man without a country. Whose jurisdiction are you under, the BIA's or the State's? You go to a county hospital when you're sick and they say, 'Aren't you taken care of by the Indian Affairs people?' It's very confusing. You hang around with other Indians but they are as bad off as you are. Any way, I started sinking lower and lower. I married this Sioux and lived with his family awhile. I got pregnant again. But things didn't work out in the marriage and I left. After I had the baby, I ended up in the San Francisco General psychiatric ward for a few weeks. I was at the bottom, really at the bottom. Indian people get to this point all the time, especially when they're living in the big city and are living in the slums. At that point, you got two choices: either kill youself and get it all over with—a lot of Indians do this—or try to go all the way up, and this is almost impossible (Collier February 1970).

The above passages illustrate well the conditions which impelled the Alcatraz movement. The following letter, dispatched to all Indians in North America, proclaims its goals and philosophies and its desire to seek a more favorable political and social climate. Looking to the elders for sanction, an identity, and a more satisfactory way of life, in this document the activists reaffirm a familial bond with the eldest generation.

...we move on to Alcatraz Island because we feel that Indian people need a cultural center of their own. For several decades, Indian people have not had enough control of training their young people. And without a cultural center of their own, we are afraid that the old Indian ways may be lost. We believe that the only way to keep them alive is for Indian people to do it themselves...We realize that there are more problems in Indian communities besides having our culture taken away. We have water problems, land problems, 'social' problems, job opportunity problems, and many others...We feel that if we are going to succeed [in solving the aforementioned problems] we must hold on to the old ways...This is the first and most important reason
we want Alcatraz Island... We feel that the only reason Indian people have been able to hold on and survive through decades of persecution and cultural deprivation is that the Indian way of life is and has been strong enough to hold the people together... (Josephy 1971, pp. 187-9).

Essentially, the activists believed that the adoption of the old ways, the tribal traditions, were the key to the survival of the Indian people and the preservation of their community. Richard Oakes discussed the rapprochement that the youth have formed with their elders and the need to retain tribal traditions and culture.

There's a sad neglect of all the different tribal cultures. Ten years from now, there may not be anybody out on the reservation to retain our culture and be able to relate it. So this is actually a move, not so much to liberate the island, but to liberate ourselves for the sake of cultural survival... We hope we've been instrumental in bringing about an awareness that there is something good in the traditional aspect of Indian life. And we hope that the young people begin to respond to the old people... The old people can teach them more [than the white-oriented high schools]... I speak as a youth, and I speak as a spokesman for the people on the island here and we are ready to start listening to the old people ("The Battle of Medicine Creek" El Grito February 15, 1970).

Carol Williams, a Yurok Indian, stresses the importance of learning from the elders and the necessity of returning to the reservation.

...And I think that the younger people have come back and said, 'I want my culture.' We want to come back. We see out there in the world many, many people. Lost people; unhappy people; people that are wandering around lost and homeless and needing

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8 For a copy of the letter, see Appendix I.
Elder Indians educated by the traditional "oldtimers" of the Depression era were a major force in the Indian youth movements: Thomas Banyaca of the Hopi, Mad Bear Anderson of the Tuscororas, Clifton Hill of the Creeks, and Rolling Thunder of the Shoshones. All led the traditionalist Indians and inspired the entire Indian community into rethinking its understanding of Indian life. In contrast to the policy of compromise with the federal government advocated by the middle generation, the elders perceived the tribe as a "traditionally organized band of Indians following customs, with medicine men and chiefs dominating the policies of the tribe" (Deloria 1970). In the tribal society, authority was based on tradition rather than the "modern corporate structure" envisioned by the middle generation. In the words of Vine Deloria:

The message of the traditionalists is simple. They demand a return to the basic Indian philosophy, establishment of ancient methods of government by open council instead of elected officials, a revival of Indian religions and replacement of white laws with Indian customs: In short, a complete return to the ways of the old people (Deloria 1970).

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9"Tribal government as created by the Indian Reorganization Act of 1934 attempting to compromise at least in part with modern white culture" (Deloria 1970).
Following their desire to effect change in Indian society and in turn, its outlook on American society, these same elders sanctioned and even actively participated in the Alcatraz occupation. In view of the elders' support of the movement and the youths' dependence on the elders for guidance and identity, it can be argued that the two generations joined together in a common goal to reform Indian society and its relationship to the federal government. Therefore, the traditionalist elders and Indian youth formed a generational nexus in their concern for the future of the Indian people. This intergenerational rapprochement can be interpreted to support Mannheim's theory of intergenerational bonding.
CHAPTER 5

THE SEIZURE OF THE BUREAU OF INDIAN AFFAIRS BUILDING

For years, it has been my dream to take 200 Indians into the capital of our nation and stay there until the government takes action to correct the abuse, discrimination, and injustices committed against our people. I have dreamed that before my eyes close in death, all Indians would be able to walk this earth with pride and dignity instead of being ashamed of tribal government that will eventually lead our people to termination.

As an Indian, I challenge all organizations on behalf of the American Indians and Friends Incorporated, to join together under the banner of the Trail of Broken Treaties and proceed to Washington, where we will show the world what Indians truly stand for.

Should the Indian organizations accept this challenge, we should be on our very best behavior in executing a spiritual movement as predicted by our medicine men of old. There cannot be any liquor or drugs used by anyone, and our plan should consist of a schedule of peaceful negotiations and religious ceremonies that will make our fellow citizens realize the power bestowed upon the Indian so that Grandfather, God, will make all mankind realize that we are human beings who are guided by the Great Spirit. If you can accept these terms in the execution of a great effort to educate the general public, impress the president and Congress, we shall have made the greatest advance ever on behalf of the people we represent. This shall be our finest hour if we are successful in maintaining discipline that shall bring fruit to our hungry people.

Articulated by Robert Burnette, one of the leaders of the Trail of Broken Treaties Caravan (Burnette 1974, p. 198)
In 1972, Indian youth once again lashed out against American society, specifically its bureaucracy, during the Trail of Broken Treaties march and subsequent occupation of the BIA building. Frustrated by the past Indian demonstrators' failure to effect change, caravan members renewed their protests against existent social conditions, injustices committed against the Indians, and inconsistent and sporadic policies. A discussion of ideas for the caravan took place at a meeting of activist Indian leaders during a Rosebud Sioux Indian reservation Sun Dance ceremony. Disillusioned Indians planned a march on Washington patterned after the civil rights rally in 1963. During this demonstration, Indian leaders hoped to draw attention to the plight of the Indian, gain national support for their demands, and exert pressure on the federal government to reform its policies. Although Indian leadership nationwide advocated this plan, there lacked a spark to ignite such a march. The murder of Richard Oakes, a well-known activist leader, served to rally the people together (Deloria 1974; "Trail of Broken Treaties Moves on Washington D.C." 1973-4, Vols. 4, 5, Nos. 5, 6 respectively).

Determined to combat existing conditions, activist groups from different parts of the country came together in a meeting coordinated by the American Indian Movement in Denver, Colorado, to discuss the upcoming Trail of Broken Treaties and Pan American Native Quest for Justice
Demonstration. They proposed that the Trail of Treaties Caravan begin on the west coast and pick up Indians along the way as it traveled east to Washington, D.C., arriving at its final destination during the final week of the 1972 presidential campaign. The two elected chairmen of the demonstration were Robert Burnette, a Rosebud Sioux, and Reuben Snake, a Winnebago Indian from Nebraska (Deloria 1974, "Trail of Broken Treaties Moves on Washington D.C." 1972-3).

Representing a watershed of Indian coalitions, the Trail of Treaties' objectives were to increase tension and draw publicity to the demonstrators and their list of demands. Ultimately, when the protestors arrived in Washington, D.C., they would present their grievances to both presidential candidates. The timing was crucial because this period marked a point at which both men would be receptive to the Indians' demands and concessions obtained might be later translated into reforms of some lasting significance. The overall protest would be in the form of a non-violent religious vigil (Burnette 1974). A writer of Akwesasne Notes describes the spiritual nature of the endeavor:

The enterprise was conceived as a spiritual undertaking...each of the three caravans [the California, Pacific Northwest, and Oklahoma contingents] would cross historic locales such as the Sand Creek and Wounded Knee massacre sites and there prayers would be offered for the living and dead...Each trail will be led by spiritual leaders who will carry the
Sacred Peace Pipe and Drum...Every drum will beat day and night, reminding Americans of the treaties and every peace pipe smoked will remind America and history of the manner under which treaties were signed ("Trail of Broken Treaties Moves on Washington D.C." 1973, p. 3).

In response to this demonstration, the BIA took measures to dissuade Indian groups from joining the Caravan, such as funding cuts, employment threats, and so on. Many Indian groups, however, participated anyway. According to Deloria, the members of the march represented nearly every tribe, political persuasion, age group, and ideology in Indian Country (Deloria 1974). In fact, more than 80 percent of the group were from the reservations. In effect, Deloria writes, the Caravan was not only of national proportion, but strong enough so that if successful, it would force the government to redefine its federal responsibilities in terms of the entire Indian community (Deloria 1974).

When the Caravan arrived in St. Paul, Minnesota, the activists met to plan the agenda for the remainder of the trip and to hammer out a list of grievances. During the workshops, the Caravan members agreed on a 20-point proposal which would serve as a guideline for the president to follow in his establishment of an effective reform program (Deloria 1974).

Essentially, the proposed 20 points focused on the tribes' treaty relationship with the federal government.
"[It] presented a new framework for considering the status of Indian tribes and the nature of their federal relationship" (Deloria 1974, p. 48).\(^1\) Emphasizing the treaty as an agreement made between two sovereign nations, the first point reinforced the present self-governing and independent status of the tribes and called for the restoration of constitutional treaty-making authority. To accomplish this goal, the authors demanded the repeal of the 1871 Appropriations Act which had put an end to all treaty-making with the Indian tribes. The activists contended that this measure denied both Congress and the President's constitutional power to exercise their official duty with regard to the tribes.\(^2\)

The second point demanded the establishment of a treaty commission which would "contract future treaty relationships with the Indian community on a tribal, regional, or multiracial basis" (Deloria 1974, p. 48). The commission's proposed treaties would last for 25 years and would include specific provisions to protect both the tribes and their resources from non-tribal members.

\(^1\) The initial discussion will focus on those points relative to the treaties' issues.

\(^2\) In my presentation of the 20-point proposal I will draw upon the original document, Deloria's expert analysis of the points in his book, *The Trail of Broken Treaties* and articles written in the early winter 1973 issue of *Akwesasne Notes* entitled "The Trail of Broken Treaties Moves on Washington D.C."
The fourth point proposed that the federal government set up a commission to review both past and present treaty violations and establish procedures to inquire into the constant state and federal violations. To justify this demand, the activists referred to the sum of $40 million that the tribes had spent on litigation between 1962 and 1972 in the attempt to put an end to such federal and state violations of the treaties. The point noted that if this commission had existed to watchdog state and federal actions, the tribes could have spent the money on ameliorating conditions on the reservation.

The fifth point asked for the resubmission of all unratified treaties to the Senate for approval. This particular point's intent was to restore "the rule of law to the federal relationship" (Deloria 1974, p. 48). Specifically, the Indians had in mind the affairs of the California Indians when they drew up this statement. The activists claimed that the United States government had profited from the treaties it had signed but never ratified with twelve tribes because it had taken the Indians' lands and used them for its own purposes. In exchange for their lands, the tribes had received no benefits from the treaties and thus had become victims of the illegitimate actions of the federal government. The activists believed that ratification of the treaties would not only clarify their legal status as tribes and thus allow them to qualify for federal
aid as recognized entities, but also that this measure would entitle them to receive assistance in some lawsuits then pending in the Indian Claims Commission.

That treaty relations should govern all Indian people was the subject of the sixth and perhaps most fundamental point, which had figured so prominently at Wounded Knee. According to Deloria, "This point was partially in an effort to respond to the questions raised by the non-federal status of the Eastern Indians" (Deloria 1974, p. 49). Although the federal government had included provisions in the Indian Reorganization Act of 1934 which stated that the Eastern Indians were eligible for federal recognition and thus federal aid, the program had lost money before the federal government could reorganize the tribes as recognized entities. Consequently, these Eastern and other Indians had not been fairly treated.

In essence, the sixth point echoed the sentiments of the Indians who were tired of their ambiguous legal status and land titles.

They wanted a clear definition of what it was they owned and what the nature of their relationship with the federal government was. Even more, however, the participants wanted to define one basic status for all Indian people which could be easily understood by Indians and which could not be whittled away by the actions of the different states...The people felt that one basic definition would enable both

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3See last chapter on Wounded Knee.
Indians and state governments to better meet their basic responsibilities (Deloria 1974, pp. 50-1).

The seventh point called for mandatory relief from the state government's constant violations of the treaties. Since the tribes held domestic as opposed to international status, a state's violation of the treaty could not be viewed in terms of an act of aggression. Rather, given the nature of this limited status, tribes had endured constant and arbitrary treaty violations. Indeed, the states had acted with impunity and the federal government needed to hold the states' actions in check. "If accepted, the seventh point would have allowed an immediate injunction to be issued against a state agency pending proof by the state that it was not violating an Indian treaty" (Deloria 1974, p. 51). This proposal was antithetical to the way in which courts had acted upon infractions in the past. At that time, the Indians had had to prove a violation of their treaties before the courts would file an injunction. As Deloria asserts: "By merely shifting the burden of proof upon complaints of treaty violations from themselves to the states, the Indians felt that their treaty rights could be made a serious part of the federal law" (Deloria 1974, p. 52).

The last, or eighth, point dealing with the treaty relationship called for the federal government's judicial recognition of the Indian right to interpret treaties. This
privilege was important because in too many court cases during the twenties, the Court of Claims had disqualified tribal elders involved in the treaty signing process on the grounds that their testimonies represented biased accounts. Deloria sarcastically declares: "The eighth point was designed to place the memory and credibility of the tribal elders on a par with the miscellaneous diaries of the wandering preachers and traders who also happened to be present at some of the treaty negotiations" (Deloria 1974, p. 53).

Briefly, the remainder of the 20 points covered topics such as land reform and restoration; the abolition of termination legislation in general; and the repeal of the Menominee, Klamath, and other termination acts specifically; the nullification of the BIA by 1976 and the creation in its place of an Office of Federal Indian Relations and Community Reconstruction; Indian commerce and tax immunities; the protection of the Indians religious freedom and cultural integrity; and the national referendum, local options, and forms of Indian organization. Finally, the remainder of the 20 points called for measures to

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4 The policy of termination empowered the federal government to cut all services to both the Menominee and Klamath tribes in the 1950s.
improve Indian health, housing, employment, economic development, and education.

In total, the points on the treaties had great importance. First, they were extremely accurate in their assessment of the feelings of the Indians around the nation...Second, the points outlined a fairly sophisticated understanding of a type of relationship with the federal government that could be best defined as a quasi-protectorate status. It would have severely limited the arbitrary exercise of power by the federal government over the rights of the tribes. Most of all, the acceptance of the twenty points would have meant that the treaties which the United States had signed with the respective tribes a century earlier would have the rightful legal status accorded to foreign treaties. As such, the treaties would have stood in a superior position to the laws of the several states, as promised by the United States (Deloria 1974, p. 53).

In effect, the points reflected the Indian leaders' concern for their people. Frustrated and disillusioned with American society in general and the conditions of the tribes specifically, the Indian leaders sought changes in American Indian policy. Once the caravan had arrived in Washington, D.C. many factors led to the breakdown of the organization of the Trail of Treaties demonstration and its ultimate occupation of the Bureau of Indian Affairs building. In the first place, the federal government denied the Indians access to the Arlington Cemetery to hold "spiritual ritual services" ("Trail of Broken Treaties Moves on Washington

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5See Appendix 2 for a copy of the proposed 20 points.

6There are many versions of what happened exactly, but I am only presenting material relative to my thesis.
Another cause for the unplanned seizure of the BIA building was the inhospitable nature of the federal government's reception for the Indians. Indian leaders accused senior government officials of having a two-faced attitude towards the protestors. Outwardly, they seemed to be supportive of the caravan, but at the same time they ordered their subordinates not to cooperate with the trail personnel. Compounding the issue even further was the BIA's lack of support for the movement. It neither provided assistance nor funding, either directly or indirectly, to the people involved. The Indians were angered even further because many doors in Washington were closed to them and there existed few people to talk to. Thus, without any places to stay, many of the demonstrators went immediately to the BIA building on November 3, 1972, to await word on housing. Meanwhile, the steering committee, comprised of AIM members Russell Means, Clyde and Vern Bellecourt, Sid Mills, Hank Adams, and others commenced negotiations with Commissioner of Indian Affairs Louis Bruce to try and locate enough food and shelter for one thousand plus people ("Trail of Broken Treaties Moves on Washington D.C." 1973).

At this time the protestors did not intend to occupy the BIA building. However, just as one of the activists was announcing that the team had made a tentative agreement on housing with the federal government, a young lieutenant from D.C." 1973, p. 3) for Indian soldiers killed in combat.
the General Services Association decided to clear his area of all wandering Indians. When the Indians resisted his attempts to do so, the lieutenant called in a squad of heavily armed guards who subsequently began to beat the Indians in order to force them out of the building. Tensions on both sides mounted and panic set in. As federal officials ordered the guards from the building, those wounded in the scuffle ran from the auditorium calling to others to arm themselves against these guards. In the interim, riot police had assembled outside the building. Overcome by fear, the activists barricaded themselves inside the building to ward off attack by police who stormed into the building to free those administrators and other members of the police force trapped inside. When they were unsuccessful in their attempt to evict the occupants, the police cordoned off the building and would not allow anyone to enter (Osner November 9, 1972; "Trail of Broken Treaties Moves On Washington D.C." 1973).

This was not the first time that Indian protestors had occupied the BIA building (Gaillard 1970). In 1970, President Nixon had announced Indian policy which was couched in terms of Indian self-determination. To achieve this goal, he had demanded that the bureau hire more Indians for top level positions. He had appointed Louis Bruce, an Indian, to the position of Commissioner of Indian Affairs and had urged the BIA to contract with Indian groups so that
tribal leaders could manage and control some of the programs that had previously been under the jurisdiction of the BIA. Following suit, Bruce had implemented reforms in the BIA by hiring "sixteen tough-minded and progressive Indian activists" (Gaillard 1970) to effect change in Indian policy and thus ameliorate the conditions of their people. Yet the Department of Interior had soon rendered both Bruce and his high level team powerless when the Secretary of the Interior, Rogers B. Morton, shifted many areas of responsibility to more conservative members of the staff.

In response to this action, on September 22, 1971, Indian protestors had stormed the BIA armed with the avowed intent of making a citizens' arrest of John Crow, the Deputy BIA Commissioner whom they considered to be the major figure responsible for sabotaging the reform process. Unable to find him there, the demonstrators had subsequently placed file cabinets in front of the doors to barricade themselves into his office. Police then had entered the building and after a brutal slugfest, had arrested and evicted twenty-six Indians. The federal government later dropped the charges. The demonstrators had consisted of members of the American Indian Movement and the National Indian Youth Council. At the same time, a delegation of tribal chairmen had also voiced their concerns to Interior and White House officials. These protests reflected the Indians' growing dissatisfaction with the BIA and their subsequent demand for its
reform. William L. Claibourne, a writer for the Washington Post, describes the nature of this protest.

Beneath the rhetoric and fisticuffs lay a long simmering dispute over management of the BIA, intensified recently by charges by militant Indians that the Interior department has subverted BIA Commissioner, Louis R. Bruce, Mohawk Sioux, and his Indian team or staff executives in their efforts to contradict 'old line bureaucrats' handling of Indian affairs...' (Claibourne September 23, 1971).

In an attempt to placate the protestors, President Nixon had ordered the Bureau to implement more changes in its policy and personnel. Nevertheless, Indian unrest had grown until it had culminated in a second occupation of the Bureau in November of 1972. At this time, initially the protestors had stated that they would leave the building as soon as the government had arranged alternative housing. Amidst the activists' bolstering of their fortifications, the leaders, fearful of retribution, attempted to maintain order and damage the building as little as possible. Their demands, however, fell on deaf ears and as the occupation progressed into the third day, the activists were determined not to leave until the White House agreed to consider the 20-point proposal along with the following demands: 1) the federal government must fire three top officials in the BIA (Harrison Loesch, John Crow, and Robert Anderson); 2) the government must restore all authority to Louis Bruce; 3) all bones and artifacts of their ancestors must be restored to Indians for reburial; 4) the federal government must honor
all commitments made to the Oklahoma Indians concerning their use of the Johnson O'Malley funds; 5) the federal government must recognize both urban and landless Indians in the same manner as "treaty" Indians. As they waited for a response, the activists became more and more fearful of an attack. In a state of panic, they tore up the building, defaced the walls, and destroyed the art work to strengthen their positions. They also stole files which supposedly documented the corruption and apathy of the federal officials in their dealings with the Indians (Burnette 1974, Baker 1972).

Finally, on November 6, top White House officials agreed to negotiate with the Indian leaders and promised to set up a task force consisting of all officers from agencies dealing with Indian affairs to review the twenty points specifically and federal Indian policy in general. Its conclusions would be subject to the review of representatives of the Indian community and then the administration would issue its response to those conclusions in sixty days. This declaration for negotiation plus an agreement that the federal government would drop all criminal charges against the protestors, was accepted. In addition, the Indians were awarded $66,000 in travel money to get them back to the reservation. These conditions satisfied the Indians. Consequently, they ended their occupation of the Bureau of
Almost immediately after the Indians evacuated the building accusations began to fly. The National Tribal Chairmen's Association (NTCA) believed that the occupation had posed a threat to the Indians relationship with the federal government. Consequently, they publicly denounced the activists as lawless urban renegades rather than reservation Indians ("Tribal Leaders Denounce Protestors" Friday, November 10, 1972; Waugh November 22, 1972).\(^7\) Both the National Tribal Chairmen's Association and the "federal government-initiated propaganda campaign" (Deloria 1974, p. 55) moved into high gear during a news conference. The Indian activists' behavior during the occupation was clearly indicated in Hopi tribal chairman Clarence Hamilton's statement to the press. In the following assertion, he lashed out against the activists while at the same time supporting those bureau members whom the protestors criticized:

The AIM group disgraced the image of the Indian and the protestors' wanton destruction served only to downgrade the people they pretend to represent. Unless we can make it clear that they do not represent the masses of American Indians, the good reputation of our Indian society will be destroyed...They are calling for the resignation of some of the finest people in the Department of the Interior...If they really want to serve the Indian

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\(^7\)The members of AIM.
community...they should call for the resignation of Commissioner Bruce who has gathered around himself and encouraged this type of militant renegade ("Tribal Leaders Denounce Protestors" Friday, November 10, 1972)

Donald R. Antone, president of the Intertribal Council of Arizona reinforced this opinion, adding that these "spoilers" should be prosecuted for endangering the "development and growth of the Indians of America" ("Tribal Leaders Denounce Protestors" Friday, November 10, 1972).

The aforementioned attitudes typically reflected the tribal leaders' endeavor to conciliate the federal government, and indeed the statement of the Secretary of the Interior, Rogers B. Morton, surely incorporates these sentiments. In his declaration relative to the illegal occupation of the BIA building delivered on November 6, 1972, he claims:

For the honor and dignity of the 480,000 Indians, all Americans should understand that the protestors are a small splinter group of militants. They do not represent the reservation Indians of America...It is obvious that the seizure and continued occupation of the building are nothing more than a form of blackmail by a small group who seek to achieve through violence objectives which are not supported by a majority of reservation Indians. The Administration has made great strides in Indian affairs (Morton 1973, pp. 1-2).8

However, Robert Burnette, co-chairman of the movement, provides quite a different description of the protest. According to him and others ("The Trail of

8See Appendix II for a copy of his entire statement.
Treaties Caravan Moves on Washington D.C." 1973) the Trail of Treaties caravan was composed mostly of reservation Indians and represented a watershed of Indian coalitions and leadership from all political persuasions and age groups. Given its diversified nature, the broad alliance soon experienced a great deal of inner turmoil because of a power struggle which existed among the movement's leaders along generational lines (Burnette 1974).

One coalition consisted of moderates: tribal leaders and members of the middle generation who advocated a peaceful demonstration as the most effective means of protest. Burnette, past tribal chairman of the Rosebud Sioux, former executive director of the National Congress of American Indians, and current director of the American Indians and Friends organization, was one such leader and, in fact, one of the originators of the Trail of Treaties caravan concept.

The opposing coalition, on the other hand, was composed of members from both the youngest and eldest Indian generations. Led by members of the American Indian Movement, this group did not dismiss protest as a feasible method to achieve reform. In fact, to the dismay of the moderate leaders, the AIM-directed alliance seized the Bureau of Indian Affairs building. With this violent action, AIM destroyed the peaceful nature of the protest.
Reflecting his growing disdain for the activists, Burnette claimed that AIM was a group of young radicals who caused trouble and posed threats not only to the success of the caravan and expression of legitimate grievances, but also to the job security of the more moderate members.\(^9\) Advocating peaceful resistance rather than violent action, Burnette claimed that an appeal to the federal courts to reverse the government's decision prohibiting the Indians from holding traditional religious ceremonies for Indian war dead at Arlington Cemetery would accomplish more than the seizure of the BIA (Burnette 1974).

During the occupation, a secondary conflict within the AIM-directed coalition developed. Many non-AIM members grew disenchanted with the AIM leadership and in some cases leaders even became disillusioned with each other. This growing disenchantment was openly displayed when the White House concluded its negotiations with the representatives from the Trail of Treaties Caravan. Although many defenders left the building because they thought they had done their part and needed to return home in order to retain their jobs, others left because they were disillusioned with

\(^9\)It is interesting to note here that there existed intragenerational conflict within the middle generation. Although members of the caravan articulated similar opinions to those of the NTCA concerning AIM, the moderate leaders held a contempt for the NTCA, advocated the spiritual nature of the march, and its goals to reform Indian policy and the conditions of the community.
the fragmented leadership of the various militant groups. One young woman declared: "We believed the AIM guys until we heard that all they wanted was publicity and money...They sold the Indians out, so we're leaving..." (Burnette 1974, p. 215). The division of the expense money that the government awarded to the caravan members for the trip home reinforced this accusation. Although the "rank-and-file" (Burnette 1974, p. 216) Indians of the caravan received amounts ranging from $25 to $100, several activist leaders received sums of $5,000 and $10,000 for "traveling expenses" (Burnette 1974, p. 216). This action elicited cries that the federal government had bought off the AIM leaders. Indeed, it would seem that, for all intents and purposes, AIM had sold out the broad coalition (Burnette 1974).

What embittered the activists even further was the federal government's rejection of all of the important treaty reforms as raised in the twenty point proposal. The federal government's response angered AIM leaders as well. According to Deloria, seething with rage and frustrated with the compliancy and wishy-washiness of the moderate leaders' coalition, AIM severed its relationship with the broad alliance. Determined to successfully effect change and gain individual glory, they sought an outlet to express their grievances. Wounded Knee would be the place to stage such a protest (Deloria 1974).
It can be argued that the Trail of Treaties caravan, especially the occupation of the BIA building, had served as an outlet for both urban and reservation Indian youth to express their disillusionment in general with American society, the conditions of the tribes, Indian policy, and in particular their disdain for the tribal leadership as epitomized in the AIM directed coalition's actions. Indeed, the twenty-point proposal articulated these sentiments and the activists' desire to effect change. Although the movement had begun as a broad coalition, Indian youth during the occupation rejected the more moderate members of the alliance and sought reforms with the help of their elders. Thus, the activists' generational cohort found its strength, unity, and generational consciousness in its rapprochement with the eldest generation. Turning to the elders for sanction, an identity, and a more satisfactory way of life, Indian youth formed a generational bond with their elders because they sought a more favorable political and social climate. The following passages epitomize the traditional, religious nature of the movement and its embracement of the old ways as embodied by the elders, their spiritual leaders.

...Should the Indian organizations accept this challenge [to converge on Washington D.C. in order to protest the conditions of the Indians and federal policy in general] We should be on our very best behavior in executing a spiritual movement as predicted by our medicine men of old. There cannot be any liquor or drugs used by anyone, and our plans should consist of a schedule that will make all mankind realize that we are human beings who are
guided by the Great Spirit...(Burnette 1974, p. 198).

The group followed Indian custom, as they had through the occupation, of acknowledging and giving thanks to all things of the creation so these things would be foremost in their minds as deliberated...'Let us bring our minds together as one mind,' a young Iroquois protester declared, 'let us acknowledge our mother, the Earth...let us give thanks to the rocks, the trees, which are related to us, and which help us...("The Trail of Broken Treaties Moves on Washington D.C." Winter 1973, p. 10)

Although the youth were unsuccessful in the attempt to reform Indian policy, they emerged with a stronger and more viable relationship with their tribal elders. The formation of this generational nexus as explained above does support Mannheim's theory of intergenerational rapprochement.
CHAPTER 6

THE WOUNDED KNEE TAKEOVER

So we are all here tonight and this little place called Wounded Knee is now turned into a world-known place. The whole Universe has focused on this place.

The sacred pipe represents the whole universe;
that staff represents the tree of life.
And that tree represents all nations, Indian nations, all red nations.
That sacred hoop was broken.
We want that sacred hoop to come back—
and now its come back into reality.

So I am very thankful that those of you have taken part in this sacred spiritual dance (Sundance).

I want to thank my brothers like Russell Means—
he took off his shoes in that cold, wet snow

to dedicate himself and experience
like some of the people that suffer that experience—Chief Big Foot and the family
They were massacred here on the 29th of December, 1890
and they were lying there two or three days, all frozen—

So that's why my brothren Russell he dedicate himself
and walk that snow. So I am very thankful I thank him very much

Along with my brothers here, and my sisters too. I'm very glad and I'm very happy
that we see the power
The power's still here
The power that I saw there.
with my naked eye—
There was a tipi,
And the sacred tree of life was standing there
There was a tipi
and all my people were going in circles—
There were many people going into that tipi.

as articulated by Wallace Black Elk
Medicine man at the Wounded Knee
encampment (Akwesasne Notes 1973,
p. 90)
A final chapter in the Indian activist movements of the sixties and early seventies was the occupation of Wounded Knee in February of 1973. Located on the Pine Ridge Oglala Sioux reservation in South Dakota, Wounded Knee was the site of the massacre of Big Foot's band in 1890 and has since become an historic landmark and symbol of Indian struggle nationwide. The American Indian movement on the invitation both of the tribal elders and the traditional members of the Oglala Sioux reservation captured and seized the village. This protesting coalition called for an end to the violation of the Fort Laramie and subsequent treaties, harassment by the police (caused by the continual complaints against the existing hierarchy), the overthrow of the tribal constitution, and the form of government instituted during the reorganization of the tribe in 1935.¹ It also called for the dismissal of BIA Agency Superintendent Stanley Lyman and Area Director Wyman Babby and the reinstitution of the traditional government. This takeover occurred at a time when the Oglala Sioux were suffering from acute poverty and were experiencing tribal Chairman Wilson's "reign of terror" waged against all dissident factions within the tribe, especially those traditionalist members

¹See Appendix III for a copy of the Fort Laramie treaty. Also see Senator Abourezk's hearings concerning the discussion about the treaty rights issue which was of foremost concern during the occupation of Wounded Knee.
who lived in the outlying areas. Essentially, the activists lashed out against the professed tool of the bureaucracy, the tribal government (Dunbar-Ortiz 1977; Akwesasne Notes 1973).

A once affluent and self-sufficient people who managed to remain independent of United States control up until 1917, the Oglalas crumbled under pressure. Authorized by a new government policy, the United States sold the Indians' cattle and horses and leased their lands out to Euro-American ranchers to bolster the war effort. After World War I was over, the cattle industry was no longer a money-making proposition. The then-current market centered on dry-land farming. Following the profit margin, large corporate farm operators moved into Western South Dakota, among other areas, to develop those lands using the new farm techniques. Simultaneously, in order to facilitate this process, the federal government allotted Oglala land. This measure provided both cattlemen and farmers with the opportunity to lease and purchase many of the Oglala lands and consequently contributed to the increased impoverishment of the Sioux tribe (Deloria 1974).

As years passed, the conditions of the people grew worse. Many landless Oglalas were forced to move to the Pine Ridge Agency town in order to seek employment because they had lost their lands through the illegal purchase of their lands by others, or had squandered what little money
they had received. Jobs, however, were sparse and awarded shee-rily at the discretion of the Indian agent. Landless and penniless, the Oglalas were at the mercy of the federal government. Those able to hold onto their allotted lands clung tenaciously to their traditional way of life. The federal government thwarted this action, however, by passing legislation enabling Indian-allotted lands to be leased as a unit to the wealthy and powerful Euro-American ranchers. In exchange for their land, the traditional people received small rental payments: a disproportionate compensation for the loss of their traditional culture and way of life (Deloria 1974; Kifner March 26, 1973).

The Indian Reorganization Act of 1934 further eroded the traditional base of the people. Although it restored to the Oglala some form of self-government, the landed traditional faction opposed the Act. Abstaining from the voting process, they claimed that the tribal government and constitution were illegitimate entities which had undermined traditional tribal authority vested in the elders. Holm explains this concept:

In the United States, most Indian governments have written constitutions based on the American ideals of representative democracy...Under the constitution, tribal authority is vested in legislative, executive, and often times, judicial branches of government. To many non-Indians steeped in European tradition this system, while not perfect, is at least equitable because it places political power in the hands of the electorate. To many Indian people, especially those who have knowledge of their traditional tribal value systems, democratic elections
more often than not create artificial elites who then rule more or less in an arbitrary manner... According to many traditional value systems... authority is vested in individuals and not necessarily in particular tribal political positions. In most tribal societies authority is gained with status and does not imply arbitrary power... Authority is given consistently to the person who has demonstrated over and over again that he or she has the spiritual and physical well-being of the tribe at heart... (Holm 1982, p. 168).

The landless agency dwellers, on the other hand, subject to the demands of the Euro-American ranchers, voted for the measure because it promised both power and prosperity. The question of the legitimacy of the Indian Reorganization Act government and constitution remained a strong point of contention up until and especially during the occupation of Wounded Knee (Deloria 1974; Kifner March 26, 1973).

Given the precarious and dependent position of the landless segment of the Oglala population, tribal politics and elections of tribal chairmen naturally were strongly influenced by the interests of the Euro-American ranchers who sometimes controlled nearly eighty percent of the reservation lands through the leasing unit device (Deloria 1974). Consequently, the elected tribal chairmen and their administrations usually became puppets of the federal government and articulated policies sympathetic to the needs of the Euro-American ranchers as well (Deloria 1974).

This situation prevailed until President Kennedy's initiated War on Poverty legislation passed in the 1960s,
bringing many new "patronage" jobs to the reservation. As a result, the tribal chairman's role in tribal politics grew even more critical. By the nature of the position, the chairman was responsible for assigning these new jobs and committee head posts to tribal members who would then be in a position to determine the tribe's policies concerning social programming. Consequently, intense conflict characterized each election as members from the community who owned land and the Pine Ridge Agency town vied for the position of power (the tribal chair) to control the destiny of the tribe. According to Deloria: "Most of the tribal politicians tried to support the people of the back-country communities, the traditional Sioux, but almost always had to bow to the voting power of Pine Ridge village and promise extensive patronage jobs to important village people" (Deloria 1974). This intratribal conflict occurred along traditional/modern lines. The political turmoil and conditions of poverty that the Oglala suffered during the twentieth century is supported not only by Deloria, but Holm (1982) and Dunbar-Ortiz (1977).

Amidst this political chaos and corruption, Dick Wilson assumed the position of tribal chairman in April of 1972. Voted in by a minority bloc, Wilson soon became a "one man council." His victory over Gerald One Feather marked a polarization between the "back-country community" and the village dwellers. This development, along with
national coordinator of AIM Russell Means' intention to run for tribal chairman in the near future, prompted Wilson to establish his "goon squad" to harass, and then silence, all political opponents, especially the members of the American Indian Movement. He feared the "negative" influence that the movement would have on the reservation and the threat that they would pose to his job. He therefore terrorized its members, barred all outside members from entering the reservation, and banned all AIM related activities. Gladys Bissonnette, a community member and active participant of the Civil Rights Organization depicted the debased state of affairs of Oglala Sioux leadership.

The past administrations all along have been pretty sly and crooked with Indian funds, but they weren't quite as hard on us as this drunken fool we got now, who hasn't got the backbone to stand up and protect his Indians. We know this is what the Federal Government wants—the bigger crook you are, the better liar and the better thief you are—is what the Government hires to mistreat the Indians. We've been intimidated and harassed, but this is something we couldn't bear any longer. (Akwesasne Notes 1973, p. 14).

In response to Wilson's dictatorial tendencies, the Inter-District Council, composed of members of the major districts of the tribe, demanded the resignation of Wilson and Stanley Lyman. Meanwhile, another group had formed the Oglala Sioux Civil Rights Organization. Consisting of AIM supporters and members of the eldest generation, this group protested the corrupt and unscrupulous practices of the present administration and its failure to channel funds to
provide for the needs of the people. Simultaneously, three tribal councilmen, disenchanted with Wilson's behavior, demanded that impeachment proceedings be filed against the chairman. In the face of this growing opposition, Wilson took it upon himself to call in the FBI and federal troops in order to pressure the opposing parties to cease and desist from all insurrectionist activities (Akwesasne Notes 1973).

Throughout this brouhaha according to the testimony of Russell Means, AIM refused to be involved in the internal affairs of the tribe unless invited to do so. In Means' opinion, to become involved would have only underscored Wilson's contention that AIM had interfered and projected its own interests on the tribe's decision to impeach Wilson.

Now at that time because of my position with the American Indian Movement, I could not afford to even get into any struggle on the Pine Ridge Indian Reservation, internal struggles or political struggle. Because as soon as I did they would think AIM was trying to get in on an internal political struggle and therefore, AIM was trying to take over the reservation, which is not and will not be the case (Hearings Before the Subcommittee on Indian Affairs June 1973, p. 141).

In actuality, Means claimed, six of the largest eight districts on the Pine Ridge reservation voted to impeach Wilson. Unfortunately, the remaining tribal councilmen refused to rule in favor of the Indians' request. Consequently, with the people's avenues of redress of their grievances closed, they turned to the American Indian
Movement for help. Robert Burnette underscores Means' point:

By the time of the latest impeachment attempt, the traditional chiefs and tribal elders had reached the end of their rope with Wilson. His misuse of tribal funds, his management of the tribe without a budget, his violation of the tribal constitution by refusing to call meetings in accordance with the tribal law, and the goon squad he maintained to intimidate his opponents had antagonized even the most patient of the old Indian leaders...[In a series of meetings held at Calico which was near the Pine Ridge Agency] The old traditional chiefs and the Oglala Civil Rights Organization called down to AIM in Rapid City and asked them to come to Pine Ridge and try to straighten things out (Burnette 1974, p. 225).

This action was similar in nature to the one previously discussed example of the elder generation's request that the youth of the NIYC join with the Washington State tribes in their struggle to protect their fishing rights.

As the voice of the many discontented groups on the reservation, AIM, in consultation with the elders and Oglala Civil Rights Organization, planned the seizure of the historic village of Wounded Knee as the most effective means of protest (Deloria 1974).

Upon arrival in February of 1973, the AIM-directed coalition built bunkers and immediately dug in in order to defend their positions. To combat the activists, the FBI and the tribal police set up road blocks and military strongholds and arrested so-called fugitives in the surrounding geographic areas using questionable tactics and heavy artillery. The demonstrators questioned the legality
of the federal government's actions concerning the protests since the uprising had occurred on reservation land and later utilized this point as a key component in their defense against criminal charges (Dunbar-Ortiz 1977).

The confrontation, violent at times, lasted 72 days. The nature of the Indian force astounded both Indians and Euro-Americans alike, for the young militants of AIM were not the only ones at Wounded Knee. In addition, there existed a strong contingent of Sioux traditional people including revered medicine men and several well-known holy men and tribal leaders. The latter group gave credibility to the demonstrator's' pursuit of treaty rights (Deloria 1974).

As it represented a broad coalition of people and support from the Oglala reservation and Indian communities across the nation, the AIM-directed movement soon took on the characteristics of a self-sufficient quasi-community strengthened by a revitalized sense of Indian identity and heritage. In the face of impending attack by the federal government, this experience of independent, quasi-community life contributed to the protestors' call for the establishment of Wounded Knee as the Sovereign Oglala Nation. Emphasizing the rights given to them by the treaty of 1868, on March 11, 1973, the Oglala chiefs declared that the treaty would serve as the basis for all negotiations between the federal government and the sovereign state of the Oglala
nation. With this pronouncement, the protestors raised the question concerning the fundamental nature of the federal relationship. This declaration proved traumatic both to the Indians who had learned to live with existing Indian policy and the authorities whose basic Indian policy had been once again challenged by a group of insurrectionists (Akwesasne Notes 1973, Deloria 1974).

Few tribal governments overtly supported the activists' endeavors in their attempt to seek national and international support because they did not think it was a wise political move. Yet secretly tribal government members began to examine their own treaties with the United States government to determine how they too could respond to the general outcry for treaty relationship reform (Deloria 1974).

Finally, after the 72nd day, the occupation ended with a series of successful agreements. The White House consented to send out a team of negotiators to meet with the traditional chiefs and medicine men of the Oglala Sioux with regard to the treaty of 1868 and the tribe's sovereign status. In conjunction with these meetings, the Federal District Court in Lincoln, Nebraska held hearings at the request of sixty-five defendants charged with criminal

\[^2\text{AIM had expanded its movement to include the international scene; see Akwesasne Notes 1973, p. 61.}\]
acts allegedly committed during the occupation. These
protestors claimed their innocence on the grounds that under
the provisions of the treaty of 1868, there existed no U.S.
jurisdiction on Sioux lands. On both occasions, the Oglala
were unsuccessful in proving their nationhood. In the
former situation, the members of the executive branch who
met with the traditional people had come to the conclusion
that it was ultimately up to Congress to reform the treaty
rights of the Indian tribes. In the latter case, U.S.
District Court Judge Warren K. Urbom ruled that Congress had
modified the treaty of 1868 and therefore the Sioux nation
did not have complete sovereignty. Instead, he declared:
"They are members of dependent nations, subject to treaty-
making and the laws of Congress...whether the Sioux will
ever again be fully sovereign...will be up to Congress and
the President and is not a decision that will come from the
Courts" (Dunbar-Ortiz 1977, p. 196). Essentially, in both
instances each party had shifted the responsibility of
decision making to the branch of government not present at
the proceedings. Indeed, it was unanimously agreed that
Congress had final jurisdiction in these matters.

Although the Sioux nation failed in its attempt to
reassert its independence, its occupation of Wounded Knee
raised some important issues concerning federal Indian
policy and the government's treaty relationship with the
Indians. Also, the seizure drew national attention to the
plight of the Indian people. In response to the protests concerning the woeful conditions on the Oglala reservation, Senator Abourezk conducted hearings before the Senate Subcommittee on Indian Affairs in 1973. These hearings were part of an investigation into the causes of Wounded Knee in an attempt to initiate the most effective reform program (Hearings 1973). Holm discusses the phenomenon of inter-generational rapprochement which occurred between Indian youth and the elders of the Oglala Sioux tribe. In this way they fought to ameliorate the conditions of privation that the people faced.

The takeover and siege of Wounded Knee, South Dakota in 1973 was a good example of youthful Indian unrest with both federal policies (directed by non-Indian members of the age group 30-65) and the handling of the Oglala Sioux tribal government (operated by Sioux men also of middle age). In the case of the Wounded Knee protest, Indian youths identified with and were joined by several traditional elders in opposition to the political dominance of the middle generation. The protestors' concepts of authority demanded that they defer to the most senior Sioux generation when traditional values and the tribal identity itself became important in the controversy (Holm 1982, p. 161).

Each group, however, had its own reasons for being at Wounded Knee. For AIM, the occupation had provided a means to express its disillusionment with American society, federal Indian policy, and the plight of Indian people nationwide. The following passage reveals AIM's disenchantment and frustration with American society.

Our people would go to a BIA school, and learn a skill that could only be used in a city. Then
they'd stay there for a while and decide, well, they'd try the city since the Bureau of Indian Affairs was giving people relocation money to change from reservation to city status, and trying to assimilate them into the melting pot of the United States. These people would go to the cities and they could not survive. Indian people can't live in the cities. It's too cutthroat...so they would return to the reservation and be faced with extreme poverty, the inability to get a job. There was no escape except maybe drinking or gambling or things that Indian people...have such a problem with now. Abject poverty was their lot for as long as they stayed on the reservation, and a loss of manhood and pride. Many times, Indian men or Indian families would rotate between the city and the reservation for a long time—each time thinking that when he changed his residence, he was changing his life for the better (Akwesasne Notes 1973, p. 61).

In order to understand AIM's perspective, it is necessary to recapitulate the history of the movement. The AIM movement was founded by Clyde Bellecourt, Dennis Banks, and George Mitchell, members of the Chippewa tribe in Minneapolis, Minnesota in 1968. Since many of its members had served time in correctional facilities, the leaders' first goal was to reduce the inordinate amount of Indian youth in prison. As time wore on, their concerns spread to the overall welfare of the people in the cities. The organization had demonstrated, for example, against the Minneapolis branch of the Office of Economic Opportunity in order to force the agency to channel money into urban social programming controlled by Indian people (Akwesasne Notes 1973, pp. 60-64, Revolutionary Activities Within the United States: The American Indian Movement September 1976).
According to the editors of *Voices From Wounded Knee* (Akwesasne Notes 1973), the aforementioned leaders were cognizant of the fact that there was a crucial element missing from their organization. They were able to fight and protect Indian rights in the courtroom, they could voice their concerns so that poverty programs would be more open to the needs of the Indians, and they managed to shield their brethren from unlawful police acts. In these ways, they were able to partially improve the conditions of poverty in the cities. Yet the leaders believed that they were not helping the Indian people in a fundamental way. The statistics of poverty had not changed that much.

During this period of self-examination, some of the leaders had heard about Crow Dog, a spiritual leader who lived on the Rosebud Sioux reservation. Realizing that spiritual direction was the vital component missing in their lives, the leaders had made a "pilgrimage" to the reservation. Crow Dog had declared that in order for AIM to be a true Indian organization, it must have the sanction and spiritual involvement of both medicine and holy men, thus creating an intergenerational bond. One AIM member claims:

And that is actually when the American Indian Movement was first born: because we think that the American Indian Movement is not only an advocate for Indian people, it is the spiritual rebirth of our nation. It carries the spirituality of our ancient people and of our elder people. So now the American Indian Movement relies very, very heavily on the traditional leaders and the holy men of the various tribes—to give them the direction they need so they
can best help the Indian people (Akwesasne Notes 1973, p. 60).

In accordance with this sentiment, citing spiritual reasons as the fundamental cause for the takeover of Wounded Knee, Russell Means responded to Senator Abourezk's question about the occupation. "The main reason was spiritual. You remember Big Foot and his band were there and that was the last major military engagement that took place between Indian people and the U.S. government. And we knew with the spirit of Big Foot and his people we would be protected" (Hearings 1973, p. 143). Essentially the movement had conceived of Wounded Knee as a spiritual fortress impene-trable by all undesirable outsiders. From the above assertion, it could be argued that this concept was directly linked to the protestors' claim that the village of Wounded Knee, their community based on the treaty of 1868, was sovereign in status, a bounded nation where all violators could be prosecuted. This same false sense of security concerning their invincibility had been felt by Big Foot's band and other followers of the Ghost Dance Cult of the late 1800s. Thus a historic bond to the past had underscored this intergenerational rapprochement.

Up until this time, the objectives of AIM had centered on short-term goals of establishing programs which improved Indian housing, meeting the needs of Indian youths, encouraging Indian employment, educating "...industry in the
area of Indian culture and its effect on the Indians" (Government Report on AIM 1976, p. 7), improving the communications between the Indian people and their community, and finally, instilling the importance of Indian responsibility to the respective communities (Hearings 1973, p. 7). Faith Traversie, a member of the Cheyenne River reservation, discusses AIM's concern for the "grass roots" reservation people.

I joined AIM in 1969 because I felt there I could do more for my people. I remember Russell...saying 'well, we have tried to help and we are helping the urban Indian, but let us concentrate on our grass roots people on the reservation. That is where our people most need help. Let us go back and try to motivate our people. You know, they are so downtrodden by the government, by government supervision. Let us go back there and get them interested in doing something' (Dunbar-Ortiz 1977, p. 178).

Now, with the elders' sanction and growing support from the reservation communities, AIM soon became confident and expanded its goals to include long-term objectives. They boldly called for: "...freeing Indian people throughout the Americas from white man's oppression and racism, so as to create free Indian states that reflect self-determination of free peoples" (Hearings 1973, p. 8). AIM espoused the following goals similar in tenor to the twenty-point proposal submitted to policymakers in 1972: "(a) dissolution of the BIA; (b) establishment of the free Indian Congress; (c) reestablishment of reservation sovereignty and self-determination; (d) establish and conduct negotiations with
all nations of the world for free trade and economic relations...; (e) establishment of trade tariffs and interface with surrounding countries in the world" (Government Report on AIM 1976, p. 8). In addition, AIM emphasized the importance of the education of the young and creation of AIM-directed and controlled schools to indoctrinate the students in the principles of Indian self-determination (the establishment of Indian nation-states), Indian culture, and Indian heritage (Government Report on AIM 1976, p. 8). In essence, AIM almost arrogantly envisioned itself as a new warrior society for Indian people.³

Prior to Wounded Knee, AIM's activities had included direct action on the Sioux reservation. In 1969 they had fought to reform the education system and had staged protests against racial oppression, severe beatings and deaths of revered elders, and the rape of women in border towns (Akwesasne Notes 1973).

The above outlined goals of AIM, its image, and the participants' frustration and disillusionment with American society had been articulated in the occupation of Wounded Knee. As for the eldest generation, they had occupied Wounded Knee not only because they wanted to regain their position of power guaranteed to them indirectly in the

³See 61-62 of Voices From Wounded Knee for more information.
treaty of 1868, but also because of a desire to return to
the old ways. Fearing the erosion of the traditional ways
of the people, they had viewed the establishment of the
tribal government and constitution under the Indian
Reorganization Act of 1934 as illegitimate. Wounded Knee
for them presented a vehicle in which to achieve their goal
of tribal sovereignty. It served as a means by which to
protest constant violations of the treaty of 1868 which
included the presence of the unwanted BIA officials and
police harrassment, both by-products of federal intervention
in Indian affairs. Concerned for the welfare of his people,
Mr. Fool Crow, a medicine man and revered elder declared in
his testimony before the Senate Subcommittee on Indian Affairs:

I want a full power to exercise my rights which have
been set down according to the treaty of 1868.
There is corruption of the people who handle the
Indian money. Money has been appropriated in
Washington. This money has never arrived or never
benefited the Indian people as a whole. In the past
the Government official has stood shoulder-to-
shoulder making promises which they never kept. We
understood those things. There are many people who
can not appear before officials but I have privilege
to do so and I did. I condemn the BIA as of this
date. I don't want it. Probably people in
Washington are ignorant of the things going on in
our Indian reservation, that there are many sad
moments for the Indian people—I have never received
1 penny from the office...We rather have our country
back and handle it as we have before, before the
Indian organization came into being...We never
requested they [the FBI men] come here [the
senseless brutality and killings]...We have been
threatened...I want to be reinstated back to the
power of 1868 and also classified as Indian. Must
stay together, work together. I never received from
the government anyway. I want to go back to the
treaty and exercise my rights... (Hearings 1973, pp. 125-6).

Charles Red Cloud, a traditionalist and the grandson of the great Sioux chief Red Cloud expressed similar sentiments in his deposition. Protesting the terrible conditions that his people have been forced to live under since the signing of the treaty of 1868 and crying for peace and an end to chaos, he exclaimed:

The people of Red Cloud are still being held in bondage by the government. I want them released...In the past Red Cloud went in 1870 and made several agreements with the government and to this very day nothing has ever happened under those agreements...The people here are all in an uproar, don't know where they are going to get their next meal, don't have no horses left, and the future just is not there for them...There is a lot of money that comes onto the reservation in the name of the people--but nobody knows where the money goes and the people are still poorer than ever...In 1934 John Collier and the New Deal give us the government we have today...And we have been in trouble ever since. They put us all in little groups all over the place and the money come in for awhile and now we ain't got nothing, the people are with out work...This was the Red Cloud agency and everything that Red Cloud ever fought for and agreed to by the government had been torn now and strewn all over the place and nothing has really been done in accordance with those agreements (Hearings 1973, pp. 126).

These conditions helped to establish a generational nexus between the eldest and youngest generations. In synthesis, the youngest and eldest generation of the quasi-Indian community on the Oglala Sioux reservation gained strength and support from each other in their intergenerational bonding. As an Oglala elder proclaimed: "I lived here 77 years. This whole reservation has been in total
darkness. And somewhere, these young men started the American Indian Movement. And they came to our reservation and they turned that light on inside. And it's getting bigger--now we can see things" (Akwesasne Notes 1973, p. 59).

Sharing parallel goals, each generation used the occupation of Wounded Knee as an outlet to vent its frustration and objections against existing conditions by lashing out against the bureaucracy and its professed tool, the tribal government or middle generation. For the elders, the actual occupation of Wounded Knee created a quasi-community which revitalized the old ways and the cohesion of the people. For AIM, the spiritual occupation of Wounded Knee served as the life sustaining force of the movement. The elders' sanction had given AIM its legitimacy while AIM, in turn, had legitimized and perpetuated the elders' power in society. Consequently, their rapprochement and subsequent collusion provided the catalyst for the occupation's partial success.
CHAPTER 7

CONCLUSIONS

In my analysis of the Fishing Rights Controversy, the Alcatraz Occupation, the Bureau of Indian Affairs Seizure, and the Wounded Knee Takeover, I have come to the conclusion that Mannheim's generational unit model can be used to examine Indian youth movements of the sixties and seventies. By focusing on the little understood area of generational theory, specifically the issue of intergenerational bonding, it can be argued that Indian youth, experiencing extreme social dislocation, attempted to form a rapprochement with their elders. This action was in sharp contrast with those experiences of non-Indian American youth who had actually gone through intergenerational conflict during this time period.

Authors such as Braungart (1974), Adelman (1972), Eisenstadt (1963), Lipset (1972), and Feuer (1969), all discuss youth movements in terms of generational politics and underscore this assertion. In general they have found that when non-Indian American youth have participated in activist movements, they seem to have formed their own generation style. The development of this style was not
necessarily an attempt to contact an earlier generation. Rather, Braungart and the others argue, non-Indian American youth tended to sever their ties with all preceding generations in their rebellion against American traditional values. As mentioned above, Indian youth, on the other hand, took a different direction. In their dissatisfaction and frustration with American society, they tended to form a generational bond with their elders. Although Mannheim did not refer specifically to this human phenomenon, he seemed to have predicted its development.

Following this line of thinking, the two foremost but conflicting generational theory models were discussed in the first chapter, thus explaining youth politics and movements: the structural functionalist model as presented by Eisenstadt and Parsons and the generational unit model as elucidated by Mannheim. Downplaying the Eisenstadt-Parson's model in favor of Mannheim's model, I stressed that the functionalist model for all intents and purposes did not adequately deal with the subject at hand. Although viable enough, the functionalist model is rather limited in its scope, basing its definition of a generational unit solely on biological age. Briefly summarizing the important points: intergenerational conflict occurs when the youngest

\(^1\) Although neither theory specifically referred to the unique situation in Indian North America.
generation is barred from active participation in the growth and development of society by the middle group refusing to relinquish its power, authority, and responsibility. In its analysis of the condition of tribal societies in general, the functionalist model in some ways seems to apply to the North American Indian situation. Yet, it does not provide any explanation for the Indian youth's dependence on their elders for sanction and identity.

Mannheim's theory, on the other hand, deals with the phenomenon of intergenerational rapprochement more effectively. To restate Mannheim's thesis: a generation is based not only on its biological age, but also on its specific location. Mannheim contends that generational unity is premised upon an historical and sociological place, "the common location," and the development of an "entelechy" or generational style. Stronger than the biological generation, the generational cohort, Mannheim claims, once it develops its own historical identity, unity, and style, can effect generational conflict. The fact that Indian youth turned to traditional elders for identity, sanction, and a more satisfactory lifestyle "during an era of extreme conflict and factionalism, tends to confirm Mannheim's suggestion that some generations, unable to form their own 'entelechies' attach themselves to earlier generations which have developed a satisfactory form" (Holm 1984, p. 167).
In the preceding chapters, taking this perspective, I examine four examples of Indian youth unrest which illustrate the verity of this hypothesis. The fish-in controversy was the first expression of Indian youth rebellion. In this particular situation, Washington State tribal elders appealed to the National Indian Youth Council to aid them in their struggle to protect their fishing rights and to provide leadership. Together, the Indian youth and the eldest generation decided on the fish-in as the most effective means of protest. The youth's leadership of the fish-ins and the elders' sanctioning of both the demonstrations and the youth's position of authority have provided evidence that a generational nexus had formed between the youth and the eldest generation.

The Alcatraz movement as well provided an outlet for both urban and reservation Indian youth to express their bitterness and dissatisfaction with American society, the conditions of the tribes, and Indian policy in general. Reaffirming their familial bond with the eldest generation and joined by elder Indians educated by the traditional "old timers" of the Depression era, the coalition was determined to remain on the island until their grievances were met.

*These elders led the traditionalist Indians and inspired the entire Indian community into rethinking its understanding of Indian life.*
Once again, the occupation of the Bureau of Indian Affairs building served as an outlet for both reservation and urban Indian youth to express their frustration with American society as epitomized in the AIM-directed coalition's actions. Indeed, the twenty-point proposal articulated the activists' desire to effect change. In the Indian youth's search for a more favorable political and social climate, they formed a generational bond with their elders and thus their generational cohort found its strength, unity, and generational consciousness in its rapproachement with the eldest generation.

Finally, sharing parallel goals, members of the youngest and eldest generation used the occupation of Wounded Knee as a way in which to lash out against the bureaucracy and its professed tool, the tribal government. Their generational bonding provided legitimization for each group's existence in Indian society.

From the above information, it can be argued that by examining Mannheim's model of generational conflict, one can gain a better insight into Indian youth movements of the 1960s and 1970s. Since the occupation of Wounded Knee, some scholars have simply attributed the Indian youth's political and social bond with their grandparents to the existence of the extended family concept in Indian society. Although this observation is true to some extent, it does not explain the reason for a widespread desire on the part of Indian
youth to seek out their tribal elders in order to learn the "old ways" (Holm 1984, p. 168). Mannheim's theory, on the other hand, seems to account for this phenomenon in human behavior. As Holm attests:

Mannheim's model of generational units goes further in explaining the how and why of American Indian intergenerational rapprochement. Indian youths were dissatisfied, to be sure, but they only became bonded, perhaps unconsciously, in their need to preserve traditional values. Their rapprochement with tribal elders, when seen in this light, is more readily understandable (Holm 1984, p. 169).
APPENDIX I

"WE MUST HOLD ON TO THE OLD WAYS"

Dear Brothers and Sisters:

This is a call for a delegation from each Indian nation, tribe or band, from throughout the United States, Canada, and Mexico to meet together on Alcatraz Island in San Francisco Bay, on December 23, 1969, for a meeting to be tentatively called the Confederation of American Indian Nations (CAIN).

On November 20, 1969, 78 Indian people, under the name 'Indians of All Tribes,' moved onto Alcatraz Island, a former Federal Prison. We began cleaning up the Island and are still in the process of organizing, setting up classes, and trying to instill the old Indian ways into our young.

We moved onto Alcatraz Island because we feel that Indian people need a Cultural Center of their own. For several decades, Indian people have not had enough control of training their young people. And without a cultural center of their own, we are afraid that the old Indian ways may be lost. We believe that the only way to keep them alive is for Indian people to do it themselves.

While it was a small group which moved onto the island, we want all Indian people to join with us. More Indian people from throughout the country are coming to the island every day. We are issuing this call in an attempt to unify all our Indian Brothers behind a common cause.

We realize that there are more problems in Indian communities besides having our culture taken away. We have water problems, land problems, 'social' problems, job opportunity problems, and many others.

And as Vice President Agnew said at the annual convention of the National Congress of American Indians in October of this year, now is the time for Indian leadership.
We realize too that we are not getting anywhere fast by working alone as individual tribes. If we can gather together as brothers and come to a common agreement, we feel that we can be much more effective, doing things for ourselves, instead of having someone else doing it, telling us what is good for us.

So we must start somewhere. We feel that if we are going to succeed, we must hold onto the old ways. This is the first and most important reason we went to Alcatraz Island [emphasis in original].

We feel that the only reason Indian people have been able to hold on and survive through decades of persecution and cultural deprivation is that the Indian way of life is and has been strong enough to hold the people together.

We hope to reinforce the traditional Indian way of life by building a Cultural Center on Alcatraz Island. We hope to build a college, a religious and spiritual center, a museum, a center of ecology, and a training school.

We hope to have the Cultural Center controlled by Indians, with the delegates from each Indian nation and urban center present for the first meeting on December 23, and at future meetings of the governing body.

We are inviting all our brothers to join with us on December 23, if not in person, then in spirit.

We are still raising funds for Alcatraz. The 'Alcatraz Relief Fund' is established with the Bank of California, Mission Branch, 3060 16th Street, San Francisco, California 94103, and we are asking that donations of money go to the bank directly.

Many Indian Centers and tribal groups from throughout the country have supported the people on Alcatraz by conducting benefits, funded drives, and so forth. We are deeply appreciative of all the help we have received, and hope that all Indian people and people of good will will join us in this effort.

We are also asking for formal resolutions of support from each organized Indian tribe and urban center. We can have great power at the bargaining
table if we can get the support and help of all Indian people.

We have made no attempts at starting a hard and fast formal organization. We have elected spokesmen because someone has had to be a spokesman. We feel that all Indian people should be present or represented at the outset of a formal national Indian organization.

We have also elected a Central Council to help organize the day-to-day operation of the Island. This organization is not a governing body, but an operational one.

We hope to see you on December 23rd.

Indians of All Tribes
Alcatraz Island
APPENDIX II

THE TWENTY-POINT PROPOSAL OF THE NATIVE AMERICANS

1. RESTORATION OF CONSTITUTIONAL TREATY MAKING AUTHORITY: The U.S. president should propose by executive message and the Congress should consider and enact legislation to repeal the provision in the 1871 Indian Appropriations Act, which withdrew federal recognition from Indian Tribes and Nations as political entities which could be contracted by treaties with the United States, in order that the President may resume the exercise of his full constitutional authority for acting in the matters of Indian Affairs—and in order that Indian Nations may represent their own interests in the manner and method envisioned and provided in the Federal Constitution.

2. ESTABLISHMENT OF A TREATY COMMISSION TO MAKE NEW TREATIES: The President should impanel and the Congress establish, within the next year, a Treaty Commission to contract a security and assistance treaty, or treaties, with Indian people to negotiate a national commitment to the future of Indian people for the last quarter of the Twentieth Century. Authority should be granted to allow tribes to contract by separate and individual treaty, multi-tribal or regional groupings, or national collective, respecting general or limited subject matter—and provide that no provisions of existing treaty agreements may be withdrawn or in any manner affected without the explicit consent and agreement of any particularly-related Indian Nation.

3. AN ADDRESS TO THE AMERICAN PEOPLE AND JOINT SESSION OF CONGRESS: The President and the leadership of Congress should make commitment now and next January to request and arrange for four Native Americans—selected by Indian people at a future date, and the President of the United States and any designated U.S. Senators and Representatives—to address a joint session of Congress and the American people through national communications media, regarding the Indian future within the American Nation, and relationship between
the Federal Government and Indian Nations—on or before June 2, 1974, the first half-century anniversary of the 1924 'Indian Citizenship Act.'

4. COMMISSION TO REVIEW TREATY COMMITMENTS AND VIOLATIONS: The President should immediately create a multilateral, Indian and non-Indian, Commission to review domestic treaty commitments and complaints of chronic violations, and to recommend or act for corrective actions, including the imposition of mandatory sanctions or interim restraints upon violative activities, and including formulation of legislation designed to protect the jeopardized Indian rights and eliminate the unending patterns of prohibitively complex lawsuits and legal defenses—which habitually have produced indecisive and interminable results, only too frequently forming guidelines for more court battles, or additional challenges and attacks against Indian rights. (Indians have paid attorneys and lawyers more than $40,000,000 since 1962. Yet many Indian people are virtually imprisoned in the nation's courtrooms in being forced constantly to defend their rights, and while many tribes are forced to maintain a multitude of suits in numerous jurisdictions relating to the same or a single issue, or a few similar issues. There is less need for more attorney assistances than there is for institution of protections that reduce violations and minimize the possibilities for attacks upon Indian rights.)

5. RESUBMISSION OF UNRATIFIED TREATIES TO SENATE FOR CONFIRMATION: The President should resubmit to the U.S. Senate of the next Congress those treaties negotiated with Indian nations or their representatives, but never heretofore ratified nor rendered moot by subsequent treaty contract with such Indians not having ratified treaties with the United States. The primary purpose to be served shall be that of restoring the rule of law to the relationships of such Indians and the United States, and resuming a recognition of rights controlled by treaty relations. Where the failure to ratify prior treaties operated to affirm the cessions and loss of title to Indian lands and territory, but failed to secure and protect the reservations of lands, rights, and resources reserved against cession, relinquishment, or loss, the Senate should adopt resolutions certifying that a prior de facto ratification has been effected by the Government of the United States, and direct that appropriate
actions be undertaken to restore to such Indians an equitable measure of their reserved rights of self-government. Additionally, the President and the Congress should direct that reports be concluded upon the disposition of land rights and land title which were lawfully vested or held, for people of Native Indian blood under the 1848 Treaty of Guadalupe Hidalgo with Mexico.

6. ALL INDIANS TO BE GOVERNED BY TREATY RELATIONS: The Congress should enact Joint Resolution declaring that as a matter of public policy and good faith, all Indian people in the United States shall be considered to be in treaty relations with the Federal Government and governed by doctrines of such relationship.

7. MANDATORY RELIEF AGAINST TREATY RIGHTS VIOLATIONS: The Congress should add a new section to Title 28 of the United States Code to provide for the judicial enforcement and protection of Indian Treaty Rights. Such section should direct that, upon petition of any Indian Tribe or prescribed Indian groups and individuals claiming substantial injury to, or interference in, the equitable and good faith exercise of any rights, governing authority, or utilization and preservation of resources, secured by Treaty, mandatorily the Federal District Courts shall grant immediate rejoinder or injunctive relief against any non-Indian party or defendants, including State governments and their subdivisions or officers, alleged to be engaged in such injurious actions, until such time as the District U.S. Court may be reasonably satisfied that a Treaty Violation is not being committed, or otherwise satisfied that the Indians' interests and rights, in equity and in law, are preserved and protected from jeopardy and secure from harm.

8. JUDICIAL RECOGNITION OF INDIAN RIGHT TO INTERPRET TREATIES: The Congress should by law provide for a new system of federal court jurisdiction and procedure, when Indian treaty or governmental rights are at issue, and when there are non-Indian parties involved in the controversy, whereby an Indian Tribe or Indian party may, by motion, advance the case from a federal District Court for hearing, and decision by the related U.S. Circuit Court of Appeals. The law should provide that, once an interpretation upon the matter has
been rendered by either a federal district or circuit court, an Indian Nation may, on its own behalf or on behalf of any of its members, if dissatisfied with the federal court ruling or regarding it in error respecting treaty or tribal rights, certify directly to the United States Supreme Court a 'Declaratory Judgment of Interpretation,' regarding the contested rights and drawn at the direction or under the auspices of the affected Indian Nation, which that Court shall be mandated to receive with the contested decision for hearing and final judgment and resolution of the controversy—except and unless that any new treaties which might be contracted may provide for some other impartial body for making ultimate and final interpretations of treaty provisions and their application. In addition, the law should provide that an Indian Nation, to protect its exercise of rights or the exercise of treaty or tribal rights by its members, or when engaging in new activities based upon sovereign or treaty rights, may issue an interim 'Declaratory Opinion on Interpretation of Rights,' which shall be controlling upon the exercise of police powers or administrative authorities of that Indian Nation, the United States or any State(s), unless or until successfully challenged or modified upon certification to and decision by the United States Supreme Court—and notwithstanding any contrary U.S. Attorney General's opinion(s), solicitor's opinion(s), or Attorney General's Opinion(s) of any of the States.

9. CREATION OF A CONGRESSIONAL JOINT COMMITTEE ON RECONSTRUCTION OF INDIAN RELATIONS: The next Congress of the United States, and its respective houses, should agree at its outset and in its organization to withdraw jurisdiction over Indian Affairs and Indian-related program authorization from all existing Committees, excepting Appropriations of the House and Senate, and create a joint House/Senate 'Committee on Reconstruction of Indian Relations and Programs' to assume such jurisdiction and responsibilities for recommending new legislation and program consideration and action upon all proposals presented herewith by the 'Trail of Broken Treaties Caravan' as well as matters from other sources. The Joint Committee membership should consist of Senators and Representatives who would be willing to commit considerable amounts of time and labor and conscientious thought to an exhaustive review and examining evaluation of past
and present policies, program and practices of the Federal Government relating to Indian people; to the development of a comprehensive broadly-inclusive 'American Indian Community Reconstruction Act' which shall provide for certain of the measures herein proposed, repeal numerous laws which have oppressively disallowed the existence of a viable 'Indian Life' in this country, and effect the purposes while constructing the provisions which shall allow and ensure a secure Indian future in America.

10. LAND REFORM AND RESTORATION OF AN 100-MILLION ACRE NATIVE LAND BASE: The next Congress and Administration should commit themselves and effect a national commitment, implemented by statutes or executive and administrative actions, to restore a permanent non-diminishing Native American land-base of not less than 110-million acres by July 4, 1976. This land base and its separate parts should be vested with the recognized rights and conditions of being perpetually non-taxable, except by autonomous and sovereign Indian authority, and should never again be permitted to be alienated from Native American or Indian ownership and control.

10a. PRIORITIES IN RESTORATION OF THE NATIVE AMERICAN LAND BASE: When Congress acted to delimit the President's authority and the Indian Nations' powers for making treaties in 1871, approximately 135,000,000 acres of land and territory had been secured to Indian ownership against cession or relinquishment. This acreage did not include the 1867 treaty-secured recognition of land title and rights of Alaskan Natives, nor millions of acres otherwise retained by Indians in what were to become 'unratified' treaties of Indian land cession, as in California, nor other land areas authorized to be set aside for Indian Nations contracted by, but never benefitting from, their treaties. When the Congress, in 1887, under the General Allotment Act and other measures of the period and 'single system of legislation' delegated treaty-assigned Presidential responsibilities to the Secretary of the Interior and his Commissioner of Indian Affairs and agents in the Bureau of Indian Affairs, relating to the government of Indian relations under the treaties for the 135 million acres, collectively held, immediately became subject to loss. The 1887 Act provided for the sale of 'surplus' Indian lands—and contained a formula for the assignment or
allocation of land tracts to Indian individuals, dependent partly on family size, which would have allowed an average-sized allotment of 135 acres to one million Indians [emphasis in original]—at a time when the number of tribally-related Indians was less than a quarter-million or fewer than 200,000. The Interior Department efficiently managed the loss of 100-million acres of Indian land, and its transfer to non-Indian ownership (frequently by homestead, not direct purchase) in little more than the next quarter century. When Congress prohibited further allotments to Indian individuals, by its 1934 Indian Reorganization Act, it effectively determined that future generations of Indian people would be 'landless Indians' except by heirship and inheritance. (110-million acres, including 40-million acres in Alaska, would approximate an average of 135 acres multiplied by .8 million Native Americans, a number indicated by the 1970 U.S. Census.)

Simple justice would seem to demand that priorities in restorations of land bases be granted to those Indian Nations who are landless by fault of unratified or unfulfilled treaty provisions; Indian Nations, landless because of congressional and administrative actions reflective of criminal abuse of trust responsibilities; and other groupings of landless Indians, particularly of the landless generations, including many urban Indians and non-reservation Indian people—many of whom have been forced to pay, in terms of deprivation, loss of rights and entitlements, and other extreme costs upon their lives, an 'emigration-migration-education training' tax for their unfulfilled pursuit of opportunity in America—a 'tax' that is unwarranted and unjustified as it is unprecedented in the history of human rights in mature nations possessed of a modern conscience.

10b. CONSOLIDATION OF INDIANS' LAND, WATER, NATURAL, AND ECONOMIC RESOURCES: The restoration of an equitable Native American Land Base should be accompanied by enlightened revision in the present character of alleged 'trust relationships' and by reaffirmation of the creative and positive characteristics of Indian sovereignty and sovereign rights. The past pattern of treating 'trust status' as wrongful 'non-ownership' of properties, beyond control of individual interests and 'owners' could be converted to a beneficial method of consolidating
usable land, water, forests, fisheries, and other exploitable and renewable natural resources into productive economic, cultural, and other community-purpose units, benefiting both individual and tribal interests in direct forms under autonomous control of properly-defined, appropriate levels of Indian government. For example, the 13.5 million acres of multiple and fractionated heirship lands should not represent a collective denial of beneficial ownership and interests of inheriting individuals, but be considered for plans of collective and consolidated use. (The alternatives and complexities of this subject and its discussion require the issuance of a separate essay at a later date.)

10c. TERMINATION OF LEASES AND CONDEMNATION OF NON-INDIAN LAND TITLE: Most short-term and long-term leases of some four million acres of Indians' agricultural and industrial-use lands represent a constant pattern of mismanagement of trust responsibilities—with the federal trustees knowingly and willfully administering properties in methods and terms which are adverse or inimical to the interests of the Indian beneficiaries and their tribes. Non-Indians have benefit of the best of Indian agricultural range and dry farm lands, and of some irrigation systems, generally having the lowest investment/highest return rations, while Indians are relegated to lands requiring high investments/low returns. A large-scale, if selective, program of lease cancellations and non-renewals should be instituted under Congressional authorization as quickly as possible. As well, Indian tribes should be authorized to resecure Indian ownership of alienated lands within reservation boundaries under a system of condemnation for national policy purposes, with the federal government bearing the basic costs of 'just compensation' as burden for unjustified betrayals of its trust responsibilities to Indian people. These actions would no way be as extreme as the termination, nationalization, confiscation, and sale of millions of acres of reservation land by a single measure as in the cases of the Menominee and Klamath Indian Tribes, and attempted repeatedly with the Colvilles.

10d. REPEAL OF THE MENOMINEE, KLAMATH, AND OTHER TERMINATION ACTS: The Congress should act immediately to repeal the Termination Acts of the 1950s and 1960s, and restore ownership of the several million acres of land to the Indian people
involved, perpetually non-alienable and tax-exempt. The Indians' rights to autonomous self-government and sovereign control of their resources and development should be reinstated. Repeal of the terminal legislation would also advance a commitment towards a collective 110-million acre land base for Native Americans—when added to the near 55-million acres already held by Indians, apart from the additional 40-million acres allocated in Alaska. (The impact of termination in its various forms has never been understood fully by the American people, the Congress, and many Indian people. Few wars between nations have ever accomplished as much as the total dispossession of a people and their rights and resources as have the total victories and total surrenders legislated by the Termination Laws. If the Arab States of present Mid-East could comparably presume the same authority over the State of Israel, they could eliminate Israel by the purchase or by declaring it an Arab State or subdivision thereof; on the one hand, evicting the Israelis from the newly-acquired Arab lands, or on the other, allowing the Israelis to remain as part of the larger Arab Nation, and justify the disposition to the world by the claim that, whether leaving or remaining, but without their nation, the Jewish people would still be Jewish. Such an unacceptable outrage to American people would quickly succeed to World War III—except when such actions are factually taken against Menominees, Klamaths, Senecas, Utes, and threatened against many other landed nations of Indian peoples.)

11. REVISION OF 25 U.S.C. 163; RESTORATION OF RIGHTS TO INDIANS TERMINATED BY ENROLLMENT AND REVOCATION OF PROHIBITION AGAINST DUAL BENEFITS: The Congress should enact measures fully in support of the doctrine that an Indian Nation has complete power to govern and control its own membership—eradicating the extortive and coercive devices in federal policy and programming which have subverted and denied the natural human relationships and natural development of Indian communities, and committed countless injuries upon Indian families and individuals. The general prohibition against benefitting dually from federal assistances or tribal resources by having membership or maintaining relationships in more than one Indian Tribe has frequently resulted in denial of rights and benefits from any sources. Blood quantum criteria, closed and restrictive enrollment, and 'dual benefits
prohibitions' have generated minimal problems for Indians having successive non-Indian parentage involved in their ancestry--while creating vast problems and complexities for full-blood and predominant-Indian blood persons, when ancestry or current relationships involve two separate Indian tribes, or more. Full-blood Indians can fail to qualify for membership in any of several tribes to which they may be directly related if quantum-relationships happen to be in wrong configurations, or non-qualifying fractions. Families have been divided to be partly included upon enrollments, while some children of the same parents are wrongly (if there are at all to be enrollments) excluded. There should be a restoration of Indian and tribal rights to all individual Indians who have been victimized and deprived by the vicious forms of termination effected by forced choices between multiple-related tribes, abusive application of blood-quantum criteria, and federally-engineered and federally-approved enrollments. The right of Indian persons to maintain, sever, or resume valid relations with several Indian Nations or communities unto which they are born, or acquire relationships through natural marriage relations or parenthood and other customary forms, must again be recognized under law and practice and also the right of Indian Nations to receive other Indian people into relations with them--or to maintain relationships with all their own people, without regard to blood-quantum criteria and federal standards for exclusion or restrictions upon benefits. (It may be recognized that the general Indian leadership has become conditioned to accept and give application to these forms of terminating rights, patterns which are an atrocious aberration from any concepts of Indian justice and sovereignty.)

12. REPEAL OF STATE LAWS ENACTED UNDER PUBLIC LAW 280 (1953): State enactments under the authority conferred by the Congress in Public Law 280 has posed the most serious threat to Indian sovereignty and local self-government of any measure in recent decades.

Congress must now nullify those State statutes. Represented as a 'law enforcement' measure, PL 280 robs Indian communities of the core of their governing authority and operates to convert reservation areas into refuges from responsibilities where many people, not restricted by race, can take
full advantage of a veritable vacuum of controlling law, or law which commands its first respect for justice by encouraging the absence of offenses. These States' acceptance of condition for their own statehood in their Enabling Acts—that they forever disclaim sovereignty and jurisdiction over Indian lands and Indian people—should be binding upon them and that restrictive condition upon their sovereignty be reinstated. They should not be permitted further to gain from the conflict of interest engaged by such States' participation in enactment of Public Law 280—at the expense of the future of Indian people in their own communities, as well as our present welfare and well-being.

13. RESUME FEDERAL PROTECTIVE JURISDICTION FOR OFFENSES AGAINST INDIANS: The Congress should enact, the Administration support and seek passage of, new provisions under Titles 18 and 25 of the U.S. Code, which shall extend the protective jurisdiction of the United States over Indian persons wherever situated in its territory and the territory of the several states, outside of Indian reservations or country, and provide the prescribed offenses of violence against Indian persons shall be federal crimes, punishable by prescribed penalties through prosecutions in the federal judiciary, and enforced in arrest actions by the Federal Bureau of Investigation, U.S. Marshalls, and other commissioned police agents of the United States—who shall be compelled to act upon the commission of such crimes, and upon any written complaint or sworn request alleging an offense, which by itself would be deemed probable cause for arresting actions.

13a. ESTABLISHMENT OF A NATIONAL FEDERAL INDIAN GRAND JURY: The Congress should establish a special national grand jury, consisting solely of Indian members selected in part by the President and in part by Indian people, having a continuous life and equipped with its own investigative and legal staff, and presided over by competent judicial officers, while vested with prescribed authorities of indictments to be prosecuted in the federal and Indian court systems. This grand jury should be granted jurisdiction to act in the bringing of indictments on basis of evidence and probable cause within any federal judicial district where a crime of violence has been committed against an Indian and resulted in an Indian's death, or resulted in bodily injury and involved lethal weapons or aggressive
force, when finding reason to be not satisfied with handling or disposition of a case or incident by local authorities, and operating consistent with federal constitutional standards respecting rights of an accused. More broadly and generally, the grand jury should be granted broad authority to monitor the enforcements of law under Titles 18, 25, and 42, respecting Indian jurisdiction and civil rights protections; the administration of law enforcement; confinement facilities and juvenile detention centers, and judicial systems in Indian country; corrupt practices or violations of law in the administration of federal Indian agencies or of federally-funded programs for Indian people—including administration by tribal officials or tribal governmental units—and federal employees; and issue special reports bringing indictments when warranted, directed toward elimination of wrongdoing, wrongful administration or practices; and improvements recommendations for systems to ensure proper services and benefits to communities, or Indian people.

13b. JURISDICTION OVER NON-INDIANS ON RESERVATIONS:
The Congress should eliminate the immunity of non-Indians to the general application of law and law enforcement within Reservation Boundaries, without regard to land or property title. Title 18 of the U.S. Code should be amended to clarify and compel that all persons within the originally-established boundaries of an Indian Reservation are subject to the laws of the sovereign Indian Nation in the exercise of its autonomous governing authority. A system of concurrent jurisdiction should be minimum requirement in incorporated towns.

13c. ACCELERATED REHABILITATION AND RELEASE PROGRAMS FOR STATE AND FEDERAL PRISONS: The Administration should immediately contract an appropriately staffed Commission of Review on Rehabilitation of Indian Prisoners in federal and state institutions, funded from Safe Streets and Crime Control funds, or discretionary funds under control of the President, and consisting of Indian membership. The review commission would conduct census and survey of all Indian prisoners presently confined, compile information on records of offenses, sentences, actions of committing jurisdictions (courts, police, pre-sentence reports, probation and parole systems) and related pertinent data. The basic objective of the review commission
would be to arrange for the development of new regional rehabilitation centers as alternative to existing prison situations; to work with the Bureau of Prison and federal parole systems to arrange for accelerated rehabilitation and release programs as justified, and to give major attention to the reduction of offenses and recidivism in Indian communities. The commission would act to provide forms by which Indian people may assume the largest measures of responsibility in reversing the rapidly-increasing crime rates on Indian reservations, and reapproaching situations where needs for jails and prisoner institutions may again be virtually eliminated. The Congress should provide appropriate authorizations in support of such effort—perhaps extending the protective jurisdiction of the United States over Indians in State institutions, to provide for transfer to Indian-operated rehabilitation and treatment centers, at least probation systems, in a bargain of responsibility for bringing about vast reduction in incidences of offenses among Indian communities. (The $8,000,000 BIA budget for Law and Order is not directed toward such purpose—spending nearly half of its present increases on new cars to gauge the increases in reported offenses.)

(Note on 13-13c: The U.S. has asserted its jurisdiction over Indian nationwide, and may now do so again protectively. The Congress controlled liquor sales to Indians nationally until 1953, allowing prosecution for non-Indian offenders. Education of Indians in public state schools is essentially a contracting of jurisdiction to States.)

14. ABOLITION OF THE BUREAU OF INDIAN AFFAIRS BY 1976: The Congress, working through the proposed Senate-House 'Joint Committee on Reconstruction of Indian Relations and Programs,' in formulation of an Indian Community Reconstruction Act, should direct that the Bureau of Indian Affairs shall be abolished as an agency on or before July 4, 1976; to provide for an alternative structure of government for sustaining and revitalizing the Indian-federal relationship between the President and the Congress of the United States, respectively, and the respective Indian Nations and Indian people at least consistent with constitutional criteria, national treaty commitments, and Indian sovereignty, and provide for transformation and transition into the
news system as rapidly as possible prior to abolition of the BIA.

15. CREATION OF AN 'OFFICE OF FEDERAL INDIAN RELATIONS AND COMMUNITY RECONSTRUCTION': The Bureau of Indian Affairs should be replaced by a new unit in the federal government which represents an equality of responsibility among and between the President, the Congress, and the governments of the separate Indian Nations (or their respective people collectively), and equal standing in the control of relations between the Federal Government and Indian nations. The following standards and conditions should be obtained:

A. The Office would structurally be placed in the Executive Offices of the President, but be directed by a tri-partite Commission of three Commissioners, one being appointed by the President, one being appointed by the Joint Congressional Committee, and one being selected by national election among Indian people, and all three requiring confirmation by the U.S. Senate.

B. The Office would be directly responsible to each the President, the Congress, and Indian people, represented by a newly-established National Indian Council of no more than twenty members selected by combination national and regional elections, for two-year terms, with half expiring each year.

C. All existing federal agencies and program units presently involved or primarily directed toward serving Indians would be consolidated under the new office, together with the budget allocations of the Departments assisting Indians although primarily oriented toward other concerns. All programs would be reviewed for revision of form, or elimination altogether, or continuance.

D. A total personnel and employee structure ceiling of no more than 1,000 employees in all categories should be placed upon the new office for its first five years of operation. Employment in the new office would be exempt from Civil Service regulations and provisions. (The Civil Service Commission and federal employee unions should be requested to propose a plan for preference hiring in other agencies and for transfer of benefits to new employment, for presentation to Congress, incident
to abolition of the BIA and other Indian-related federal programs.)

E. The Office would maintain responsibility over its own budget and planning functions, independent from any control by the Office of Management and Budget (OMB), and should be authorized a $15,000,000,000 budget, reviewing the efficiency of the Office and the impact and progress of the programming. The Appropriations Committees should not impose undue interferences in plans, but should insist upon equitable treatment of all Indian Nations and general Indian people who would not be denied their respective direct relations with Congress, or with the President.

F. The Office of Federal Indian Relations would assume the administrative responsibility as trustee of Indian properties and property rights, until revision of the trust responsibility might be accomplished and delegated for administration as a function and expression of the sovereign authority of the respective Indian Nations.

16. PRIORITIES AND PURPOSE OF THE PROPOSED NEW OFFICE: The central purpose of the proposed 'Office of Federal Indian Relations and Community Reconstruction' is to remedy the break-down in constitutionally-prescribed relationships between the United States and Indian Nations and people and to alleviate the destructive impact that distortion in those relationships has rendered upon the lives of Indian people. More directly, it is proposed for allowing broad attacks upon the multitude or millions of problems which confront Indian lives, or consume them, and which cannot be eliminated by piece-meal approaches, jerry-built structures, or bureaucracies, or by taking on one problem at a time, always to be confronted by many more. The Congress with assent of the Courts, has developed its constitutional mandate to 'regulate Indian commerce' into a doctrine of absolute control and total power over the lives of Indians--through failing to give these concerns the time and attention that the responsibilities of such power demand. The Congress restricted the highest authority of the President for dealing with Indian matters and affairs, then abandoned Indian people to the lowest levels of bureaucratic government for administration of its part-time care and asserted all-powerful control. The constitution maintained
Indian people in citizenship and allegiance to our own Nations, but the Congress and the Bureau of Indian Affairs has converted this constitutional standard into the most bastardized forms of acknowledged autonomy and 'sovereign self-governing control'—scarcely worthy of the terms, if remaining divested of their meaning. A central priority of the proposed Office should be the formulation of legislation designed to repeal the body of 'Indian Law' that continues to operate most harmfully against Indian communities—including sections of the 1934 Indian Reorganization Act and prior legislation which instituted foreign forms of government upon our Nations, or which have served to divorce tribal government from responsibilities and accountability to Indian people.

At this point in time, there is demonstrable need for the Congress to exercise highest responsibilities to Indian people in order that we might have a future in our homeland. This requires that Congress now recognize some restrictions upon its own authority to intervene in Indian communities and act to totally exclude the exercise of local tribal sovereignty and self-governing control. The proposed Office of Federal Indian Relations and Community Reconstruction should be authorized the greatest latitude to act and to remove restrictions from the positive actions of Indian people. This can be achieved if the Congress establishes a new Office in the manner proposed, and authorizes it in promising degree to operate as instrumentality of its responsibilities.

17. INDIAN COMMERCE AND TAX IMMUNITIES: The Congress should enact a statute or Joint Resolution certifying that trade, commerce, and transportation of Indians remain wholly outside the authority, control, and regulation of the several States. Congressional acts should provide that complete taxing authority upon properties, use of properties, and incomes derived therefrom, and business activities within the exterior boundaries of Indian reservations and Indian Nations, shall be vested with the respective or related tribal governments, or their appropriate subdivisions—or certify that, consistent with the 14th Amendment, Section 2 statehood acts, prevailing treaty commitments, and the general policy of the United States, that total Indian immunity to taxing authority of states is reaffirmed and extended with uniformity to all
Indian Nations as a matter-established of vested right. (These questions should not have to be constantly carried to the courts for reaffirmation—disregarded as general law, and attacked by challenge with every discernable variation or difference in fact not considered at a prior trial.) (Tribes have been restricted in their taxing authorities by some of the same laws which exclude federal or state authority. However, there are areas where taxing authorities might be used beneficially in the generation of revenues for financing government functions, services, and community institutions.) (The Congress should remove any obstacles to the rights of Indian people to travel freely between Indian Nations without being blocked in movement, commerce, or trade, by barriers of borders, customs, duties, or tax.)

18. PROTECTION OF INDIANS' RELIGIOUS FREEDOM AND CULTURAL INTEGRITY: The Congress shall proclaim its insistence that the religious freedom and cultural integrity of Indian people shall be respected and protected throughout the United States, and provide that Indian religion and culture, even in regenerating or renaissance or developing stages, or when manifested in the personal character and treatment of one's own body, shall not be interfered with, disrespected, or denied. (No Indian shall be forced to cut his hair by any institution or public agency or official, including military authorities or prison regulation, for example.) It should be an insistence by Congress that implies strict penalty for its violation.

19. NATIONAL REFERENDUMS, LOCAL OPTIONS, AND FORMS OF INDIAN ORGANIZATION: The Indian population is small enough to be amenable to voting and elective processes of national referendums, local option referendums, and other elections for rendering decisions, approvals, or disapprovals on many issues and matters. The steady proliferation of Indian and Indian-interest organizations and Indian advisory boards and the like, the multiplication of Indian officials, and the emergency of countless Indian 'leaders,' represent a less-preferable form for decision-making, a state of disorganization, and a clear reflection of deterioration in the relations between the United States and Indian people as contracting sovereigns holding a high standard of accountability and responsibility. Some Indians seem to stand-by to ratify any viewpoints relating
to any or all Indians; others conditioned to accept any viewpoint or proposal from official source. Whereas Indian people were to be secure from political manipulation and the general political system in the service of Indian needs, political favor, and cutthroat competition for funds with grants made among limited alliances of agency-Indian friends have become the rule—while responsibilities and accountability to Indian people and Indian communities have been forgotten. While the treaty relationship allows that we should not be deprived of power what we are possessed of by right—little personal power and political games are being played by a few Indians while we are being deprived of our rights. This dissipation of strength, energies, and commitment should end. We should consolidate our resources and purpose to restore relations born of sovereignty and to resume command of our communities, our rights, our resources, and our destiny. (The National Council on Indian Opportunity, Association on American Indian Affairs, and the National Tribal Chairman's Association are examples of government, non-Indian directed, and Indian organizations which are among many which should and could be eliminated. At least, none should be funded from federal sources.)

20. HEALTH, HOUSING, EMPLOYMENT, ECONOMIC DEVELOPMENT, AND EDUCATION: The Congress and Administration and proposed Indian Community Reconstruction Office must allow for the most creative, if demanding and disciplined, forms of community development and purposeful initiatives. The proposed $15,000,000,000 budget for the 1970s remainder could provide for completed construction of 100,000 new housing units; create more than 100,000 new permanent income and tribal revenue-producing jobs on reservations and lay foundation for as many more in years following; meet all the economic and industrial needs of numerous communities; and make education at all levels and provide health services or medical care to all Indians as a matter of entitlement and fulfilled right. Yet, we now find most Indians unserved and programs not keeping pace with growing problems under a billion dollars-plus budget annually—approximately a service cost of $10,000 per reservation Indian family per year, or $100,000 in this decade. Our fight is not over a $50-million cutback in a mismanaged and misdirected budget, and cannot be ended with restoration of that then
invisible amount—but over the part that it, any and all amounts, have come to play in a perennial billion-dollar indignity upon the lives of Indian people, our aged, our young, our parents, and our children. Death remains a standard cure for environmentally-produced diseases afflicting many Indian children without adequate housing facilities, heating systems, and pure water sources. Their delicate bodies provide their only defense and protection—and too often their own body processes become allies to the quickening of their deaths, as with numerous cases of dysentery and diarrhea. Still, more has been spent on hotel bills for Indian related problem-solving meetings, conferences, and conventions, than has been spent on needed housing in recent years. More is being spent from federal and tribal fund sources on such decision-making activities than is being committed to assist but two-thirds of Indian college students having desperate financial need. Rather, few decisions are made, and less problems solved, because there has developed an insensitivity to conscience which has eliminated basic standards of accountability. Indian communities have become fragmented in governmental programming and contradictions in federal policies. There is a need to reintegrate these functions into the life and fabric of the communities.

Of treaty provisions standard to most treaties, none has been breached more viciously and often as those dealing with education—first by withdrawing education processes from jurisdiction and responsibility of Indian communities, and from the powers of Indian self-government—and failing yet to restore authority to our people, except through increased funding of old advisory and contract-delegation laws, or through control to conduct school in the conditioned forms and systems devised by non-Indians, or otherwise commanded by current popularity. At minimum, Indian Nations have to reclaim community education authority to allow creative education processes in forms of their free choice, in a system of federally-sanctioned unit or consolidated Indian districts, supported by a
mandatory recognition of accreditation in all other systems in this land.

(We Want to Have A New Relationship With You--AnHonest One: Our 20 Point Proposal 1973, pp. 30-32
APPENDIX III

STATEMENT BY INTERIOR SECRETARY ROGERS C.B. MORTON RELATIVE TO THE ILLEGAL OCCUPATION OF THE BUREAU OF INDIAN AFFAIRS BUILDING, MONDAY, NOVEMBER 6, 1972.

I am hopeful that Judge Pratt's directive to the Justice Department to remove the Indian protestors from the BIA building will prompt them to leave on their own accord and that it will not be necessary for the Federal Marshalls to enforce the Judge's order. From the very beginning our priority has been to save lives and prevent injury. However, I want to comment on three aspects of this situation which must not be lost by us in an emotion-filled atmosphere.

The protestors do not represent America's reservation Indians. We have offered the Indian militants temporary housing, which has been refused. Great damage has been done to the physical facilities of the Bureau of Indian Affairs and future services to the Indian community have been undermined by the destruction of essential records and the inability of Bureau employees to continue on the job. For the honor and dignity of the 480,000 reservation Indians, all Americans should understand that the protestors are a small splinter group of militants. They do not represent the reservation Indians of America.

The National Tribal Chairmen's Association, composed of duly elected officers of each tribe, has advised me through its Executive Director, Mr. William Youpee, that this illegal instruction has no meaningful support in the Indian community. In addition numerous tribal chairmen have sent us telegrams or issued statements condemning the seizure, copies attached.

From the first announcement of their visit, we made every effort to cooperate with the advance men of the caravan. We explained that Bureau funds could not be legally provided. But after the caravan arrived we indicated we would attempt to locate an adequate temporary housing facility. Such a
facility was located, the Interagency Auditorium on Constitution Avenue. In addition, facilities at nearby military installations were also offered. Further, a representative of the Administration accepted a list of 20 demands from caravan leaders, with the promise to study them carefully and to reply in writing at the earliest possible date. Even after the building was occupied, we continued to deal with a long list of demands and to meet with caravan leaders, and I had promised to meet with a representative group of protestors if they voluntarily evacuated the building. It is obvious to me that the seizure and continued occupation of the building are nothing more than a form of blackmail by a small group who seek to achieve through violence objectives which are not supported by a majority of reservation Indians.

Make no mistake about it. This has not been a 'peaceful' protest. Great damage has been done. Vital land, water, and personal records have been destroyed. These will take months to reassemble, if that is at all possible. The destruction of these records and the cessation of BIA headquarters activities is not only interrupting vital Bureau services at the moment, but will have an adverse effect on Bureau services to the Indian community for many months to come. Physical damage runs into the hundreds of thousands of dollars. Doors have been ripped off and office machinery destroyed through use as barricades. A large quantity of furniture has been destroyed beyond repair to make clubs for use as weapons. Priceless and in many cases irreplaceable Indian arts and artifacts have been destroyed or unlawfully taken. In addition to the physical damage more than 400 BIA employees in Washington have been placed on Administrative Leave, which is costing the taxpayers $27,000 a day, $81,000 through today. With physical damages, the personnel costs, and the costs of replacing administrative records, the total bill could very well reach the 100 million mark.

This Administration has made great strides in Indian Affairs. The previous policy of termination of a Federal relationship was replaced with a new policy of self-determination in which the Federal Government would continue to provide resources to the Indian community but 'the future for American Indians would be determined by Indian acts and Indian decisions.' In a spirit of that policy,
funding for BIA programs has doubled, from $249 million in 1969 to over $530 million. In addition, we have Indian programs in other agencies. OEO, HUD, EDA, HEW and Labor have increased in like proportion. Today a majority of the number of Indians serving as BIA Area Directors has risen from one out of 11 to 7 out of 12. Expansion of Indian activities, including a fivefold increase in college scholarships to over 10,000 in 1972. Accelerated industrial development, and the protection of hunting, fishing, and water rights, are but a few of other efforts we have undertaken.

In light of this record, it is a shame that a small band of malcontents should attempt to wreck the headquarters of a government's chief instrument for serving the Indian community (Morton 1973).
APPENDIX IV

FORT LARAMIE TREATY OF 1868

April 29, 1868: Treaty between the United States of American and different tribes of Sioux Indians; Concluded April 29 et. seq., 1868; Ratification advised February 16, 1869; Proclaimed February 24, 1869.

Andrew Johnson, President of the United States, to all and singular to whom these presents shall come,Greetings:

Whereas the treaty was made and concluded at Fort Laramie, in the Territory of Dakota, on the twenty-ninth day of April, and afterwards, in the year of our Lord one thousand eight hundred and sixty-eight, by and between Nathaniel G. Taylor, William T. Sherman, William S. Harney, John B. Sanborn, S.F. Tappan, C.C. Augur, and Tah-shun-ka-co-qui-pay, Heh-won-ge-chat, Mah-to-non-pay, Little Chief, Makh-pi-ah-lu-tah, Co-cam-i-ya-ya, Con-te-pe-ta, Ma-wa-tau-ni-hav-ska, Hena-pin-wa-ni-ca, Wah-pah-shaw, and other chiefs and headmen of different tribes of Sioux Indians, on the part of said Indians, and duly authorized there by them, which treaty is in the words and figures following, to wit:

Articles of a treaty made and concluded by and between Lieutenant-General William T. Sherman, General William S. Harney, General Alfred S. Terry, General C.C. Augur, J.B. Henderson, Nathaniel G. Taylor, John B. Sanborn, and Samuel F. Tappan, duly appointed commissioners on the part of the United States and the different bands of the Sioux Nation of Indians, by their chiefs and headmen, whose names are now hereto subscribed, they being duly authorized to act in the premises.

Article I: From this day forward all war between the parties to this agreement shall forever cease. The government of the United States desires peace, and its honor is hereby pledged to keep it. The Indians desire peace, and they now pledge their honor to keep it.
If the bad men among the whites, or among other people subject to the authority of the United States, shall commit any wrong upon the person or property of the Indians, the United States will, upon proof made to the agent and forwarded to the Commissioner of Indian Affairs at Washington city, proceed at once to cause the offender to be arrested and punished according to the laws of the United States, and also reimburse the injured person for the loss sustained.

If the bad men among the Indians shall commit a wrong or depradation upon the person or property of any one, white, black, or Indian, subject to the authority of the United States, and at peace therewith, the Indians herein named solemnly agree that they will, upon proof made to their agent and notice by him, deliver up the wrongdoer to the United States, to be tried and punished according to its laws; and in case they willfully refuse to do so, the person injured shall be reimbursed for his loss from the annuities or other moneys due or to become due to them under this or other treaties made with the United States. And the President, on advising with the Commissioner of Indian Affairs, shall prescribe such rules and regulations for ascertaining damages under the provisions of this article as in his judgement may be proper. But no one sustaining loss while violating the provisions of this treaty or the laws of the United States shall be reimbursed.

Article II: The United States agrees that the following district of country, to wit, viz: Commencing on the east bank of the Missouri River where the fourth-sixth parallel of north latitude crosses the same; thence along low-water mark down said east bank to a point opposite where the northern line of the State of Nebraska to the one hundred and fourth degree of longitude west from Greenwich, thence north on said meridian to a point where the forty-sixth parallel of north latitude intercepts the same, thence due east along said parallel to the place on the beginning; and in addition thereto, all existing reservations on the east bank of said river shall be, and the same is, set apart for the absolute and undisturbed use and occupation of the Indians herein names, and with the consent of the United States, to admit amongst them; and the United States solemnly agrees that no persons except those herein designated and
authorized so to do, and except such officers, agents, and employees of the government as may be authorized to enter upon Indian reservations in discharge of duties enjoined by law, shall ever be permitted to pass over, settle upon, or reside in the territory described in this article, or in such territory that may be added to this reservation for the use of said Indians, and henceforth they will and do hereby relinquish all claims or right in and to any portion of the United States or Territories except such as is embraced within the limits aforesaid, and except as hereinafter provided.

Article III: If it should appear from actual survey or other satisfactory examination of said tract of land that it contains less than one hundred and sixty acres of tillable land for each person who, at the time, may be authorized to reside on it under the provisions of this treaty, and a very considerable number of such persons shall be disposed to commence cultivating the soil as farmers, the United States agrees to set apart, for the use of said Indians, as herein proved, such additional quantity of arable land, adjoining to said reservation, or as near to the same as it can be obtained as may be required to provide the necessary amount.

Article IV: The United States agrees, at its own proper expense, to construct at some place on the Missouri River, near the centre of said reservation, where timber and water may be convenient, the following buildings, to wit: a warehouse, a storeroom for the use of the agent in storing goods belonging to the Indians, to cost not less than twenty five hundred dollars; and an agency building for the residence of the agent to cost not exceeding three thousand dollars; a residence for the physician to cost not more than three thousand dollars; and five other buildings, for a carpenter, farmer, blacksmith, miller, and engineer, each to cost not exceeding two thousand dollars; also a schoolhouse or mission building so soon as a sufficient number of children can be induced by the agent to attend school, which shall not cost exceeding five thousand dollars.

The United States Agrees further to cause to be erected on said reservation, near the other buildings herein authorized, a good steam circular sawmill, with a grist-mill and shingle machine
attached to the same, to cost not exceeding eight thousand dollars.

Article V: The United States agrees that the agent for said Indians shall in the future make his home at the agency building; that he shall reside among them, and keep an office open at all times for the purpose of prompt and dilligent inquiry into such matters of complaint by and against the Indians as may be presented for investigation under the provisions of their treaty stipulations, as also for the faithful discharge of other duties enjoined him by law. In all cases of depridation on person or property he shall cause the evidence to be taken in writing and forwarded, together with his findings, to the Commissioner of Indian Affairs, whose decision subject to the revision of the Secretary of the Interior, shall be binding on the parties to this treaty.

Article VI: If any individuals belonging to said tribes of Indians, or legally incorporated with them, being the head of a family, shall desire to commence farming, he shall have the privilege to select, in the presence and with the assistance of the agent then in charge, a tract of land within said reservation, not exceeding three hundred and twenty acres in extent, which tract when so selected, certified, and recorded in the 'land book,' as herein directed, shall cease to be held in common, but the same may be occupied and held in the exclusive possession of the person selecting it, and of his family, so long as he or they may continue to cultivate it.

Any person over eighteen years of age, not being the head of the family, may in like manner select and cause to be certified to him or her, for purposes of cultivation a quantity of land not exceeding eighty acres in extent, and thereupon be entitled to the exclusive possession of the same as above directed.

For each tract of land so selected a certificate, containing a description thereof and the name of the person selecting it, with a certificate endorsed thereon that the same has been recorded, shall be delivered to the party entitled to it by the agent, after the same shall have been recorded by him in a book to be kept in his office,
subject to inspection, which said book shall be known as the 'Sioux Land Book.'

The President may, at any time, order a survey of the reservation, and, when so surveyed, Congress shall provide for protecting the rights of said settlers in their improvements, and may fix the character of the title held by each. The United States may pass such laws on the subject of alienation and descent of property between Indians and their descendants as may be thought proper.

And it is further stipulated that any male Indians over eighteen years of age, of any band or tribe that is or shall hereafter become a party to this treaty, who now is or who shall hereafter become a resident or occupant of any reservation or territory not included in the tract of country designated and described in this treaty for the permanent home of the Indians, which is not mineral land, nor reserved by the United States for special purposes other than Indian occupation, and who shall have made improvements thereon of the value of two hundred dollars or more, and continuously occupied the same as a homestead for the term of three years, shall be entitled to receive from the United States a patent for one hundred and sixty acres of land including his said improvements, the same to be in the form of the legal subdivisions of the surveys of the public lands.

Upon application in writing, sustained by the proof of two disinterested witnesses, made to the register of the local land office when the land sought to be entered is within a land district and when the tract sought to be entered is not in any land district, then upon said application and proof being made to the commissioner of the general land office and the right of such Indian or Indians to enter such tract or tracts of land shall accrue and be perfect from the date of his first improvements thereon, and shall continue as long as he continues his residence and improvements, and no longer.

And any Indian or Indians receiving a patent for the land under the foregoing provisions, shall thereby and from thenceforth become and be a citizen of the United States, and be entitled to all the privileges and immunities of such citizens, and shall, at the same time, retain all his rights to benefits accruing to Indians under this treaty.
Article VII: In order to insure the civilization of the Indians entering into the treaty, the necessity of education is admitted, especially of such of them as are or may be settled on said agricultural reservations, and they therefore pledge themselves to compel their children, male and female, between the ages of six and sixteen years, to attend school; and it is hereby made the duty of the agent for said Indians to see that this stipulation is strictly complied with; and the United States agrees that for every thirty children between said ages who can be induced or compelled to attend school, a house shall be provided and a teacher competent to teach the elementary branches on an English education shall be furnished, who will reside among said Indians, and continue for not less than twenty years.

Article VIII: When the head of the family or lodge shall have selected lands and received his certificate as above directed and the agent shall be satisfied that he intends in good faith to commence cultivating the soil for living, he shall be entitled to receive seeds and agricultural implements for the first year, not exceeding in value one hundred dollars, and for each succeeding year he shall continue to farm, for a period of three years more, he shall be entitled to receive seeds and implements as aforesaid, not exceeding in value twenty-five dollars.

And it is further stipulated that such persons as commence farming shall receive instructions from the farmer herein provided for, and whenever more than one hundred persons shall enter into the cultivation of soil, a second blacksmith shall be provided, with such iron, steel, and other material as may be needed.

Article IX: At any time after ten years from the making of this treaty, the United States shall have the privilege of withdrawing the physician, farmer, miller, blacksmith, carpenter, and engineer herein provided for, but in the case of such withdrawal, an additional sum thereafter of ten thousand dollars per annum shall be devoted to the education of said Indians, and the Commissioner of Indian Affairs shall, upon careful inquiry into their condition, make such rules and regulations for the expenditure of said sum as will best promote the educational and moral improvement of said tribes.
Article X: In lieu of all sums of money or other annuities provided to be paid to the Indians herein named, under any treaty or treaties heretofore made, the United States agrees to deliver at the agency house on the reservation herein named, on or before the first day of August of each year, for thirty years, the following articles, to wit:

For each male person over fourteen years of age, a suit of good substantial woolen clothing, consisting of coat, pantaloons, flannel shirt, hat, and a pair of woolen socks.

For each female over twelve years of age, a flannel shirt, or the goods necessary to make it, a pair of woolen hose, twelve yards of calico, and twelve yards of cotton domestics.

For the boys and girls under the age named, such flannel and cotton goods as may be needed to make each a suit as aforesaid, together with a pair of woolen hose for each.

And in order that the commissioner of Indian Affairs may be able to estimate properly for the articles herein named, it shall be the duty of the agent each year to forward to him a full and exact census on the Indians on which the estimate from year to year can be based.

And in addition to the clothing herein named, the sum of ten dollars for each person entitled to the beneficial effects of this treaty shall be annually appropriated for a period of thirty years, while such persons roam and hunt, and subject to the revision of the Secretary of the Interior, shall be binding on the parties of this treaty, twenty dollars for each person who engages in farming to be used by the Secretary of the Interior in the purchase of such articles as from time to time the condition and necessities of the Indians may indicate to be proper.

And if within the thirty years, at any time, it shall appear that the amount of money needed for clothing under this article can be appropriated to better uses for the Indians herein named, Congress may, by law, change the appropriation to other purposes; but in no event shall the amount of this appropriation be withdrawn or discontinued for the period named.
And the President shall annually detail an officer of the Army to be present and attest the delivery of all the goods named to the Indians, and he shall inspect and report on the quantity and the quality of the goods and the manner of their delivery.

And it is hereby expressly stipulated that each Indian over the age of four years, who shall have removed to and settled permanently upon said reservation and complied with the stipulations of this treaty, shall be entitled to receive from the United States, for the period of four years after he shall have settled upon said reservation one pound of meat and one pound of flour per day, provided the Indians cannot furnish their own subsistence at an earlier date.

And it is further stipulated that the United States will furnish and deliver to each lodge of Indians or family or persons legally incorporated with them, who shall remove to the reservation herein described and commence farming, one good American cow, and one well-broken pair of American oxen within sixty days after such lodge or family shall have so settled upon said reservation.

Article XI: In consideration of the advantages and benefits conferred by this treaty and the many pledges of friendship by the United States, the tribes who are parties to this agreement hereby stipulate that they will relinquish all right to occupy permanently the territory outside their reservation as herein defined but yet reserve the right to hunt on any lands north of North Platte, and on the Republican Fork of the Smoky Hill River, so long as the buffalo may range thereon in such numbers as to justify the chase, and they, the said Indians, further expressly agree:

1st. That they will withdraw all opposition to the construction of the railroads now being built on the plains.

2nd. That they will permit the peaceful construction of any railroad not passing over their reservation as herein defined.

3rd. That they will not attack any persons at home, or travelling, nor molest or disturb any wagon trains, coaches, mules, or cattle belonging to the.
people of the United States, or to persons friendly therewith.

4th. That they will never capture, or carry off from the settlements, white women or children.

5th. They will never kill or scalp white men, nor attempt to do them harm.

6th. They will withdraw all pretence of opposition to the construction of the railroad now being built along the Platte River and westward to the Pacific Ocean, and they will not in the future object to the construction of railroads, wagon roads, mail stations, or other works of utility or necessity, which may be ordered or permitted by the laws of the United States. But should such roads or other works be constructed on the land of their reservation, the government will pay the tribe whatever amount of damage may be assessed by three disinterested commissioners to be appointed by the President for that purpose, one said commissioner to be a chief or headman of the tribe.

7th. They agree to withdraw all opposition to the military posts or roads now established south of the North Platte River, or that may be established, not in violation of treaties heretofore made or hereafter to be made with any of the Indian tribes.

Article XII: No treaty for the cession of any portion or part of the reservation herein described which may be held in common shall be of any validation or force against the said Indians, unless executed and signed by at least three fourths of all the adult male Indians, occupying or interested in the same; and no cession by the tribe shall be understood or construed in such manner as to deprive, without his consent, any individual member of the tribe his rights to any tract of land selected by him, as provided in Article VI of this treaty.

Article XIII: The United States hereby agrees to furnish annually to the Indians the physician, teachers, carpenter, miller, engineer, farmer, and blacksmith as herein contemplated, and that such appropriations shall be made from time to time, on estimates of the Secretary of the Interior, as will be sufficient to employ such persons.
Article XIV: It is agreed that the sum of five hundred dollars annually, for three years from date, shall be expended in presents to the ten persons of said tribe who in the judgement of the agent may grow the most valuable crops for the respective year.

Article XV: The Indians named herein agree that when the agency house and other buildings shall be constructed on the reservation named, they will regard said reservation their permanent home and they will make no permanent settlement elsewhere; but they shall have this right, subject to the conditions and modifications of this treaty, to hunt, as stipulated in Article XI hereof.

Article XVI: The United States hereby agrees and stipulates that the country north of the North Platte River and east of the summits of the Big Horn Mountains shall be held and considered to be unceded Indian territory, and also stipulates and agrees that no white person or persons shall be permitted to settle upon or occupy any portion of the same; or without the consent of the Indians first had and obtained, to pass through the same; and it is further agreed by the United States that within ninety days after the conclusion of peace with all the bands of the Sioux nation, the military posts now established in the territory in this article named shall be abandoned and that the road leading to them and by them to the settlement in the Territory of Montana shall be closed.

Article XVII: It is hereby expressly understood and agreed by and between the respective parties to this treaty that the execution of this treaty and its ratification by the United States Senate shall have the effect, and shall be construed as abrogating and annulling all treaties and agreements heretofore entered into between the respective parties heretofore, so far as such treaties and agreements obligate the United States to furnish and provide money, clothing, and other articles or property to such Indians and bands of Indians as become parties to this treaty, but no further.

In testimony of all which, we, the said commissioners, and we, the chiefs and headmen of the Brule band of the Sioux Nation, have hereunto set our hands and seals at Fort Laramie, Dakota Territory, this twenty-ninth day of April, in the
year one thousand eight hundred and sixty-eight
(Dunbar-Ortiz 1977, pp. 94-97).
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